Submission on proposed Southland Water and Land Plan

Email your completed submission to policy@es.govt.nz by 5.00pm Monday 1st August 2016

Alternatively, you can post your signed submission to:
Southland Water and Land Plan
Environment Southland
Private Bag 90116
Invercargill 9840

You can also deliver your submission to Environment Southland's North Road office or fax it on 03 211 5252.

Full Name: 
Organisation*: 
Postal Address: 
Email: 
Contact name and postal address for service of person making submission (if different from above):

Public hearing
Please choose one of the following options:

- [ ] 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

Trade Competition
If you could gain an advantage in trade competition, your submission must only include matters which affect the environment.

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.

* Please tick the sentence that applies to you: If you have ticked this box please sign below to declare that you are directly impacted by an adverse environmental effect.

Signature: 
Date: 27/7/2016

(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.

Form 5: Submissions on a Publicly Notified Regional Plan under Clause 6 of Schedule 1 of the Resource Management Act 1991
Submission to ES Water and Land Plan

Submitted by:
Chris & Rochelle Dillon
Dillon Ag Ltd
1032 Riversdale Ardlussa Road
R D 6
Gore 9776
Mob: 0274592902

Brian Dillon
Brentleigh Family Trust
20 York Road
6 RD
Gore 9776
0274578186

➢ = Changes council should consider

Objective 2
Water & land is recognized as an enabler of the economic, social, cultural wellbeing of the region.

SUPPORT but
➢ For ES to stand up and be honest that this economic work has not been completed and not allow this plan to be adopted until further work has been done.
➢ This plan is backwards. It should have stared with the Economic study, then trialled any limits, and the moved towards adopting a plan. Farmers put a lot of time into consulting during the early stages of this plan only to have their views ignored. Farmers are now forced to put a lot of time and money into fighting for their property rights.
I have to date spent 11 full working days, and driven to 6 meetings. We have been involved in a comprehensive study with FAR looking into what drops out of our system. We DO NOT need to be regulated to show what we are already acheiving.
We ask that ES look at the big picture and the facts. Also the staff and Councillors need to understand southland economy revolves around Agriculture.

Objective 18
Farmers need to be recognised as being the leaders in this. The reality is that urban areas are having a higher impact on water quality than farming. Farmers are environmentalists & are being portrayed as the cause of pollution. Point source of degradation needs to be the target ie Towns. Making farmers get resource consent will not improve water quality, concentrating on point source will.

Policy 2
AMMEND
What are Ngai Tahu indicators of health?
➢ If you are going to limit set the public need to know this information and should already have had it

Policies 4 -12
OPPOSE
Physiographic zones – there is no validation report for these, they have not been groundtruthed therefore they should sit outside of the plan. We do not support the use of these zones in regulatory framework.
Pyhsiographic zones are not linked to downstream values or effects.
➢ Until they can be peer reviewed under the Southland Science program 3.2.1 Physiographic zones should be removed from the plan.

Policy 9, #3
OPPOSE
If resource consents are strongly discouraged in the Old Mataura Zone our land values will be significantly impacted. We have recently purchased land (therefore no grandparenting rights) in this area and our cashflows will be severely impacted if we require and are denied resource consent for wintering our stock.

There are two main regions in the Old Mataura- Balfour and Wendonside and these are quite different with Balfour having historically high nitrates and shallow groundwater, while Wendonside has very deep to no groundwater and impermeable pan that is slow to filtrate water.

The Old Mataura Zone covers a large geographic area and this policy will have a significant impact on the incomes of many businesses.

This policy is also limiting in regards to change of land use.

- Old Mataura should be considered the same as Oxidising Zone and #3 under Policy 9 be removed.
- After winter grazing we are currently growing cereal crops that utilise any excess nutrients. This has been proven by research we have undertaken with FAR (Foundation for Arable Research). ES have been given this research and chosen to ignore it and told us to put it in this submission as a mitigating factor. We already undertake best management practice and do not need a $5000 resource consent to say so.

Policy 13
SUPPORT
- As a part of our sustainable land use all our livestock are moved off tile drained land during winter. This practice has been undertaken on this property for the past 31 years!
  It is not only sustainable but also common sense given the property has a mix of soil types.

Policy 14
SUPPORT

Policy 16
Under appendix N, only clause 5 Good Management Practises should be included. AMEND clause 2
A Farm Management Plan will do nothing for water quality and is just more administration for farmers. Nutrient Budgeting using Overseer is flawed science. This software was developed for Fertiliser sales representatives and no one will stand behind its use as a regulatory tool and therefore it should be omitted.

- Remove all clauses under Appendix N, expect for #5.
- Only Good Management practices should be included.
- If Farm Management Plan is to remain (not our recommendation), this should be a document held by farmers, for their use to improve management.
- ES to complete a study of volunteer farmers to look at the impact of nutrient losses and this data could be used to credit farmers at limit setting.

Policy 17
AMEND
However clause 2d is not good enough with the wording “avoiding”.
Urban areas should be adhering to policies in line with rural. Holding the line on pollution isn’t good enough, we need to look at point source. ES is not doing enough to mitigate and stop pollution from urban and industrial zones. It is a much easier path to put this plan in place which puts more regulation on the agriculture sector as well as financial implications, when this sector is a minority in the cause of pollution in the region.

There are numerous papers that prove that the majority of NZ water ways are improving in quality which never makes the headlines.
- Change wording to “No discharge of raw sewerage and untreated agricultural effluent to water”.

**Policy 18**

**OPPOSE**

SUPPORT the exclusion of sheep. **OPPOSE** the remainder.

These rules are already in place. The majority of low land water bodies have already been fenced off & it is very impractical to fence off water bodies in the hill country. Not only is it impractical but uneconomical.

The hill country is best managed by the farmers rather than DOC or ES, proven by the ragwort now evident in the Mavora Valley and the disaster with the wilding pines at Mid Dome.

- Timed grazing prevents a lot of erosion on drains and river banks.

**Policies 25 -28**

**SUPPORT**

**Policy 29**

**SUPPORT**

This is hugely important and gravel needs to be extracted from waterways. In some areas larger consents should be granted.

Digging holes beside rivers should be illegal. Removing alluvial deposits (beach skimming) gravel should be permitted and encouraged. This benefits the wider community, the river users, the farmers and prevents damage to river banks and helps prevent Flooding.

**Policies 30 & 31**

**SUPPORT**

**Policy 39**

**OPPOSE**

What is the point in having a plan if this clause permits the council to make decision outside of it.

People of the region need to know where they stand and what rules they are working within.

Applying for resource consent is a lengthy and costly process that we do not want, let alone applying for one with a clause like this.

- Remove from the plan

**Policy 40**

**OPPOSE**

The terminology used in this policy is too open.

Again resource consents are costly, lengthy and have economic impacts on business operations therefore they deserve to have better guidelines around terms that will be given.

- Be upfront around timeframes

**Policy 43**

**OPPOSE**

This is unfair to operators already in a fully allocated aquifer. This has impacted our business in relation to a land purchasing decision as we were told an aquifer was fully allocated. Another party purchased the property and they transferred water from elsewhere. This also impacts land prices.

- Remove from the plan

**Policy 47**

**OPPOSE**
#4 Ngai Tahu indicators of health – what are these and why are they not outlined in the plan?
- Remove #4 from the plan

**Rule 10**
**AMMEND**
The discharge (of agrichemicals) shall not be to natural state waters or to waters subject to a water conservation order.
The Matura River had a conservation order put on it in 1997. With the fencing off of water ways it is essential that gorse and broom is sprayed and this will not permit that.
- Remove clause c

**Rule 13**
**SUPPORT**
In support of the requirement for mapping of new tile drains but not the maintenance of existing ones.
- Amend 13 a-5 to say "for any new drains, the location of the sub-surface drains and outlet relative depth and position is mapped and held by the land owner".

**Rule 20**
**OPPOSE**
This plan in its current form strips property rights from owners and allows ES to control the land use for OUR business.
Clause a. should be removed from the plan. Insisting that all land holders over 20ha require a resource consent is merely a revenue collecting exercise and will in NO way work towards improving water quality.
Winter grazing should be a permitted activity with GMP
- Remove Physiographic Zones & Farm Management Plans from the plan.
- If not fully removed FMP should be for a 5 year period and not include Overseer.

**Rule 21**
**OPPOSE**
- Expansion should be on a per ha basis.

**Rule 22**
**OPPOSE**
B Use of land in relation to the Old Mataura Zone, this will have significant impacts on land values for land owners, hence their equity changes. This breaches section 32 of the RMA which provides for social, economic and social values.
ES have failed to meet their legal obligations in relation to the completion and distribution of the Southland Economic model for Freshwater. If this had of been completed this plan would not have been published in its current form
- Remove physiographic zones.
- ES to provide as they were meant to before this plan was notified, the Southland Economic Project.

**Rule 23**
**OPPOSE**
The Ha limits are not what was in the draft plan and never mentioned during consultation. They are very unfair. ES stated to me that it was done on equity – then realised they were saying they were going to charge those who could afford to pay! Any public servant that openly says things like this
should be sacked instantly. Their next response was that it would put 300 property owners into resource consent straight away. This is revenue collecting. How will this improve water quality? I farm 6 neighboring properties. Under Ha limits my 730 Ha is allowed 20 ha wintering which is not economically viable.

I also own 50 ha not neighboring, where I can winter year after year on 100% of it. How is this fair? ES needs to be held accountable for encouraging bad practice. Wintering is an animal welfare issue, stock need to be fed. We operate under Best management practice because it is critically important to the future sustainability of our business.

- If Ha limits remain it will drive bad practice. Remove “Landholding” from the plan and replace with “Title”.
- GMP in farming

We have recently purchased land in the Wendonside area (Old Mataura Physiographic zone). How do we get a 3 year average for ES grand parenting promise to winter cows? If we don’t our land value will drop considerably.

There is no allowance for different stock types.

- Grand parenting of wintering areas – where does this sit legally?

Sheep, calves, deer and dairy cows are all wintered according to soil type on our properties – This is GMP or we call it sustainable farming. Judging by the content of this plan ES is in no position to dictate how we manage wintering.

What is the definition of forage crops. The plan does not allow for those who grow the likes of fodder beet for lifting and feeding elsewhere.

- GMP should include stock class. Cows should not be wintered on heavy soils.
- Forage oats and regrowth crops should be left out of wintering.

**Rule 25**
**OPPOSE**

Oppose permitted activity limit of 20 degrees

25b ii Not allowing cultivation anymore than once in a 5 year period – for the purpose of planting your brassica crop and then returning to pasture you need to be allowed to cultivate it more than once.

- Farmers need to be allowed to cultivate twice in a 12 month period for the practicality of farming.
- Increase to 27 degrees.

**Rule 35**
**OPPOSE**

A 3biiv There is only one feed pad permitted per Landholding. Again this severely disadvantages larger operators.

- Remove the word “Landholding” from the plan and replace with “Title”.

**Rule 37**
**SUPPORT**

**Rule 40**
**SUPPORT**

**Rule 70**
**AMMEND**

Support exclusion of sheep
OPPOSE extensive hill and high country farmers being required to exclude stock.

- Cattle are a very important tool in looking after highcountry. They open it up for the sheep to control the feed and weeds. Fencing off every waterway is impractical & uneconomical. High country and hill farmers manage land a lot better than ES ever could.

**Rules 71, 72, 73 & 75**

**SUPPORT**

**Rule 76**

**OPPOSE**

Riparian planting should be illegal. Southlands main river systems are clogged with woody weeds that cost millions to control annually. Why, when knowing this fact, can another of your departments encourage it? This issue has been discussed as part of the Mataura River Liaison Committee of which I am a member.

- Don’t encourage riparian planting on streams as their roots clog tile drains

**GLOSSARY**

**Intensive Winter Grazing**

- This needs defined better. Wintering of stock is an animal welfare issue. ES cannot determine production of a property based on the stock wintered.

**Overseer**

- There is no mention of this in the glossary? The people who designed this software did so for Fertiliser Sales Reps and it was never designed as a regulatory tool. Where is the peer review and science to prove this software is relevant and accurate for the use in which ES are intending to use it?

**Landholding**

- The use of the term landholding in the way ES have defined it, is detrimental to property owners with larger land areas or where they have expanded through purchasing neighbouring properties. We pay rates based on Title, not landholding. This term should be removed and replaced with “Title”.

**Lake or Water Body**

- There is no definition of these in the plan. At the meetings this has been discussed and it was said by ES employees that duck ponds would come under Lakes. This seems ridiculous given they were created for recreational purposes, as sediment traps or for habitat. These need to be defined in the plan.

**General Comment.**

Page 7 of the “Shaping the new plan” booklet says under Wintering stock paragraph 5 – By making these changes we would require consent from around 10% of properties that winter graze, which equates to 50% of the land used for this activity. It also represents a level of consenting that is possible for us to manage with existing staff.

- Where does water quality fit in this?
- This is nothing short of “REVENUE COLLECTING” and sums up your entire plan.