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: Mark Kenneth Guston
Organisation*: Guston Farms Ltd
Postal Address: 666 Pio Mo Flat Rd.
Waiharia Northern Southland
Email: mguston@2zag.co.nz

Phone (Hm): 03 202 1704
Phone (Wk): 09 831 0200
Phone (Cell): 027 516 0955
Fax: (09) 831 0207

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

Contact name and postal address for service of person making submission (if different from above):
Mark Guston, P.O. Box 84001, Westgate, Auckland 0657

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.
If you have ticked this box please sign below to declare that you are directly impacted by an adverse environmental effect.

Signature: ____________________________  Date: 29/7/16

(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
SUMMISSION ON PROPOSED SOUTHLAND WATER AND LAND PLAN

This is a submission on a publically notified regional plan in accordance with the provisions for submissions of the Resource Management Act 1991 on behalf of Gunton Farms Limited, 1066 Piano Flat Road, Waikaia.

Gunton Farms Limited ("GFL") is the trading entity for a number of significant farm properties located in Piano Flat Road, Waikaia, Southland. GFL is a family farming enterprise which has primarily farmed the property known locally as Argyle Station ("Argyle") since 2002.

Argyle is one of Southlands largest station holdings comprising a total land area of 14,600 hectares which can be characterized as follows:

<table>
<thead>
<tr>
<th>Type</th>
<th>Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flood Prone River Flats</td>
<td>465 hectares</td>
</tr>
<tr>
<td>Rolling to Moderate Dry Stock Grazing</td>
<td>6,700 hectares</td>
</tr>
<tr>
<td>Alpine range</td>
<td>7,435 hectares</td>
</tr>
</tbody>
</table>

Argyle has been extensively developed over the last 15 years to improve its stock unit performance, and to diversify its farm activities. Argyle provides for traditional dry stock farming (sheep, cattle and deer), and active recreation country (hunting). The property has 5 homesteads, extensive ancillary buildings, station home yards. The property, in addition to the farm manager has between 5 and 8 employees (seasonal dependent).

Currently stock levels are Argyle are as follows:

- Sheep 16,600
- Cattle 2,470
- Deer 8,100

Argyle is by any measure a substantial holding managed and operated in a proactive however traditional fashion by a family based farming unit.

This precise background has been provided to ensure context to the following submission in relation to the Environment Southland Water and Land Plan ("the Plan").

Precursor Fundamentals

- GFL is a responsible farming enterprise with an empathy towards its land and the importance of maintaining and improving environmental standards at Argyle.
• GFL has reviewed the Plan in the context of its preference to continue to farm Argyle in its traditional manner albeit with a strong environmental standard overlay.
• GFL requires to ensure that Argyle is a commercially sustainable farming business.
• GFL submits that Argyle given its size, scale, and characteristics is not able to comply or conform to generic propositions contained within the Plan which may be suitable for smaller and less diverse, and manageable properties in the Southland region.

Resource Management Considerations

• GFL has reviewed the Plan, its rules, and the status of farming activities within the context of Argyle’s geography. Its conclusion is that in order to continue to operate Argyle in a commercially viable and pragmatic way that its farming activities will require discretionary consent.
• GFL has reviewed the Management Plan requirements and has concluded that once it prepares a Management Plan it will require consent as a discretionary activity.
• GFL is concerned that the Plan places its farming activities in a position of not being permitted and not being able to comply with the land use rules set out in the Plan.
• GFL submits that it is an inappropriate and unintended consequence of the Plan that its farming activities at Argyle are not permitted.
• GFL submits that the costs and processors associated with a requirement to obtain a Resource Consent on a discretionary basis for an activity which has successfully been undertaken for an extended period without environmental harm is inappropriate.
• GFL submits that in circumstances such as Argyle a Management Plan should be prepared, and measured against the special characteristics of Argyle so as to where appropriate ensure that its activities are permitted. The application of criteria for the assessment of a Management Plan which are generic and do not reflect the special characteristics for the property is inappropriate.
• GFL submits that it accepts the principle of preparing a Management Plan but that its Management Plan should be workable, flexible, and provide for ongoing commercial sustainability, with the overlay of achieving environmental policy outcomes.

Specific Provisions for Submission

• Stock exclusion on flood prone flats

The Waikaia river runs through Argyle and is regularly in flood in the spring and autumn seasons. The river Delta provides fertile flats which are the most intensively stocked areas on Argyle. Stock is predominately excluded from the waterways in this area of Argyle. The grazing of this flood prone area is an important part of the commercial viability of Argyle and the water quality implications of regular seasonal flooding of land intensively grazed is unavoidable.
• Stock exclusion on rolling country tributaries

The gully, spur, and tributary profile of the majority of Argyle are complex. The exclusion of stock from tributaries, and overland flow paths is unrealistic and would render the vast majority of Argyle uneconomic. Many of the tributaries have retained vegetation and are generally in a healthy state. The rainfall profile and rapid duration of overland flow path periods, combined with the scale of the farm and distance of travel required make the management of stock to exclude them from waterways during tributary running periods impracticable.

The extent of the proposed set-backs for fencing for the purposes of stock exclusion, together with the costs of that same fencing, suggest that the continued farming of this property as evidenced by the nature of the land form would border on uneconomic given the class of the country.

• Cultivation below 700 metres

The Argyle Plan will provide a flexible, location specification cultivation margin and will identify cultivation of slope dependent on its locational characteristics and the nature of receiving tributary environments. The Argyle Plan will differentiate general cultivation from pasture replacement which is a regular cycle and includes as part of its process short term cropping. The pasture replacement programme at Argyle has been and will continue to be fundamental to it remaining a commercially sustainable enterprise.

• Cultivation above 700 metres

The Argyle Plan will require cultivation to 800 metres and will provide for flexibility of cultivation slope, cycle, and margins.

• Winter Grazing

Due to the size and scope of the farming operation of Argyle Station including the need to renew pastures on a regular basis which historically has included the need to put land through a fodder crop as part of the rotation we find the limitations imposed as to area given our pasture renewal programme which runs to circa 500 hectares per annum to be prohibitive.

Summary and Conclusion

GFL submits that the Plan is imposing a level of bureaucracy, costs and imposition on landowners which is an affront to property rights in the first instance and to long standing traditions of farm management with an environmental overlay. Whilst the principles of improving water quality and environmental standards are to be applauded the imposition of generic standards to what is a complex and diverse
situation is flawed. GFL already has a Management Plan to operate Argyle Station in a responsible and sustainable manner, and is concerned that its management approach/plan will now require a resource consent to be considered on a discretionary basis, presumably annually.

The ongoing operation of Argyle in a tried and true way should surely be a permitted activity under the Resource Management Act 1991.