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: Peter Templeton
Organisation: *the organisation that this submission is made on behalf of
Postal Address: 124 Crowden Bush Rd
Phone (Hm): 03 2050020
Phone (Wk):
Phone (Cell):
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Email:
Fax:

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: 1/8/2016

(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
I am a 50-50 sharemilker on an intergenerational coastal property near Riverton. The Templeton family has been on this land for 105 years through 3 farming systems, firstly Flax Milling, then sheep farming and now dairy farming. We now operate as three farms, with 2 dairy platforms, and adjoining support block totalling 500 hectares of effective land, or 635 hectares' total area as there many wetlands, pine plantations and ditches that have been installed/ maintained to allow us to farm successfully here.

Each of the Dairy units is 218 hectares and employs a sharemilker and 2 staff, plus my parents on the support block and my grandfather a tractor driver maintaining roads and tracks as well as spreading fertiliser. Our farm extends to high tide mark and our operation is strongly influenced by our environment. There is a medium sized lagoon system and wetlands area that drains a small number of neighbouring farms through the Otaitai Stream. 99.95% of the total Otaitai Dairys operation drains into the Otaitai Stream.

Other uses of this land include a popular beach access via Templeton road to Oreti Beach, now part of the Te Araroa Trail on which we have noticed a huge increase of activity on the last year, and some of the trail users have been caught by high tide and have diverted through our farm tracks, on towards my uncle’s farm which spans from our eastern boundary to the Waimatuku River Mouth. We also host the Templeton Heritage Flaxmilling Museum and make up some of its volunteers. We have recently added wetland walks through and around the wetlands and lagoons to the Museum experience as an option to help people (especially schoolgroups) understand the whole process and environment that supports it. There are 5 duckshooting maimai’s along the Stream on my property as well as a large (>1 ha) Sanctuary pond. There are many different bird types inhabiting the lagoons and regenerating wetland and we are amazed at the constant changes. A large flock of Stewart Island Shags now nest there year round, and following a predator elimination program the number of birds especially ducks has greatly increased this year.

The short amount of time for review and consultation on this plan and especially the timing running into August (calving) have been particularly stressful, as are the potential implications of the plan to my farm system and the Otaitai Dairies Farms as a group. Potentially we will be treated as one landholding, and much (>25%) of our land is within 100m of the Coastal Marine Area. Both of these factors mean that we are faced with more compliance costs from this plan and we would potentially have to get a number of “operating consents” on a yearly basis in addition to the water take and effluent discharge consents we currently need to operate. I have tried to balance these business concerns with the environmental goals of the plan and genuinely have submitted on items which I believe do not reinforce the Objectives of the plan.

Peter Templeton 1/8/16
The specific provisions our submission relates to are:

Our submission is that:

Reason:

The decision I would like Environment Southland to make is:

Water and Land Plan (Entirety)

Support In Part/ Amend:

I support the intent of the plan to improve water quality in Southland, but are concerned about the lack of detail, unclear definitions, workability of the rules at a practical level, there is too extensive use of discretionary and restricted discretionary consents, etc.

I recommend collaborative process throughout the transition to the Water and Land Plan. The extensive switch of activities in the plan from permitted to restricted discretionary and discretionary will massively increase the amount of resource consent applications which will impose potentially huge amounts of new compliance costs to farms and businesses.

Policy 2-12

Physiographic Zones

Support In Part/ Amend:

I support the principle of this rule, but there must be a process so that individuals are able to challenge the assignment of the zone/s that they are allocated. It is disappointing that the validation report for this work was not publicly available before the Plan was notified or before submissions closed.

I recommend that the “physiographic zone” system live outside of the LAWA plan like the good management practices do. This means that they can be more easily and quickly updated with the latest science and avoid lengthy and costly plan changes. I recommend that physiographic zones are removed from the plan and are referred to in the Farm management plans

Policy 46: Fresh Water Management Units

Oppose:

The principle of splitting Southland into Freshwater Management Units is sound, these catchments are too large proceeding into the limit setting process.

I recommend a review of the Freshwater Management Units so the limit setting process can be effective and representative for sub catchments

Rule 13
Discharge from installed subsurface drainage systems

Support In Part/Amend:

Imagery on the first draft.

I support this rule in principle but there must be an allowance for drain/tile cleaning. If not, drains/tiles will become unusable. This will cause significant overland flow as the land will become sodden. The environmental impacts of this will be far higher than the periodic cleaning of the tiles/drainage.

I recommend an allowance needs to be made for drain/tile cleaning using water blasting. This needs to be completed occasionally to allow for effective drainage of the subsurface drains.

Rule 20
Farming
Appendix N
Management plan requirements
Support In Part/Amend:

I support the concept of Farm Plans in principle.

Provide clarity on;

• how the Farm Plans are to be managed?
• the audit process
• time period between audits

More detail is required around the “Environment Southland Register of Independently Audited Self-Management Participants” and needs to be included in the Plan.

Rule 21: Existing Dairy Farming of Cows
Support In Part/Amend:

I support the principle of this rule, but I don’t support a rule that makes all farms non-complying before the submission/hearing process is finished.

I recommend that the date is changed to 30th May 2018 to allow dairy farmers time to ensure that they meet the conditions, particularly condition (c).

Policy 16, Rule 23
Intensive Winter Grazing

Oppose:

I oppose the reference to any area as this impedes land rights. Areas are arbitrary and to suit ES in regards to consent numbers, but are not based on any science. Larger farms are unfairly disadvantaged and some will not be able to winter their own stock on the proposed areas. This rule implies that large operators are less environmentally sustainable than smaller operators. This rule will drive poor environmental practices and have no positive impacts on water quality. This rule does not target poor behaviours. Hectare limits per contiguous landholding are inequitable for larger scale operations.

Equitable ruling for all property sizes.

Avoidance of consenting process within limits.

Clarify ruling for properties with mixed physiographic zones –

Why should a consent be required to increase winter grazing by more than 20 ha if it occurs within the proposed hectare limits?

How is the three-year average to be calculated? From which base year?

All references to area's or percentages of land holdings to be removed from the plan.

I recommend that Rule 23 is revised and any reference to any area is removed. I support management plans in accordance with appendix N to be supplied to ES in lieu of consents.

A definition of fodder crop is needed. This should not include grass.

There needs to be an exception added for B (ix) to allow for adverse weather events.

Rule 35

Discharge of agricultural effluent to land

Oppose:

Section (a) (i) (3) (b) (ii) limits feed lots or wintering pads to one per contiguous landholding. This is inequitable for larger scale operations and disadvantages those with multiple neighbouring farms in respect to farm owners who have multiple farms but which are non-contiguous.

Section (b) (iii) “Chartered Professional Engineer” is too restrictive and the availability of these would severely limit land holders’ ability to be compliant.

Only effluent ponds should need to be tested prior to discharge, not all structures that hold
effluent such as weeping walls, stone traps etc.

I recommend that the limit per changed to one feed lot or wintering pad per 100ha. This will much more fairly restrict the number of unconsented fed lots or wintering pads.

I recommend the change to “Chartered Professional Engineer” to suitably qualified person.

I question whether it is necessary to test effluent ponds if they have been suitably designed and built by a suitably qualified person?

I recommend a change of wording to state that only effluent ponds (not all structures that hold effluent) need to be tested.

Rule 38

Animal and vegetative waste

Support:

I support this rule in principle but I oppose Section (d) (iv) which restricts the application between 1st May and 30th September. I feel that it is inappropriate to use dates as the conditions each month vary so much from year to year. During the winter months is one of the few times on a dairy farm when it is practical to scrape lanes and do maintenance. This maintenance is vital for animal welfare and staff health and safety. If lane scrapings are not allowed to be applied to land over winter, this would reduce the amount of maintenance that is done.

I recommend that Section (d) (iv) should be replaced with conditions based on soil temperatures or conditions as advised by the ES website.

Rule 54

Abstraction and use of groundwater

Oppose:

I believe that the current water take permit process is much fairer than this alternative as it gives entitlements based on the proven needs of landholders. I do not believe that small land holdings should have the same water rights (that they do not need) as larger landholdings. This may have serious ramifications as we enter the limit setting process.

I recommend that ES keep current water take permit process.

Rule 59

Culverts and Sediment Traps
Support:
I support the principle of this rule, but oppose Section (a) (i) that limits the size of culverts that can be installed without a consent. Installing a larger culvert is safer and represents a greater expense for the individual installing it. This should be encouraged not discouraged by the requirement of a consent.

I recommend that Section (a) (i) be changed so that the maximum diameter is increased from 1200mm to 1800mm.

Rule 70

Stock exclusion from waterbodies

Oppose:
Without a definition of a waterway I oppose this rule. There should also be an allowance made for landholdings that are so extensive that stock access to their waterways does not affect water quality. The economic impact for these farmers in having to fence off water ways and install stock water systems would be much more significant than the minimal impact that they would be having on water quality.

I recommend that Dairy Accord’s definition of a waterway (1 metre wide, 30cm deep runs 6 months of the year) is used with the addition of a gravel bed. A stock unit per hectare threshold for these rules should be included.

Glossary – Landholding definition

Oppose:
I oppose that adjoining land with a common occupier should be classified as a single landholding. This disadvantages land holders with contiguous farms in respect to similar sized land holders with non-contiguous farms. Landholders with adjoining farms frequently run these as separate units and should not be disadvantaged simply because their farms neighbour each other.

I recommend the definition of a landholding be revised so that it is not inequitable for landholders with contiguous landholdings.

Coastal Marine Zone

Oppose:
I oppose the exclusion of Intensive winter grazing is within 100m the Coastal Marine Zone. This would exclude at least 60 hectares of my farm from being Winter Cropped. On our sandy soils we always use minimum tillage as sandblows are a major risk with cultivation, and therefore winter cropping is a key tool in our regrassing and crop rotation system.

I oppose the banning of intensification within 100m of the Coastal Marine Area, as this precludes the ability of good management practices to mitigate risks and farm these areas successfully,
positive environmental outcomes.

I recommend that the sub rule excluding intensive winter grazing from within 100m of the Coastal Marine Area be removed from the plan. Farm Plans (Appendix N) are ideally suited to manage risks and mitigate effects from these activities.

Glossary

This glossary is included to assist in the understanding of terms used in this Plan. Other sources, where used, are indicated accordingly.

Amend:

Definitions in the glossary are limited and need to be wider ranging see attached.
Provide definitions for:
- Dairy farming
- Waterways
- “close proximity” see -- Policy 16 1. (a)
- Lake
- “avoided” -- “fully mitigated” Policy 16 1. (b)
- Land holding
- Forage crop
- Coastal Marine Area
Section 32 Report/Economic Evaluation

Oppose:

This report does not adequately report on the likely economic impact of this Plan. There are few actual figures in it and it relies on self-ranking. Some of the rules within the plan will have significant economic effects for individuals as well as the whole Southland region. I feel that this report is not at the required standard.

I feel that a lot more work needs to be done. I would like to see a full economic impact report that is of the required standard to adequately model the likely economic impacts of this Plan.

Policy 29 & Rule 73 Gravel extraction

Amend:

Ability to remove gravel from river beds where appropriate to reduce river and stream bank erosion.
General comment
There is a focus on farming when I believe that the urban and industrial members of our region need to be accountable for water quality also. Waste water treatment, septic tanks, sewage systems/discharge, storm water and industrial effects all contribute towards declining water quality, and this Plan should have stronger regulation of these activities.