Dear Sir/Madam

SUBMISSION ON PROPOSED SOUTHLAND WATER AND LAND PLAN - THREE RIVERS CATCHMENT GROUP

Thank you for providing the Three Rivers Catchment Group (the Group) with the opportunity to submit on the Proposed Southland Water and Land Plan (W&L Plan).

Three Rivers Catchment Group

Three Rivers Catchment Group (TRCG) has been formed by farmers based around Wyndham including but not limited to the areas of Mimihau, Oware, Waiarikiki, Mokoreta, Glenham and Redan. The group has been formed to represent farm business and community interests in water management in the geographic area described above across the Lower Mataura Valley and in relation to the wider Mataura River Catchment.

TRCG are currently unincorporated but intend to formalise as a group at a later date.

Mataura River Catchment (FMU)

The Mataura catchment is the second largest in Southland both in terms of area and flow. It covers an area of 5400km² stretching from its headwaters in the Eyre Mountains to the Fortrose Estuary, east of Invercargill (Paine & McConchie, 2012). TRCG submit that this is a very large and complex catchment with a wide range of interests in water including industrial, community, cultural, recreational and agricultural.

We recognise the integrated nature of the Mataura Catchment but we have a primary focus and interest in water relating to the more specific geographic area within which we live and farm. This includes the catchments of the Mimihau Stream, Oware Stream, Waiarikiki Stream, Redan Stream, the Don and Kuriwai Creeks and the Mokoreta River. These waterways form a sub-catchment of the Mataura River and in our view would constitute a lower order catchment or Freshwater Management Unit (FMU) better suited to water management at a localised level.

We therefore question whether the FMU outlined in Policy 45 (1) should be further devolved to specific geographical areas or sub-catchments. The W&L Plan use of ‘whole catchments’ connects our interests in water to all those upstream and downstream. While we acknowledge that a ‘whole catchment’ perspective is needed under the Plan it fails to
address specific values and interests at sub-catchment level. We are concerned that this high level approach to water management will overlook implications at the local level where TRCG primary interest sits.

We are also of the opinion that a sub-catchment based on a community of interest such as that present in the area in which we live may have more potential for efficient allocation and use of water locally and over-all on a whole catchment basis.

**New Objective and Policy - Social and Economic Benefits and Costs**

We are concerned that there is no recognition in any of the region wide objectives and policies of the W&L Plan recognising and providing for rural land use activities. Policy RURAL.1 of the Proposed Southland Regional Policy Statement 2012 recognises that use and development of rural land resources through land-based activities such as farming, forestry, mineral extraction, energy generation, manufacturing/industry and tourism provide for the wellbeing of people and communities within Southland.

*Policy RURAL.1 – Social, economic and cultural wellbeing*

*Recognise that use and development of Southland’s rural land resource enables people and communities to provide for their social, economic and cultural wellbeing.*

The social and economic benefits of farming activity should be recognised in the W & L Plan through an objective and policy. This will provide for more balanced consideration of the all potential effects of farming activity including positive effects.

There are also no policies within the W&L Plan that recognise the investment farmers have made in relation to physical infrastructure on their farms. This issue is particularly relevant for existing dairy farms in terms of the capital investment that has already been made in on farm infrastructure. On-farm infrastructure includes but is not limited to dairy milking sheds, farm dairy effluent ponds and effluent irrigation systems, water irrigation systems, water abstraction bores, wintering sheds and farm lanes. This infrastructure forms part of the physical environment and these physical resources need to be managed sustainably in accordance with Part 2 of the Resource Management Act.

There is also no recognition of potential social and economic costs that could arise from the refusal of resource consent for existing farms. This is a key issue for existing dairy farms that are seeking replacement FDE discharge and water abstraction permits given catchment limits will be set under this Plan.

We submit that there should be a policy in the W&L Plan recognising the capital investment made in farm infrastructure on existing farms. This would ensure the potential social and economic costs of resource consent decisions are assessed as well as those of an environmental and cultural nature.

The W&L Plan as drafted is very focussed on environmental and cultural effects of activities. Economic and social effects are also relevant matters under Section 5 and should be given more prominence. The addition of this policy would provide a more balanced document at policy level and would ensure decision makers consider social and economic benefits and costs when making decisions on resource consent applications.
National Policy Statement Freshwater

This National Policy Statement sets out objectives and policies that direct local government to manage water in an integrated and sustainable way, while providing for economic growth within set water quantity and quality limits. As noted above we submit that there needs to be more recognition of the economic benefits of farming and potential economic effects and costs of W&L Plan on farming, rural communities and the regional economy.

Physiographic Zones

The high level science behind these zones makes it difficult for farmers to question the applicability and accuracy of this zoning at an individual farm level. The Physiographic Zones (P.Zones), through the W & L Plan rules will have a significant influence on farm management planning and resource consent processes. We are concerned that the P. Zone mapping does not recognise water quality, climate, topography, and geology and soil type at the individual farm level. We are also concerned about the implications for property owners who have ‘spot zones’ or small areas on their properties that are identified as Old Mataura or Peat P.Zones.

New Policy - Good Management Practice

The W&L Plan does not recognize or provide for those farmers who already operate efficiently and effectively in relation to the potential environmental effects of their farm activities.

For example those farmers that operate alternative farm systems and those that already utilize good management practices. The W & L Plan assumes a worst case scenario in relation to potential environmental effects of farming. We submit that there should be recognition at policy level in the W & L Plan of the good management practices farmers may have already implemented on farm.

The use of dairy wintering sheds is an example and these sheds may provide environmental benefits and advantages through housing of stock over winter months. There is no recognition at policy level in the plan recognizing the environmental benefits of the significant investment in this type of farm infrastructure.

Focus on Farming Activities

We note that the W & L Plan has a significant focus on farming and farming activities. As a general observation we would like to see more recognition of other activities that have effects on water quality and quantity including but not limited to industry, urban and municipal land use activities. There are examples of all of these activities in the Mataura catchment.

Specific Submission Points

TRCG submission on the provisions on the W&L Plan is detailed below. Our submission then includes a table of specific changes and the relief that we seek.
Objective 15, Policy 3 and Appendix M

We do not oppose the recognition of taonga species in the L&W Plan. Our concern with this objective, policy and Appendix relates to how these provisions are applied in implementation of the L&W Plan.

Farmers regularly undertake works on-farm that requires the removal indigenous vegetation including plant species listed in Appendix M.

Southland’s Territorial Authorities under their relevant District Plans currently have responsibility for regulations relating to the removal of significant indigenous flora in Southland. Regulation relating to the removal of indigenous vegetation listed in Appendix M should sit with the respective Territorial Authorities.

Policy 16 – Farming Activities that Affect Water Quality

This policy sets the framework for farm management plans, dairy farming (new and expanded) and intensive winter grazing across the Southland region. We are concerned with the use of the phrase ‘strongly discouraging’ under 1 (a) and (b).

In relation to Policy 16 (a) it is not clear that sensitive waterbodies include those listed in Appendix Q and Appendix A. There is a statement in Appendix Q that all waterbodies listed in Appendix A are also sensitive waterbodies. If this is not the intention of Policy 16 (1) this text in Appendix Q needs to be deleted. If it is the intention it should be stated in the text of Policy 16. We note that this would add a considerable number of farms that are located in close proximity to these waterbodies.

The term ‘close proximity’ is also problematic as it is not definitive and it will be difficult for farmers and Council staff administering the Plan to ascertain if farming activities are subject to this policy. New intensive winter grazing and new dairy farming may also be undertaken on parts of a larger rural property that are not located in ‘close proximity’ to the waterbody. Rule 23 permits a level of winter grazing (20 or 50 ha) irrespective of farm location in relation to sensitive waterbodies. A policy ‘strongly discouraging’ winter grazing does not align with the activities permitted under this rule.

The policy also fails to recognise that environmental effects from farming activity on these waterways occur from activities (including non-farming activities) that may be located a significant distance upstream.

We also note that ‘strongly discouraging’ an application (Policy 16 (b)) is indicating that a person should not to lodge something as opposed to addressing the effects of the activity.

Policy 17 – Effluent Management

The discharge of effluent will always have an effect of some sort for example odour. A certain level of environmental effects from rural activities can reasonably be expected in rural areas of Southland. The Plan rules provide for rural activities and incorporates conditions as part of permitted rules and other tools such as set back requirements. These approaches allow for a level of effects whilst at the same time seeking to avoid remedy or mitigate them. This is consistent with the effects based nature of the RMA. Policy 17 (1) through use of the word ‘avoid’ is seeking to create a ‘no effects’ approach to
farming and this is not practical. The use of the words ‘avoid, remedy or mitigate’ should be used instead of just ‘avoid’.

Policy 18 – Stock Exclusion from Waterbodies

In relation to Policy 18 (3) we are unsure why there is a preference for indigenous vegetation. Exotic vegetation could be advantageous in certain situations as a result of topography or other factors. In addition exotic vegetation cover may be more beneficial in terms of reducing sedimentation.

Policy 29 – Provide for the Extraction of Gravel

We support this policy.

Policy 30 – Drainage Maintenance

We support this policy which recognises the community benefits of maintaining flood capacity and land drainage.

Policy 32 – Protect Significant Indigenous Vegetation

We note that there are no identified areas of significant indigenous vegetation and habitat in the W&L Plan and as such it is not clear what will and will not be deemed significant.

Policy 33 – Adverse effects on Wetlands

We are unsure if this policy is relevant to artificial wetlands for example duck ponds or amenity ponds constructed on rural properties. We suggest that Policy 33 be amended to clarify that it relates to ‘natural wetlands’ rather than ‘wetlands’.

Policy 34 - Restoration and Creation of Wetlands

It is not clear how indigenous biodiversity can improve water quality and we suggest that it is the benefits of indigenous flora (plants) that the policy can provide for. As this policy covers restoration and creation of wetlands it is not clear how existing artificial wetlands such as duck ponds would be regulated should a farmer wish to remove one. We seek clarification that the policy relates to ‘natural wetlands’ rather than ‘wetlands’.

Policy 39 Application of the permitted baseline

We oppose this policy as it is attempting to remove the discretion of decision makers provided under Section 104 (2) of the Act. This section of the Act states:

> When forming an opinion for the purposes of subsection (1)(a), a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the plan permits an activity with that effect.

Application of the permitted baseline may therefore be applied at the discretion of the decision maker when considering specific resource consent applications. Policy 39 is
attempting to undermine a higher order document (the Resource Management Act) by removing this discretion.

We submit that Policy 39 be deleted and Policy 39A be renumbered policy 39.

Policy 40 – Determining the term of resource consents

We support recognition of the permanence and economic life of capital investment (4) as a relevant matter to consider when determining the duration of resource consent.

Policy 45 – Freshwater Management Unit Process Policies

We question the use of use of 5 Freshwater Management Units as the appropriate scale for setting objectives and limits for freshwater accounting and management purposes. We submit that the W&L Plan should be amended to provide for the use of lower order FMU at a more localised level.

Rule 4

We support the inclusion of a discretionary activity default rule (Rule 4) which provides plan users clear direction on the consent category for activities not specifically provided for.

Rule 17

We support the use of a permitted rule for dust suppression. However, the discharge of a dust suppressant under Rule 17 (a) is permitted only if the suppressant is vegetable oil, or of new light fuel or new lubricating oil. Previously used oil has been used for dust suppression of public and private gravel roads. Private roads/accesses are often used by heavy vehicles (e.g. milk tankers), general farm and residential traffic. Oil is used to address the adverse environmental effects of dust arising from traffic using these roads in dry conditions. The requirement of Rule 17(a)(i) for the dust suppressant to be vegetable oil, new light fuel or new lubricating oil is likely to increase the cost of undertaking this activity significantly.

Rule 20

Rule 20 sets dates by which farming land uses (excluding dairy and intensive winter grazing) require a Management Plan (in accordance with Appendix N) in order to be/remain a permitted activity.

We support Council's approach on this matter as supplying a Management Plan is preferred over the resource consent process. We do however seek some changes to Appendix N as detailed in the table below.

We also wish to note that the requirement to prepare farm management plans will impose significant ongoing costs in terms of both time and money on farmers in Southland.

Rule 21 – Existing dairy farming of cows

We support permitted activity status for existing dairy farms.
**Rule 23 - Intensive Winter Grazing**

Rule 23 sets permitted levels of intensive winter grazing (IWG) for a landholding from 30 May 2018. Rule 23(b)(iii) states that no more than 20ha of IWG may be undertaken on a landholding which is within the Old Mataura or Peat Wetlands physiographic zones, and Rule 23(b)(iv) stating that no more than 50ha may be utilised for IWG on a landholding which is within the Riverine, Gleyed, Bedrock/Hill Country, Oxidising, Central Plains or Lignite-Marine Terraces physiographic zone. From the abovementioned date, the use of land for IWG within the Alpine physiographic zone is a prohibited activity under Rule 23(f).

Rule 23(b)(iii) implies that where any amount of Old Mataura or Peat Wetlands is present on a landholding, no more than 20ha of IWG can be undertaken on that landholding, regardless of what physiographic zone the IWG is in. If this is not the intention of the Rule, it is suggested that Rule 23(b)(iii) and (iv) be changed to reflect this.

The Group would prefer a percentage based Rule for permitted IWG activities as this deemed to be all-encompassing and more functional when applied to a number of farming activities and scales.

The Rule requires that vegetated buffers of different widths are in place between a watercourse and land which is being utilised for IWG. The degree of the slope between the watercourse and the land used for IWG (when measured over 20m from the outer edge the bed), dictates the width of the buffer required. Rule 23(b)(vii) requires the following: 3m buffer where the slope is less than 4 degrees, a 10m buffer when the slope is between 4 and 16 degrees and a 20m buffer when the slope is greater than 16 degrees.

Measuring a slope in accordance with this rule for the length of a watercourse is not practicable. The term outer edge of the bed could open up issues on interpretation. We submit that the term ‘edge of the bed’ should be used instead as the edge of the bed is the edge of the bed. The term ‘bed’ is defined in the RMA and referring to the edge of the bed would avoid confusion.

**Rule 24 – Incidental discharges from farming**

Support the inclusion on Rule 24 but it should be amended to reflect that the activity could be permitted under a resource consent as well as the permitted rules listed.

**Rule 25 – Cultivation on sloping ground**

We support the use of a permitted rule but the buffers previously discussed in relation to Rule 23 also apply to the cultivation of land under Rule 25, therefore the same issues surrounding practicality apply.

**Rule 26 Discharges from on-site wastewater systems**

We support use of a permitted rule.

**Rule 32 - Effluent Storage**
We submit that this rule should be split to provide for Rule 32 (a) (i) to sit as a discretionary / non-complying rule and for Rule 32 (a) (ii – iv) to sit as a controlled / restricted discretionary rule.

Rule 32 (a) (i) sets a much higher standard in regard to engineering design and sign-off. It therefore lowers risks associated with pond failure or leakage and we consider controlled activity status more appropriate for those ponds that meet Rule 32 (a) (i) and permitted conditions Rule 32 (a) (ii – iv).

It is not uncommon for new FDE ponds due to site constraints and other factors to be sited in a location where it cannot meet one or more of the permitted standards outlined in the rule (Rule 32 (a) (ii – iv). Non-complying activity status for those effluent storage ponds that fail to adhere to permitted conditions (ii – iv) is excessive.

A split in this rule would allow for activities that do meet permitted conditions (ii – iv) to be considered as controlled and those that do not discretionary subject to compliance with Rule 32 (a) (i).

Our suggested change to this rule is detailed in the table below.

**Rule 35 Discharge of Agricultural Effluent to Land**

In relation to Rule 35 (vii) we note that in the Operative Plan the rule provided for an ‘average’ discharge depth whereas it now provides for a ‘maximum’ discharge depth. We submit that a maximum discharge depth of 10mm is unrealistic and the rule should go back to use of an average discharge depth.

The requirement under Rule 35 (b) (iii) for certification of any pond, tanks and structures used to store agricultural effluent and pond drop testing is excessive. This rule will regulate smaller purpose built structures that store agricultural effluent that do not have the same environmental risks as larger farm dairy effluent ponds. This includes structures such as stone traps, collection sumps, weeping walls and bunkers. This rule would discourage the use of small stand-off / calving pads which can have positive environmental effects.

**Rule 37 – Agricultural Dips**

We support this Rule and seeks its retention.

**Rule 38 – Animal and Vegetative Waste**

Rule 38 (iv) restricts discharge of solid animal waste, sludge or vegetative material containing animal excrement or vegetative material from certain farm uses five months of the year. If farmers are unable to discharge this material for five months of the year they will have to construct additional storage for this material. The economic cost of this additional storage would be significant.

The discharge of this material in these months can be undertaken in a manner subject to best practice that will not give rise to significant adverse environmental effects. This rule may have unintended consequences as the additional FDE storage that is needed and the limitation on solids discharges 5 months of the year result in considerable build-up of FDE wastes on-farm. This could result in at least 6 months storage for the main pond and
5 months for the solids. This is a large amount of FDE waste that needs to be stored particularly if adverse weather conditions or issues with infrastructure arise. This rule is also likely to give rise to difficulties for those farmers who do not separate solids and store raw effluent in their ponds.

**Rule 39 – Other Agricultural Effluent Disposal**

We support this Rule and seeks its retention.

**Rule 40 – Silage and Rule 41 Silage Leachate**

An amendment to Rule 40(a)(iii) is sought in order to align this Rule with Rule 41 – Silage leachate. Condition (ii) or Rule 41 states that to be a permitted activity “the discharge of silage leachate does not enter any surface water or naturally occurring wetland” whereas the equivalent within Rule 40, Condition (iii), states that “there is no discharge of contaminants from the silage storage facility to any surface or groundwater or naturally occurring wetland” for the activity to be permitted. The word ‘water’ appears to be missing after the word ‘surface’.

**Rule 43 - Farm Landfills**

Support. Farmers need to have appropriate cost effective options for waste disposal on farm.

**Rule 44 - Dead holes (offal pits)**

Support. Farmers need to have appropriate cost effective options for waste disposal on farm.

**Rule 49 – Abstraction, diversion and use of surface water**

We support an increase in the amount of water that can be abstracted as of right and the intention of the rule in reducing the need for resource consent for most farm water takes.

We do however note that many farmers, particularly dairy farmers, may have a preference to hold a water permit specific to their farm use. A water permit provides a ‘right’ to take water and is a valuable document. The catchment limit setting process that will be undertaken through the W&L Plan process is likely to result in limits on water abstraction. A water permit provides certainty for all parties in relation to who has the right to take water within a catchment.

**Rule 53 – Bores and Wells**

We support this rule.

**Rule 70 - Stock exclusion from waterbodies**

*Waterway Fencing / Stock Exclusion / 16 degrees*

Rules 70(a)(vi) and (vii) do not require fencing to be undertaken for deer, cows and cattle within the Bedrock/Hill Country physiographic zone where the slope (when measured over 20m for the outer edge of the bed of a watercourse) is over 16 degrees. We support
this approach but wish to see it applied to all land over 16 degrees irrespective of the P.Zone. Farms which are predominantly within the Bedrock/Hill Country physiographic zone may also be within other zones such as Oxidising, Gleyed and Lignite–Marine Terraces. In these situations the farmers would not need to fence some areas over 16 degrees (the Bedrock/Hill Country) but would need to fence the others (Oxidising, Gleyed and Lignite–Marine Terraces). A consistent approach to fencing land over 16 degrees should be undertaken. There may also be farms in other P zones besides Bedrock/Hill Country that have 16 degree slopes adjoining waterways i.e. gullies.

Stock Type and Timeframes

We support the exemption for sheep from Rule 70(a)(vi) and (vii).

Rule 70(a)(vi) and (vii) require the exclusion of dairy, beef and deer stock from all rivers, natural wetlands, artificial watercourses, modified watercourses and lakes. Specifically, all dairy cows and cattle must be excluded by 1 May 2018 with deer being excluded by 1 May 2020. It is acknowledged that many dairy farmers will already be meeting Rule 70(a)(vi) or will be close to it.

For beef farms, this sets a two year timeframe for when stock must be excluded. For many farms the cost and hours required in order to achieve this will be significant and in some cases, severely reduce the viability of their business in both the short term and possibly the long term.

Many farms in Southland run both sheep and cattle on the same landholding. To meet Rule 70(a)(vi) all waterways that do not meet the exemption would need to be fenced. So to avoid this requirement and the associated costs, cattle may instead be run in steeper areas of farms within the Bedrock/Hill Country physiographic zone (areas over a slope of 16 degrees) rather than flatter terrain. Rule 70(a) does not adequately provide for farm operations which run more than one stock type and for that reason is not efficient.

Rule 74 – Wetlands

Clarification is sought in regards to what is considered to be a ‘wetland’. As written a purpose-built duck pond would be considered a wetland as it “supports a natural ecosystem of plants and animals”. Therefore, the drainage or modification which is not for the purpose of maintaining or enhancing the wetland or pedestrian access to the wetland is a non-complying activity. An amendment is sought to this rule which replaces the term wetland with natural wetland.

Rule 77 – Vehicles and Machinery

Support.

Rule 78 – Weed and Sediment Removal

Support.

Appendix N

TRCG generally support the management plan approach of the W&I Plan and the use of Appendix N. This is preferred to a resource consent process. We do however note that the
information requirements detailed in Appendix N are extensive. We are therefore seeking changes to Appendix N as detailed in the table below.

**Table of Specific Changes Sought:**

Deletions shown with **strikethrough**, additions **underlined**.

Note the below does not include any consequential renumbering required.

<table>
<thead>
<tr>
<th>Provision</th>
<th>Submission</th>
<th>Relief Sought</th>
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<tbody>
<tr>
<td>Region-wide Objectives</td>
<td></td>
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<tr>
<td>New Objective</td>
<td>Insert new objective.</td>
<td>New Objective – Recognise and provide for the economic and social benefits of farming.</td>
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<tr>
<td>New Policy</td>
<td>Insert new policy recognising the social, cultural and economic benefits of farming activity.</td>
<td>New Policy - Recognise that use and development of Southland’s rural land resource enables people and communities to provide for their social, economic and cultural wellbeing.</td>
</tr>
<tr>
<td>New Policy</td>
<td>Insert new policy recognising the capital investment made in on-farm infrastructure and requiring consideration of potential social and economic costs associated with this infrastructure when making decisions on resource consent applications.</td>
<td>New Policy - Recognise the capital investment made in existing farm infrastructure and the social and economic benefits that arise from this infrastructure.</td>
</tr>
<tr>
<td>Objective 2</td>
<td>We support objective 2 and the recognition of water and land as an enabler of the economic, social and cultural wellbeing of the region.</td>
<td>Retain.</td>
</tr>
<tr>
<td>Objective 9</td>
<td>We support objective 9 and particularly 9 (b) in terms of water availability both instream and out-of-stream to support the reasonable needs of people and communities to provide for their social, economic and cultural wellbeing subject to meeting part (a) of the objective.</td>
<td>Retain.</td>
</tr>
<tr>
<td>Objective 13</td>
<td>Support.</td>
<td>Retain.</td>
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<tr>
<td>Provision</td>
<td>Submission</td>
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| Objective 14 | It is not clear who will be enhancing indigenous ecosystem types. | Objective 14  
The range and diversity of indigenous ecosystem types and habitats within dryland environments, rivers, estuaries, wetlands and lakes, including their margins, and their life-supporting capacity are maintained or enhanced where practicable. |
| Objective 18 | We support the intent of this objective. | Retain. |

**Region-Wide Policies**

| Policy 3 | Our concern is how this policy is applied. For example removal of individual plants such as flax or cabbage tree on a farm should not be regulated under the Plan.  
We further note that the three Southland Territorial Authorities under their relevant District Plans currently have responsibility for management of significant indigenous flora and fauna in Southland. | Amend:  
To manage activities that adversely affect taonga species, identified in Appendix M where resource consent is required for that activity. |

**Physiographic Zone Policies**

| All policies. | We support the implementation of good management practices. | Retain section 1. of each policy. |

**Other Policies**

<p>| Policy 16 | Oppose. | Delete Policy. |
| Policy 17 | Oppose and seek amended wording. | 1. Avoid, remedy or mitigate adverse effects on water quality, and avoid as far as practicable other adverse environmental effects of the operation of, and discharges |</p>
<table>
<thead>
<tr>
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<tbody>
<tr>
<td>Policy 18</td>
<td>Amendment suggested.</td>
<td>3. encouraging the establishment and enhancement of healthy vegetative cover in riparian areas, particularly through use of indigenous vegetation;</td>
</tr>
<tr>
<td>Policy 29</td>
<td>Support</td>
<td>Retain.</td>
</tr>
<tr>
<td>Policy 30</td>
<td>We support this policy and recognition of the benefits of maintaining flood capacity and land drainage.</td>
<td>Retain.</td>
</tr>
<tr>
<td>Policy 32</td>
<td>Oppose.</td>
<td>Delete.</td>
</tr>
<tr>
<td>Policy 33</td>
<td>Oppose.</td>
<td>Amend wording to ‘natural wetland’</td>
</tr>
<tr>
<td>Policy 34</td>
<td>The word biodiversity should be replaced with flora and clarification sought on the terms ‘wetland’ and ‘natural wetland’.</td>
<td>Policy 34 — Recognise the importance of natural wetlands and indigenous flora biodiversity, particularly the potential to improve water quality, through encouraging: 1. the maintenance and restoration of existing natural wetlands and the creation of new wetlands; and 2. the establishment of wetland areas, including on-farm, in subdivisions, on industrial sites and for community sewage schemes; and 3. offsetting peak flows and assisting with flood control</td>
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Change Policy 39A to Policy 39A.
<table>
<thead>
<tr>
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<tr>
<td>Policy 40</td>
<td>Support point 4.</td>
<td>Retain.</td>
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<tr>
<td>Policy 45</td>
<td>We question the use of use of 5 Freshwater Management Units as the appropriate scale for setting objectives and limits for freshwater accounting and management purposes.</td>
<td>Amend Plan to provide for the use of lower order FMU at a more localised level.</td>
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<tr>
<td>Rules</td>
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<tr>
<td>Rule 4</td>
<td>Support.</td>
<td>Retain.</td>
</tr>
<tr>
<td>Rule 17</td>
<td>Oppose in part.</td>
<td>*(1) (4) the discharge is only of vegetable oil, or of new light fuel or new lubricating oil and is:</td>
</tr>
<tr>
<td>Rule 23</td>
<td>Oppose.</td>
<td>Amend to a percentage based rule based on 20% of the effective area of the landholding.</td>
</tr>
<tr>
<td>Rule 23</td>
<td>Oppose. Seek amendments sought to Rule 23(b) if the rule is not changed to a percentage based rule.</td>
<td>*(iii) No more than 50ha total of intensive winter grazing is undertaken on a landholding.</td>
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<tr>
<td></td>
<td></td>
<td>*(1) No more than 20ha of intensive winter grazing is to be undertaken within the Old Mataura and Peat Wetlands physiographic zones within a landholding.</td>
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<td>*(2) No more than 50ha of intensive winter grazing is to be undertaken within the Riverine, Gleyed, Bedrock/Hill Country, Oxidising, Central Plains or Lignite-Marine Terraces</td>
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<td><em>physiographic zones within a landholding.</em></td>
</tr>
<tr>
<td>Rule 24</td>
<td>Support but seek amendment.</td>
<td>(i) the land use activity associated with the discharge is authorised under Rules 20, 21, 22 or 23 or under an approved resource consent.</td>
</tr>
<tr>
<td>Rule 25</td>
<td>Oppose.</td>
<td>Delete (a) (i) (1), (2) and (3).</td>
</tr>
<tr>
<td>Rule 26</td>
<td>Support.</td>
<td>Retain.</td>
</tr>
</tbody>
</table>
| Rule 32 - Effluent Storage | Oppose.                     | (a) The use of land for the construction of any effluent storage, including of wastewater, sludge or effluent from an industrial or trade processes or agricultural effluent, is a restricted discretionary controlled activity provided the following conditions are met: (i) for agricultural effluent storage the design, and build process, is certified by a Chartered Professional Engineer as being in accordance with IPENZ Practice Note 21: Farm Dairy Effluent Pond Design and Construction (2013); and (ii) the effluent storage is not within 50 metres of any surface waterbody, artificial watercourse or coastal marine area; (iii) the effluent storage is not within 200 metres of any dwelling not on the same
<table>
<thead>
<tr>
<th>Provision</th>
<th>Submission</th>
<th>Relief Sought</th>
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<tr>
<td>landholding, or 50 metres of the boundary of any other landholding; and (iv) the effluent storage is not within 100 metres of any water abstraction point; (b) The use of land for the construction of any effluent storage that does not meet the conditions in Rule 32(a) is a non-complying restricted discretionary activity.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rule 40 – Silage</td>
<td>An amendment is sought so to align Rule 40 with Rule 41. (iii) there is nor discharge of contaminants from the silage storage facility to any surface water or groundwater or naturally occurring wetland.</td>
<td>Rule 40 – Silage Support. An amendment is sought so to align Rule 40 with Rule 41. (iii) there is nor discharge of contaminants from the silage storage facility to any surface water or groundwater or naturally occurring wetland.</td>
</tr>
<tr>
<td>Rule 70</td>
<td>Oppose.</td>
<td>Rule 70 Oppose.</td>
</tr>
</tbody>
</table>

Apply 16 degree slope requirement to all P.Zones.
<table>
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<tr>
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<th>Submission</th>
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</thead>
<tbody>
<tr>
<td>Rule 74 – Wetlands</td>
<td>Oppose. Clarify that it relates to ‘natural wetlands’ rather than ‘wetlands’.</td>
<td>Amend wording to ‘natural wetland’</td>
</tr>
<tr>
<td>Rule 78</td>
<td>Support.</td>
<td>Retain.</td>
</tr>
<tr>
<td>Appendices</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Management Plan</td>
<td>Support Appendix N and use of management plans.</td>
<td>Retain management plan approach and use of Appendix N.</td>
</tr>
<tr>
<td>Approach - Appendix N</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appendix N</td>
<td>Section 10 of Appendix N should be amended to clarify that it relates to water irrigation only.</td>
<td>Add word ‘water’.</td>
</tr>
<tr>
<td>Appendix N</td>
<td>Section 9 – Collected Agricultural Effluent – Seeking clarification of what needs the records need to be kept in accordance with</td>
<td><em>(b) Records of the application, separation distance, depth, uniformity and intensity of dairy effluent disposal, in accordance with (e)(ii) above, are kept and provided to the Southland Regional Council.</em></td>
</tr>
</tbody>
</table>

**Summary**

Thank you for the opportunity to submit of the W&L Plan.

TRCG wishes to be heard in support of its submission.

TRCG will consider making a joint case.

TRCG could not gain an advantage in trade competition through this submission.

_Signed on behalf of Three Rivers Catchment Group_

29 July 2016
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