



The Registrar  
Environment Court  
Christchurch Registry  
P O Box 2069  
**CHRISTCHURCH 8011**  
Attention: Christine McKee



4 June 2013

Dear Madam,

**RE: OTAGO REGIONAL COUNCIL PLAN CHANGE 6A  
THE COW FARM LIMITED v OTAGO REGIONAL COUNCIL (ENV-2013-CHC- )**

Enclosed is:

1. A notice of appeal from a submitter in the matter of Otago Regional Council Plan Change 6A;
2. Supporting documents;
3. A cheque made out to the Ministry of Justice for the appeal filing fee.

The Appellant advises that it has served the Respondent in today's mail service, with service to follow to other submitters within the prescribed period.

Yours faithfully,

  
Kristy Rusher  
**Solicitor**

CC: Otago Regional Council  
70 Stafford Street  
DUNEDIN  
Attention: Chief Executive Officer

ENVIRONMENT COURT  
CHRISTCHURCH REGISTRY

ENV-2013-CHC-

IN THE MATTER OF      The Resource Management Act 1991

AND

IN THE MATTER OF      An Appeal under clause 14 of Schedule 1 of  
the Act

BETWEEN                THE COW FARM LIMITED  
Appellants

AND                      OTAGO REGIONAL COUNCIL  
Respondent

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**NOTICE OF APPEAL**  
Dated: 4 June 2013

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STRATUM ENVIRONMENTAL LAW LIMITED  
P O Box 372, Alexandra 9340  
Email: [krusher@stratumlaw.co.nz](mailto:krusher@stratumlaw.co.nz)  
Phone: 027 663 3993  
Solicitor Acting: K L Rusher

To the Registrar  
Environment Court  
Christchurch

1. The Cow Farm Limited (the Appellant) appeals against a decision of the Otago Regional Council on proposed plan change 6A to the Otago Regional Plan: Water for Otago.
2. The Appellant made a submission on that plan change.
3. The Appellant is not a trade competitor for the purposes of section 308D of the Resource Management Act 1991.
4. The Appellant received notice of the decision on 20 April 2013.
5. The decision was made by the Otago Regional Council.
6. The parts of the decision that The Cow Farm Limited appeals are those objectives, policies and rules as they are applicable to the Ettrick Township Locality and the Nitrogen Sensitive Zone. Specifically:
  - a) Parts 2.1 - 2.4 of the Respondent's decision, concerning the objectives and policies relevant to discharge of nutrients and bacteria, particularly (but not limited to):
    - i. Objectives 7.A.1 and 7.A.2 and 7.A.3
    - ii. Policies 7.B.1(c) and (d);
    - iii. Policy 7.B.3;
    - iv. Policy 7.B.4;
    - v. Policy 7.D.1(b)(i);
    - vi. Policy 7.D.2;
    - vii. Policy 7.D.4;
    - viii. Policy 7.D.5;
    - ix. Policy 7.D.6;
    - x. Policy 7.D.7;
  - b) Parts 3.6.1, 3.9, 3.10 of the decision concerning the rules controlling the discharge of nutrients and bacteria particularly (but not limited to):
    - i. Rule 12.C.0.2(v) – Discharges from an animal waste system to land within 50 metres of a bore or sump;
    - ii. Rule 12.C.1.1(d)(1) – First entry of discharge to river Application of schedule 16A;

- iii. Rule 12.C.1.3(a)(ii) – Discharge of nitrogen from effluent (leaching rate);
- iv. Rule 12.C.2.3 – discharge of nitrogen as restricted discretionary activity and Rule 12.C.2.3.2 discharge of nitrogen as a discretionary activity;
- v. Rule 12.C.2.4 – matters to which Council has restricted its discretion;
- vi. Schedule 15, Table 15.2.2 which specifies the dates to achieve compliance with water quality, and defines “good quality water” by specifying nutrient and bacterial concentration limits;
- vii. Schedule 16, which specifies the dates to achieve compliance with water quality limits, and defines water quality limits by specifying nutrient and bacterial concentration limits.
- viii. The Nitrogen Sensitive Zone for Ettrick Township locality shown on Map H4

*Reasons for the Appeal:*

7. The reasons for the appeal include, but are not limited to the following:

(a) The changes to the objectives, policies and rules proposed by the Respondent’s plan change 6A fail to achieve the purpose or principles of the Act in that:

- i. The changes to the Regional Plan Water, by way of the objectives, policies, and rules of Plan Change 6A are not the most appropriate means of achieving the purpose of the Act or the exercise of the Respondent’s functions in respect of the efficiency and effectiveness of resource use.
- ii. Plan Change 6A does not provide for the purpose of the Act to achieve sustainable management by avoiding, remedying or mitigating effects of resource use on the environment.
- iii. Plan Change 6A fails to promote sustainable management and therefore does not achieve the purpose of Part 2 of the Act;
- iv. The section 32 report and decision of the Respondent failed to adequately consider and weigh the benefits and costs of policies and rules proposed. More specifically, the Respondent has performed an insufficient analysis of the impact of Plan Change 6A

on the existing farming systems, and existing farming infrastructure.

Although the policies in Plan Change 6A are written to include consideration of the value of the existing investment, the Appellant says that the Respondent erred in law by failing to undertake a detailed analysis of the value of existing investment in farming infrastructure, and has not identified whether as a result of Plan Change 6A, farming businesses can continue to operate as a sustainable and economic farming unit. The section 32 report and the decision of the respondent gave insufficient weight to the uncertainty or insufficiency of information about the subject matter of the objectives, policies, rules, or other methods. The Respondent failed to carry out the section 32 analysis adequately or accurately given that the rules impose limits on resource use and specify criteria for assessing the degradation of the water resource.

- v. The Section 32 report fails to adequately or fully assess the effects of implementing Plan Change 6A.
- vi. The Plan Change 6A decision and section 32 report is contrary to or otherwise inconsistent with non-statutory documents such as the Groundwater Allocation of the Ettrick Basin Study (Otago Regional Council, 2006).

(b) Without derogating from the generality of the above, the particular reasons for the appeal include (but are not limited to):

- i. Policy 7.A.1: the principle that it is necessary for a consent applicant to enhance water resources is inconsistent with and contrary to the purpose and principles of the Act which provide for the remediation and mitigation of adverse effects on the environment.
- ii. Policy 7.A.2: the reference to “maintaining natural and human use values” is too vague and uncertain. Additionally, the requirement to maintain water quality may not be appropriate where effects of a discharge can be remedied or mitigated, or will have only an incremental effect on the water resource.

- iii. Policy 7.B.1(c) and 7.B.1(d): the principle that it is necessary for a consent applicant to enhance or maintain water resources is inconsistent with and contrary to the purpose and principles of the Act which provide for the remediation and mitigation of adverse effects on the environment.
- iv. Policy 7.B.3 fails to recognise and provide for the mitigation and remediation of environmental effects.
- v. Policy 7.B.4 fails to recognise and provide for the mitigation and remediation of environmental effects.
- vi. Policy 7.D.1(b)(i): the Appellant supports the principle that it is a positive step to improve management practices. However, this policy requires the reduction in levels of contaminants in discharges which is inconsistent with and contrary to the purpose of the Act which provides for the remediation or mitigation of adverse effects from discharges.
- vii. Policy 7.D.2: The timeframe specified in this policy is too short to enable the appropriate investment in infrastructure to improve farm management practices and does not recognise that long term planning may be required for large farm operations. The Appellant states that the transitional timeframe for compliance with schedule 16 is insufficient.
- viii. Policy 7.D.4 omits to provide for granting resource consent for activities which, although the permitted activity limits have been exceeded, nevertheless have no measurable impact or a no more than minor impact on the environment. The Appellant states that Policy 7.D.4 as currently worded is contrary to the principles and purpose of the Act as it does not provide for granting consent to activities which have no, or minimal, environmental effects.
- ix. Policy 7.D.5 omits to provide for the remediation or mitigation of adverse effects of discharges. The policy is therefore inconsistent with and contrary to part 2 of the Act.
- x. Policy 7.D.6(b) presumes that compliance with the limits expressed in schedules 15 and/or 16 is the only criteria on which to grant resource consent. The policy

as currently worded fails to provide for granting consent to activities which have effects that can be remedied or mitigated. Excluding the mitigation or remediation of environmental effects as criteria for the grant of consent is contrary to the principles and purpose of the Act, particularly Section 5.

- xi. Policy 7.D.7: The Appellant states that it is unreasonable to limit the duration of a resource consent granted after 2020 to a 2 year or 5 year period and that it is inconsistent with the purpose and provisions of the Act. The duration of the consent should be based on the adverse effects (if any) on the environment.
- xii. The Appellant presumes that the purpose of the Nitrogen Sensitive Zone is to protect drinking water quality for the Etrick Township. There is insufficient evidence or information to support the decision to limit Nitrogen discharges to 20 kilograms per hectare per year in the Nitrogen Sensitive Zone (as it applies to the Etrick Township). The Appellant states that due to the Appellant's property lying downgradient of the Etrick Township, there is a no more than minor environmental effect on drinking water quality as a result of the Appellant's current farming practices. If a Nitrogen leaching limit of 37 kilograms per hectare per year were adopted in the Nitrogen Sensitive Zone (as it applies to the Etrick Township), groundwater quality would remain unaffected or affected to a no more than minor degree.
- xiii. The Appellant states that there is insufficient evidence to support the location, size and boundaries of the Nitrogen Sensitive Zone (as it applies to the Etrick Township). As the Appellant's property is downgradient of the Etrick Township, the Appellant's discharges are unlikely to impact on the Etrick Township drinking water quality. Therefore it is unnecessary for the Appellant's property to be included within the Nitrogen Sensitive Zone to protect drinking water quality.
- xiv. Rule 12.C.3.2 provides that after 2020, the activity status for the discharge of effluent will move from restricted discretionary to fully discretionary. The Appellant states that any change in activity status for discharges occurring after 2020 is punitive, unreasonable, and does not achieve the purpose of the Act.

- xv. The Appellant states that it is not practicable to measure or monitor contaminant concentrations at the reference flows or at or below the median flows described in Schedule 16B.

*Relief sought*

8. In respect of Parts 2.1 – 2.4 of the decision concerning the objectives and policies appealed, the Appellant seeks the following relief:
  - a) Amend objectives 7.A.1 – 7.A.3 by:
    - i. Deleting the requirement to enhance water quality of “degraded” water resources.
    - ii. Deleting the reference to “maintaining water quality” and substituting with “managing water quality.”
    - iii. Including a provision that water quality is managed appropriately where drinking water quality standards are maintained.
  - b) Amend Policies 7.B.1(c) and (d) to remove the requirement to “enhance” or “maintain” water quality, and substitute with “manage” water quality.
  - c) Amend Policy 7.B.3 to recognise and provide for the mitigation and remediation of environmental effects.
  - d) Amend Policy 7.B.4 to recognise and provide for the mitigation and remediation of environmental effects.
  - e) Policy 7.D.1(b)(i) to recognise and provide for the improvement of methods and practices for the mitigation and remediation of environmental effects.
  - f) Amend Policy 7.D.2 to:
    - i. Delete the reference to schedule 16 limits applying at or below the reference flows, and substituting with the words ... “at or above reference flows...”
    - ii. Extend the timeframe for compliance with the limits specified in schedule 16, if the relief requesting amendments to rule 12.C.1.3(a)(ii) are declined.
  - g) The amendment of policy 7.D.4 to include further consent criteria [additional words underlined]:



“...the extent to which the effects of the activity will be avoided, remedied or mitigated by the applicant.”

- h) The amendment of Policy 7.D.5 to include further criteria [additional words underlined]:

“...the extent to which the effects of the activity will be avoided, remedied or mitigated by the applicant.”

- i) The amendment of policy 7.D.6 to include further consent criteria [additional words underlined]:

“...the extent to which the effects of the activity will be avoided, remedied or mitigated by the applicant.”

- j) That policies in section 7.D of the Regional Plan: Water be amended to better recognise and provide for the different sources of nitrogen, and to exclude background nutrients and bacteria from the assessment of whether schedule 16 limits have been or will be exceeded by an activity. (Note: background nutrients and bacteria is a term used to describe those nutrients and bacteria leaching on to an applicant's land from adjacent properties. Examples include rainfall, passive land uses such as forests, reserves or parks as well as septic tank discharges from adjacent land).

- k) The Appellant also seeks that any assessment of whether an activity's discharge exceeds nutrient and bacteria limits under schedule 16 excludes background sources of bacteria and nutrients which can be attributed to leaching from adjacent properties, rainfall, or passive land uses.

- l) The deletion of policy 7.D.7, so that the consent duration is determined according to the effects of the proposed activity on the environment.

9. In respect of Parts 3.6.1, 3.9, and 3.10 of the decision concerning the rules for nutrient and bacteria discharges, the following relief is requested:

- a) Amend rule 12.C.0.2 (and any consequential change to policies and rules) so that a discharge to land within 50 metres of a bore, river or lake is a permitted activity where the New Zealand drinking water quality standards are maintained, and/or the bore is required for monitoring effects on the environment.

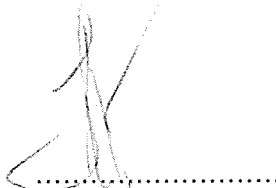
- b) Amend rule 12.C.1.1(d)(1) to:
- i. Delete the words “first enters” and substitute with appropriate wording which allows for reasonable mixing of the discharge;
  - ii. Extend the date of compliance with the limits in schedule 16 to 1 April 2025, if the relief to increase schedule 16 limits to the same parameters as drinking water quality standards is declined;
- c) Amend rule 12.C.1.3(a)(ii) to:
- i. increase the Nitrogen leaching limit to 37 kilograms per hectare per year for the area in which the Appellant’s land is located (whether or not it is located in a Nitrogen Sensitive Zone ) where the New Zealand drinking water quality standards are maintained.
  - ii. If the above relief is declined, extend the date of compliance to 1 April 2025
- d) Amend rule 12.C.2.3 (together with a consequential amendment to rule 12.C.3.2 if necessary) to provide for the discharge of effluent as a restricted discretionary activity after 1 April 2020 (or 1 April 2025 if the relief to extend the compliance period is granted).
- e) Amend rule 12.C.2.4 to delete the reference to “achieving the permitted activity conditions” to provide for the grant of consent for activities which do not achieve the permitted activity conditions but nevertheless have provided for the mitigation or remediation of the effects of the activity on the environment.
- f) The amendment of schedule 15 to:
- i. Apply standards for “good quality water” at 90<sup>th</sup> percentile values;
  - ii. Delete reference to standards applying “at or below median flows” and substitute “at or above” median flows.
- g) The amendment of the discharge limits specified in schedule 16 to permit the discharge of effluent to land where drinking water quality standards are maintained.

h) Amend Map H4 to remove the Appellant's land from the Nitrogen Sensitive Zone as it applies to the Ettrick Township locality.

10. Such further and consequential relief that the Court considers appropriate to achieve the purpose and objectives of the Act.

11. I attach the following documents to this notice:

- a. a copy of the Appellant's submission;
- b. a copy of the relevant decision;
- c. a list of names and addresses of persons to be served with a copy of this notice.



K L Rusher

**Solicitor**

(authorised to sign on behalf of appellant)

Dated: 4 June 2013

Address for service of appellant: Stratum Environmental Law Limited, P O Box 372, Alexandra, 9340.  
Telephone: (03) 449 2121 or (027) 663 3993  
Fax/email: krusher@kristyrusher.com  
Contact person: Kristy Rusher, Solicitor

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**Advice to recipients of copy of notice of appeal**

*How to become party to proceedings*

You may be a party to the appeal if you made a submission or a further submission on the matter of this appeal and you lodge a notice of your wish to be a party to the proceedings (in form 33) with the Environment Court within 15 working days after the period for lodging a notice of appeal ends.

Your right to be a party to the proceedings in the court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Resource Management Act 1991.

You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements (*see form 38*).

*How to obtain copies of documents relating to appeal*

The copy of this notice served on you does not attach a copy of the appellant's submission and the decision appealed. These documents may be obtained, on request, from the appellant.

*Advice*

If you have any questions about this notice, contact the Environment Court in Auckland, Wellington, or Christchurch.

List of names and addresses of persons to be served with a copy of this appeal:

Helen Constance		PO Box 9050		Dunedin	9047
David Wharton		4F Clayton Street	St Clair	Dunedin	9012
Colin Rawle		<a href="mailto:colinhr@ihug.co.nz">colinhr@ihug.co.nz</a>			
Martin Ford		15 Miro Street	Kaka Point RD1	Balclutha	
Andrew McCurdy		1 Monowai Street	Ravenbourne	Dunedin	9022
Luxmore Dairies	Gerard Vallely	186 Webb Road	Waipahi RD1	Gore	9771
Stephen Cole		481 Ardmore Rd		Tapanui RD2	9587
Angus Chapman-Cohen		Lindis Downs, PO Box 21		Tarras	9341
W H Thomas		25 Sunshine Lane	Musselburgh	Dunedin	9013
Marianne Shennan		2 MacNee Street	Mornington	Dunedin	
Barry Williams		PO Box 31	Middlemarch		
Kelvin Milne		53 Earls Road	Saint Clair	Dunedin	
I Green		26 Stour Street		Oamaru	9400
Marie C McDonald		95A Aln Street		Oamaru	9400
Kaye Kearney		11 Jollys Road		Cromwell	9310

J Starke		14 David Street	Caversham	Dunedin	
Jim Oliver		2 Cherry Grove		Alexandra	9320
F R & R Penny		10A Earnsclough Road		Alexandra	
Paul Martin		390 North Road	North East Valley	Dunedin	9010
Zoe Mitchell		69 Greig Street	Broad Bay	Dunedin	
J H Manley		33 Tyne Street	Mosgiel	Dunedin	9024
Neil Douglas Cruickshank		15a Kenmure Street		Alexandra	9320
Tami and Jason Sargeant		469 Highgate	Maori Hill	Dunedin	9010
Lydia Edwards		14 Wairoa Street	Wakari	Dunedin	9010
Nina Pennycuick		54 Tyne Street	South Hill	Oamaru	9400
P R Lyders Trust	D W Lyders	53 McPherson Road	Berwick, No. 1 RD	Outram	9073
E J Munro		986 Brighton Road		Dunedin	9018
Donald Scott		55 Riccarton Road		Mosgiel	9024
Jeanette Spooner		41 Scarba Street	Roslyn	Dunedin	9010
David John Mackie		Kuriwao Homestead, 56 Hillfoot Road	RD 2	Clinton	9584
Patrick Alexander McGettigan		1 Killarney Street		Alexandra	9320

Lynne Hill			1 Aitken Place		Mosgiel	9024
Shag Valley Station	Johnny Bell		2353 Dunback / Morrisons Road	3RD	Palmerston	9483
Wayne & Billee Marsh			Maori Point Road, Lindis Crossing	PO Box 20	Tarras	0347
Alan G Cone & Judy Bagrie			Hanging Rock	RD 12 Pleasant Point	South Canterbury	7982
Hewett Farm Ltd	Rob Hewett		1233 Manuka Gorge Highway	South Otago	Lawrence	9593
Glenorchy Branch of Lakes Landcare	Iris Scott		C/- Rees Valley Station		Glenorchy	9372
Rees Valley Station Limited	Kate and Iris Scott		Rees Valley Station		Glenorchy	9372
G R Crutchley			1838 Puketoi Highfield Road	RD4	Ranfurly	
Graeme Isbister			Totara	18 DRD	Oamaru	9192
Steve Hayward			109 Glenpark Ave	Maryhill	Dunedin	9011
Hopefield Investments Ltd	Clive Cochrane		PO Box 2		Balclutha	
Mosgiel Taieri Community Board	Bill Feather		PO Box 5045		Dunedin	9058
Des Boyes			371 Pine Hill Road	Liberton	Dunedin	9010
Craig Werner			30 Howard Street	Macandrew Bay	Dunedin	9014
Roy A Wilson			29B Gordon Road		Mosgiel	
G & S Geddes			glenbrae@scorchotago.co.nz			

Marianne & Michael Parks			109 Mathesons Corner Road	RD 2	Tapanui	
J P Robertson			The Larches	RD1	Wanaka	9831
Melvyn Hollis			63 Stirling Crescent		Mosgiel	9024
North Otago Vegetable and Growers Association	Graeme Ormandy		5 O R D		Oamaru	
H F Adams			57 Kauri Street		Dunedin 9022	
Three Creeks Farm Ltd	IM & JA Isbister		63 Ardgowan Road	1 DRD	Oamaru	
University of Otago, Department of Zoology	Dr Christoph Matthaei		PO Box 56		Dunedin	9054
C P Mulholland			Rapid 969 Ranfurly Patearoa Road	RD4	Central Otago	9398
Glenayr Ltd (D & D Sangster)	Dawn & David Sangster		Glenfield	RD4	Ranfurly	9398
Phillip Hunt			Fork Farm, 100 Maungawera Road	2 RD	Wanaka	
S H Andrews and Sons Ltd	John Andrews		Waipiata	RD3	Ranfurly	
Green Party (Dunedin Branch)	Shane Gallagher		<a href="mailto:shane.montague-gallagher@otago.ac.nz">shane.montague-gallagher@otago.ac.nz</a>			
Peter Deans & Graham Deans			1223 Owaka Valley Road		Owaka	
Providence Farm 2007 Ltd	P L Finlay		15 K RD		Oamaru	9494
Gerald Burgess			56 Langridge Rd		Temuka	7985



Barry John Burgess		723 Purakaunui Falls Road		Owaka	
G Evans		389 Barrs Falls Road	RD2	Owaka	
Greg Ramsay & Gae Stott		RD2		Owaka	9586
Peter T Borrie		Posthill	15 K R D	Oamaru	9494
Hawkdun Idaburn Irrigation Company Limited	GF Dowling	RD3		Ranfurly	9396
B R Philpott		223 Morgan Road	RD2	Milton	9292
Simon Davies		1296 Coast Road	RD2	Milton	9292
Stephen Crawford		126 Lambourne Road	Kilmore Farm, RD4	Balclutha	9274
Eric Hopgood		41 Meadowstone Drive		Wanaka	
Loganbrae Ltd	Peter Aitken	Loganbrae	Ranfurly Road	Central Otago	
Glen Ayr Ltd (D & C Dundass)	Drew & Carolyn Dundass	917 Upper Taieri Paerau Runs Road	RD4 Paerau	Ranfurly	9398
Cross Family Trusts	William Owen Harrington	16 Herbs Place		Christchurch	
Jeff & Alison Thompson		Collie Downs, 397 Whitstone-Five Forks Road	RD 16D	Oamaru	9492
River-Estuary Care: Waikouaiti-Karitane	Patricia Vanderburg	47 Coast Road		Karitane	9440
Paul Crawford		637 Clifton Road	RD3	Balclutha	

Braemorn Farm Ltd	C R & D J Mavor, S & T Mavor	2 DRD	Airdale	Oamaru	9492
Roger Fox		13 DRD		Oamaru	
Invernia Holdings Ltd	Russell Hurst	4 K RD		Oamaru	9494
Melvyn John Kington		129 Oamaru Creek Road	3 D RD	Oamaru	9492
Tim Petrie		Grande-Vue 403 Airedale Road	RD 5D, Weston	Oamaru	
N G Trevathan & M A Trevathan		Lindisvale	3 RD	Cromwell	9383
John McKenzie		1 C RD		Oamaru	9194
Alan L Wilson		120 Waikoata Valley Road		Owaka	
Ray Fox		203 Rosebery Road	1 D RD	Oamaru	9192
Kintyre Farms 2008 Ltd	M C Paterson & J R C Paterson	17 Paerau Road	4 RD	Ranfurly	9398
Mark Cain		309 Waimotu Road	RD 6O	Oamaru	9495
E D Paton		211 Whitstone Road	RD 16D	Oamaru	9492
A J & T T Verbakel		329 State Highway 83		Oamaru	9494
Paul Corboy		Skilbister Farm	RD1	Milton	9291
Wallace Evan Strachan		15 KR D		Oamaru	9494

Trevor Meikle		Carnwath, 406 Devils Bridge Road	2 D RD	Oamaru	9492
David Botting		Blaindale	RD3, Tehouka	Balclutha	
Val Ridge Farm Ltd	Clayton Buckley	284 Carrs Road		Loburn	
Clive Blumden		437 Island Stream Road	10 D RD	Oamary	9492
Duncan Henderson		Happy Valley Station, 302 Hawksburn Road	RD2 Bannockburn	Cromwell	9384
Ross A & Alexa Wallace		182 Beacon Hill Road	Waipahi, RD1	Gore	9771
Glenshee Station Ltd (P Hore)	Peter Hore	Corniog Farm	PO Box 7	Wedderburn	9355
Southern District Health Board	Tom Scott	Private Bag 1921		Dunedin	9054
Alan McMillan		19 Haggart Street	RD2 Wingatui	Mosgiel	
Alastair Rutherford		The Point	RD3	Cromwell	9893
Lower Waitaki Irrigation Company	Mr Chris Dennison	3 HRD		Oamaru	9493
Daniel Groundwater		12 Parklare Place	Weston	Oamaru	
Graham A Keep		62 Perth Street		Oamaru	9400
John Oughton		12 Otter Street		Oamaru	9400
Barry Fox		1 Gordon Street	Weston	Oamaru	
Phil James		100 Shortland Road	1 KRD	Oamaru	

Sarah Cooper		4 Nun Street	8 O RD	Herbert	
Fiona Rudduck		53 Till Street		Oamaru	9400
Teviot Irrigation Company Limited	Ralph Nichol	139 Woodhouse Road	RD1	Roxburgh	9571
Elderslie Dairy Farms Limited	Andrew Jeffries	84 Elderslie Road	RD 2C	Oamaru	9491
Stewart Morrison		242 Riverside Road	RD1 Inch Clutha	Kaitangata	9281
Bob Hollamby		5 H RD		Oamaru	9493
S A Hayes		228 Steward Road	4 H RD	Oamaru	9493
PGG Wrightson	Neville Langrish	PO Box 24		Oamaru	9444
A J & A J Anderson		6A Hart Street	Belleknowes	Dunedin	9011
Michael Rawlinson		1 Dalkeith Street	North East Valley	Dunedin	9010
Albert McTainsh		Tahakopa Valley Road	RD2	Owaka	9586
Isbister Farms Limited	Lyndon & Jane Strang	67 Dunrobin Road	14C RD Five Forks	Oamaru	
Jane Young		PO Box 32		Owaka	9546
Finlay Family Trust		185 Gibson Road	15K RD	Oamaru	9494
Hawea Community Association	Rachel Brown	109 Loess Lane	RD2	Wanaka	
Mt Aspiring Station	Randall Aspinall	Box 94		Wanaka	9343

Cath Gilmour			19 Willow Place		Queenstown	9300
Belmont	John & Wendy Dodd		51 Dodds Road	13 C RD	Oamaru	9491
Strathburn Limited	Callum Wilson		545 Gladbrook Road		Middlemarch	9597
Grant Bradfield			83 Forsyth Road	2 RD	Owaka	9586
Andrew Jackson			285 Farquhar Road	2 RD	Owaka	9586
The Cow Farm Limited	G Scott		38 Marsh Road	Etrick RD2	Roxburgh	9572
M B & J A Mitchell			7 Hurst Rd	RD2	Gore	9772
Foxhaven Farms Ltd	Tony Fox		107 Brockmans Rd	Airedale	Oamaru	
Mount Gowrie Station	James Macdonald		Clarks Junction - Sutton	SH87, RD2	Outram	
P J & A M Neame Ltd	Philip Neame		1862 Clinton Highway	2RD	Clinton	9584
Waitaki District Council	David Campbell		Private Bag 50058		Oamaru	9444
Clutha Agricultural Development Board	Malcolm Deverson		6 John Street	PO Box 149	Balclutha	
Otago Conservation Board	Ainslee Hooper		Box 5244		Dunedin	9058
Eloise Neeley			PO Box 137		Balclutha	9240
Korteweg Family Trust	Stephen and Rhonda Korteweg		237 The Crescent Road		Kaitangata	9281

M L & P J Lord Family Trust	Mike Lord		330 Marshall Road	1 RD, Outram	Dunedin	9073
W L Hamilton			68 Tilverstowe Road	RD7C	Oamaru	9491
New Zealand Pork Industry Board	Jaye Hill	Massey University (IFNHH)	Private Bag 1122		Palmerston North	4442
Dairy NZ Limited	James Ryan		c/- PO Box 160	Lincoln University		7647
Pioneer Generation	Tony Jack		Ellis Street, PO Box 275		Alexandra	9340
Glenshee Station Limited (Marks & Mouat)	H G Marks & C D Mouat, PJ Newland	c/- Goodman Tavendale Reid	PO Box 442		Christchurch	8140
Ernslaw One Ltd	Peter Weir		PO Box 36	Tapanui	West Otago	
Dean McNeilly			14 McSkimming Lane	RD2	Balclutha	
Grant Isbister			4 DRD		Oamaru	
Trust for the estate of W J Johnston	William (Bill) Johnston		Clifton Falls, 33 Dunrobin Road	RD 15C, Five Forks	Oamaru	9491
Run 248m Ltd	Robin Malcolm Lawrence		PO Box 179		Greymouth	7804
Shalloch Farms Ltd	Neil Hamilton		287 Gibson Road	3KRD	Oamaru	9494
Corona Farms Ltd	Corrie & Donna Smit		46 Otakiri Road	RD2	Whakatane	3192
Andrew & Barbara Richardson			498 McPhersons Rd	RD 2K	Oamaru	

Nigel de Geest			PO Box 222		Oamaru	9444
Ranui Partnership	James Becker		Patearoa	RD4	Ranfurly	9398
Gerard Booth			141 Round Hill Road	RD19D	Oamaru	9492
Ruth McNamara			104 Russell Street		Alexandra	9320
Sam Kane			359 Luggate Tarras Road	RD3	Cromwell	
John Latta			2329 Owaka Valley Road	South Otago	Otago	9586
Matuanui Ltd	Nathan & Linda Wilson	Matuanui Farm		RD1	Balclutha	9271
Strath Taieri Community Board	Barry Williams	c/- Dunedin City Council	PO Box 5045		Dunedin	9058
Jim Gibson			15 K RD		Oamaru	9494
Hunter Valley Station Ltd	D M Cochrane		Hunter Valley Station	Private Bag 9005	Wanaka	9343
James Watt			86 Hickey Road	Waipahi, RD1	Gore	
Dawn Dunjey			18 CRD		Oamaru	9491
Sydney Mann			25 Turnbull Street	Brockville	Dunedin	9011
Tony Hughes			175 Kaka Point Road	RD1	Balclutha	9271
J N & J M Lawson Family Trust	Jim Lawson		192 Steep Hill Road		Waikouaiti	9471
Peter George			36 Panmure Avenue		Dunedin	9012

Ross Hay			139 Clareview Road	12 ORD	Oamaru	9495
Niere Kitson			131 Horse Gully Road	Papakaio	Oamaru	9494
Logan Sopson			109 Eden Street		Oamaru	9400
Barry Diedrichs			389 Alma-Maheno	RD 18C	Oamaru	9491
Ewing Farms Ltd & Haddington Farms Ltd	Tony McDonnell		30 Phosphate Road	Clarendon RD1	Outram	9073
J R Hill			72 Loop Road	2 RD	Roxburgh	
Gilbert Black			252 Back Road	RD2	Milton	9292
Dan Smale			Private Bag 50061		Omakau	9352
Terisha Hubbard			248 Hillingdon Street	Normanby	Dunedin	9010
Quambatook Ltd	James McNally		5D RD Currie Road		Oamaru	9495
Trevor Stanger			149 Teaneraki Road	5D RD	Oamaru	9492
Kate Streeter			581 Grants Road	RD 7K	Oamaru	9494
Windsor Park Dairies Ltd	Callum Kingan		900 Weston Ngapara Road	2CRD	Oamaru	9491
Jock Webster		Mitchell & Webster Ltd	Rosedale 5D RD		Oamaru	9492
Alliance Group Limited	John Kyle	Mitchell Partnerships	PO Box 489		Dunedin	9054
Raymond Grant Tisdall			452 Gladbrook Road	Middlemarch		9597



Lovells Creek Farm Ltd	Bryce Clark		76 Station Road	Lovells Flat	2RD Milton	9292
Bob Kingan			294 Parsons Road	1CRD	Oamaru	9491
Grant Ludemann			635 Burnside Road	17DRD	Oamaru	9492
Peter McNab			Lochindorb	Katea RD2	Owaka	9586
Rex & Penny Lowery				Tawanui RD2	Owaka	
Jeremy Wales			PO Box 4		Roxburgh	9441
Dairy Holdings Limited	Ben Williams	Chapman Tripp	PO Box 2510		Christchurch	8140
Clyde Dairy Farm Ltd	Dave Inder		274 Koau Raod	Paretai RD1	Balclutha	
Te Runanga o Ngai Tahu, Moeraki & Otakou, Kati Huirapa Runaka Puketeraki, Hokonui Runanga	Tim Vial	KTKO Ltd	PO Box 446		Dunedin	9054
John Barlow			509 Ballantyne Road		Wanaka	9382
Ian Bryant			825 Centre Road	No 1 RD Outram		9073
Hopefield Investments Ltd (R Griffiths)	Robert Raymond Griffiths		5 Park Lane	Fairfield	Dunedin	
Dougal Rillstone			94 Grendon Street	Maori Hill	Dunedin	9010
Irrigation New Zealand Incorporated	Andrew Curtis		6 Sonter Road	Wigram	Christchurch	8042
NZ Transport Agency	Denise Anderson	MWH NZ Ltd	PO Box 4		Dunedin	9058

NZ Agricultural Aviation Association	John G Sinclair		PO Box 2096		Wellington	
Deanne & Steve Amende			Taieri Ferry Road	RD1	Outram	9073
Trustpower Limited	Laura Marra		Private Bag 12023		Tauranga	
M C Holland Farming Ltd	Frances Lojkine	MWH NZ Ltd	PO Box 4		Dunedin	9054
M C Holland Farming Ltd	Michael & Christine Holland		437 Waianakarua Rd	13 ORD	Oamaru	9495
Poplar Grove Station Ltd	Lindsay Geddes		626 Gladbrook Road		Middlemarch	9597
Blakely Pacific Limited	Philip Taylor		PO Box 13980		Christchurch	8141
Lakes Landcare	Tim Burden		Mt Burke Station	RD2	Wanaka	
Dunedin City Council	Frances Lojkine	MWH NZ Ltd	PO Box 4		Dunedin	9054
Dunedin City Council	Gene Ollerenshaw	Dunedin City Council	PO Box 5045		Dunedin	9058
T A Whiteside & Co Ltd	Craig Whiteside		232 Waiwera Station Road	RD2	Clinton	
Vivienne & Greg Kerr			RD1	Waikouaiti	Otago	9471
Willowview Pastures Ltd	Geoff Taylor		304 Kaik Rd	5 H R D	Oamaru	9493
Alan Grant Macgregor			159 State Highway 1	1 KRD	Oamaru	
Graham Butler			120 Steward Rd		Oamaru	
Locharburn Grazing Company	Joyce & Geof		1764 Luggate Cromwell Road	RD3	Cromwell	9383

	Brown					
A P S Heckler Family Trust	Sid Heckler		415 Stoneburn Road	Dunback 3 RD	Palmerston	
Rimu Downs Ltd	Brett Burgess		437 Purakaunui Falls Rd	2 RD	Owaka	
Waverley Downs Ltd	John Whiteside		No 3 RD		Balclutha	
Hamish Anderson		Rotoiti Farm	280 Kaitangata Highway		Stirling	9231
Fulton Hogan Limited	Tim Ensor	URS New Zealand Limited	PO Box 4479		Christchurch	8140
Jeremy Bisson			110 McLennan Rd	Hawea Flat RD2	Wanaka	9382
Holcim (New Zealand) Limited	Tim Ensor	URS New Zealand Limited	PO Box 4479		Christchurch	8140
Preserve Our Water Society Inc	Kim Fogelberg & others		35 Loach Road	Hawea Flat RD2	Wanaka	9382
Dave Shaw			Emerald Road	Waitahuna West RD 3	Lawrence	
Medical Students For Global Awareness	Andrew Sise		4 Drivers Road	Maori Hill	Dunedin	
John Newlands Farming Company	John Newlands		33 Newlands Road	12A DRD	Oamaru	9492
Lauren O'Brien			1027 Highcliff Rd	RD2 Pukehiki	Dunedin	9077
Rowley Family			Lake Hawea Station	2 RD	Wanaka	9382
N Anderson			Branch Creek, Cardrona Valley Road	RD2	Wanaka	9382

Kawarau Station Limited	Richard John Anderson	Kawarau Station		2 RD	Cromwell	9384
Central Otago Environmental Society Inc	D G Shattky		300 Dunstan Creek Rd	RD 2	Omakau	9377
Horticulture New Zealand	Chris Keenan, Manager - Resource Management & Environment		PO Box 10 232		Wellington	
Michael O'Connor			66 McKerrow Road	11 ORD	Oamaru	
Dulce-Domum Trust	J F Ironside - Trustee		45 Bushey Park Road	No 2RD	Palmerston	9482
C C & G A Raughan			Glenomaru	RD 1	Balclutha	9271
David Blair			46 Meridian Street	Port Chalmers	Dunedin	9023
Silver Fern Farms Limited	Jo Appleyard/ Tania Low	Chapman Tripp	PO Box 2510		Christchurch	
N O Grant				RD1 Middlemarch	Dunedin	9596
Forest Range Ltd	Russel S & Jeanette Emmerson & David Emmerson	Forest Range Station	PO Box 9		Tarras	9347
Fonterra Co-operative Group Limited	Sonia Anderson		Private Bag 92032		Auckland	1142

Rod Philip				2 RD	Palmerston	
Otago Rock Lobster Industry Organisation	Simon Gilmour		23 Erin Street	Roslyn	Dunedin	
D J & N A McLaren	Donald James McLaren		124 Mercer Road	RD1	Balclutha	9271
Richard Plunket			77 Boundary Creek Road	1.H.R.D	Oamaru	9493
Otago Commercial Fishing Sector	Bill Chisholm	Chisholm Associates	PO Box 2		Omarama	9448
Viewmont Limited	A D Newlands		289 Kauru Hill Road	12 BDRD Maheno	Oamaru	
Ravensdown Fertiliser Co-operative Ltd	Chris Hansen	Chris Hansen Consultants Ltd	PO Box 51-282	Tawa	Wellington	5249
Sandy Bay Ltd	S B Harrison & J H Weedon		716 Ahuriri Flat Road	Otekura RD1	Balclutha	9271
Waihemo Water Catchment Society Inc	Don McLenaghan			RD3 Dunback	Palmerston	9483
Meridian Energy Limited	Andrew Feierabend		PO Box 2454		Christchurch	8140
New Zealand Fertiliser Manufacturers Research Association Inc (Fert Research)	Greg Sneath	Chris Hansen Consultants Ltd	PO Box 51-282	Tawa	Wellington	5249
B Landreth Ltd	Gavin William Landreth		220 Catherwood Road	Katea	Owaka	9546

John Lee & Dennis Pezaro			PO Box 126		Wanaka	9343
Queenstown Lakes District Council	Phillip Pannett		10 Gorge Road	Private Bag 50072	Queenstown	
Queenstown Lakes District Council	Jonathan Richards		10 Gorge Road	Private Bag 50072	Queenstown	
Rayonier New Zealand Ltd	Kelvin Meredith		PO Box 13 285		Tauranga	3141
Waitaki Irrigators Collective Limited	Elizabeth Solal		PO Box 159		Oamaru	9444
LAC Property Trust	Jan Caunter	Gallaway Cook Allan	PO Box 450		Wanaka	9343
B & J Smith			457 Dunrobin Road	RD14C	Oamaru	9491
North Otago Irrigation Company	Robyn Wells, Chief Executive		PO Box 216		Oamaru	9400
Bernard Lynch			183 Taieri Rd		Dunedin	9010
Ballance Agri-Nutrients Ltd	Nigel Sadler		Private Bag 12503		Tauranga	3143
DF1 Ltd and DF3 Ltd, being partners of the Dairy Farms Partnership	Robert Enright	DLA Phillips Fox	22nd Floor, DLA Phillips Fox Tower	209 Queen St	Auckland	1010
4650 Matarae Station Ltd	William Jones		Sutton Clarkes Junction Road	RD 2	Outram	9074
Graeme & Jane Hogg			4 Tuapeka West Rd		Lawrence	9591
Clyde Douglas			388 kauru Hill Rd		Oamaru	9492
Environmental Defence Society	Kelsey Serjeant		PO Box 91736	Victoria Street West	Auckland	1142

Colin Scurr	Phil Page / Bridget Irving	Galloway Cook Allan	PO Box 143		Dunedin	9054
Marc Schallenberg			58 Gladstone Rd	Dalmore	Dunedin	9010
Forest and Bird	Sue Maturin		Box 6230		Dunedin	9016
Ken Telford			27 Telford Road, 2RD		Clinton	9584
Fish and Game (Central South Island)	Zella Smith		PO Box 150		Temuka	7948
ALT Holdings Ltd	Lynnore Templeton		175 Mt Stoker Road, RD3		Middlemarch	9598
T M and C M Scurr			Tuohys Gully 2127D	Cardrona	Wanaka 2RD	9382
Karl Guy			343 McPhersons Rd, 6H RD		Oamaru	
Mark Kingsbury			15 KRD		Oamaru	9494
Federated Farmers of New Zealand	Matt Harcombe		PO Box 5242		Dunedin	9058
Wenita Forest Products	David Cormack		PO Box 341	Mosgiel	Dunedin	
Annie Stuart			37 Duncan St		Dunedin	
Sue Coutts New Zealand Institute of Forestry - Te Putahi Ngaherehere o Aotearoa Incorporated, Otago/Southland	Dr Angus McPherson		110 McLennan Rd	RD2 Hawea Flat	Wanaka	9382
			C/- PO Box 5837	Moray Place	Dunedin	9058

Section						
City Forests Limited	Peter Oliver		PO Box 210		Dunedin	9054
Contact Energy Limited	Rosemary Dixon		PO Box 10-742		Wellington	
Oceana Gold (New Zealand) Limited	Maree Baker-Galloway	Anderson Lloyd	Private Bag 1959		Dunedin	9054
Cardrona Land Care Group	Jan Caunter	Galloway Cook Allan	PO Box 450		Wanaka	9343
Fish and Game (Otago)	Maree Baker-Galloway / Peter Wilson	Anderson Lloyd	Private Bag 1959		Dunedin	9054
Paterson Pitts Partners Ltd	Peter Dymock		PO Box 84		Cromwell	9342
Southern Wood Council	Grant Dodson		PO Box 904		Dunedin	9054
Waitensea Ltd	Jonathan Davis		12 Clark St	Sumner	Christchurch	8018
Beaton Family	Mark Beaton		1388 Berwick Road	1 RD	Outram	9073
Otago Water Resource Users Group	John Williamson	Checketts McKay Law Limited	PO Box 41		Alexandra	9340
Deer Industry New Zealand	Tony Pearse		Level 5 Wellington Chambers, 154 Featherston Street		Wellington	6143
Dugald MacTavish				Moeraki, RD 2	Palmerston	
Neil Smith			5 HRD		Oamaru	



Janefield Farm	Ian Bathgate		295 Nichols Road, 1 RD		Outram	
Clydevale Dairy Farms Ltd	Alan Cubitt		11 Bedford Street	St Clair	Dunedin	9012
Greenfield Farming Ltd	Alan Cubitt		11 Bedford Street	St Clair	Dunedin	9012
Big River Dairy Limited	Alan Cubitt		11 Bedford Street	St Clair	Dunedin	9012
M W Smith			27 McDonalds Road, 4H RD		Oamaru	9493
William John Pile			967 Steward Road, RD 6H		Oamaru	9493
Graylands Farms Ltd	Barry & Liz Gray		2610 Owaka Highway, RD 2		Owaka	9536
Allan Kirkland			Elm Grove	RD2	Mosgiel	9092
Philip, Heather & Geoff Wilson			13 Wickliffe Street		Mosgiel	9024
Andrea Clarke			116 Signal Hill Road	Opoho	Dunedin	9010
The Director-General of Conservation	Ken Murray	Department of Conservation	PO Box 5244		Dunedin	9016
Northburn Limited	Tom Pickney		RD 3		Cromwell	
Clutha District Council	Phil Page / Bridget Irving	C/- Gallaway Cook Allan	PO Box 143		Dunedin	9054
Clutha District Council and Central Otago District Council	Bridget Irving	Gallaway Cook Allan	PO Box 143		Dunedin	9054
RG & SS Burdon, Glendene Ltd	Bridget Irving	Gallaway Cook Allan	PO Box 143		Dunedin	9054

Ben Graham	Phil Page/Bridget Irving	C/- Gallaway Cook Allan	PO Box 143	Dunedin	9054
Wyllies Crossing Limited	Phil Page/Bridget Irving	C/- Gallaway Cook Allan	PO Box 143	Dunedin	9054
Calder Stewart Industries Limited	Phil Page/Bridget Irving	C/- Gallaway Cook Allan	PO Box 143	Dunedin	9054
David Greer, Greer Farms Partnerships	Bridget Irving	Gallaway Cook Allan	PO Box 143	Dunedin	9054
D J & J C Andrew & the D J Andrew Family Trust & Partnership	Bridget Irving	Gallaway Cook Allan	PO Box 143	Dunedin	9054
Joan Hodge, Homestead Farm Limited	Bridget Irving	Gallaway Cook Allan	PO Box 143	Dunedin	9054
Rob van Vugt & Sunset Dairy Limited	Bridget Irving	Gallaway Cook Allan	PO Box 143	Dunedin	9054
G B & R E Gardner Partnership	Bridget Irving	Gallaway Cook Allan	PO Box 143	Dunedin	9058
Macraes Community Incorporated	Bridget Irving	Gallaway Cook Allan	PO Box 143	Dunedin	9054
Mainland Poultry Limited	Bridget Irving	Gallaway Cook Allan	PO Box 143	Dunedin	9054
Travis Michelle	Bridget Irving	Gallaway Cook Allan	PO Box 143	Dunedin	9054
Robert Borst	Bridget Irving	Gallaway Cook Allan	PO Box 143	Dunedin	9054
Dunedin International Airport Limited	Bridget Irving	Gallaway Cook Allan	PO Box 143	Dunedin	9054
A W B Elliot	Bridget Irving	Gallaway Cook Allan	PO Box 143	Dunedin	9054

Simon Parks	Phil Page and Bridget Irving	C/- Gallaway Cook Allan	PO Box 143		Dunedin	9054
Kyeburn Pastoral Company Ltd	Phil Page & Bridget Irving	Galloway Cook Allan	PO Box 143		Dunedin	9054
Lone Star Farms Ltd	Boyd MacDonald		PO Box 1242		Nelson	
Peter Rowland				1 CRD	Oamaru	9491
Richard Williams			RD 15 K		Oamaru	9494
Ronald Sheat			2 RD		Palmerston	9482
R & M Borrie Ltd	Rogan Borrie		15 KRD		Oamaru	9494
Graham & Pam Hunter			202 Kononi Road	RD1	Lawrence	
Lake Edge Farms Ltd	Karl Burgess		87 Lakeside Road	2RD	Owaka	9586
Alastair Cocks			Braeburn	RD1	Clinton	9583
Teviotdowns Ltd	Mike Paterson			RD2	Roxburgh	9572
ME Elston	Jenny Grimmett	Cardno (NZ) Limited	PO Box 13-142		Wellington	6440
DJ & KR Scott			Hazel Hills	Ida Valley, RD1	Oturehua	
Craiglea Limited	Jan Caunter	Galloway Cook Allan	PO Box 450		Wanaka	9343
Auripo Enterprises Ltd	John Mulholland		1286 Auripo Road	RD2	Oturehua	9387
JH William & KA McNally			1478 Auripo Road	RD2	Oturehua	

RJ McNally			697 Auripo Road	RD2	Oturehua	
Quinten & Bronwyn Pringle			Rapid 4996		Ettrick	9572
Pypers Produce Ltd	Brent Lamb		1035 Branxholme Road	4 RD	Invercargill	
Kim & Mary Heany			843 Auripo Road	2RD, Poolburn	Oturehua	
TJ & NM Arthur			184 McNally Road	Poolburn, RD2	Oturehua	9384
Fish and Game (Otago)	Peter Wilson		PO Box 76		Dunedin	9054
New Zealand Wind Energy Association	Ben Farrell		PO Box 553		Wellington	6140
Ida Valley Station / Ida Valley Irrigation Co	John Paterson		6 Kerry Street		Alexandra	9320
RJ Borst	Bridget Irving	Galloway Cook Allan	PO Box 143		Dunedin	9054
NS Mackenzie	Bridget Irving	Galloway Cook Allan	PO Box 143		Dunedin	9054
TE & JA Craig	Bridget Irving	Galloway Cook Allan	PO Box 143		Dunedin	9054
DJ & Mrs JC Andrew	Bridget Irving	Galloway Cook Allan	PO Box 143		Dunedin	9054
GV & Mrs RE Gardner	Bridget Irving	Galloway Cook Allan	PO Box 143		Dunedin	9054
AWB Elliot	Bridget Irving	Galloway Cook Allan	PO Box 143		Dunedin	9054
J Hodge	Bridget Irving	Galloway Cook Allan	PO Box 143		Dunedin	9054
RP & RR Van Vught	Bridget Irving	Galloway Cook Allan	PO Box 143		Dunedin	9054

Central Otago District Council	Bridget Irving	Gallaway Cook Allan	PO Box 143		Dunedin	9054
Moutere Station Limited	Bridget Irving	Gallaway Cook Allan	PO Box 143		Dunedin	9054
RN & JA Cavanagh, Hawkdun Station	Bridget Irving	Gallaway Cook Allan	PO Box 143		Dunedin	9054
Central Otago Wine Growers Association	Bridget Irving	Gallaway Cook Allan	PO Box 143		Dunedin	9054
Isa Holdings Ltd	Grant Isbister		4 DRD		Oamaru	9492
John Webster		Mitchell & Webster Ltd	Springfield	6 DRD	Oamaru	9492
Peter Mitchell		Mitchell & Webster Ltd	213 Airedale Road	Rosedale, RD 5D	Oamaru	9492
Ettrick Fruitgrowers Association Inc	Mark Darling		SH8		Ettrick	9538
Nicholas Webster			35 Station Road	7 DRD	Oamaru	9492
Blackstone Hill Ltd	Ralph Hore		Becks	RD2, Omakau	Central Otago	
Snowline Ltd	Glen McDonald		22 Pringle Road	RD2	Roxburgh	
Greenfield Rural Opportunities Limited	Aiden Prebble	Cavell Leitch Pringle & Boyle	PO Box 799		Christchurch	8140



**SUBMISSION FORM** (Print clearly on both sides)

**Proposed Plan Change 6A (Water Quality) to the Regional Plan: Water for Otago**

*Form 5, Clause 6 of the First Schedule, Resource Management Act 1991.*

Office use only

Name of submitter:

The Cow Farm Limited

Organisation (if applicable):

Postal Address:

38 Marsh Road

Ettrick, RD2

Roxburgh

Postcode: 9572

Telephone: 0274 455 408

Fax:

Email: gscottbase@xtra.co.nz

**wish** / ~~do not wish~~ (circle preference) to be heard in support of my submission.

If others make a similar submission,  **will** / ~~will not~~ consider presenting jointly with them at a hearing (circle preference).

Signature<sup>re</sup>: \_\_\_\_\_ Date: \_\_\_\_\_

(of submitter, or person authorised to sign on behalf of person making submission).

**Trade competitor's declaration** (if applicable)

*I could gain through trade competition from a submission, but my submission is limited to addressing environmental effects directly impacting my business*

Signature: \_\_\_\_\_

Note that all submissions are made available for public inspection.

**SUBMISSIONS MUST BE RECEIVED BY 5.00 PM,  
WEDNESDAY 2 MAY 2012.**



Send to:  
Freepost ORC 1722  
Otago Regional Council  
Private Bag 1954  
Dunedin 9054

Please turn over

<b>1</b> State what your submission relates to and if you support, oppose or want it amended	<b>2</b> State what decision you want the Otago Regional Council to make	<b>3</b> Give reasons for the decision you want made
<i>E.g. amend rule 'y'</i>	<i>E.g. amend rule 'y' to say...</i>	<i>E.g. I want rule 'y' amended because...</i>

<p>Oppose Rule 12.C.1.3 and wish to see it amended</p>	<p>Withdraw Rule 12.C.1.3 until the parameters are able to accurately reflect on farm practices and are able to be quantifiable and demonstrate that they will result in achieving the purpose of the Act in relation to water quality.</p>	<p>Rule 12.C.1.3 does not reflect actual on farm practices. The average New Zealand dairy farm uses 34kg/ha nitrogen (based on 3500 samples. In Otago the average is 25kg/ha, with only 20% of farms using less than this (at 20kg/ha). The requirement for certain properties within what are described as more sensitive areas to meet 10kg/ha is not realistic or achievable.</p> <p>The property we farm is contained within Map I – 4 and is considered a Nitrogen Sensitive Area and we would therefore be required to meet an application rate of 10kg/ha. There is no clear evidence or science contained within the Section 32 Report that supports the 10kg/hectare figure to improve water quality.</p> <p>The State of Surface Water Quality Report 2007 shows that the water quality of the adjacent water way at the closest monitoring point- being the NIWA site at Millers Flat- shows no exceedances of TN, NNN, DRP, NH<sub>4</sub>, DO or pH. In essence the NIWA monitoring confirms the quality of the adjacent water way is in very good health. The application of a generic 10kg/ha requirement when there is no issue with water quality in this area does not appear to be fair or just.</p> <p>While the ORC has undertaken other surface water monitoring throughout the District, there is no additional data to support the implementation of the 10kg/hectare standard, especially in relation to the Ettrick area. The 2007 Report notes that the area of concern is in South West Otago and around Dunedin and yet the Rules do not apply to these areas.</p> <p>In addition, a generic figure as promoted in Rule 12.C.1.3 does not take into account soil type, pasture development, climate or on farm management.</p> <p>The rule will also allow for areas not considered sensitive to nitrogen to apply 30kg/ha. The assumption must be that an application of 30kg/ha of nitrogen is at a level that does not cause adverse effects in terms of water quality. It appears illogical that properties located directly adjacent to each other could be subject to such differences in farming practices without any direct scientific evidence that supports the application rates.</p> <p>The rule will also result in economic implications on those properties located within Nitrogen Sensitive Areas. Our property will potentially be less attractive to future purchasers due to the application of generic requirements that does not appear to be based upon robust science. The requirement to reduce fertiliser application may affect our pasture production, productivity, cow numbers and eventually overall land use.</p> <p>Not sure if there is any specific on farm monitoring data that we could add in here also?</p>
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**SUBMISSION TO OTAGO REGIONAL COUNCIL IN RELATION TO  
PLAN CHANGE 6A**

**Submitter**

Name: The Cow Farm Limited

Location: Marsh Road, Ettrick

Address for Service: 38 Marsh Road  
Ettrick  
RD2  
Roxburgh 9572

Email: gscottbase@xtra.co.nz

Phone: 0274 455 408

I **wish** to be heard in support of my submission.

If others make a similar submission, I **will** consider presenting jointly with them at a hearing.

I can confirm that this submission does not relate to trade competition or the effects of trade competition.

---

G Scott, on behalf of The Cow Farm Limited  
2 May 2012

## **Introduction**

I have been involved in the dairy industry all my life and have been operating my current dairy operation at Ettrick for over 10 years. Our dairy farm runs 630 cows and holds existing consents to discharge Farm Dairy Effluent (FDE) to land, and to abstract surface water from the adjacent Clutha River for irrigation purposes, and consent to abstract groundwater for stockwater and dairy shed purposes. The farm has an area of 200 hectares, employs 5-6 staff and as part of environmentally sustainable practice, utilises fertilisers to enhance growth and productivity. Our technology is modern and world class and involves the collection of highly technical information to ensure that our operation is environmentally and economically sustainable.

## **Summary**

I am in favour of maintaining, and improving water quality across the District as I fully appreciate and understand the need for good water quality. The intent of Plan Change 6A (PC6A) therefore appears to be sensible however the content does not appear to achieve the purpose of the Act, does not provide strong enough guidance, and lacks clear guidance, attainable outcomes and does not appear to be based on science. There is also little weight or emphasis on other matters usually considered under the Resource Management Act (RMA) such as social and economic well being.

The Section 32 report does not contain any specific scientific data that supports the content of PC6A and without robust data, the rules appear to be frivolous and lacking clear and precise thought. Further, the rules do not reflect actual land uses and potentially capture every single rural land use – from horticulture and viticulture activities through to sheep and beef, deer and dairy farming.

There has also been a lack of effective community consultation especially with Industry Organisations, one of which (Fonterra) I am actively involved in as a Shareholders Councillor for the Otago Region. Based on the conversations I have had with both farmers, and landowners regarding PC6A it would in my opinion appear that there is a very limited understanding of the proposed changes, their purpose and the potential implications of the plan change on those most likely to be affected by the amendments.

I therefore ask that the ORC withdraw PC6A until clear, accurate and reliable rules can be implemented and after appropriate consultation with industry personnel and organisations has occurred.

I will address each proposed change below as follows:

## SECTION 7 - WATER QUALITY

### Objective 7.A.1

*“To have good quality water in Otago’s water bodies that support natural and human use values.”*

#### Submission

Oppose.

#### Reasons

There is no description of what good quality means. The term is vague and open to interpretation.

#### Decision Sought

Change the objective to provide guidance and quantifiable parameters for what ‘good quality water’ means.

### Objective 7.A.2

*“To maintain good quality water in Otago’s water bodies, and enhance water quality where necessary.”*

#### Submission

Oppose.

#### Reasons

There is no definition of what ‘good quality water’ means. The use of the word ‘necessary’ means that there is no certainty – the ORC could decide, at any time, that a particular water source requires improvement which means that the legislative framework for land owners could potentially always be shifting.

#### Decision Sought

Change the objective to have measurable and quantifiable meaning for ‘good quality water’. Remove the word ‘where necessary’ or provide some measurable definition of what ‘where necessary’ means.

### Objective 7.A.3

*“To have individuals and communities recognise and manage the effects of activities on water quality, including cumulative effects.”*

#### Submission

Oppose.

Reasons

The ORC is responsible for managing the effects of activities not the community. The objective is vague and weak and appears to have no clear purpose.

Decision Sought

Delete this objective.

**Policy 7.B.1**

*“Ensure water is of good quality by the target dates described in Schedule 15, to support natural and human use values, by:*

- (a) Avoiding discharges of contaminants with noticeable effects on natural and human use values; and*
- (b) Allowing discharges of contaminants that cumulatively have minor effects, or are short-term; and*
- (c) Minimising disturbance of the beds of rivers and lakes.”*

Submission

Oppose.

Reasons

The policy promotes natural and human use values over other values equally as important under the RMA. Also, the terminology is inconsistent and should instead refer to ‘good quality water’ and again, the general nature of the phrases such as ‘noticeable effects’, are unclear, imprecise and vague and appear to be new terms not previously used in the RMA.

Decision Sought

Change Policy 7.B.1 to align with existing terminology.

**Policy 7.B.2**

*“To promote discharges of contaminants to land in preference to water.”*

Submission

Oppose.

Reasons

This policy seeks to shift all discharges to land rather than water. The basis for the RMA is that any activity that can have an effect that is no more than minor or that can be remedied or mitigated to result in effects that are no more than minor, should be allowed by way of resource consent. There is no justification therefore for preventing discharges to water

where the effects are no more than minor, and /or the effects can be adequately remedied or mitigated.

#### Decision Sought

Delete this policy.

#### **Policy 7.B.3**

*'When considering the discharge of any contaminant to land, to have regard to:*

*(a) The ability of the land to assimilate the discharge;*

*(b) Any potential for soil contamination; and*

*(c) Actual or potential effects on water bodies.*

#### Submission

Oppose.

#### Reasons

The policy is again vague and unclear, and uses terminology not previously used in the RMA. The word 'assimilate' is open to interpretation and does not provide any guidance or measurable framework.

#### Decisions Sought

Delete the policy.

#### **Policy 7.B.4**

*"Encourage adaptive management and innovation to reduce the discharge and impact of contaminants on water quality."*

#### Submission

Support with amendments.

#### Reasons

As a dairy farmer, I am constantly looking for technology and management tools to improve our farming systems and to minimise adverse effects from my operations. I support a policy that supports this. The policy however is unclear and uses terminology that is not defined and that is open to interpretation.

#### **Policy 7.D.1**

*"Apply limits on contaminants in discharges where they are about to enter water."*

Submission

Oppose.

Reasons

It is impractical to require quality standards on discharges at the point of discharge. The RMA allows for a reasonable zone of mixing and this policy appears to be in direct conflict with the RMA.

Decision Sought

Delete Policy 7.D.1.

**Policy 7.D.2**

*“Provide for the consenting of discharges, that first occurred prior to 31 March 2012, for a limited period beyond the timeframe specified in Schedule 16, where:*

- (a) Changes to land management practices or infrastructure to minimise the discharge have been implemented; and*
- (b) Additional changes to management practices or infrastructure are needed to achieve the limits; and*
- (c) An expeditious path to compliance with Schedule 16 is identified.”*

Submission

Oppose.

Reasons

This policy appears to only allow consents to be obtained for existing discharges in the short term. There is no certainty for land owners about when the ‘limited period’ expires and this terminology is imprecise and vague and does not provide certainty, particularly if large capital investments are required to make changes to infrastructure which may or may not serve their purpose for an extended period of time if the goal posts are continually changing.

Decision Sought

Delete this policy.

**Policy 7.D.3**

*“Provide for the consenting of discharges that exceed Schedule 16 limits as part of the development of technology or innovative practices associated with improving water quality.”*

Submission

Support.

Reasons

I agree that, as a community, rural land owners should always be seeking to reduce their discharges. If a land owner can demonstrate that they will employ technologies and techniques to reduce discharges then there is no reason why consent should not be granted.

Decision Sought

Retain Policy 7.D.3.

**SECTION 12C**

**Rule 12.C.0.1**

*“Any discharge of contaminants, where the discharge is about to enter water, that:*

*(i) Has an odour; or*

*(ii) Contains an oil or grease film, scum or foam, or floatable material,*

*is a **prohibited** activity.”*

Submission

Oppose.

Reasons

The use of a prohibited status for activities that potentially have a very minor effect means that activities will not be assessed on a case by case basis. The premise of the RMA is to manage the development of resources. A rule that fails to allow activities that may have a minor effect but that effectively manage the development of resources appears to be contrary to the purposes and principles of the RMA.

The rule now imposes a test that is harder to meet. The RMA refers to discharges that are offensive, objectionable or conspicuous but this rule now imparts a significantly higher threshold and will make many existing activities, for which the effects are less than minor, prohibited. A person will not be able to apply for consent to undertake such an activity and this appears to breach the conditions of natural justice.

Decision Sought

Amend the rule to remove the prohibited status and allow activities whose effects are no more than minor to obtain consent.



### **Rule 12.C.0.2**

*“Any discharge of contaminants to water, that results in water:*

- (i) Increasing in colour; or*
- (ii) Reducing in visual clarity; or*
- (iii) Developing an odour; or*
- (iv) Developing an oil or grease film, scum or foam,*

*is a **prohibited** activity.”*

#### Submission

Oppose

#### Reasons

This rule raises the same concerns as the previous one and I believe the rule is unfair and excludes activities that should be able to be consented.

#### Decision Sought

Amend the rule to remove the prohibited status and allow activities whose effects are no more than minor to obtain consent.

### **Rule 12.C.0.3**

*“Any discharge of water or contaminants to water, that results in flooding, erosion, land instability or property damage, is a **prohibited** activity.”*

#### Submission

Oppose

#### Reasons

This rule again does not allow activities whose effects could be no more than minor to occur. No consent can be applied for which means no case by case assessment would be undertaken.

#### Decision Sought

Amend the rule to remove the prohibited status and allow activities whose effects are no more than minor to obtain consent.

#### **Rule 12.C.0.4**

*“Any discharge of sediment from disturbed land to water, where no measure has been taken to avoid sediment runoff, is a **prohibited** activity.”*

#### Submission

Oppose.

#### Reasons

This rule is vague and open to interpretation. There is no definition of what ‘measures to avoid sediment runoff’ means or how it is measured. Also, there will be some activities that cause some sediment runoff that has only a minor effect but any such activities would not be able to be undertaken. The prohibited status is too heavy handed, unrealistic and impractical.

#### Decision Sought

Rule 12.C.0.4 be deleted.

#### **Rule 12.C.0.5**

*“Any discharge of contaminants from an animal waste system, silage storage or a composting process:*

- (i) To a water body; or*
- (ii) To saturated land; or*
- (iii) To a conduit to water, or the bed of any lake or river, or Regionally Significant Wetland; or*
- (iv) That enters water from land; or*
- (v) That results in ponding;*

*is a **prohibited** activity.”*

#### Submission

Oppose.

#### Reasons

The rule uses vague terms that lack definition or clarity such as ‘ponding’. What does this mean – any surface liquid whether it sits for, say, an hour? Is this still considered ponding?

Again, there will be some activities where it is perfectly reasonable to discharge contaminants that do not have more than a minor effect but these activities will be

prohibited. The natural justice premise of the RMA – to allow activities whose effects are no more than minor – is being compromised by the prohibited status.

#### Decision Sought

Amend the rule to remove the prohibited status and allow activities whose effects are no more than minor to obtain consent.

#### **Rule 12.C.1.1**

*“The discharge of sediment to water is a **permitted** activity, providing:*

- (i) After the cessation of rainfall on the site, the discharge does not cause sedimentation.*
- (ii) From 31 March 2017:*
  - (a) More than one hour after rain ceases on the site the discharge shall not exceed water clarity of 40 nephelometric turbidity units, where the discharge is about to enter water.*
  - (b) More than twelve hours after rains ceases on the site the discharge shall not exceed water clarity of 5 nephelometric turbidity units, where the discharges is about to enter water.”*

#### Submission

Oppose in part.

#### Reasons

This rule is not clear and there is no time frame. How much time can elapse between the discharge and a rainfall event before the sedimentation is not attributable to a specific activity?

Also, who is expected to measure turbidity on a day to day and case by case basis? This rule appears difficult to monitor and control and is not easily understood by the general public.

The rule also does not allow for significant natural rainfall events, such as flash floods, that cause significant natural turbidity, sometimes for hours and days following a significant event. Who determines the level of turbidity that is acceptable as a result of a weather event? The rule also does not allow for any natural variation within rivers – those with a naturally high turbidity and those with a naturally low turbidity are grouped together which fails to take into account the actual receiving environment of each activity.

It is also unclear how this Rule relates to Rule 12.1.0.4, which makes sediment discharges a prohibited activity in some circumstances.

### Decision Sought

Amend the rule to adequately allow it to be interpreted and applied by people who undertake the activities.

Clarify the discrepancies and apparent conflicts with Rule 12.1.0.4.

### **Rule 12.C.1.2**

*“The discharge of a contaminant listed in Schedule 16 to:*

- (i) Water; or*
- (ii) Land in a manner that may enter water,*

*is a **permitted** activity, providing that more than twelve hours after rains ceases on the site, the quantity of contaminant in the discharges does not exceed the limits given in Schedule 16, where the discharge is about to enter water.”*

### Submission

Oppose in part.

### Reasons

The rule does not give any indication of how or where the quantity of contaminant is measured and does not take into account different receiving environments.

### Decision Sought

Amend the rule to provide better measurability and clarity.

### **Rule 12.C.1.3**

*“The discharge of nitrogen from land to groundwater is a **permitted** activity, providing:*

- (i) From 31 March 2019, calculated nitrogen leaching by the Council using OVERSEER® version 6.0, does not exceed:*
  - (a) 10 kilograms nitrogen per hectare per year over any nitrogen sensitive zone identified in Maps I1-16; and*
  - (b) 30 kilograms nitrogen per hectares per year elsewhere in Otago; and*
- (ii) Upon request, the person with responsibility for the management of the land supplies the Council with all necessary annual input data to run OVERSEER® version 6.0.”*

### Submission

Oppose.

## Reasons

This rule relies solely on one monitoring data package which is currently not available to the general public. Also, there may be other companies that are able to produce software that is equally useful but such alternate systems would require resource consent. The rule should refer to the outcome the monitoring system is seeking to achieve rather than specifying a particular company with no direction as to the purpose of that system.

This rule does not reflect actual on farm practices. The average New Zealand dairy farm uses 34kg/ha nitrogen (based on 3500 samples taken). In Otago the average is 25kg/ha, with only 20% of farms using less than this (at 20kg/ha). The requirement for certain properties within what are described as more sensitive areas to meet 10kg/ha is not realistic or achievable.

The property we farm is contained within Map I – 4 and is considered a Nitrogen Sensitive Area and we would therefore be required to meet an application rate of 10kg/ha. There is no clear evidence or science contained within the Section 32 Report that supports the 10kg/hectare figure to improve water quality, or any evidence that indicates more than 10kg/hectare is having an adverse environmental effect. We have been farming our property for more than 10 years and the quality of the adjacent water has not changed, let alone deteriorated.

The State of Surface Water Quality Report 2007 shows that the water quality of the adjacent water way at the closest monitoring point- being the NIWA site at Millers Flat- shows no exceedance events of TN, NNN, DRP, NH<sub>4</sub>, DO or pH. In essence the NIWA monitoring confirms the quality of the adjacent water way is in very good health. The application of a generic 10kg/ha requirement when there is no issue with water quality in this area does not appear to be fair or just.

There is no additional data to support the implementation of the 10kg/hectare standard, especially in relation to the Etrick area. The 2007 Report notes that the area of concern is in South West Otago and around Dunedin but these areas do not appear to be subject to the more stringent 10kg/hectare requirement.

In addition, a generic figure as promoted in Rule 12.C.1.3 does not take into account soil type, pasture development, climate or on farm management.

The rule will also allow for areas not considered sensitive to nitrogen to apply 30kg/ha. The assumption must be that an application of 30kg/ha of nitrogen is at a level that does not cause adverse effects in terms of water quality. It appears illogical that properties located directly adjacent to each other could be subject to such differences in farming practices without any direct scientific evidence that supports the application rates.

The rule will also result in economic implications on those properties located within Nitrogen Sensitive Areas. Our property will potentially be less attractive to future purchasers due to the application of generic requirements that does not appear to be based upon robust science. The requirement to reduce fertiliser application may affect our pasture production, productivity, cow numbers and eventually overall land use.

Potentially every single rural land user could now require resource consent to undertake fertiliser applications to land – this rule does not simply capture dairy farmers but also sheep and beef farmers, and potentially horticultural and viticulture operations. The widespread capture of rural based activities has immense implications for the rural sector, and the agricultural industry as a whole however the practical implications of this rule have not been made clear. There will potentially be significant compliance issues with rural based industry as a result of this rule.

Our farm already implements new and advancing technologies in every facet of day to day operation and we have no evidence to indicate that the way we are managing the land is having any adverse effects at all. The requirement for us to now obtain resource consent is onerous and unfair.

The rule does not indicate whether the application rates apply on a per hectare basis, on a per hectare across one property basis, or a per hectare across a specific catchment basis. The rule is ambiguous, lacking in scientific justification and potentially devastating to the economic wellbeing of the Otago Region.

#### Decision Sought

Withdraw Rule 12.C.1.3 and the associated maps until clear robust science can justify its inclusion.

#### **Rule 12.C.1.4**

*“The discharge of contaminants from any animal waste system to land, is a **permitted** activity, providing:*

- (a) The discharge occurs more than 50 metres from any bore used to supply water for domestic needs or drinking water for livestock; and*
- (b) There is no discharge onto any other person’s property without the other person’s agreement.”*

#### Submission

Support with amendments.

#### Reasons

The use of a generic 50 metre requirement potentially allows the discharge of significant contaminants as a permitted activity to occur. Also, it is unclear how this rule relates to Rule 12.C.0.5 which makes discharges prohibited. It is highly possible that two activities, whose effects are very similar, could have vastly different statuses – one as permitted for which no consent is required, and the second prohibited for which no consent can be sought. Potentially neither activity would actually be considered on the basis of actual and potential effects generated and therefore both Rule 12.C.0.5 and this rule fail to be in accordance with the RMA.

There is no reasonable justification for the 50 metre separation and this could potentially allow far greater effects on water quality than other activities which would now be prohibited.

#### Decision Sought

Amend the rule to quantify what level of discharge is considered appropriate rather than using a generic distance requirement.

#### **Rule 12.C.1.5**

*“The discharge of water to water, or water to a Regionally Significant Wetland, that:*

- (i) Does not discharge water from one catchment to another; and*
- (ii) Where it contains any of the contaminants listed in Schedule 16, the quantity of contaminant in the discharge does not exceed the limits given in Schedule 16,*

*is a **permitted** activity, providing:*

- (a) There is no change to the water level or hydrological function, or no damage to fauna, or New Zealand native flora in or on any Regionally Significant Wetland.”*

#### Submission

Oppose in part.

#### Reasons

This rule appears to have changed the parameters being used in earlier rules – now the standard is no change to water level or hydrological function. These terms are both generic and do not appear to be effects based. Also, there is no consideration for naturally fluctuating water levels where changes in water levels may not have adverse effects but for which consent would be required.

Again there is no evidence that Schedule 16 is based on robust science. The rule doesn't differentiate between water bodies which would not be affected by minor discharges.

#### Decision Sought

Amend the rule to provide better clarity and some measureable targets.

#### **Rule 12.C.1.6**

*“Notwithstanding Rules 12.C.1.1, 12.C.1.2 and 12.C.1.5, the discharge of water or contaminants listed in Schedule 16 from:*

- (i) a dam permitted under Rule 12.3.2.1; or*
- (ii) water supply transport system,*

to water, or to a Regionally Significant Wetland, is a **permitted** activity, providing:

- (a) There is no discharge of water from one catchment to another; and
- (b) The dam is not used for the storage of contaminants; and
- (c) The presence of contaminants does not result from the damming activity or the activities of the dam operator; and
- (d) The presence of contaminants does not result from the water transporting activity, or the activities of the water transporter; and
- (e) The water supply transport system does not convey irrigation runoff; and
- (f) There is no change to the water level or hydrological function, or no damage to fauna, or New Zealand native flora in or on any Regionally Significant Wetland.”

#### Submission

Support with amendments.

#### Reasons

The use of the term ‘water supply transport system’ is undefined and it is unclear what this means. This leaves the rule open to interpretation and again the rule lacks clarity.

#### Decision Sought.

Amend the rule to provide a clear definition of appropriate terminology.

#### **Rule 12.C.2.1**

*“The discharge of contaminants listed in Schedule 16 to land:*

- (i) *Where changes to land management or infrastructure have been unsuccessful in meeting the limits in Schedule 16, and the discharge first occurred prior to 31 March 2012; or*
- (ii) *Where the discharge results from a short-term activity with a short-term adverse effect,*

*is a **restricted discretionary** activity.*

*The matters to which the Council will restrict its discretion are:*

- (a) *The nature, type, volume, frequency, concentration of contaminants in the discharge; and*
- (b) *In the case of applications made under (i), how discharge limits in Schedule 16 will be achieved within a set timeframe; and*



- (c) Any quality management practices to be implemented; and
- (d) Any changes to infrastructure; and
- (e) Addressing any adverse effects on water quality, including cumulative effects; and
- (f) Any effect on any Regionally Significant Wetland or on any regionally significant wetland value; and
- (g) The likelihood of erosion, land instability, sedimentation or property damage resulting from the discharge; and
- (h) Any financial contribution for any Regionally Significant Wetland or on any regionally significant wetland value; and
- (i) The information and monitoring requirements; and
- (j) The duration of the resource consent; and
- (k) The review of conditions of the resource consent.

*The Consent Authority is precluded from giving public notification of an application for a resource consent under this rule.”*

#### Submission

Oppose in part.

#### Reasons

The discretionary matter in part (b) appears to be directly in conflict with Policy 7.D.3 which specifically allows for activities that result in contaminants that exceed Schedule 16 limits to be consented, yet (b) specifically requires the discharge limits to be met within a certain timeframe. There will be instances where contaminants exceed the set limits but this of itself, does not mean that an adverse effect will result.

#### Decision Sought

The rule should be amended to be consistent with Policy 7.D.3.

#### **Rule 13.5.1.8A**

*“The disturbance of the bed of any lake or river, or any Regionally Significant Wetland, by livestock is a **permitted** activity, providing it does not:*

- (a) Cause or induce slumping, pugging or erosion; or
- (b) Expose soil; or
- (c) Involve feeding out; or

- (d) *Increase the colour or reduce the visual clarity of water; or*
- (e) *Damage fauna, or New Zealand native flora, in or on any Regionally Significant Wetland.”*

Submission

Support with amendments.

Reasons

The rule will not allow activities that create minor and temporary changes and will set a higher threshold than some permitted activities such as suction dredge mining, or even people and vehicles crossing waterways.

Decision Sought

Rule be clarified to have measureable targets.

**Rule 13.5.1.8B**

*“The disturbance of the bed of any lake or river, or Regionally Significant Wetland, by livestock due to seasonal muster, is a **permitted** activity, providing it does not cause or induce slumping, pugging or erosion.”*

Submission

Oppose.

Reasons

This activity is already provided for under Rule 13.5.1.8A

Decision Sought

Delete rule.

**Rule 13.5A.0**

***“Prohibited activities: No resource consent will be granted***

*13.5A.0.1 The entering onto or passing across the bed of any lake or river, or any Regionally Significant Wetland by livestock, for the purpose of moving livestock from one location to another:*

*(a) Excluding the use of any authorised structure over water and the bed of any lake or river, or any Regionally Significant Wetland; and*

*(b) Excluding seasonal muster,*

*Is a **prohibited** activity.”*

### Submission

Oppose.

### Reasons

The use of a prohibited activity status is too restrictive and does not allow activities to be assessed on a case by case basis. The rule also does not allow for emergency situations that may occur.

There is no clear evidence about what effect is being mitigated by this rule and the exclusion of seasonal mustering activities allows interpretation.

The rule also does not differentiate between type of livestock, numbers or size of water body and appears to capture ephemeral water bodies which is nonsensical.

### Decision Sought

Amend rule to provide measureable parameters. Clarify the rule in relation to ephemeral beds of rivers. Clarify what a seasonal muster is and when it can occur.

### **Schedule 15**

The targets are too generic and do not take into account natural differences in each environment. There is no scientific justification for the application of generic standards especially in the absence of evidence that water quality will be improved as a result of the restrictions.

There is no logic behind the target dates and no evidence of adverse effects if the dates are not complied with.

The targets should be developed in consultation with stakeholders and should be withdrawn until such time as practical, science based targets can be imposed.

### **Schedule 16**

The discharge limits appear arbitrary and lacking science. I am unaware of any scientific or technical data to support the limits and whether these limits actually achieve the purpose of the RMA.

## **Conclusion**

I agree with the intent of PC6A and support plan changes that seek to improve the quality of Otago's water resources. The shortcomings of PC6A however are significant, widespread and potentially will undermine the entire rural sector. The targets and limits within PC6A appear arbitrary, onerous, inflexible and unfounded. No supporting evidence has been produced to support their inclusion and the use of a 'one size fits all' approach takes no account of naturally variable environments.

I believe Plan Change 6A should be withdrawn until clear and robust information can support its reintroduction. The targets should be based on achievable, clear data and should achieve the purpose of the RMA.