

pSWLP Reply Report – Errata

09 November 2017

On review of the Reply Report, a number of inconsistencies and minor changes have been identified, and are set out below:

1. Objective 18 in the ‘tracked’ Plan does not reflect recommendation on page 24 of Reply Report. The Reply Report version is correct (“at least” was mistakenly included in the ‘tracked’ Plan version). Objective 18 should read:

Objective 18

All activities operate in accordance with at “good (environmental) management practice” or better to optimise efficient resource use, safeguard the life supporting capacity of and protect the region’s land, and soils, and maintain or improve the ~~water from~~ quality and quantity of the region’s water resources. ~~degradation.~~

2. Policies 10-12 – Clause 3 in the ‘tracked’ Plan does not reflect recommendations on page 27 of Reply Report. The Reply Report version is correct, and Policies 10-12 – Clause 3 should read:

3. ~~decision makers should generally not grant resource consents for additional dairy farming of cows and additional intensive winter grazing where contaminant losses increase.~~

3. The advice note under the region-wide rule heading on page 46 of the ‘tracked’ Plan, in relation to the application of the NES-PF does not reflect the recommended advice note on page 13 of the Reply Report. The advice note in the ‘tracked’ Plan should read:

After 1 May 2018 ~~nothing in the rules of this Regional Plan controls do not apply to any activity specifically regulated by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017, unless regulation 6 of those regulations applies.~~

4. On review of the adjusted Rule 24, an inconsistency between the cross references has been identified:

(b) the discharge of nitrogen, phosphorus, sediment and microbial contaminants onto or into land in circumstances that may result in a contaminant entering water that would otherwise contravene Section 15(1) of the RMA and ~~does not comply with~~ is not authorised by Rules ~~25(a)-24(a)~~ 20, 21, 22, or 23 is a non-complying activity.

5. On review of the inter-relationship between adjusted Rule 32 and new Rule 32A, some gaps and inconsistencies have been identified. Corrections are:

Rule 32 – Use of land for ~~e~~ffluent storage - new

(a) The use of land for a new ~~agricultural~~ effluent storage facility, including ancillary structures, ~~other than onsite wastewater system, composting toilet system or mobile toilet, but including waste water, sludge or effluent from industrial or trade processes or agricultural effluent,~~ and any incidental discharge directly onto or into land, is a permitted activity provided the following conditions are met:

...

(ba) The use of land for a new agricultural effluent storage facility, and any associated discharge directly onto or into land from that storage, which does not meet conditions (b)(iii)-(v) of Rule 32, is a discretionary activity.

(bb) The use of land for a new agricultural effluent storage facility, and any associated discharge directly onto or into land from that storage, which does not meet conditions (b)(i) or b(ii) of Rule 32, is a non-complying activity.

(cc) The use of land for the construction of any effluent storage, other than onsite wastewater system, composting toilet system, mobile toilet, but including of waste-water, sludge or effluent from industrial or trade processes, and any incidental discharge directly onto or into land from that storage, that does not meet ~~the~~ conditions ~~(a), (b)(ii) (v) or~~ (c)(ii)-(iv) of Rule 32 is a discretionary activity.

~~(b)~~(d) The use of land for the construction of any effluent storage, other than onsite wastewater system, composting toilet system, mobile toilet, but including of waste-water, sludge or effluent from an industrial or trade processes, and any incidental discharge directly onto or into land from that storage, that does not meet ~~the~~ conditions ~~(b)(i),~~ (c) (i) of Rule 32 is a non-complying activity.

Rule 32A – Use of land for ~~agricultural~~ effluent storage

(a) The use land for an existing ~~agricultural~~ effluent storage system ~~for waste water, sludge or effluent from an industrial or trade processes or agricultural effluent and including ancillary structures, but excluding an onsite wastewater system, composting toilet system or mobile toilet,~~ and any incidental discharge directly onto or into land from that storage, is a permitted activity provided the following conditions are met:

(i) The ~~agricultural~~ effluent storage system was either:

(1) a permitted activity prior to this plan becoming operative; or

(2) constructed in accordance with a resource consent ~~issued prior to this plan becoming operative;~~ and

...

(b) The use of land for an existing ~~agricultural~~ effluent storage system ~~for waste water, sludge or effluent from industrial or trade processes or agricultural effluent and including ancillary structures, but excluding an onsite wastewater system, composting toilet system or mobile toilet,~~ and any incidental discharge directly onto or into land from storage, that does not meet one or more conditions of Rule 32A(a) is a discretionary activity.

6. On review of the adjusted Rule 35, an inconsistency between the cross references has been identified:

Rule 35 – Discharge of agricultural effluent to land

...
(d) *The discharge of agricultural effluent or water containing agricultural effluent to land, in circumstances where contaminants may enter water, that does not comply with Rule ~~35(b)(iii)~~ or Rule 35(c) is a non-complying activity.*
...

7. In the new Rule 35A, two issues have arisen. The first is confusion and uncertainty as to what qualifies as “adult cattle”. To avoid this uncertainty, a second (and conservative) threshold of stock units is recommended to be added, so that all stock ages are addressed. Secondly, a minor rearrangement of the conditions with respect to effluent collection would enhance certainty:

Rule 35A – Feed pads/lots

...
(i) *if accommodating ~~adult~~ cattle or ~~adult~~ deer, each feed pad/lot at any one time, services no more than 100 adult cattle or 250 adult deer, or equivalent young stock at any one time¹; and*

...
(v) *the feed pad/lot is constructed with:*

(a) a sealed and impermeable base, or a minimum depth of 500 millimetres of wood-based material (bark, sawdust or chip) across the base of the feed pad/lot to prevent the leakage of animal effluent into land and groundwater; and all liquid animal effluent or stormwater containing animal effluent is collected and disposed of to a sealed animal effluent storage system authorised under Rule 32 or Rule 32A; ~~and~~ or

(b) a minimum depth of 500 millimetres of wood-based material (bark, sawdust or chip) across the base of the feed pad/lot to prevent the leakage of animal effluent into land and groundwater; and

(viii) any material scraped from the feed pad/lot, including solid animal effluent, is collected and if applied to land, is applied in accordance with Rule 38.

(vi) the overland flow of stormwater or surface runoff from surrounding land is prevented from entering the feed pad/lot; and
...

¹ 96.4 S Browning