

Land Use Consent

Under Section 104B of the Resource Management Act 1991, a resource consent is granted by the Southland Regional Council to **Paul Turner representing the Paul Turner Farm Trust of 1633 Wreys Bush Mossburn Road, RD 1, Otautau 9689** from **23 July 2025**.

Please read this Consent carefully, and ensure that any staff or contractors carrying out activities under this Consent on your behalf are aware of all the conditions of the Consent.

Details of Consent

Purpose for which permit is granted:	Use of land for dairy farming
Location	- site locality 237 Sinclair Road, Opio - map reference NZTM2000 1218892E 4900083N - physiographic zones Gleyed and Central Plains - groundwater zone Upper Aparima - catchment Opio Stream, Aparima River, Kenny Creek - FMU Aparima
Legal description of land at the site:	Lot 2 DP 608014 and Lot 1 DP 6203
Expiry date:	31 May 2034

Schedule of Conditions

1. Except as modified by conditions of resource consent, the activities authorised by this resource consent shall be carried out in general accordance with the application for resource consent (APP-20242789)¹ and all subsequent information² provided during the application and the Farm Environmental Management Plan required by this consent.
2. For the avoidance of doubt, in the event that any inconsistency between the conditions of resource consent and the information and plans, including the Farm Environmental

¹ Environment Southland document ID: A1198930

² Environment Southland document ID's: A1232546 and A1257329, A1199965, A1207703, A1209565, A1217704, A1225683, A1225937, A1232399, A1257173

Management Plan (FEMP), submitted as part of the application, the conditions of resource consent shall prevail.

3. This consent shall be exercised in conjunction with Discharge Permit AUTH-20242761-01, Water Permit AUTH-20242761-02, Discharge permit AUTH-20242761-04, and Land Use Consent AUTH-20233661-V1, or any subsequent replacement permits.

Advice Note: *Routine monitoring inspections of this consent may occur up to twice a year. This number does not include any other required inspections.*

4. The use of land for farming shall occur on the landholding at 237 Sinclair Road, Opio, as shown on the plan attached as Appendix 1, and consisting of:

- (a) an existing block of land at or about map reference (NZTM 2000) 1218892E 4900083N and comprising Lot 2 DP 608014; and

- (b) a new block of land, at or about map reference (NZTM 2000) 1218569E 4898783N and comprising Lot 1 DP 6203.

5. The Consent Holder shall not commence expanded dairy activities from 450 to 550 cows until:
 - (a) The planting of native plants and lane maintenance required by Condition 24 has been carried out; and
 - (b) Written confirmation has been provided to the Consent Authority (EScompliance@es.govt.nz) that Condition 24 has been complied with. This must include date stamped photos showing that the planting and lane maintenance has occurred.

6. The farming activity shall be limited as follows:

- (a) a maximum milking herd of no more than 550 cows;
 - (b) no milking age cows on the land during June and July (inclusive);

Advice Note: *Milking age cows on the land refers to mature age milking cows on pasture paddocks.*

6(b) does not apply to instances where mature age milking cows are being quarantined outside of the self-feeding silage pads to prevent contagious ailments from spreading, or if lame and underweight cows would benefit from grazing and lying down on a pasture paddock.

7. The Consent Holder shall notify the Consent Authority the identity of the Person in Charge of the landholding:
 - (a) prior to the first exercise of this consent, and
 - (b) no more than five working days following the appointment of any new Person in Charge.

Exclusions

8. Intensive winter grazing shall not occur on any part of the land holding.

Advice note: *Intensive winter grazing is defined as the grazing of stock between May and September (inclusive) on forage crops (including brassica, beet and root vegetable crops), excluding pasture and cereal crops.*

Nutrient Management

9. From the first exercise of this Consent, the Consent Holder shall implement a soil testing regime to determine the soil fertility status over the landholding and to develop fertiliser recommendations based on the soil testing results.
10. The Consent Holder shall maintain a record of their soil testing regime, soil testing results and fertiliser recommendations required by Condition 9 within the Farm Environmental Management Plan.
11. The Consent Holder shall:
 - (a) manage the application of fertiliser in accordance with:
 - (i) The Code of Practice for Fertiliser Nutrient Management, Fertiliser Association of New Zealand, 2023; or
 - (iii) any subsequent updates;
 - (b) not apply fertiliser:
 - (i) to land during the period 1 June - 31 July inclusive;
 - (ii) within 3 m of a surface water body;
 - (iii) within 3 m of any wetland boundary;
 - (iv) within 20 m of any bore;
 - (v) when soil temperature is at or below six degrees Celsius;
 - (vi) when soil moisture capacity is exceeded; and
 - (vii) directly to land within a riparian strip/margin.
 - (c) not apply synthetic nitrogen fertiliser to land in pastoral land use at a rate of more than 190kg N/ha/year on an individual hectare basis and as an average over the landholding.
12. The Consent Holder shall:
 - (a) take representative soil samples from the landholding referenced in Condition 4 at least once every two years and have those samples analysed for Olsen P by a laboratory with IANZ accreditation;
 - (b) if Olsen P levels averaged across blocks 2, 3 and 4 (see Appendix 4) exceed 35 and if Olsen P levels averaged across blocks 6 & 7 (see Appendix 4) exceed 30 within a 15% margin of error for a soil test, the Consent Holder must reduce the amount of P fertiliser being applied to the landholding to ensure the risk of P loss is reduced; and
 - (c) record the Olsen P results required by Condition 12(a) and any fertiliser reduction required by Condition 12(b) in their Farm Environmental Management Plan and inform the Consent Authority (EScompliance@es.govt.nz).

Nutrient Modelling

13. The Consent Holder must ensure that nitrogen and phosphorus losses to water from farming activities undertaken on the land are maintained at, or below the baseline contaminant loss rates of:
 - (a) 36 kilograms per hectare per year nitrogen:
 - (i) as estimated by the four-year rolling average loss rates using OVERSEER FM® version 6.5.10, undertaken in accordance with the generally accepted best practice modelling including the applicable Best Practice Data Input Standards/Overseer FM User Guide.
 - (b) 0.9 kilograms per hectare per year phosphorus:
 - (i) as estimated by the four-year rolling average loss rates using OVERSEERFM® version 6.5.10, undertaken in accordance with the generally accepted best practice

modelling including the applicable Best Practice Data Input Standards/Overseer FM User Guide; and

For the purposes of this resource consent, the four-year rolling average is defined as the average of the most recent four consecutive years' results starting from 1 July 2025.

14. Each and every year for the duration of this consent, using the current version of OverseerFM and in accordance with the generally accepted best practice modelling and the current Best Practice Data Input Standards, the Consent Holder shall:
 - (a) model the nitrogen and phosphorus loss rates for the previous year from 1 July to 30 June inclusive;
 - (b) calculate the four-year rolling average of nitrogen and phosphorus loss rates; and
 - (c) re-model the baseline contaminant loss rates specified in Condition 13 in the current version of Overseer.
15. The re-modelled baseline contaminant loss rates, modelled in accordance with Condition 14(c) shall supersede and replace the baseline contaminant loss rates specified in Condition 13.
16. A report must be provided to the Consent Authority by 30 September each year summarising the results of Overseer nitrogen and phosphorus loss modelling required by Condition 14. The report must include:
 - (a) a review of the Overseer input data to ensure that the annual nutrient budget reflects the farming system;
 - (b) If nitrogen and phosphorus loss rates are above baseline contaminant loss rates, provide an explanation of any differences between that nutrient budget and the annual nutrient budget of all previous years of farming undertaken under this consent;
 - (c) a comparison of the four-year rolling average nitrogen and phosphorus losses with the applicable baseline contaminant loss rates; and
 - (d) the names and summaries of the relevant qualifications and experience of the person(s) who prepared and (if relevant) reviewed the nutrient budget.
17. All nutrient loss modelling required by this consent must be undertaken by a person who is a Certified Nutrient Management Advisor (CNMA) under the Nutrient Management Advisor Certification Programme (NMACP).
18. The Consent Holder may use an alternative model that has been demonstrated to be equivalent to Overseer provided:
 - (a) the evidence to demonstrate equivalence is provided to the Consent Authority at least six months prior to submitting the relevant annual report as required by Condition 16; and
 - (b) the use of the alternative model is approved by the Chief Executive of the Consent Authority.

Mitigation Measures

19. The Consent Holder shall undertake maintenance of the existing and any new dairy lanes to ensure they are contoured to ensure that any run-off occurs onto vegetated areas where it will not enter any surface water body.
20. The Consent Holder must manage the dairy lanes so that agricultural effluent and effluent sludges from the lanes does not:
 - (c) accumulate in gateways;

- (d) accumulate in paddocks; or
 - (e) result in the ponding, pooling, overland or lateral flow of any effluent or sludge beyond the dairy lane.
21. Prior to the exercise of this consent, the Consent Holder shall inspect all bridges and culverts and, where necessary, undertake improvements to the structures to ensure that there is no runoff of agricultural effluent to surface water.
22. Except for crossings of surface waterways, the Consent Holder shall not construct any new dairy lanes within 10 metres of a surface waterbody.
23. Any newly constructed dairy lanes shall have and maintain a 3 metre wide vegetated buffer to mitigate phosphorus run off to surface waterways.

Targeted mitigations

24. Within 12 months of this consent being granted, the Consent Holder shall:
- (a) plant native plants on both sides of the unnamed tributary of the Aparima River, beginning at or about NZTM2000 1219617E 4900067N and finishing at or about 1219840E 4899932N, as shown as W3 in Appendix 2 of this consent; and
 - (b) contour the existing dairy lanes, beginning at or about NZTM2000 1219284E 4900050N and finishing at or about 1219594E 4900099N, shown as L7 in Appendix 3 of this consent to ensure that any run-off occurs onto vegetated areas on the opposite side of the nearby watercourse to ensure that any run-off occurs onto vegetated areas where it will not enter the surface water body; and
 - (c) provide written confirmation along with date stamped photographs, of the completed riparian planting and contoured dairy lanes required by conditions 24(a) and 24(b) to the Consent Authority (EScompliance@es.govt.nz).
25. The Consent Holder shall have and maintain a Riparian Planting plan for the farm that includes the use of native plants:
- (a) this plan must be prepared by a suitably qualified person within 6 months and begin being implemented within 12 months of this consent being granted and be incorporated into the Consent Holder's Farm Environmental Management Plan;
 - (b) planting works shall continue to be implemented over the duration of the consent and completed at least 6 months prior to the expiry of the consent; and
 - (c) The plan required by this condition shall be provided to Te Ao Marama Inc. (office@tami.maori.nz).
26. The riparian planting plan required by Condition 25 shall include, but not be limited to:
- (a) The proposed riparian planting zone specified in Condition 24(a);
 - (b) A planting and maintenance plan for the farm specifying:
 - i. the plant species
 - ii. the plant sizes;
 - iii. the number of plants;
 - iv. the spacing between plants;
 - v. a 5-year maintenance plan to maximise plant survival;
 - vi. an explanation as to how the plant species, plant sizes, number of plants, and spacing between plants meets best practice for riparian planting, and
 - vii. a monitoring plan that includes an annual photo diary of riparian planting undertaken since this consent was granted.

Farm Environmental Management Plan

27. The Consent Holder shall have and maintain a Farm Environmental Management Plan (FEMP) for the landholding. The FEMP must, be prepared and implemented in accordance with Appendix N of the proposed Southland Water and Land Plan (or any replacement Appendix in an updated version of the plan), to demonstrate how the following outcomes are to be achieved:
- (a) nutrients are used efficiently and nutrient loss to water is minimised;
 - (b) contaminant losses from critical source areas are reduced;
 - (c) cultivation is undertaken in a manner that minimises the movement of sediment and phosphorus to waterways;
 - (d) agricultural effluent and other discharges are managed in a way that avoids or minimises the loss of contaminants to water.
28. The FEMP required by Condition 27 shall also include, but not be limited to:
- (a) a site map showing the location of critical source areas; physiographic zones; permanent or intermittent rivers, streams, lake, drains, ponds or wetlands; where known the location and depth of any subsurface drainage systems including outlets, riparian vegetation and fences adjacent to waterways and stock access points across waterways;
 - (b) details of the implementation and maintenance of mitigation measures required by the conditions of this consent;
 - (c) details of the implementation and maintenance of Best Management Practices, including adoption of changing industry good management practices. This includes where the implementation of these is to avoid, remedy or mitigate any farm specific environmental risks to water quality shown through any monitoring undertaken on the property voluntarily or as required by the conditions of this consent;
 - (d) a review of the data obtained from the monitoring undertaken in accordance with the Farm Environmental Management Plan and any changes made, or to be made, as a consequence of that monitoring;
 - (e) Details of the riparian management required by Conditions 24 – 26 of this consent.
- Advice Note:** *Should the use of a Freshwater Farm Plan be required or available, on the basis that it is certified under section 217G of the Resource Management Act 1991 (as amended from time to time in accordance with section 217E(2) or (3)) and available for use, the Consent Holder may elect to use such plan.*
29. The Consent Holder must submit the prepared FEMP required by Condition 27 for certification in accordance with Part C of Appendix N of the pSWLP³ no later than 27 May 2026.
30. The Consent Holder shall review the FEMP at least once each season; and either
- (a) the updated version shall be provided to the Consent Authority within one month of the FEMP being updated; **or**
 - (b) the Consent Holder must notify the Consent Authority in writing that no changes have been made by 30 September each year.
31. The Consent Holder shall operate in accordance with the FEMP at all times. Where there is inconsistency between the FEMP and the conditions of the consent, the conditions of this consent shall prevail.

³ In accordance with Part C of Appendix N, Part 3 Regulation 17 of the Resource Management (Freshwater Farm Plans) Regulations 2023 applies at the time of grant.

Auditing

32. The Consent Holder shall arrange for an auditor to audit compliance with the certified FEMP required by Condition 27 in accordance with Part C of Appendix N of the pSWLP⁴.

Lapse and Review

33. The Consent Authority may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the consent holder of its intention to review the conditions of this consent during the period 1 February to 30 September each year, or within two months of any enforcement action being taken by the Consent Authority in relation to the exercise of this consent, or on receiving monitoring results, for the purposes of:
- (a) determining whether the conditions of this permit are adequate to deal with any adverse effect on the environment, including cultural effects on the tangata whenua and/or cumulative effects, which may arise from the exercise of the permit, and which it is appropriate to deal with at a later stage, or which become evident after the date of commencement of the permit; or
 - (b) ensuring the conditions of this consent are consistent with any National Environmental Standards Regulations, relevant plans and/or the Environment Southland Regional Policy Statement;
 - (c) Amending the auditing/monitoring/recording/reporting/modelling programme to be undertaken;
 - (d) Adding or adjusting compliance limits;
 - (e) Ensuring the Aparima Freshwater Management Unit meets the freshwater objectives and freshwater quality limits set in an operative regional plan or National Policy Statement for Freshwater Management; and
 - (f) Requiring the Consent Holder to adopt the best practicable option to remove or reduce any adverse effect on the environment as a result of the exercise of this permit.

for the **Southland Regional Council**



Lacey Bragg
Consents Manager

⁴ In accordance with Part C of Appendix N, Part 4 Regulation 32 of the Resource Management (Freshwater Farm Plans) Regulations 2023 applies at the time of grant.

Notes:

1. Reporting to Council is required by conditions of your consent. The key dates for you to meet are listed below in table 1:

Due date	Condition number	Requirement
Prior to the first exercise of this consent or within 5 days of a new person appointed.	7	Notify Council of Person in Charge of farming activity
From the first exercise of this consent	9	implement a soil testing regime
By 30 September each year	16	Provide a report to the Consent Authority summarising the results of Overseer nitrogen and phosphorus loss modelling
Prior to the first exercise of this consent	21	Inspect all bridges and culverts and, where necessary, undertake improvements to the structures to ensure that there is no runoff of agricultural effluent to surface water.
Within 12 months of consent being granted	24(a) & (c)	Complete riparian planting using native plants on both sides of the unnamed tributary of the Aparima River in the area identified in Appendix 2 and provide written confirmation, along with date stamped photos, of the planting to the Consent Authority (EScompliance@es.govt.nz)
Within 12 months of consent being granted	24(b) & (c)	Contour the existing dairy lanes to ensure that any run-off occurs onto vegetated areas on the opposite side of the nearby watercourse to ensure that any run-off occurs onto vegetated areas where it will not enter the surface water body in the area identified in Appendix 3 and provide written confirmation, along with date stamped photos, of the planting to the Consent Authority (EScompliance@es.govt.nz)
Prepared within 6 months, and begin being implemented within 12 months, of the consent being granted and completed 6 months prior to the expiry of consent	25	Suitably qualified person to prepare a Riparian Planting and Maintenance Plan to be implemented on the farm. The plan is to be incorporated into the Consent Holder's Farm Environmental Management Plan and be provided to Te Ao Marama Inc. (office@tami.maori.nz).
No later than 27 May 2026	29	The FEMP must be submitted for certification
30 September each year	30(a)	Provide updated version of FEMP if changes were made
30 September each year	30(b)	Confirm no changes were made to FEMP
Within 12 months of the first FEMP being certified and every 2 years after receipt of the previous audit report.	32	Arrange for an auditor to audit compliance with the certified FEMP in accordance with Part C of Appendix N of the pSWLP ⁵ .

⁵ In accordance with Part C of Appendix N, Part 4 Regulation 32 of the Resource Management (Freshwater Farm Plans) Regulations 2023 applies at the time of grant.

2. *In accordance with Section 125(1)(a) of the Resource Management Act, this consent shall lapse after a period of five years after the date of commencement unless it is given effect to or an application is made to extend the lapse period before the consent lapses.*
3. *The Consent Holder shall pay an annual administration and monitoring charge to the Consent Authority, collected in accordance with Section 36 of the Resource Management Act, 1991, payable in advance on 1 July each year. This charge may include the costs of inspecting the site up to two times each year (or otherwise as set by the Consent Authority's Annual Plan)*
4. *The FEMP, supporting evidence and on-site practices may be audited by the Consent Authority at any time for compliance and enforcement purposes.*

AUTH-20242761-03

Appendix 1



Appendix 2



- W1 Waterways & Biodiversity Overview
- W2 Artificial or Tile Drainage
- W3 Riparian Management Unit - Aparima Tributary - Riparian Planting Zone
- W4 Mahinga Kai
- W5 Shelter

Riparian planting area (Thick green line of area W3)

Appendix 3



Laneways in area L7 (light blue hatched area)

Appendix 4

