

17 May 2018

Environment Southland
PB 90116
INVERCARGILL

Attn: Rob Phillips

Dear Rob,

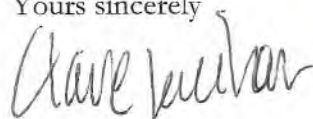
**SOUTHLAND REGIONAL COUNCIL PROPOSED WATER AND LAND PLAN:
APPEALS**

Please find enclosed appeals on the above proposed plan from:

1. Stoney Creek Station Ltd
2. The Terraces Ltd
3. Campbell's Block Ltd. and
4. Robert Grant

If you have any further queries in relation this matter, please contact Clare Lenihan on (03) 2141674, clare.lenihan@environmentallawyer.co.nz, or Jeff Walker on (03) 2140777, jeff@wmlaw.co.nz.

Yours sincerely



Clare Lenihan
Barrister

ENVIRONMENT
SOUTHLAND

17 May 2018

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BEFORE THE ENVIRONMENT COURT

IN THE MATTER OF

the Resource Management Act 1991

IN THE MATTER OF

an Appeal pursuant to Clause 14 of the
First Schedule to the Act

BETWEEN

STONEY CREEK STATION LTD
Appellant

AND

SOUTHLAND REGIONAL COUNCIL
Respondent

**NOTICE OF APPEAL TO ENVIRONMENT COURT AGAINST DECISION ON
PROPOSED PLAN ON BEHALF OF THE APPELLANT Date 17 May 2018**

Instructing Counsel for Appellant:

Jeff Walker, Walker Murdoch Law Limited
PO Box 1188
Invercargill 9840
Tel: 03 2140777
jeff@wmlaw.co.nz

Counsel for Appellant:

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Barrister
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Notice of appeal to Environment Court against decision on proposed plan

Clause 14(1) of Schedule 1, Resource Management Act 1991

**To the Registrar
Environment Court
Christchurch
Att: Christine McKee
Email: Christine.McKee@justice.govt.nz**

1. Stoney Creek Station Limited (the Appellant) appeals against parts of a decision of the Southland Regional Council on the Proposed Southland Water and Land Plan (pSWLP).
2. The Appellant made a submission on the pSWLP.
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 4 April 2018.
5. The decision was made by the Southland Regional Council. The references below are to the decisions version of the pSWLP, 4 April 2018.
6. The parts of the decision the Appellant is appealing, the reasons for the appeal and the relief sought are set out under relevant topic headings below.

A. Rule 20 Farming

(i) Intensive Winter Grazing definition – Rule 20 and Glossary

Decision appealed:

7. The Council’s rejection of the Appellant’s submissions 775.2¹, 775.5² and 775.12³ in relation to the definition of intensive winter grazing in the Glossary and Rule 20 (being from May until September).

Reasons for appeal:

8. The definition of intensive winter grazing (in effect 153 days):
- 8.1 Does not align with winter in Southland;
 - 8.2 Will unnecessarily limit farming operations;
 - 8.3 Is inconsistent with the pWLP, including Objectives 2 and 13;
 - 8.4 Does not give effect to the Southland Regional Policy Statement 2017 (SRPS); including Policy RURAL.1; and
 - 8.5 Is not in accordance with Part 2 of the Resource Management Act 1991 (the RMA), in particular section 7(b), the efficient use and development of natural and physical resources.

Relief sought:

9. Amend the definition of “intensive winter grazing” to read “Intensive winter grazing is grazing of stock between ~~May~~ June and August ~~September~~-(inclusive) on forage crops (including brassica, beet and root vegetable crops), excluding pasture and cereal crops.”

(ii) Rule 20(a)(iii) – Farming – Implementation Date

Decision appealed:

10. The Council’s decision to reject the Appellant’s submissions 775.2⁴ and 775.5⁵ in relation to aligning the Implementation date in Rule 20, 1 May 2019, with the

¹ Recommended Decisions on Submissions 29 January 2018: page 87

² Recommended Decisions on Submissions 29 January 2018: page 91

³ Recommended Decisions on Submissions 29 January 2018: page 154

⁴ Recommended Decisions on Submissions 29 January 2018: page 87

⁵ Recommended Decisions on Submissions 29 January 2018: page 95

Implementation date for the National Policy Statement for Freshwater Management (2014).

Reason for appeal:

11. The proposed lead in time of 1 May 2019 is too short.
12. Compliance is required earlier than through the NPS-FM (2014), which is 31 December 2025.
13. The proposed definition:
 - 13.1 does not give effect to the Southland Regional Policy Statement 2017 (SRPS), including Policy RURAL.1, and
 - 13.2 Is not in accordance with Part 2 of the Resource Management Act 1991 (the RMA), in particular section 7(b), the efficient use and development of natural and physical resources.

Relief sought:

14. Amend Rule 20(a)(iii) by deleting the date “1 May 2019” and replacing with “31 December 2025”.

(iii) Intensive Winter Grazing – size of area allowed to be grazed - Rule 20(a)(iii)(1)

Decision appealed:

15. The Council’s decision to accept only in part the Appellant’s submission 807.5⁶ with the result that the area of permissible intensive winter grazing is 15% of a landholding or 100 hectares, whichever is the lesser.

Reason for appeal:

16. The proposal to allow intensive winter grazing on no more than 15% of a landholding or 100 hectares, whichever is the lesser:

⁶ Recommended Decisions on Submissions 29 January 2018: page 92.

- 16.1 Is a one size fits all approach, which doesn't recognise the scale of different properties;
- 16.2 Is not sustainable for larger properties if limited to 100ha – larger properties will be unable to winter their own capital stock;
- 16.3 Penalises owners of properties at a higher altitude as there are generally lower yields for these properties, resulting in lower stock units per hectare and the need for larger areas to graze the stock. Conversely, with lower stock numbers per hectare, there are also less adverse effects grazing the same stock numbers over a greater area;
- 16.4 Penalises the owners of larger properties without justifiable reason e.g. a 667 hectare property cap is 100 hectares and a 2000-hectare property cap is also 100 hectares;
- 16.5 Does not allow for crop failure or lower yields due to climatic/pest issues;
- 16.6 Will result in potentially more adverse environmental effects if there are more smaller landholders, allowing for more intense winter grazing over a greater collective area;
- 16.7 Potentially devalues the Appellant's (and other) property;
- 16.8 Does not give effect to the Southland RPS 2017, including Policy RURAL.1, and
- 16.9 Is not in accordance with Part 2 of the Resource Management Act 1991 (the RMA), in particular section 7(b), the efficient use and development of natural and physical resources.

Relief sought:

- 17. Delete the words “or 100 hectares, whichever is the lesser” from the Rule.

(iv) Intensive Winter Grazing – mob size - Rule 20(a)(iii)(3)(E)

Decision appealed:

- 18. The Council's decision to introduce a new additional practice to be required before intensive winter grazing is permitted – i.e. if cattle or deer are being grazed, the mob size (or a “herd” when referring to cattle) must be no more 120 cattle or 250 deer.

Reason for appeal:

19. Issues with the proposed new provision include:
- 19.1 It is unclear what sized area the provision applies to;
 - 19.2 It creates a meaningless split of mobs (herds) for the same environmental impact;
 - 19.3 Larger properties are penalised because of the larger scale, larger mobs (herds) and more land per animal;
 - 19.4 it will not give effect to the Southland RPS 2017, including Policy RURAL.1 – Social, economic and cultural wellbeing; and
 - 19.5 it is not in accordance with Part 2 of the RMA, in particular section 7(b), the efficient use and development of natural and physical resources.

Relief sought:

20. Amend Rule 23(a)(iii)(3)(E) to increase the mob (herd) size of cattle from 120 to 200.

(v) Intensive Winter Grazing – setbacks from waterways - Rule 20(a)(iii)(4)

Decision appealed:

21. The Council's decision to require a vegetated strip be maintained and stock excluded from a distance of at least 5m from specified waterways.

Reason for appeal:

22. The proposed 5m setback from waterways:
- 22.1 is not practical and creates an inefficient use of land via 10m corridors;
 - 22.2 results in a loss of productive land;
 - 22.3 creates breeding grounds for weeds and pests;
 - 22.4 results in greatly increased costs of maintenance, including spraying;
 - 22.5 potentially devalues the Appellant's (and other) property;
 - 22.6 is not necessary, as with good management practices (as required in the Farm Environmental Management Plan), any adverse effects associated with a 3m setback can be adequately avoided, remedied or mitigated;

22.7 will not give effect to the Southland RPS 2017, including Policy RURAL.1 – Social, economic and cultural wellbeing; and

22.8 is not in accordance with Part 2 of the RMA, in particular section 7(b), the efficient use and development of natural and physical resources.

Relief sought:

23. Amend the 5m setback to 3m.

Cultivation - Rule 25

(vi) Cultivation definition – Rule 25 and Glossary

Decision appealed:

24. The Council’s decision to reject the Appellant’s submission 807.6⁷ requesting deletion of reference to “spray and pray” from the definition of Cultivation.

Reasons for appeal:

25. Issues with the proposed inclusion of “spray and pray” in the definition of Cultivation include:

25.1 “Spray and pray” does not involve “cultivation” in the traditional sense – it is a non-invasive method of use of land too steep for mechanical cultivation. The method will never produce high yielding crops due to the nature of the application;

25.2 It is problematic for extensive properties where this is an essential part of their operation;

25.3 Good farming practice & identification in the Farm Environmental Management Plans can minimise any adverse effects of this method e.g. by use of sediment traps;

25.4 “Spray and pray” is a good management practice to control noxious weeds via grazing, as opposed to spray out & allow regeneration of gorse & broom;

⁷ Recommended Decisions on Submissions 29 January 2018: page 96

- 25.5 It will not give effect to the Southland RPS 2017, including Policy RURAL.1 – Social, economic and cultural wellbeing and
- 25.6 It is not in accordance with Part 2 of the RMA, in particular section 7(b), the efficient use and development of natural and physical resources.

Relief sought:

26. Delete “spray and pray” from the definition of “Cultivation” in the Glossary.

(vii) Cultivation setback – Rule 25(a)(ii)

Decision appealed:

27. The Council’s decision to reject the Appellant’s submission 807.6⁸ that the setback distances from waterways should be 3m, not the 5m proposed.

Reason for appeal:

28. The proposed 5m setback from waterways:
- 28.1 is not practical and creates an inefficient use of land via 10m corridors;
 - 28.2 results in a loss of productive land;
 - 28.3 creates breeding grounds for weeds and pests;
 - 28.4 results in greatly increased costs of maintenance, including spraying;
 - 28.5 potentially devalues the Appellant’s (and other) property;
 - 28.6 is not necessary, as with good management practices (as required in the Farm Environmental Management Plan), any adverse effects associated with a 3m setback can be adequately avoided, remedied or mitigated;
 - 28.7 will not give effect to the Southland RPS 2017, including Policy RURAL.1 – Social, economic and cultural wellbeing; and
 - 28.8 is not in accordance with Part 2 of the RMA, in particular section 7(b), the efficient use and development of natural and physical resources.

⁸ Recommended Decisions on Submissions 29 January 2018: page 96

Relief sought:

29. Amend the 5m setback to 3m.

(viii) Cultivation slope – Rule 25(a)(iv)

Decision appealed:

30. The Council's decision to reject the Appellant's submission 807.6⁹, requesting deletion of reference to slope, and instead requiring that cultivation not occur on land with a slope greater than 20 degrees¹⁰.

Reasons for appeal:

31. Land sloping greater than 20 degrees is common on and forms a large part of many properties in Southland.
32. The proposed rule is unduly onerous and:
- 32.1 will prevent cultivation of traditionally cultivated blocks, over a large part of Southland, unless a resource consent is obtained;
 - 32.2 results in a loss of productive land;
 - 32.3 potentially devalues the Appellant's (and other) property;
 - 32.4 will not give effect to the Southland RPS 2017, including Policy RURAL.1 – Social, economic and cultural wellbeing, and
 - 32.5 it is not in accordance with Part 2 of the RMA in particular section 7(b), the efficient use and development of natural and physical resources.

Relief sought:

33. Delete Rule 25(a)(iv).

General

34. The Appellant seeks:

⁹ Recommended Decisions on Submissions 29 January 2018: page 96

¹⁰ Slope is the average slope over any 20m distance, FN7 pWLP, page 54.

34.1 such further or alternative relief to like effect (including alternative wording to address concerns expressed above) as the Court deems appropriate and any consequential amendments which may be required as a result of allowing this appeal; and

34.2 costs.

35. The Appellant agrees to participate in mediation or other alternative dispute resolution of the proceedings.

36. The following documents are attached to this notice:

- (a) a copy of the Appellant's submission (Appendix A)
- (b) a copy of the relevant decision (Appendix B)
- (c) a list of names and addresses of persons to be served with a copy of this notice (Appendix C).



.....
Clare Lenihan
Counsel for Appellant

17 May 2018

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Date

Address for service of Appellant:
Jeff Walker, Walker Murdoch Law Limited
PO Box 1188
Invercargill 9840
Tel: 03 2140777
jeff@wmlaw.co.nz

and copy to:

Clare Lenihan
Barrister
102 Jed Street
Invercargill 9810
Tel: (03) 214 1674
clare.lenihan@environmentallawyer.co.nz

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 or the parts of 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.

The Auckland address of the Environment Court is:
8th floor, District Court Building
3 Kingston Street
Auckland
Telephone: 09 9169091
Fax: 09 9169090

Its postal address is:
P O Box 7147
Wellesley Street
Auckland

And its telephone and fax numbers are:
Telephone: (09) 916 9091
Fax: (09) 916 9090

The Wellington address of the Environment Court is:

The District Court Building
43 – 49 Balance Street
Wellington

Its postal address is:

P O Box 5027
Lambton Quay
Wellington

And its telephone and fax numbers are:

Telephone: (04) 918 8300
Fax: (04) 918 8303

The Christchurch address of the Environment Court is:

83 Armagh Street (corner Durham Street)
Christchurch

Its postal address is:

P O Box 2069
Christchurch

And its telephone and fax numbers are:

Telephone: (03) 365 0905
Fax: (03) 962 4171

Appendix 'A'



environment
SOUTHLAND
REGIONAL COUNCIL

Te Taiao Tonga

Submission on proposed Southland Water and Land Plan

Email your completed submission to policy@es.govt.nz by 5.00pm Monday 1st August 2016

Alternatively, you can post your signed submission to:

Southland Water and Land Plan
Environment Southland
Private Bag 90116
Invercargill 9840

You can also deliver your submission to Environment Southland's North Road office or fax it on 03 211 5252.

Full Name: Stoney Creek Station Ltd Phone (Hm): _____
Organisation*: _____ Phone (Wk): _____
* the organisation that this submission is made on behalf of
Postal Address: 1077 Waimea Highway RD 6 Gore Phone (Cell): 0275 538 463
Postcode: 9776
Email: bret@tullochgroup.co.nz Fax: _____

Contact name and postal address for service of person making submission (if different from above):

Public hearing

Please choose one of the following options:

- I do not wish to be heard in support of my submission; or
 I do wish to be heard in support of my submission; and if so,
 I would be prepared to consider presenting my submission in a joint case with others making a similar submission at any hearing

Trade Competition

If you could gain an advantage in trade competition, your submission must only include matters which affect the environment.

Please tick the sentence that applies to you:

- I could not gain an advantage in trade competition through this submission; or
 I could gain an advantage in trade competition through this submission.

If you have ticked this box please sign below to declare that you are directly impacted by an adverse environmental effect.

Signature:  Date: 31 July 2016

(Signature of person making submission or person authorised to sign on behalf of person making the submission)

Please note:

(1) all information contained in a submission under the Resource Management Act 1991, including names and addresses for service, becomes public information.

<p>The specific provisions of my submission relates to are:</p>	<p>My submission is that:</p>	<p>The decision I would like Environment Southland to make is:</p>
<p>Submission closing date</p>	<p>Amend/Oppose</p> <p>Environment Southland has been working on this plan for several years. It represents one of the most significant prescriptive set of legislation the farming sector has faced in recent times. To provide only 60 days to read, understand, obtain professional advice & prepare a logical submission is considered unreasonable. The sheer scale & complexity of the document has meant that many of our peers do not have the time to submit.</p> <p>Farming at an economic scale will no longer be a permitted activity and the Council need to respect the significance of this change by giving the farming community additional time to prepare their submissions.</p>	<p>Provide an extension to the submission period for a further 3 months</p> <p>Accept that our verbal submission and supporting documents may expand as we undertake further research on the direct impact on our property (and as our advisors report back).</p> <p>Provide sufficient time at the hearing to ensure we can articulate the impact on our farming enterprise, which may include representation by our professional advisors.</p>
<p>Rule 14 – Discharge of fertiliser</p>	<p>Oppose</p> <p>The proposed margin of 10 metres from a bed is not practical nor is it efficient use of farm resources. This rule will potentially create corridors of poor performing land & inefficient use of resources.</p> <p>In terms of Aerial application, the rule is totally impractical. Aerial applications are essential to the viability of many properties such as ours.</p> <p>The alternative solution of blanket riparian planting would be extensive on property of our scale. The cost to establish & maintain would be prohibitive.</p>	<p>Rule is unnecessary as good farm management practices will ensure that no direct discharge of fertiliser into a waterbody occurs.</p>

Stoney Creek Station Ltd

<p>Rule 14 (cont.)</p>	<p>The potential for noxious weed & pests to re-establish is significant and creates a breeding ground for noxious plants and animals which is a substantial regression in the development of the property.</p>	
<p>Rule 20 - farming</p>	<p>Oppose</p> <p>The National Policy Statement for Freshwater management (NPS-FM) is to be given effect from Dec 2025.</p> <p>The Southland Water & Land Plan (SWLP) timeframes range from 2018,2019 & 2020. These timeframes are too tight to comply with and are 5 to 7 years earlier than the NPS.</p>	<p>Align the dates with the NPS-FM and push out all dates to 2025.</p>
<p>Rule 21 – Existing Dairy farms</p>	<p>Oppose</p> <p>The plan provides for existing Dairy Farms as at 31 May 2016 to be permitted provided they meet condition (c) regarding Management plans.</p> <p>Mandatory management plans do not automatically create good practice.</p> <p>It seems that the management plan would become an immediate requirement, timeframe is too tight.</p>	<p>Management plans should be encouraged & should not be mandatory.</p> <p>The date a management plan is encouraged to be completed be aligned with the NPS-FM ie 2025</p>
<p>Rule 22- New or expanded Dairy farming</p>	<p>Oppose</p> <p>This rule will have a significant impact on the value of our farm along with much of Southland with conversion being ruled out.</p>	<p>Dairy conversions become restricted discretionary activities.</p>

Stoney Creek Station Ltd

<p>Rule 23 – Intensive Winter Grazing</p>	<p>Oppose</p> <p>Implementation date of May 2018 is too short.</p> <p>Management plans should not be mandatory but instead be encouraged.</p> <p>The restriction of 20/50 hectares is a one size fits all approach & does not recognise the scale of different properties along with the extent of development required.</p> <p>Stoney Creek Station comprises 2336ha with 50 ha representing some 2% of the unit. 2% by area is insufficient to carry the properties stock over winter. This is in contrast to a 200 ha property where 50ha represents 25% of the unit. A greater concentration will occur when a series of smaller neighbouring properties each utilise the full 50 ha.</p> <p>The ability of our property to carry stock over the winter is severely compromised & will impact the economic viability of many properties such as ours.</p> <p>The intensive winter grazing definition period of May to September does not align with Southlands Winter.</p> <p>The set backs from waterways (b) vii are not practical and create inefficient use of land. Land sloping greater than 20 degrees is dominant on properties such as ours, therefore a 20 metre exclusion is unreasonable. Good farming practice will better manage this.</p>	<p>Push out the date to 2025 to align with the NPS-FM</p> <p>Remove the condition relating to Farm management plans and replace with encourage.</p> <p>Amend (b) (iv) to the greater of 50 ha or 20% of the total property.</p> <p>Amend definition for Winter grazing to June to August</p> <p>Remove rule (b) (vii) 2&3 Amend (b) (vii) 1 to remove any references to slope</p>
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Stoney Creek Station Ltd

<p>Rule 23 (cont.)</p> <p>Rule 25 – Cultivation on sloping land</p>	<p>To map sub-surface drains is not practical as we do not know where they all are. Extensive investigation at a significant cost would be required and the accuracy would be questionable in any case.</p> <p>Unless amended this rule set will drive more intensive winter grazing practices.</p> <p>Oppose</p> <p>Development of Stoney Creek Station (majority of the hill country) to remove noxious weed & pests has represented a significant investment over the last 18 years and substantial work remains with some 900 ha not fully developed.</p> <p>We have removed 120 ha of gorse and noxious weeds, invested over \$100k in rabbit fencing, continue to invest \$30k each year in rabbit control, have placed 120 ha into a conservation trust for an area known as the 3 old maids (one of the most significant land formations in Southland) & planted 50 ha of forest. Environment Southland annual review of rabbit numbers reflect a dramatic reduction in Rabbit population as a consequence of our development of sloped land.</p> <p>The set backs from waterways (a) (i) are not practical and create inefficient use of land. Land sloping greater than 16 degrees is dominant on properties such as ours, therefore the 10 to 20 metre exclusion is unreasonable. Good farming practice will better manage this.</p>	<p>Amend rule (b) (vi) to require mapping of any new or redeveloped drains only.</p> <p>Remove rule (a) (i) 2&3 Amend rule (a) (i) 1 to remove any reference to slope</p>
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Stoney Creek Station Ltd

<p>Rule 25 (cont.)</p>	<p>Rule (a) (ii) is totally impractical. Land sloping greater than 20 degrees is dominant on properties such as ours, therefore the exclusion of mechanical cultivation is unreasonable.</p> <p>This rule will not only cease development which is necessary to eradicate noxious weeds and pests but also seriously undermine the ongoing control of these pests. From our experience the likes of Nodding Thistles can only be effectively eliminated through total paddock cultivation.</p> <p>We question the determination that land over 20 degrees is moderately steep.</p> <p>The farm practice known as Spray and pray is an essential part of extensive properties such as ours. The current definition of cultivation includes spraying and therefore captures this activity.</p>	<p>Strongly oppose rule (a) ii, remove from plan</p>
<p>Rule 70 – Stock exclusion from Waterbodies</p>	<p>Oppose rule relating to cattle on land sloping less than 16 degrees.</p> <p>Support the rule that does not exclude cattle on land sloping greater than 16 degrees</p> <p>Support rule relating to sheep not being part of the exclusion.</p> <p>Implementation date of May 2018 is too short.</p> <p>A 20 metre exclusion zone is excessive. We have an extensive property with significant paddock size. These 20 metre exclusion zones will create 40 metre unproductive corridors on some of our best land. They will increase the potential for noxious weed & pests to</p>	<p>Amend the definition of cultivation to specifically exclude spray & pray (aerial)</p> <p>Amend (a) (vi) to 2025 to align to NPS-FM</p>

Stoney Creek Station Ltd

Rule 70 (cont.)	<p>re-establish and potentially a substantial regression in the development of the property</p>	<p>Amend (a) (vi) & (vii) to encourage exclusion where practical along with Farm management plans. Remove the reference to a 20 metre width.</p>
Maps	<p>We are a Sheep & Beef unit and it is not practical to operate with sheep only paddocks. There are also areas where fencing is not appropriate.</p> <p>The cost of fencing & loss of productive land is not efficient use of our resources.</p> <p>Oppose/Amend</p> <p>To enable each property owner to fully understand the impact on their property, more detailed maps should have been supplied in order to establish property boundaries.</p>	<p>Extend submission period from a further 90 days.</p> <p>Other issues may be addressed when our submission is heard.</p>
Glossary & Financial contributions	<p>Oppose</p> <p>Have been unable to fully review & obtain feedback from our professionals in the submission timeframe.</p> <p>Some definitions are missing such as 'Waterbodies', 'Mechanical cultivation' & 'Lakes' to name only a few so further submissions may arise when we are heard.</p>	<p>Extend submission period for a further 90 days.</p> <p>Other issues be allowed to be addressed when our submission is heard.</p>
Appendix N – Management plans	<p>Oppose</p> <p>Compulsory management plans will create another layer of bureaucracy and farmers will over time be forced to engage professional consultants at a significant cost (as is increasingly happening with Resource Consent applications).</p>	<p>Management plans should be encouraged & not be compulsory.</p> <p>If the panel is not of a mind to accept this, the preparation of a management plan should remove the need to apply for a resource consent for most aspects of this plan.</p> <p>The timeframe for completion extended to 2025.</p>

<p>Policy 29 & Rule 73 – Gravel extraction</p> <p>Summary</p>	<p>Amend</p> <p>Policy sets out to maintain or enhance flood protection.</p> <p>The current & proposed rules preventing the removal of substantial gravel deposits such as islands in our rivers is increasing the risk of flooding through channel impediment. This is also causing erosion of banks and loss of land to the river.</p> <p>We would once again like to reiterate our request to raise other issues, including professional feedback and support during the hearing process. We would appreciate acknowledgement of this provision for the reasons already outlined throughout this submission.</p>	<p>Review rule to allow gravel extraction for flood and erosion mitigation, but not within 100 metres of a bridge structure.</p>
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Appendix 'B'

Rule 20 – Farming

Sub ID & Sub Point	Recommendation	Reason
14.3, 24.86, 26.9, 31.4, 31.5, 40.6, 47.10, 48.34, 49.3, 56.4, 57.1, 58.1, 59.1, 62.8, 63.3, 64.12, 74.2, 79.2, 80.17, 81.20, 83.2, 85.2, 93.2, 99.2, 100.2, 101.2, 103.6, 107.3, 108.78, 114.2, 118.4, 119.1, 123.2, 135.2, 150.3, 152.10, 157.2, 158.2, 159.3, 160.5, 161.3, 162.3, 163.1, 172.15, 173.2, 176.3, 189.31, 191.7, 192.7, 194.1, 196.2, 198.2, 200.2, 204.2, 205.24, 206.24, 209.30, 210.82, 212.1, 218.1, 222.1, 223.1, 224.5, 231.2, 233.6, 237.1, 238.1, 239.1, 246.1, 247.9, 252.1, 257.2, 259.7, 262.2, 264.5, 265.83, 268.1, 277.44, 279.67, 292.14, 296.4, 299.14, 300.14, 310.1, 313.3, 314.3, 323.1, 331.7, 336.2, 341.8, 343.1, 348.5, 351.2, 352.3, 361.8, 362.3, 365.3, 368.1, 370.2, 371.4, 381.18, 386.8, 387.11, 390.29, 391.3, 392.1, 394.2, 401.1, 411.30, 425.2, 433.4, 434.2, 437.19, 451.7, 461.2, 463.1, 469.2, 469.3, 476.2, 478.18, 482.11, 482.12, 501.1, 502.2, 506.2, 507.2, 510.1, 515.5, 517.2, 520.2, 521.2, 522.3, 537.3, 538.3, 553.7, 554.8, 555.12, 556.4, 558.8, 565.2, 568.1, 572.2, 574.2, 578.1, 581.2, 582.2, 583.19, 586.6, 590.8, 597.2, 598.1, 603.3, 606.2, 609.3, 613.2, 617.2, 623.1, 616.6, 638.1, 640.35, 645.2, 652.4, 656.3, 661.37, 666.13, 678.3, 679.3, 681.11, 682.7, 689.2, 692.2, 694.2, 695.2, 709.2, 711.6, 712.27, 716.2, 721.2, 722.1, 723.2, 723a.2, 737.18, 739.1, 743.3, 747.5, 748.3, 752.112, 762.4, 766.4, 767.5, 771.11, 774.4, 775.2, 780.2, 782.1, 783.2, 786.4, 787.3, 790.6, 792.23, 797.37, 798.5, 799.6, 802.23, 803.38, 807.2, 810.33, 816.4, 817.20, 818.21, 819.19, 820.7, 824.2, 825.2, 832.81, 843.4, 854.2, 861.19, 864.5, 865.4, 877.45, 880.49, 892.2, 893.2	Accept in part	We have recommended merging Rules 20 to 23 into a new Rule 20. We have reviewed the submissions on Rule 20 as notified in light of all these requests with a view to accepting all that would be most appropriate for achieving the objectives of the pSWLP and would contribute to a coherent body of provisions that would assist the Southland Regional Council to carry out its functions in attaining the purpose of the RMA. We have had regard to the effectiveness and efficiency of the body of provisions and have taken into account the benefits and costs of the environmental, economic, social and cultural effects anticipated from the implementation of the provisions and risks of acting or not acting. As a result, we have generally accepted the final amended version of Rule 20 that was presented to us in the section 42A author's Reply Report. Consequently, we recommend some of the amendments requested and do not recommend others. Without addressing each in detail, we consider that those we do not recommend would not contribute to making the pSWLP a coherent measure that would assist the Southland Regional Council as intended. The amendments to Rule 20 that we recommend are contained in the marked-up version of the Plan in Appendix B1 to this Report. See also Chapter 8 dealing with farming activities, Chapter 18 dealing with the content of FEMPs (Appendix N of the pSWLP) and Chapter 19 dealing with IASM of the separate narrative forming part of this Report where we discuss these matters in more detail.
11.3, 25.25, 67.2, 175.2, 186.4, 195.3, 319.11, 369.11, 420.2, 424.1, 464.14, 576.3, 599.1, 604.3, 615.2, 734.1, 821.2, 851.2, 852.3, 853.2, 888.8	Reject	

Sub ID & Sub Point	Recommendation	Reason
12.1, 29.1, 33.3, 42.1, 46.1, 84.1, 88.1, 89.28, 90.1, 92.7, 94.3, 144.2, 164.1, 183.1, 184.1, 220.13, 221.13, 225.1, 243.1, 291.1, 298.3, 306.1, 312.1, 402.9, 407.1, 428.1, 435.1, 474.1, 491.1, 492.1, 493.1, 503.1, 505.1, 527.1, 539.1, 542.2, 548.1, 557.3, 563.1, 570.14, 571.1, 595.1, 630.1, 635.1, 639.1, 669.1, 677.1, 693.3, 699.1, 700.2, 714.1, 788.1, 791.1, 796.1, 812.1, 835.1, 836.1, 866.2, 867.1, 873.1, 884.1, 890.1	Accept in part	While we have recommended removing reference to the physiographic zones from the pSWLP's rules we recommend that Policies 4-11 retain reference to these zones for the reasons outlined by the section 42A authors and as further discussed in Chapter 6 of the separate narrative forming part of this Report.
1.1, 109.1, 156.6, 207.4, 253.2, 258.12, 261.3, 297.9, 334.2, 415.1, 429.2, 438.1, 477.5, 483.16, 496.1, 519.4, 525.1, 559.1, 560.4, 580.2, 642.3, 643.3, 646.2, 670.3, 690.3, 691.3, 728.3, 730.2, 733.14, 757.5, 759.9, 768.9, 776.1, 800.2, 808.3, 813.5, 840.6, 842.5, 868.16, 869.5	Reject	A general request which does not give precise details of amendments requested. See also Chapter 5 in the separate narrative forming part of this Report.
23.1, 70.2, 86.3, 91.2, 240.1, 244.1, 266.4, 316.2, 318.1, 320.1, 358.13, 413.1, 616.6, 618.1, 632.1, 648.1, 649.1, 655.6, 726.4, 793.3, 834.3	Reject	The submission is outside the scope of the pSWLP. See also Chapter 5 in the separate narrative forming part of this Report.

Sub ID & Sub Point	Recommendation	Reason
12.3, 29.3, 42.3, 46.3, 84.3, 88.3, 89.30, 90.3, 135.3, 183.3, 184.3, 192.8, 205.26, 206.26, 225.3, 243.3, 291.3, 312.3, 331.8, 407.3, 428.3, 435.3, 474.3, 487.3, 491.3, 492.3, 493.3, 503.3, 505.3, 527.3, 539.3, 548.3, 563.3, 571.3, 595.3, 630.3, 635.3, 639.3, 693.5, 699.3, 714.3, 788.3, 791.3, 796.3, 802.25, 812.3, 835.3, 836.3, 867.3, 873.3, 884.3, 890.3	Accept in part	While we have recommended removing reference to the physiographic zones from the pSWLP's rules we recommend that Policies 4-11 retain reference to these zones for the reasons outlined by the section 42A authors and as further discussed in Chapter 6 of the separate narrative forming part of this Report.
23.3, 70.4, 178.2, 244.3, 318.3, 320.3, 389.6, 413.3, 618.3, 622.23, 632.3, 648.3, 649.3, 814.5	Reject	The submission is outside the scope of the pSWLP. See also Chapter 5 in the separate narrative forming part of this Report.
642.4, 643.4	Accept in part	See Section 32 Report. We address the section 32AA matters raised in this submission point in the separate narrative forming part of this Report.

Rule 23 – Intensive winter grazing

Sub ID & Sub Point	Recommendation	Reason
1.2, 3.6, 5.12, 5.13, 6.1, 7.4, 8.1, 11.6, 13.3, 14.4, 19.4, 19.5, 22.2, 23.4, 24.89, 25.28, 26.11, 27.2, 28.3, 30.2, 31.6, 32.7, 33.5, 34.2, 37.3, 38.3, 39.3, 40.8, 41.1, 43.5, 44.2, 47.13, 51.1, 53.1, 54.10, 55.2, 56.5, 57.2, 58.2, 59.2, 60.1, 62.10, 62.25, 66.2, 67.3, 69.1, 70.5, 73.13, 74.4, 79.3, 81.21, 82.5, 83.5, 87.2, 89.31, 91.3, 92.9, 93.5, 94.4, 96.1, 97.3, 99.3, 101.3, 102.4, 103.7, 105.1, 107.4, 108.81, 111.1, 114.3, 117.1, 118.7, 119.2, 120.3, 121.1, 124.2, 126.3, 132.1, 133.4, 134.1, 136.2, 139.5, 141.3, 144.5, 146.1, 147.6, 148.3, 150.4, 152.13, 154.3, 155.5, 156.8, 160.7, 163.3, 164.2, 165.1, 168.2, 175.4, 177.3, 178.3, 179.6, 181.13, 182.1, 186.5, 188.2, 189.34, 190.13, 191.10, 195.4, 198.3, 200.5, 201.2, 202.1, 203.1, 204.5, 208.1, 209.32, 210.85, 211.3, 214.14, 215.3, 217.2, 218.2, 219.5, 220.14, 221.14, 222.2, 224.8, 233.8, 235.2, 236.2, 237.2, 238.2, 239.2, 240.2, 244.4, 245.3, 247.10, 248.1, 249.25, 250.4, 251.2, 252.4, 253.4, 254.3, 257.3, 258.13, 259.10,	Accept in part	We recommend that Rule 23 as notified is included in amended Rule 20 as part (a)(iii) of that rule. We have considered the content of new Rule 20(a)(iii) in the light of all the submissions on Rule 23 as notified with a view to accepting all that would be most appropriate for achieving the objectives of the pSWLP and would contribute to a coherent body of provisions that would assist the Southland Regional Council to carry out its functions in attaining the purpose of the RMA. We have had regard to the effectiveness and efficiency of the body of provisions and have taken into account the benefits and costs of the environmental, economic, social and cultural effects anticipated from the implementation of the provisions and risks of acting or not acting. As a result, we recommend some of the amendments requested and do not recommend others. Without addressing each in detail, we consider that those we do not recommend would not contribute to making new Rule 20(a)(iii) a coherent measure that would assist the Southland Regional Council as intended. The amendments we recommend are contained in the marked-up version of the Plan in Appendix B1 to this Report. See Chapters 8 and 10 of the separate narrative forming part of this Report that respectively deal with farming generally and intensive winter grazing in particular. See also Chapters 17, 18 and 19 of the separate narrative forming part of this Report dealing with definitions, FEMPs and IASM respectively.

Sub ID & Sub Point	Recommendation	Reason
260.1, 262.3, 262.4, 263.1, 264.7, 265.86, 266.5, 269.1, 274.2, 275.2, 277.47, 279.69, 281.1, 284.2, 286.3, 287.3,290.2, 292.15, 294.3, 296.6,297.10,299.16, 300.16, 301.2, 302.1, 303.1, 305.1, 308.1, 310.2, 313.5, 315.1, 317.1, 318.4, 319.14, 320.4, 322.9, 323.2,324.1, 325.1, 331.9, 332.2, 333.2, 334.3, 335.4, 339.10, 341.9, 344.5, 345.5, 350.1, 351.3, 352.4, 358.14, 360.1, 361.11, 362.6, 365.5, 369.14, 370.3, 371.6, 373.1, 374.1, 377.3, 378.3, 384.3, 389.7, 392.2, 393.1, 396.2, 399.2, 401.2, 405.1, 413.4, 415.2, 416.2, 417.1, 418.2, 419.2, 421.3, 423.1, 423.2, 425.4, 425.5, 429.4, 431.3, 433.6, 437.22, 438.4, 439.2, 440.3, 443.2, 444.3, 447.3, 448.3, 450.4, 456.1, 461.3, 463.2, 464.17, 465.3, 469.6, 470.2, 476.3, 483.19, 487.4, 488.2, 494.2, 496.3, 498.4, 500.1, 501.3, 502.3, 504.4, 506.5, 507.3, 508.1, 509.3, 510.4, 511.2, 515.7, 520.5, 521.4, 524.2, 525.4, 531.3, 532.2, 533.3, 534.3, 535.5, 536.12, 538.5, 540.1, 541.2, 545.6, 552.2, 553.9, 554.10, 555.13, 556.6, 557.5, 558.9, 560.7, 564.11, 565.3, 568.2, 569.8, 572.5, 576.4, 586.9, 587.1, 590.9, 592.4, 598.4, 603.6, 604.4, 605.1, 606.3, 607.1, 613.4, 616.7, 617.3, 618.4, 623.4, 624.4, 625.2, 632.4, 634.3, 636.1, 638.4, 640.37, 641.3, 642.5, 643.5, 645.5, 646.3, 648.4, 649.4, 651.2, 652.6, 653.1, 654.2, 655.8, 661.40, 663.1, 666.16, 671.1, 672.5, 673.2, 676.2, 677.2, 678.4, 679.4, 680.1, 681.13, 682.9, 684.3, 688.1, 689.5, 690.5, 691.5, 692.5, 694.4, 695.4, 701.3, 702.3, 703.1, 705.3, 706.12, 708.2, 711.9, 712.30, 716.4, 718.11, 720.2, 722.2, 726.6, 727.2, 729.2, 731.7, 732.4, 733.15, 735.2, 738.3, 739.2, 744.2, 745.1, 747.7, 752.116, 759.12, 760.5, 761.11, 762.7, 765.3, 766.6, 769.2, 770.2, 771.13, 771a.10, 774.6, 775.5, 777.7, 778.1, 779.4, 780.4, 782.2, 783.3, 786.6, 787.4, 790.9, 792.25, 793.4, 794.1, 797.40, 800.5, 801.3, 802.26, 803.41, 804.1, 807.5, 810.35, 816.5, 817.23, 818.24, 819.22, 820.9, 822.4, 824.5, 825.5, 828.3, 828.4, 829.1, 832.84, 832.85, 833.5, 834.4, 837.2, 840.7, 843.5, 845.3, 846.2, 847.1, 849.2, 854.3,		

Sub ID & Sub Point	Recommendation	Reason
855.1, 856.5, 857.5, 858.1, 859.4, 860.3, 863.2, 864.6, 865.5, 868.18, 871.4, 875.5, 876.2, 877.48, 878.3, 880.52, 881.3, 882.2, 883.2, 885.3, 887.1, 892.4, 893.4, 894.2		
20.2, 48.37, 49.4, 63.5, 71.1, 80.18, 85.3, 109.2, 130.2, 131.1, 135.4, 142.3, 157.5, 161.5, 162.5, 192.9, 194.4, 207.7, 227.2, 228.1, 229.4, 261.4, 276.1, 278.1, 316.3, 326.1, 336.4, 337.14, 340.2, 343.2, 349.1, 354.3, 368.3, 381.21, 424.4, 426.4, 434.4, 446.1, 453.3, 458.3, 460.3, 467.8, 471.3, 472.3, 473.4, 478.20, 486.4, 495.1, 518.9, 522.5, 526.4, 529.2, 530.2, 561.1, 574.4, 593.1, 609.4, 615.3, 626.2, 644.1, 656.6, 665.1, 686.1, 685.2, 748.6, 795.2, 798.7, 811.20, 814.6, 821.4, 879.3	Reject	A general request which does not give precise details of amendments requested. See also Chapter 5 in the separate narrative forming part of this Report.
64.15, 100.3, 123.4, 125.1, 153.2, 158.5, 159.4, 172.16, 173.3, 176.4, 196.3, 205.27, 206.27, 212.2, 216.3, 246.4, 273.1, 282.1, 283.4, 314.4, 353.1, 366.1, 367.1, 375.3, 380.1, 386.9, 387.14, 394.3, 402.11, 407.4, 420.3, 446.2, 451.8, 452.1, 454.2, 455.1, 459.3, 477.7, 480.5, 482.14, 499.3, 516.3, 517.4, 537.6, 542.5, 570.15, 577.2, 581.3, 582.3, 583.21, 596.2, 599.2, 619.4, 621.1, 627.5, 628.6, 629.1, 637.1, 647.7, 650.3, 659.3, 660.2, 667.7, 668.5, 669.4, 670.4, 696.2, 697.4, 700.3, 704.5, 717.4, 719.3, 721.3, 723.3, 723a.3, 724.4, 728.4, 730.5, 737.20, 740.3, 743.4, 767.7, 768.12, 772.3, 773.6, 784.1, 799.8, 813.7, 815.3, 826.3, 827.5, 830.5, 831.3, 842.7, 844.3, 861.21, 862.3, 869.6, 874.2, 888.9, 889.4	Reject	The amendments requested would unjustifiably weaken the pSWLP and reduce its effectiveness in achieving its objectives, and for giving effect to the superior instruments.
12.4, 29.4, 42.4, 46.4, 84.4, 88.4, 90.4, 183.4, 184.4, 225.4, 243.4, 291.4, 298.5, 312.4, 428.4, 435.4, 474.4, 491.4, 492.4, 493.4, 503.4, 505.4, 527.4, 539.4, 548.4, 563.4, 571.4, 595.4, 630.4, 635.4, 639.4, 693.6, 699.4, 714.4, 788.4, 791.4, 796.4, 812.4, 835.4, 836.4, 867.4, 873.4, 884.4, 890.4	Accept in part	While we have recommended removing reference to the physiographic zones from the pSWLP's rules we recommend that Policies 4-11 retain reference to these zones for the reasons outlined by the section 42A authors and as further discussed in Chapter 6 of the separate narrative forming part of this Report.
355.10	Accept in part	We address the issues raised by this submission point elsewhere in this Report.

Sub ID & Sub Point	Recommendation	Reason
406.1, 578.4, 715.4	Reject	The submission is outside the scope of the pSWLP. See also Chapter 5 in the separate narrative forming part of this Report.
304.2, 622.24	Reject	The requested amendment is uncertain and would be disproportionately onerous. It would foreclose reasonable opportunities for economic growth and employment.

Rule 24 – Incidental discharges from farming

Sub ID & Sub Point	Recommendation	Reason
24.90, 108.82, 152.14, 186.6, 189.35, 233.9, 250.5, 313.6, 368.4, 402.12, 570.16, 811.21, 832.86, 877.49, 880.53	Accept	Except to the extent that, in response to other submissions, we are recommending omissions or amendments to the notified provisions, we recommend, including for the reasons set out in the submissions and the Section 42A Reports, that they are retained as notified.
265.87, 355.11, 581.4	Reject	The amendments requested would unjustifiably weaken the pSWLP and reduce its effectiveness in achieving its objectives, and for giving effect to the superior instruments.
224.9, 582.4	Reject	A general request which does not give precise details of amendments requested. See also Chapter 5 in the separate narrative forming part of this Report.
279.70, 349.2, 640.38, 752.117, 792.26, 810.36	Reject	We adopt the recommendations and reasons set out in the section 42A Reports. Additionally, we are not persuaded that the amendment requested would be a more effective and reasonably practicable option for achieving the objectives of the pSWLP, and for giving effect to the superior instruments.
510.5, 598.5	Accept	Provisions in the pSWLP already adequately address these matters.

Rule 25 – Cultivation on sloping ground

Sub ID & Sub Point	Recommendation	Reason
5.14, 8.2, 14.5, 19.6, 22.3, 24.91, 27.3, 34.3, 43.6, 47.14, 56.6, 62.11, 79.4, 87.3, 92.10, 99.4, 101.4, 108.83, 116.4, 133.5, 147.7, 155.6, 156.9, 173.4, 185.3, 189.36, 190.14, 191.11, 210.86, 237.3, 238.3, 239.3, 249.26, 257.4, 259.11, 268.3, 275.3, 277.48, 279.71, 286.4, 287.4, 290.3, 297.11, 313.7, 340.3, 365.6, 368.5, 374.2, 390.30a, 394.4, 432.2, 452.2, 453.4, 461.4, 464.18, 470.3, 472.4, 473.5, 502.4, 507.4, 512.1, 517.5, 525.5, 532.3, 544.2, 565.4, 569.9, 570.17, 586.10, 598.6, 604.5, 622.25, 646.4, 654.3, 655.9, 662.3, 677.3, 696.3, 700.4, 710.8, 721.4, 730.6, 733.16, 735.3, 744.3, 748.7, 752.118, 758.1, 759.13, 762.8, 792.27, 793.5, 845.4, 854.4, 860.4, 866.3, 885.4	Accept in part	We recommend that Rule 25 as notified is retained in the pSWLP subject to the amendments we discuss below. We have considered the content of Rule 25 in the light of all the submissions on it with a view to accepting all that would be most appropriate for achieving the objectives of the pSWLP and would contribute to a coherent body of provisions that would assist the Southland Regional Council to carry out its functions in attaining the purpose of the RMA. We have had regard to the effectiveness and efficiency of the body of provisions and have taken into account the benefits and costs of the environmental, economic, social and cultural effects anticipated from the implementation of the provisions and risks of acting or not acting. As a result, we recommend some of the amendments requested and do not recommend others. Without addressing each in detail, we consider that those we do not recommend would not contribute to making Rule 25 a coherent measure that would assist the Southland Regional Council as intended. The amendments we recommend are contained in the marked-up version of the Plan in Appendix B1 to this Report. See Chapters 8 and 11 of the separate narrative forming part of this Report that respectively deal with farming generally and cultivation in particular. See also Chapters 17, 18 and 19 of the separate narrative forming part of this Report dealing with definitions, FEMPs and IASM respectively.
1.3, 9.1, 11.7, 25.29, 26.12, 31.7, 33.6, 39.4, 40.9, 53.2, 54.11, 57.3, 58.3, 59.3, 60.2, 65.2, 74.5, 80.19, 81.22, 81.23, 82.6, 83.6, 86.5, 89.32, 91.4, 93.6, 100.4, 102.5, 103.8, 105.2, 107.5, 112.2, 113.2, 115.1, 117.2, 118.8, 119.3, 120.4, 121.2, 122.1, 124.3, 125.2, 127.1, 130.3, 131.2, 136.3, 139.6, 140.3, 141.4, 145.3, 146.2, 148.4, 150.5, 152.15, 153.3, 158.6, 160.8, 163.4, 164.3, 167.2, 168.3, 169.2, 172.17, 175.5, 179.7, 195.5, 196.4, 198.4, 199.2, 200.6, 202.2, 203.2, 204.6, 205.28, 206.28, 208.2, 209.33, 211.4, 212.3, 213.1, 214.15, 215.4, 220.15, 221.15, 222.3, 223.2, 230.1, 233.10, 234.1, 240.3, 245.4, 248.2, 255.2, 260.2, 262.5, 264.8, 265.88, 266.6, 267.1, 281.2, 282.2, 292.16, 294.4, 295.4, 296.7, 298.6, 299.17, 300.17, 301.3, 304.3, 305.2, 309.1, 310.3, 311.2, 314.5, 316.4, 317.2, 319.15, 321.1, 322.10, 323.3, 324.2, 327.1, 332.3, 334.4, 335.5, 339.11, 341.10, 344.6, 345.6, 349.3, 357.1, 360.2,	Reject	We adopt the recommendations and reasons set out in the section 42A Reports. See also the separate narrative on this matter in Chapter 11 forming part of this Report. Additionally we consider that the amendments requested would unjustifiably weaken the pSWLP and reduce its effectiveness in achieving its objectives, and for giving effect to the superior instruments.

Sub ID & Sub Point	Recommendation	Reason
361.12, 362.7, 369.15, 385.1, 386.10, 391.4, 392.3, 402.13, 403.1, 404.1, 421.4, 424.5, 429.5, 432.1, 437.23, 438.5, 441.1, 444.4, 446.3, 450.5, 454.3, 459.4, 462.1, 463.3, 469.7, 477.8, 482.15, 485.1, 486.5, 494.3, 495.2, 498.5, 506.6, 508.2, 509.4, 510.6, 511.3, 518.10, 521.5, 524.3, 526.5, 536.13, 537.7, 540.2, 543.1, 547.12, 550.1, 551.2, 552.3, 553.10, 554.11, 555.14, 556.7, 557.6, 558.10, 561.2, 564.12, 567.1, 583.22, 599.3, 568.3, 574.5, 575.1, 576.5, 578.5, 581.5, 582.5, 584.2, 587.2, 590.10, 597.3, 602.1, 603.7, 603.8, 605.2, 606.4, 608.1, 616.8, 625.3, 626.3, 627.6, 628.7, 633.1, 638.5, 642.6, 643.6, 645.6, 650.4, 656.7, 659.4, 660.3, 666.17, 667.8, 668.6, 676.3, 678.5, 679.5, 686.2, 687.1, 688.2, 689.6, 690.6, 691.6, 694.5, 695.5, 697.5, 704.3, 711.10, 720.3, 726.7, 727.3, 728.5, 731.8, 732.5, 734.2, 737.21, 738.4, 739.3, 755.1, 756.1, 761.12, 763.3, 766.7, 769.3, 773.7, 775.6, 781.1, 782.3, 784.2, 786.7, 787.5, 790.10, 802.27, 807.6, 810.37, 813.8, 814.7, 816.6, 817.24, 818.25, 819.23, 822.5, 824.6, 825.6, 826.4, 827.6, 828.5, 833.6, 834.5, 840.8, 842.8, 847.2, 851.3, 853.3, 855.2, 861.22, 864.7, 865.6, 868.19, 875.6, 881.4, 883.3, 887.2, 893.5, 894.3		
20.3, 48.38, 64.16, 66.3, 67.4, 68.1, 71.2, 96.2, 98.1, 109.3, 114.4, 135.5, 177.4, 192.10, 194.5, 219.6, 224.10, 227.3, 253.5, 261.5, 326.2, 336.5, 337.15, 353.2, 358.15, 387.15, 388.2, 405.2, 415.3, 417.2, 417.3, 425.6, 426.5, 434.5, 445.2, 466.1, 471.4, 478.21, 480.6, 488.3, 496.4, 528.3, 529.3, 533.4, 538.6, 559.3, 560.8, 592.5, 609.5, 613.5, 615.4, 637.2, 641.4, 652.7, 671.2, 681.14, 682.10, 683.2, 684.4, 692.6, 707.1, 722.3, 736.1, 767.8, 774.7, 776.2, 779.5, 783.4, 795.3, 801.4, 808.4, 821.5, 832.87, 846.3, 856.6, 857.6, 863.3, 877.50, 879.4, 880.54	Reject	A general request which does not give precise details of amendments requested. See also Chapter 5 in the separate narrative forming part of this Report.

Sub ID & Sub Point	Recommendation	Reason
42.5, 84.5, 88.5, 183.5, 184.5, 225.5, 243.5, 291.5, 312.5, 407.5, 474.5, 492.5, 493.5, 503.5, 505.5, 527.5, 539.5, 548.5, 563.5, 571.5, 595.5, 630.5, 693.7, 699.5, 714.5, 791.5, 796.5, 812.5, 835.5, 836.5, 867.5, 873.5, 884.5, 890.5	Accept in part	While we have recommended removing reference to the physiographic zones from the pSWLP's rules we recommend that Policies 4-11 retain reference to these zones for the reasons outlined by the section 42A authors and as further discussed in Chapter 6 of the separate narrative forming part of this Report.

Rule 26 – Discharges from on-site wastewater systems

Sub ID & Sub Point	Recommendation	Reason
24.92, 387.16, 640.39, 666.18, 725.5, 810.38, 832.88	Accept in part	Except to the extent that, in response to other submissions, we are recommending omissions or amendments to the notified provisions, we recommend, including for the reasons set out in the submissions and the Section 42A Reports, that they are retained as notified.
152.16, 330.14, 658.1, 750.15, 752.119	Accept in part	We adopt the recommendations and reasons set out in the section 42A Reports. See also the separate narrative on this matter in Chapter 12 forming part of this Report.
156.10, 197.8, 337.16, 349.4, 510.7, 598.7, 793.6	Reject	A general request which does not give precise details of amendments requested. See also Chapter 5 in the separate narrative forming part of this Report.
192.11, 265.89, 797.41	Reject	The amendments requested would unjustifiably weaken the pSWLP and reduce its effectiveness in achieving its objectives, and for giving effect to the superior instruments.
279.72	Reject	See Chapter 20 of the separate narrative forming part of this Report.

Rule 27 – Discharges from pit toilets

Sub ID & Sub Point	Recommendation	Reason
24.93, 510.8, 598.8, 832.89	Accept in part	Except to the extent that, in response to other submissions, we are recommending omissions or amendments to the notified provisions, we recommend, including for the reasons set out in the submissions and the Section 42A Reports, that they are retained as notified.
279.73	Reject	See Chapter 20 of the separate narrative forming part of this Report.
750.16, 752.120	Accept in part	We adopt the recommendations and reasons set out in the section 42A Reports.

Definitions – Cultivation

Sub ID & Sub Point	Recommendation	Reason
25.37, 47.31, 62.18, 152.30, 186.8, 265.112, 365.13, 390.42, 681.26, 682.20, 759.31	Reject	The amendments requested would unjustifiably weaken the pSWLP and reduce its effectiveness in achieving its objectives or giving effect to the superior instruments. In particular, based on the evidence we consider that “direct drilling” should be included within the definition of cultivation.
54.20, 56.9, 74.6, 83.10, 93.11, 208.8, 220.19, 221.19, 296.10, 299.23, 324.4, 331.10, 334.7, 339.18, 361.18, 386.20, 402.21, 482.26, 486.7, 518.15, 564.19, 575.3, 616.11, 627.7, 628.8, 667.12, 668.9, 671.3, 704.7, 737.34, 775.11, 761.20, 784.4, 790.14, 807.10, 822.9, 824.11, 825.12, 827.10, 830.8, 833.9, 856.8, 857.9, 861.32, 868.37, 875.9	Accept in part	While we recommend that the practice colloquially referred to as ‘spray and pray’ is included within the definition of cultivation (because of the potential adverse effects it can have on soil conservation), we also recommend that spraying solely for the purpose of controlling pest plant species is excluded from the definition. See also submission 25.37.
96.3, 550.3, 863.9	Reject	A general request which does not give precise details of amendments requested. See also Chapter 5 in the separate narrative forming part of this Report.
233.32, 258.31, 259.19, 264.14, 464.37, 604.14, 866.8	Accept in part	The definition already adequately addresses these matters.
249.34, 487.9, 622.33, 662.4	Reject	We are not persuaded that the requested amendment to the definition would assist understanding of the intended meaning of the term.
565.5	Accept in part	We agree that the requested amendment to the definition would assist understanding of the intended meaning of the term and we recommend accordingly.
752.216, 803.49	Accept in part	Except to the extent that, in response to other submissions, we are recommending omissions or amendments to the notified provisions, we recommend, including for the reasons set out in the submissions and the Section 42A Reports, that they are retained as notified.

Definitions – Damming

Sub ID & Sub Point	Recommendation	Reason
752.217	Accept	We agree, including for the reasons set out in the in the submission and the Section 42A Reports, that the provision should be retained and recommend accordingly.

Definitions - Intensive winter grazing

Sub ID & Sub Point	Recommendation	Reason
362.10, 681.27, 682.21, 724.6, 752.238, 759.32, 803.51	Accept in part	Except to the extent that, in response to other submissions, we are recommending omissions or amendments to the notified provisions, we recommend, including for the reasons set out in the submissions and the Section 42A Reports, that they are retained as notified.
5.17, 155.11, 402.22, 415.5, 425.9, 429.8, 494.6, 506.9, 555.17, 642.10, 643.10, 770.4, 808.6, 883.6	Reject	The amendments requested would unjustifiably weaken the pSWLP and reduce its effectiveness in achieving its objectives or giving effect to the superior instruments.
25.38, 205.38, 206.38	Reject	The submission is outside the scope of the pSWLP. See also Chapter 5 in the separate narrative forming part of this Report.
27.8, 33.10, 83.11, 93.12, 163.6, 234.2, 251.4, 281.4, 300.19, 371.7, 374.4, 486.8, 487.10, 525.7, 554.15, 603.21, 689.9, 696.6, 728.8, 769.5, 824.12, 825.13, 832.141	Reject	We are not persuaded that the requested amendments to the definition would assist understanding of the intended meaning of the term. In particular we are not persuaded on the evidence that the winter period should be amended from the notified period of May to September. Nor are we persuaded that referring to particular stocking rates is appropriate.
34.4, 47.32, 62.19, 97.6, 128.2, 145.4, 150.7, 153.6, 164.5, 179.10, 190.24, 233.33, 258.32, 264.15, 265.113, 277.61, 295.7, 299.24, 313.13, 344.9, 345.9, 365.14, 367.2, 416.4, 464.38, 518.16, 538.9, 553.14, 570.23, 587.4, 616.12, 645.9, 687.3, 700.7, 744.6, 766.14, 775.12, 789.3, 807.11, 868.38, 878.6	Accept in part	We agree that amendments to the definition addressing the issues raised by these submissions would assist with understanding of the intended meaning of the term and we recommend accordingly.
89.43, 159.6, 160.10, 171.2, 202.5, 203.5, 234.3, 237.4, 238.5, 239.5, 315.2, 389.10, 551.5, 628.9, 661.48, 690.9, 691.9, 760.6, 783.7, 787.7, 802.38, 843.6, 880.81,	Reject	A general request which does not give precise details of amendments requested. See also Chapter 5 in the separate narrative forming part of this Report.
418.4, 444.9, 528.4	Accept in part	Provisions in the pSWLP already adequately address these matters.

Definitions – Interference effects

Sub ID & Sub Point	Recommendation	Reason
752.239	Accept	We agree, including for the reasons set out in the in the submission and the Section 42A Reports, that the provision should be retained and recommend accordingly.

Appendix 'C'

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CLEMENT Paul & Linda		1232 Pyramid Waiparu Road RD 7 Gore 9777	clemsouth@xtra.co.nz
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CONLAN Eddie & Judy Family Trust	Edward Conlan	943 Waikaka Valley RD 5 Gore 9775	koifarms@yrless.co.nz
Conlan Farming	Carl Conlan	943 Waikaka Valley Highway RD 5 Gore 9775	cconlan96@gmail.com
Cook Farming Co Ltd	Brendon Cook	177 Tyneholm Road RD 1 Wyndham 9891	bscooky@hotmail.com
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DILLON M J & S E	Mark & Sonia Dillon	850 Nine Mile Road RD 6 Kaweku Gore 9776	No email
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