

ATTACHMENT C MONTHLY CHECK SHEET

Schrader Mains Limited

Monthly Check Sheet

On a monthly basis the following checks and measures must be undertaken. The details of the monthly check shall be recorded on this sheet, and at the completion of the inspection the sheet shall be filed for future reference. If there are any matters requiring follow up work i.e. you note that an effluent nozzle needs replacing, please make a note of these, and ensure that the actions are followed up immediately.

Date:.....

Employee:.....

Record volume of water abstraction

Clean stone traps.

Any further actions required? Y/N

Explanation.....

Check all inlet and outlet pipes to storage ponds/sumps to ensure they are free of debris to prevent blockages.

Any further actions required? Y/N

Explanation.....

Check the stone trap is clear of solid material. If necessary arrange to clear out the sump.

Any further actions required? Y/N

Explanation.....

Check the level of solids, if necessary arrange for solids bed to be emptied when conditions are appropriate.

Any further actions required? Y/N

Explanation.....

Check effluent nozzles are clear and in good working order

Any further actions required? Y/N

Explanation.....

Check effluent irrigator pipe is in good working order and does not have any leaks

Any further actions required? Y/N

Explanation.....

Check well-head(s) remain capped.

Any further actions required? Y/N

Explanation.....

ATTACHMENT D EFFLUENT DISPOSAL RECORD

ATTACHMENT E TRAINING GUIDE

Effluent Orientation and Training Record

Season ___/___

Effluent Competencies	Employee name	Employee name	Employee name

General

- Understands the regional council rules and farm policies for effluent management
- Understands health and safety around the effluent system
- Understands record keeping for irrigator runs and maintenance

At the Dairy

- Use of stormwater diversion system
- Good hosing practice and water management
- Animal handling to minimise effluent volume
- Cleaning the stone trap
- Sump, pump & pond monitoring and management (including float switches)

In the Paddock

- When to irrigate: assessing soil and weather conditions
- Where to irrigate: runs, paddock rotations, high risk vs low risk soils etc (mark on farm map)
- Where not to irrigate: near waterways, drains, boundaries, slopes etc (mark on farm map)
- How the irrigator works, how to use it, set up, hose layout and performance checks
- Measuring the depth of effluent application

Irrigator, pump maintenance/cleaning

- Greasing and general maintenance requirements (how and when)
- How to check and replace rubber nozzles and seals (same time as dairy rubber ware)
- Tyre pressure and condition
- Pipe-work, hose and hydrant condition
- Wire-rope, cam and ratchet condition

Other

Trainer signature			
Employee signature			
Date			

Date when staff become competent in each skill. If all training provided in one day, tick and date at the bottom.

ATTACHMENT F – Written Approvals



**environment
SOUTHLAND**

Cnr North Road and Price Street
(Private Bag 90116)
Invercargill

Telephone (03) 211 5115
Fax No. (03) 211 5252
Southland Freephone No. 0800 76 88 45

File No: _____
Officer in Charge: _____

To: The General Manager
Environment Southland
Private Bag 90116
Invercargill 9840

WRITTEN APPROVAL OF A POTENTIALLY AFFECTED PARTY

Approval by Person(s) Potentially Affected by an Application for a
Resource Consent

To be completed by the person requesting approval

Applicant: Schrader Mains Limited

Type of Resource Consent: Land Use Consent, Discharge Permit, Water Permit

Proposed Activity: Convert land to dairying. Discharge dairy effluent to land from 300 cows. Extract groundwater for the purpose of shed and stock water. Construct an inground effluent storage pond.

Location: 514 Rimu Seaward Downs Road, Waituna

To be completed by the person giving his or her approval:

Name: REX + HEATHER BOTTING

and/or Organisation: _____

Street/Road Address: 677 WAITUNA ROAD WAITUNA.

I/we have sighted all the attached plans and supporting information for the above activity.

I/we hereby give approval for the proposal to be considered by Environment Southland without public notification.

I/we understand that, if I give my approval, Environment Southland shall not take into account any effects that the proposed activity may have on me, when considering the application (Section 104(3)(b) of the Resource Management Act 1991).

[Signature]
(Signature)

21 / 2 / 15
(Date)

NOTE: IF YOU DO NOT UNDERSTAND WHAT THIS FORM IS, OR DETAILS ABOUT THE APPLICATION ASSOCIATED WITH THIS FORM, DO NOT SIGN IT.

Environment Southland is the brand name
of the Southland Regional Council

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For Further Assistance – contact Environment Southland's Consents Officers, via



03 211 5115 or 0800 76 88 45



(fax) 03 211 5252



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Private Bag 90116
Invercargill 9840

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Location: 514 Rimu Seaward Downs Road, Waituna

To be completed by the person giving his or her approval:

Name: Peter Henry Phiskie

and/or Organisation: Hillside Trust

Street/Road Address: 160 Hills Road, Waituna RDI Invercargill

I/we have sighted all the attached plans and supporting information for the above activity.

I/we hereby give approval for the proposal to be considered by Environment Southland without public notification.

I/we understand that, if I give my approval, Environment Southland shall not take into account any effects that the proposed activity may have on me, when considering the application (Section 104(3)(b) of the Resource Management Act 1991).

P. H. Phiskie
(Signature)

21/2/2015
(Date)

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Location: 514 Rimu Seaward Downs Road, Waituna

To be completed by the person giving his or her approval:

Name: H + S AMTIUK

and/or Organisation: AKOL Trust

Street/Road Address: 717 Rimu Road RD1 Invercargill 9821

I/we have sighted all the attached plans and supporting information for the above activity.
I/we hereby give approval for the proposal to be considered by Environment Southland without public notification.
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S. AMTIUK
(Signature)

20/02/15
(Date)

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Written approval

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Proposed Activity: Convert land to dairying. Discharge dairy effluent to land from 300 cows. Extract groundwater for the purpose of shed and stock water. Construct an Inground effluent storage pond.

Location: 514 Rimu Seaward Downs Road, Waituna

To be completed by the person giving his or her approval:

Name: Juan Walker

and/or Organisation: Farm Labourer

Street/Road Address: 5 Waituna Merton Mains Rd Rd1 Ingl

I/we have sighted all the attached plans and supporting information for the above activity.
I/we hereby give approval for the proposal to be considered by Environment Southland without public notification.
I/we understand that, if I give my approval, Environment Southland shall not take into account any effects that the proposed activity may have on me, when considering the application (Section 104(3)(b) of the Resource Management Act 1991).

Juan Walker
(Signature)

20/2/15
(Date)

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Officer in Charge: _____

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Invercargill 9840

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Type of Resource Consent: Land Use Consent, Discharge Permit, Water Permit

Proposed Activity: Convert land to dairying. Discharge dairy effluent to land from 300 cows. Extract groundwater for the purpose of shed and stock water. Construct an inground effluent storage pond.

Location: 514 Rimu Seaward Downs Road, Waituna

To be completed by the person giving his or her approval:

Name: Adrian Lawson

and/or Organisation: Glendoroch Farms Ltd

Street/Road Address: 24 Hills Road

I/we have sighted all the attached plans and supporting information for the above activity.

I/we hereby give approval for the proposal to be considered by Environment Southland without public notification.

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A.W. Lawson
(Signature)

19/2/2015
(Date)

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Location: 514 Rimu Seaward Downs Road, Waituna

To be completed by the person giving his or her approval:

Name: Winy van Rossum

and/or Organisation: van Rossum Ltd

Street/Road Address: 346 Waituna Merton Mains Road
Rd 1 Invercargill 9871

I/we have sighted all the attached plans and supporting information for the above activity.

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(Signature)

18/2/2015
(Date)

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Location: 514 Rimu Seaward Downs Road, Waituna

To be completed by the person giving his or her approval:

Name: DAVID KEITH MORTON

and/or Organisation: _____

Street/Road Address: 514 Rimu Seaward Downs Road Waituna

I/we have sighted all the attached plans and supporting information for the above activity.

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DK Morton
(Signature)

18/2/15
(Date)

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Further Information



**environmen
SOUTHLAND**

Te Taiao Tonga

29 July 2015

Landpro Ltd
C/- R Gibson
P O Box 302
Cromwell 9342

Our Reference: APP-20158099

Enquiries to: Joanna Gilroy
Email: joanna.gilroy@es.govt.nz

Cnr North Rd & Price
Waikiv
Invercargill 98:

Private Bag 9011
Invercargill 98:
New Zealand

Phone 03 211 511
Fax 03 211 52:

Tollfree (Southland only)
0800 76 88 4
Email service@es.govt.nz
Website www.es.govt.nz

Dear Rebecca

Request for Further Information under Section 92(1) of the Resource Management Act 1991 - Application to establish a dairy farm and to undertake associated activities

Thank you for lodging an application on behalf of Schrader Mains Ltd to establish a new dairy farm and to undertake associated activities at Rimu-Seaward Downs Road.

I require further information before a determination can be made on the application.

Please provide¹, in accordance with Section 92(1) of the Resource Management Act, the following information:

- A discussion about why on-site soil moisture monitoring has not been included as a management tool and mitigation measure for the property. This discussion is required as the nearest Consent Authority soil moisture monitoring site is on different soils to the subject site and because of the intent to discharge effluent to land all year round in a sensitive receiving environment.
- Clarification about the use of the feed pad/stand off pad. The application states that a concrete yard will be used as a stand off pad/feed pad. However, the effluent storage report (pages 80 and 88 of the pdf) state that to allow for expansion provision in the effluent pond has been made for a future feed pad. Please clarify if there will be two pads - the converted existing yard and another one, or if there will only be one (the current yard area).
- Please clarify why no provision for effluent or wash water from the feed pad/stand off pad has been made for June and July.

¹ Under Section 92(1) of the Resource Management Act 1991 (RMA) the Council may, at any time before the hearing of an application, or if no hearing is to be held, before the decision to grant or refuse the application is made, request in writing that the applicant provide further information relating to the application

- A map reference for the proposed bore and subsequent water take. This information is required in order to understand the effects of the proposed abstraction.
- A discussion around why effluent will be discharged to land all year round and proposed measures to avoid, remedy or mitigate the effects of this. If the intent is to discharge effluent to land all year round, also please explain why the effluent storage report states that the storage volume has been calculated based on no irrigation between 1 June and 31 July annually.
- Clarification of the number of cows that will be milked on the property and that effluent will be discharged to land from. This is required because:
 - The volume of the pond has been based on 320 cows on the property. However, the nutrient budget and the application has been based on 306 milking cows. Please explain why the storage has been based on 320 cows, but the rest of the information contained in the application has not. If the intent is to establish a dairy farm with 320 cows, please provide updated nutrient budgets and an assessment of effects to reflect this higher number of cows.
 - Section 3.1 of the effluent storage report (page 80 of the pdf) states that 320 cows will be milked in August. However, the application is for 306 cows.
- In regards to the nutrient budget please explain the status of the kale crops in the 'current' and 'proposed' operations. The 'current' grazed paddock losses are lower on a per hectare basis, but a large kale crop leaching at 95 kgN/ha/yr essentially matches the grazed paddock losses. Because such a kale crop is traditionally rotational, please explain why this was not replicated in the 'proposed' dairy operation.
- Please provide an explanation of why the pastoral nitrogen losses of the current and proposed operations are effectively equal on a per hectare basis when modelled by Overseer.
- Eight tile or Novaflow subsurface drains are shown crossing the property in the last map of the CEMP and the NMP estimates that between 30% and 60% of the property is artificially drained. However, the AEE refers only to soil drainage to the unconfined aquifer as the mode of sub-surface losses of dissolved nitrogen to water. Please provide a discussion about the potential for contaminants containing nitrogen and phosphorus to be mobilised via this artificial drainage network.
- An assessment of the application against the Proposed Regional Policy Statement 2012 Hearing Decision version, which was publically notified on the 6th of June.

I require this information in order to make a complete assessment of the application and to understand the adverse effects which may accompany the proposed activities. Determination of the application is postponed until receipt of this information.

11 September 2015

Environment Southland
Private Bag 90116
Invercargill 9348



Our ref: S14303



LANDPRO

Make the most of your land

Attn: Joanna Gilroy

Dear Joanna,

RE: APP-20158099 – Schrader Mains Limited

In reference to your request for further information dated 29th July 2015, please find outlined below our response to this request.

1. Onsite Soil Moisture Monitoring

Methods for measuring soil moisture, including fixed soil moisture tapes and sensors, whilst beneficial in terms of creating soil moisture profiles are also known for their inaccuracy and for the high degree of calibration required over a period of two to three years before accurate results may be achieved.

Further, they generally only provide a limited indication of the underlying soil moisture as the expense of these systems prohibits their installation over a wider area of the property. It is acknowledged that the nearest Council moisture monitoring site is located on different soils, therefore the applicant would be happy to undertake onsite soil moisture readings via the use of a portable hand held moisture meter, which can make point measurements immediately prior to the discharge of effluent so that the effluent system operator can be sure that the soils are suitable for receiving effluent.

2. Feed Pad

It is only proposed to install the one concrete yard area which will be utilised as a stand-off pad/feed pad area. The effluent calculations have simply allowed for an additional feed pad area to ensure that should the applicant wish to consider this as an option at some future point that they have provided for sufficient future proofing in the size of the effluent pond. It is acknowledged that any future feedpad area would require further resource consents.

3. Effluent Wash Water

The reason that there has been no provision made for effluent or wash water from the feedpad for the period June/July is that stock are to be

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wintered off the property with the exception of 90 animals which are to be grazed on farm on kale crop (refer to nutrient budget), so accordingly the feedpad area is not intended to be used during this June/July period.

4. Proposed Groundwater Bore

As noted on Page 27 of the application for resource consent, it is intended that water may be abstracted from two locations, one being the existing bore which is located adjacent to the applicant's house, and the second which would be via a new bore to be constructed immediately adjacent to the proposed cowshed.

Coordinates for the two bores are given below;

Existing Bore: N: 4851615 E: 1264514 (NZTM)
Proposed Cowshed Bore: N: 4851096 E: 1264657 (NZTM)

5. Year round discharge of Effluent

As outlined in the RDAgritech Report titled "50193 Schrader #2 Effluent Design Report REV2", the pond was sized to allow for sufficient storage capacity if there was no irrigation potential during June & July however, if there are days during June & July when there is irrigation potential, then irrigation should occur.

Section 4.1 of the RDAgritech Report states "...The storage pond should be irrigated from daily or when conditions allow and should not be used to defer irrigation when irrigation potential is present. The current design does not allow for deliberate storing of effluent in the pond outside the already excluded times as specified in the pond design summary report from Massey. This includes holding effluent over winter and 5 days emergency storage. If irrigation potential is available outside these times, then irrigation should occur on every available day. This includes the winter months when, if irrigation potential exists then irrigation should occur to create storage for the impending spring".

The Massey Dairy Effluent Storage Calculator Report which is attached as Appendix B to the RDAgritech Report states "... This volume is calculated on the assumption that no irrigation occurs from the 1st of June until the 31st of July, therefore accounting for the potential worst case scenario. An additional 5 days of storage has been allowed for emergencies such as pump break down. The pond also has a freeboard allowance of 300 mm.

The consent will need to provide for the ability to irrigate all year round to ensure that in adverse years, some irrigation may occur over winter to enable storage to be available for spring, albeit such irrigation would only occur on days when the holding capacity of the soils is above field capacity.

6. Clarification of Cow Numbers

In terms of cow numbers, it is proposed that 'Peak Cows Milked' will be 306 cows, however to arrive at the 'Peak Cows Milked' figure, 320 cows will be wintered (off farm with the exception of 90 animals) and subsequently calved, however when you account for deaths and culling's from the heard from calving the maximum milking cows will be 306 in any given year.

There has been a change of protocols in the Overseer Best Practice Data Input Standards April 2015. Previously we used peak cow numbers, which is the peak number in production, usually in the October / November period.

The new protocol states to use monthly stock numbers. In a typical dairy farm situation you start the winter with your wintered number of cows, then typically peak milk 5% less (hence 320 vs 306 in the case of Schrader's). The 5% are deaths, cows that get culled, cows that slip (lose their calf), and cows that don't bag up (come into milk). So in the case of Schrader's 306 is the peak number that will go through the shed during the season.

7. Nutrient Budget

The property currently operates as a dairy grazing (young stock and cow wintering) and beef unit. Under the current operation to provide the amount of winter feed required 17ha of kale crop is grown. The proposed conversion to supply feed to the proposed number of cows wintered has an estimated kale crop of 4 ha. This change in area is the key driver behind the total N lost (kg N per year) from the kale block. The N loss on a per hectare basis from the respective kale blocks has a marginal difference due to Overseer calculating the period the crop is grazed and the type of animals grazing the crop.

Agronomic assumptions behind both scenarios are the same, that is;

- Crop yield
- Fertiliser regime
- Timing of crop establishment
- Pasture re-grassing

8. Nitrogen Losses

The Overseer model is essentially a backwards calculator based on animal demand (and therefore feed requirements). The pastoral loss calculations in Overseer also take into account stock type, sex of animals and period which animals are grazed. In this case Overseer predicts a similar pastoral N loss when these factors are taken into account.

9. Subsurface Drainage

The AEE submitted with the application for consent assess both the effects of the discharge of contaminants to both the unconfined aquifer as well as via the artificial drainage network as detailed below;

- The first bullet point in Section 3.1.1 of the water quality assessment states "*Shallow groundwater quality in this area shows little impact from land use with the main risk to water quality being from artificial drainage*". This conclusion is similarly reached in the surface water receiving environment section which identifies overland flow and lateral flow through soil (i.e. soil drainage and artificial drainage) as the primary transport mechanisms.
- Section 4.2 assesses the average and maximum nitrate concentration in drainage waters based on Overseer outputs. It is important to note that it is not specified whether the drainage waters are to groundwater or surface water. This is a total loss from the property assessment (in keeping with Overseer).

- Table 9 specifically identifies nitrogen loss to surface water (Waituna Creek and the un-named tributaries) as a possible water quality effect.
- Again, from the summary, nitrogen losses to both surface water and groundwater are discussed: *The effects of the proposed activity on the receiving water bodies will be an improvement in nitrogen loss which will help to offset the excessive nitrate levels in the Waituna Creek and Waituna Lagoon. Nitrogen losses to groundwater are anticipated to be well within the DWSNZ maximum acceptable value.*

The application shows there are two main soil types on the property (as mapped by Topoclimate South). Dacre soils are classified as Acidic Recent Gley and Woodlands soils are classified as Mottled Firm Brown soils (NZSC). Both these soil types are described by Crops for Southland (2001) as being stoneless and having silty textures with a slowly permeable subsoil making these soils susceptible to waterlogging. These soils also typically exhibit redoximorphic features such as mottling and gleying which is indicative of reducing conditions under which denitrification is common. The topsoil clay content is relatively low (~20-30%) which suggests preferential flow via continuous cracks or fissures is unlikely. Macropores (created by earthworms or plant roots) may provide some preferential flow to subsurface drains however it is interpreted that the majority of drainage will occur as matrix (or piston) flow. AgResearch (2009) describe matrix flow as *"a piston flow effect where soil surface inputs displace and drain water situated deeper in the soil profile."* This flow *"provides a suitable residence time to attenuate contaminants"*.

Clearly, the artificial drainage network represents a major contaminant pathway from the property, however the mitigations being adopted to manage the risk of loss via the drainage network is summarised in the technical comment and are provided in more detail in the application and Nutrient Management Plan. These include deferred low rate effluent application, the use of a standoff pad, fertiliser application managed in accordance with a nutrient management plan and soil testing.

10. Assessment of the Proposed RPS

A revised assessment of the notified decision on the Proposed Southland Regional Policy Statement, as at 6 June 2015 is included below. It is noted that only those matters of relevance to the application have been included in this assessment. An assessment of the Biodiversity Matters has been made, although it is noted that this section of the plan was only notified on the 23 May 2015 and is therefore subject to limited weighting.

Table 1: Assessment of Application against PSRPS (2012) - Notified Decisions 6 June 2015

Chapter 3: Tangata Whenua	
Objective/Policy	Assessment
Objective TW.2 Provision for Iwi Management Plans	Recognition of the relationship of Tangata Whenua with their ancestral lands, water sites, waahi tapu and other taonga has been provided for, the extent of which has been determined largely by the direction set in the Ngai Tahu ki Murihiku Natural Resource and Environmental Management Plan, <i>Te Tangi a Tauira</i> (2008).
Objective TW.3 Tangata whenua spiritual values and customary resources	Recognition of the relationship of Tangata Whenua with their ancestral lands, water sites, waahi tapu and other taonga has been provided for, the extent of which has been determined largely by the direction set in the Ngai Tahu ki Murihiku Natural Resource and Environmental Management Plan, <i>Te Tangi a Tauira</i> (2008).

Objective TW.4 Sites of cultural significance	The Schrader Mains property has not been identified as having any known sites of cultural significance which would be affected by the proposal to renew the existing consents for the discharge of effluent and abstraction of groundwater.
Policy TW.3 Iwi Management Plans	In the preparation of the application for resource consent for Schrader Mains Ltd, <i>Te Tangi a Tauria</i> (2008) has been taken into account.
Policy TW.4 Decision Making	The granting of these consents is not expected to have an adverse effect on the ability of Tangata Whenua to fulfil their role as kaitiaki.
Overall Assessment: Overall we considered that the application by Schrader Mains Limited is consistent with the objectives and policies of Chapter 3: Tangata Whenua the Proposed Southland Regional Policy Statement (2012) – Notified Decision dated 6 June 2015.	
Chapter 4: Water	
Objective/Policy	Assessment
Objective WQUAL.1 Water Quality Goals	In terms of the proposal by Schrader Mains Limited, the proposed activity of land use intensification (conversion to dairy) and discharge of effluent to land will be managed (by the need for consent and subsequent conditions of consent) thus enabling Objective WQUAL.1 to be met, whilst also ensuring that water quality can be maintained or enhanced.
Objective WQUAL.2 Lowland Water Bodies	The proposal to convert the land to dairying is expected to contribute to the halt in decline of water quality in the Waituna Creek, and the Waituna Lagoon through a reduction in nutrients being leached into the environment and through the implementation of best management practices on the property.
Policy WQUAL.1 Overall Management of Water Quality	The proposal makes provision of the management of the conversion of the land and associated discharge of effluent in such a way which contributes to the maintenance of water quality, and where possible the improvement of water quality. Methods for achieving this include fencing of water ways, provision of storage for deferred storage, standoff pad and improved laneway and stock crossings to reduce point-source discharges. Ongoing water quality monitoring is expected to be implemented as a condition of consent, which will help determine that this policy is being achieved.
Policy WQUAL.2 All Water Bodies	Concerns regarding the intensification of land use resulting in increased nutrient losses as a result of both point and non-point discharges is a regional concern. In terms of the proposal by Schrader Mains, the modelled nutrient losses compared to the current land use, as calculated by Overseer provides for a reduction in the contaminants listed in WQUAL.2, particularly Nitrogen. Sediment is proposed to be reduced by the introduction of fencing and existing planting of riparian zones, and the

	implementation of best management practices. Phosphorous is expected to increase slightly under the modelled land use change.
Policy WQUAL.3 Wetlands and Outstanding Freshwater Bodies	The Waituna Wetlands are recognised as being of international significance, with the approach to managing activities, including within identified wetland areas is set out in Policy WQUAL.1 as detailed above.
Policy WQUAL.4 Improve Catchment Water Quality	
Policy WQUAL.6 Social, Economic and Cultural Benefits	The proposal provides for the applicants Social and Economic Wellbeing without compromising the ability of others to meet their Social, Economic and Cultural Wellbeing. The Economic benefits of the proposal are recognised through the contribution to the local and national economy, whilst at the same time contributing to the Social Makeup of a community through the employment of people and families.
Policy WQUAL.7 Preference for Discharge to Land	The application meets this policy by providing for the discharge of contaminants (effluent) to land.
Policy WQUAL.8 Untreated Human and Animal Wastes	The application provides for the discharge of effluent to land rather than water therefore is in accordance with Policy WQUAL.8.
Policy WQUAL.9 Siting and Operation	As far as is practicable the activities have been sited such that they will avoid point source discharges of contaminants to land. The location of the dairy shed and effluent ponds have taken into account the adjacent environment, including proximity to water bodies. The operation of the effluent system is proposed to be carried out in a manner which will avoid adverse effects on groundwater and surface water.
Policy WQUAL.10 Sources of Community Water Supplies	There are no known sources of community water supplies in proximity to the property subject to this application.
Objective WQUAN.1 Sustainably Managing the Regions Water Resources	The proposed abstraction of groundwater is considered to be a sustainable use of the available water resource.
Objective WQUAN.2 The Efficient Allocation and Use of Water	The volume of water sought is an efficient use of the available groundwater resource. This is based on the fair and reasonable stock and shed water demands of 120 litres/cow/day.
Policy WQUAN.2 Over allocation	The aquifer (Waihopai Groundwater Zone) is not considered to be over allocated, and the proposed abstraction will not lead to an over allocation.
Policy WQUAN.6 Efficient Use of Water	The volume of water sought is an efficient use of the available groundwater resource. This is based on the fair and reasonable stock and shed water demands of 120 litres/cow/day.
Policy WQUAN.7 Social, Economic and Cultural Benefits	The proposal provides for the applicants Social and Economic Wellbeing without compromising the ability of others to meet their Social, Economic and Cultural Wellbeing. The Economic benefits of the proposal are recognised through the contribution to the local and national economy, whilst at the same time

	contributing to the Social Makeup of a community through the employment of people and families.
Overall Assessment: Overall we considered that the application by Schrader Mains Limited is consistent with the objectives and policies of Chapter 4: Water the Proposed Southland Regional Policy Statement (2012) – Notified Decision dated 6 June 2015.	
Chapter 5: Rural Land/Soils	
Objective/Policy	Assessment
Objective RURAL.1 Sustainable Use of Rural Land Resources	The proposed conversion to dairying is considered to be the most sustainable use of the rural land resource, and has been one of the key drivers for the applicant wanting to change from current land use, as it will enable the productive capacity of the land to be enhanced without creating adverse effects.
Objective RURAL.2 Life Supporting Capacity of Soils	The proposal to convert the land to dairying is consistent with Objective RURAL.2 as it will not result in the exacerbation of soil erosion or sedimentation. The property is currently used for winter grazing and grazing of young stock which has a greater potential for sedimentation and soil erosion due to greater potential for pugging of soils. The proposed reduction in crop area will help the applicant to give effect to this objective.
Policy RURAL.1 Social, Economic and Cultural Wellbeing	The proposal is consistent with this policy providing an opportunity for the application to meet their Social, Economic and Cultural Wellbeing.
Policy RURAL.2 Land Use Change and Land Development Activities	The proposed change in land use will maintain the rural amenity value of the district. The land is currently used for rural purposes, and this is proposed to continue. The proposal is consistent with this policy.
Policy RURAL.5 Effects of Rural Land Development	The applicant has identified that the land can be converted to dairying in a manner which enables the existing soil properties to be enhanced, through the reduction in area used for cropping and intensity of land use (wintering versus dairying). This, alongside the proposed mitigations, including fencing and planting of waterways helps to minimise soil erosion, compaction and nutrient losses, while also providing for the maintenance and where possible enhancement of water quality. There are no known areas of indigenous biodiversity that will be affected by the proposed conversion to dairying.
Overall Assessment: Overall we considered that the application by Schrader Mains Limited is consistent with the objectives and policies of Chapter 5: Rural Land/Soils the Proposed Southland Regional Policy Statement (2012) – Notified Decision dated 6 June 2015.	
Chapter 6: Biodiversity	
Objective/Policy	Assessment
Objective BIO.1 Understand and Identify	The property does not contain any areas of indigenous biodiversity, therefore there is no risk of further loss in this instance.

Objective BIO.2 Maintain and Protect	No areas of indigenous biodiversity have been identified on the property, therefore the proposal is not inconsistent with this objective.
Objective BIO.3 Restore and Enhance	No areas of indigenous biodiversity have been identified on the property, therefore there is limited opportunity for restoration or enhancement of these areas.
Policy BIO.1 Identification of Significant Areas	No areas of indigenous biodiversity have been identified on the property, therefore the proposal is not inconsistent with this policy.
Overall Assessment: Overall we considered that the application by Schrader Mains Limited is consistent with the objectives and policies of Chapter 6: Biodiversity the Proposed Southland Regional Policy Statement (2012) – Notified Decision dated 6 June 2015.	

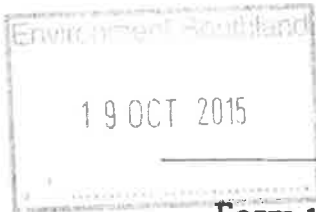
I trust that the information set out above satisfies the request for further information, however if you have any further queries, please do not hesitate to contact me at any time.

Yours sincerely,



Kate Scott
For Schrader Mains Ltd.

Submissions



Form 13: Submission on publicly notified application concerning resource consent

Resource Management Act 1991

To: Southland Regional Council

Name of submitter: Lewis Sanson, Director-General of Conservation

Applicant: Schrader Mains Ltd

Description of activity: Land use consent – to convert land to dairy farming
Discharge permit – to discharge effluent to land from up to 306 cows
Water permit – to take up to 36,720 litres of groundwater per day from a bore

Application number: APP-20158099

My submission relates to: Land use consent and discharge permit

My submission is: I neither support nor oppose these applications.

The reasons for my submission are:

Cumulative effects of land use and discharge on ground and surface water quality, wetlands and ecosystems:

The farm is located in the Waituna Creek catchment a tributary of Waituna Lagoon. Waituna Lagoon is part of the Awarua wetland complex which is a Ramsar wetland of international importance. The Lagoon and its margins are included in the Waituna Wetlands Scientific Reserve managed by the Department of Conservation, which contains significant indigenous biodiversity values of aquatic and terrestrial flora and fauna, and it is one of the best examples of its kind in New Zealand currently.

The Department of Conservation, under the Conservation Act is responsible for the preservation so far as is practicable of all indigenous freshwater fisheries, and protection of recreational freshwater fisheries and freshwater fish habitats.

It is well known and accepted in the community that ecological functioning of Waituna Lagoon is being compromised by reductions in water quality in tributary streams including Waituna Creek. The main driver of this decline in water quality is the intensification of land use and land use change in the Waituna Lagoon catchment.

In recent years there has been increasing concern that Waituna Lagoon is nearing an ecological shift from the desirable clear water, macrophyte dominated system to an undesirable turbid, algal and phytoplankton dominated system as a result of increased nutrient (N and P) enrichment and sediment deposition. As a result the Lagoon is sensitive to any change in catchment land use which may increase nutrients or sediment loads. Such a change will result in a loss of the Lagoons life supporting capacity with loss of macrophytes and potentially freshwater fish populations.

Regional Council water quality monitoring of the Waituna Creek catchment demonstrates that the quality of water in the catchment regularly breaches guideline levels for aquatic species protection for a number of common contaminants. The Waituna catchment is considered to be over-allocated in terms of water quality, to use the terminology from the National Policy Statement for Freshwater Management 2014, based on current inputs of contaminants from land uses.

Due to the risk intensive agricultural activities pose to the water quality of the catchment, the Department expects that any proposal to convert to new dairy farming in this catchment would involve management practices to limit as far as practical the loss of nutrient to water from that activity and the introduction of additional dairy cows into the catchment will not risk further detrimental effects on the

catchment. Activities that can demonstrate a positive benefit to water quality and therefore the health of the catchment are preferred.


I acknowledge that the application details a considerable amount of good management practise to be implemented on farm as part of this dairy conversion. It is consider appropriate that, as this application relies heavily on the modelling demonstrating that there will not be a significant increase in nutrient loss from the property following conversion, the applicant should be held to those management practices that are inherent in the modelling and the management plans included in the application. The conditions of consent, should the application be granted, should reflect this and provide detail on the mitigations proposed through this application. This is considered necessary to guard against the situation where in future the applicant finds some of the management practices and mitigations not to be practical or not able to be implemented. This would potentially lead to losses to water exceeding the predicted level in the application and the potential for an increase in cumulative effects on the water quality.

A shorter term of consent is also considered to be appropriate given the sensitive nature of the catchment, the current over allocated state of the catchment in terms of water quality, and the likely effect on this activity of future land use controls implemented via the regional plan.

Decisions sought:

That should the application be granted for this proposed activity that the best practice mitigations inherent in the overseer modelling and the management plans included with the application be included as conditions of consent to ensure that the modelled nutrient losses can be achieved and effects of this activity on water quality may be minimised.

I do not wish to be heard in support of my submission.


.....
Rosalind Cole DONNA SHEPARD
Operations Manager, Murihiku District
Department of Conservation
Acting pursuant to delegated authority

ACTING

16/10/15
.....
Date

Note: A copy of the Instrument of Delegation may be inspected at the Director-General's office at Conservation House Whare Kaupapa Atawhai, 18 - 32 Manners Street, Wellington 6011

Address for service:
RMA Shared Services
Department of Conservation
Private Bag 4715
Christchurch Mail Centre 8140
Attn: Geoff Deavoll

Kylie Haberfield

From: Courtney Keen on behalf of Facility Manager
Sent: Friday, 16 October 2015 3:56 p.m.
To: Kylie Haberfield
Subject: FW: SUBMISSION RE: APP20158099 Schrader Mains LTD – Convert land to Dairy farming
Attachments: APP20158099 Schrader Main LTD Submission on publicly notified application concerning resource consent.pdf

From: Shay Van Der Hurk [<mailto:svanderhurk@doc.govt.nz>]
Sent: Friday, 16 October 2015 3:55 p.m.
To: Facility Manager
Cc: Geoff Deavoll
Subject: SUBMISSION RE: APP20158099 Schrader Mains LTD – Convert land to Dairy farming

Good afternoon

RE: APP20158099 Schrader Mains LTD – Convert land to Dairy farming.
Please find attached a submission by the Director General of Conservation.

Many thanks

Shay van der Hurk
Ranger Community
Department of Conservation - *Te Papa Atawhai*
T:+64 3 211 2467

Conservation for prosperity *Tiakina te taiao, kia puawai*

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15 October 2015

Environment Southland
Private Bag 90116
Invercargill

Attention: Joanna Gilroy – Consents Officer

Dear Joanna

Schrader Mains Limited – Dairy conversion, discharge and water permit application APP-20158099

Please find enclosed a submission on behalf of Fish & Game New Zealand – Southland Region in response to the publically notified application by Schrader Mains Limited for a land use consent to convert land to dairying, water permit to take groundwater and discharge permit to discharge effluent to land.

I understand that submissions close at 4:30pm on Friday, 15 October 2015.

A copy of this letter and accompanying submission has been posted to the Kate Scott at Land Pro on behalf of the applicant.

Yours sincerely

Jacob Smyth
Resource Management Officer
Fish & Game New Zealand – Southland Region

Enc: Written submission of Fish & Game New Zealand – Southland Region dated 15 October 2015.

Cc: ~~Land Pro
PO Box 302
Cromwell 9342~~

Attention: Kate Scott - Director

Statutory managers of freshwater sports fish, game birds and their habitats

Southland Region

PO Box 159, Invercargill 9840, New Zealand. Telephone (03) 215 9117 Facsimile (03) 215 9118 Email southland@fishandgame.org.nz
www.fishandgame.org.nz

Submission on a Notified Application for a Resource Consent

To: The General Manager
Environment Southland
Private Bag 90116
Invercargill 9840

Consents Officer: Joanna Gilroy – Consents Officer

Name of submitter: Fish & Game New Zealand – Southland Region (Fish & Game)
PO Box 159
Invercargill 9825

Name of Applicant: Schrader Mains Ltd (the Applicant)

Application: APP-20158099

Purpose: New dairy farming operation

Description of activity: Land use consents, discharge permit and water permit

Location: 514 Rimu – Seaward Downs Road at NZTM grid reference 1264644 East, 4851103 North

The site is to the south west of Woodlands and is within the Waituna Creek catchment

Legal description of site: Sections 7 and 49 Block II Oteramika HUN, Lot 1 DP 12478 and Part Sections 5-6 Block I Oteramika HUN ('the property')

Our submission relates to: The whole application

Our submission is: We oppose the application

Our reasons for comments are:

The proposal is to convert land in the Waituna Creek catchment to a new dairy farm, apply farm dairy effluent (FDE) to land and take groundwater for shed use and stock drinking water. Waituna Creek is the largest tributary of Waituna Lagoon with a total catchment area of approximately 106 square kilometres.

The Waituna catchment has significant fish and game values. Specifically:

1. It is a sensitive catchment draining into the Waituna wetland. This includes Waituna Lagoon, which is a coastal lagoon that is intermittently open to the sea.
2. Waituna wetland supports a significant population of native and introduced waterfowl, including game species that have been hunted since the late 19th century during the annual game bird hunting season.

3. Waituna Lagoon and its tributaries support a regionally significant brown trout fishery which offers coastal lagoon angling opportunities, especially when river systems in the Southland region are in flood.

The 2007 / 2008 National Angling Survey¹ provides that 1,840 ± 410 angler days were spent on Waituna Lagoon during the 2007 / 2008 angling season.

The tributaries of Waituna Lagoon (Waituna, Moffat and Carrans Creeks and their tributaries) provide critical spawning habitat for the brown trout fishery. In this case:

- a. The property is intersected by a tributary of Waituna Creek commonly known as McMillan Creek; and
- b. Spawning surveys conducted by Fish & Game show that McMillan Creek is one of the most productive brown trout spawning tributaries in the Waituna Lagoon catchment. As such, it provides valuable spawning and juvenile rearing habitat and plays an important role in productivity of the Waituan brown trout fishery.

In July 2015, Fish & Game referred a complaint that was passed onto the Compliance Division at Environment Southland in relation to insitu grazing of fodder crop on the property that was causing overland flow of sediment into McMillan Creek.



Figure 1 – Photo passed onto Environment Southland in July 2015

¹ Unwin M. and Image K. (April 2009) 'Angler usage of lake and river fisheries managed by Fish & Game New Zealand: results from the 2007/08 National Angling Survey', NIWA, Appendix 1.

4. Waituna wetland, including Waituna Lagoon and its tributaries, provide important spawning grounds and habitat for a number of indigenous fish species, including: giant and banded kōkopu, varieties of flat fish, eels, lamprey, whitebait, freshwater mussel and freshwater crayfish.

In addition, Waituna Lagoon is popular for other recreational pursuits such as walking, boating, kayaking and scientific appeal.

The significance of the Waituna catchment is recognised insofar as:

1. The Waituna Wetland was designated in 1976 as a Ramsar Wetland of International Importance with respect to its waterfowl and wading bird habitat. The wider wetland complex was subsequently included in 2008. Great diversity of wildlife is associated with the Waituna wetland complex.
2. In 1983 Waituna Lagoon and the immediately surrounding wetland (an area of 3,500ha) was designated as the Waituna Wetland Scientific Reserve
3. Waituna Wetland has a statutory acknowledgement under the Ngāi Tahu Claims Settlement Act 1998 which recognises Ngāi Tahu's cultural, spiritual, historic and traditional association to Waituna.
4. Waituna Scientific Reserve is identified as a regionally significant wetland in Southland in Appendix B of the RWP.

Position on the Applications:

Activity status

The applications have been notified as follows:

1. Land Use Consent:
 - a. To convert land to dairying - discretionary activity under transitional Rule 17(a) of the Regional Water Plan for Southland (the RWP);
 - b. To construct an effluent pond – restricted discretionary activity under Rule 49(a) of the RWP; and
 - c. To construct a bore – controlled activity under Rule 22(a) of the RWP.
2. Discharge Permit: To discharge dairy shed and stand off / feed pad effluent to land from up to 250 cows by low rate system onto land – discretionary activity under Rule 5.4.6 of the Regional Effluent Land Application Plan.
3. Water Permit: To take up to 36,720 litres/day of groundwater from a bore - discretionary activity under Rule 23(d)(ii) of the RWP.

In response:

1. The discharge permit should be assessed as a discretionary activity under Rule 50(e) of the RWP in circumstances where it is a new application post 17 July 2010 and is within a catchment which feeds into Waituna Lagoon, which is classified as a Lowland / Coastal Lakes and Wetlands in Appendix D. Further, the application anticipates at page 7 discharging feed pad effluent to land, which is a discretionary activity under Rule 5.4.6 of the Regional Land Effluent Application Plan. Overall, the discharge permit application should be assessed as a discretionary activity; and
2. In circumstances where all three consents sought are reliant on each other, they should be assessed together under the highest activity status, and therefore should be considered as discretionary activities.

Under s.104B of the RMA Environment Southland may grant or refuse consent. If consent is granted conditions may be imposed under s.108 of the RMA.

Actual and potential effects on the environment

Water permit

The proposed abstraction is 36,720 litres/day, which equates to 120 litres/cow/day and is consistent with the Council's standard estimate for dairy operations for combined dairy shed use (50 litres/cow/day) and stock drinking water (70 litres/cow/day).

Discharge permit and land use consent - conversion

The potential adverse effects of the proposed conversion and discharge of dairy effluent onto land onto land include: contamination of groundwater, odour, effects on soil structure and fertility and contamination of watercourses.

Soils

The application provides that:

1. Dacre (16ha) and Woodlands (84ha) soil types have been identified within the farm boundary. The Dacre soils are found mainly in the vicinity of the waterways intersecting the property; and
2. Kapuka soils are the main soil type across the farm and effluent disposal area, with an area of Mokotua soils inter-fingered with Kapuka soils in the Northeast corner.

The disposal area is classified as Categories A and B land according to the soil / landscape categories in Map 1 of Appendix 1 of the RWP. Categories A and B land are considered high risk for receiving FDE. Category A is artificially drained land and the main risk of these soils is the ability of the drainage systems to rapidly transport nutrients to water bodies. Category B land is impeded drainage or low infiltration rate land and the main risk is over land flow.

The soils identified in the application have the following properties²:

² <http://gis.es.govt.nz/soil-classification/index.aspx>

Table 1 – Topoclimate soil types and vulnerability factors

Soil type	Vulnerability factors		
	Structural compaction	Nutrient leaching	Waterlogging
Dacre	Moderate	Slight	Severe
Woodlands	Moderate	Slight	Moderate

The soil versatility of the applicant's property has been assessed as 10. The score of 10 indicates that the property falls within Category 1, however in this case careful consideration needs to be given to the sensitivity of the receiving environment.

Catchment

The proposed new dairy farm and FDE discharge area is located within the Waituna Creek and Lagoon catchments. The Waituna Creek catchment is monitored by Environment Southland at Marshall Road, i.e. downstream of the applicant's property for the purposes of characterizing water quality state and assessing trends at a regional scale. The table below gives the water quality annual medians at the Marshall Road SOE monitoring site on Waituna Creek.

Table 4 – Surface water quality monitoring for Waituna Creek at Marshall Road – Annual Medians³

Year	Total Ammoniacal Nitrogen g/m ³	Total Nitrogen g/m ³	Nitrate Nitrogen g/m ³	Total Phosphorus g/m ³	Dissolved Reactive Phosphorus g/m ³	E-coli CFU/100 ml
2002/03	0.057	2.25	1.55	0.025	0.025	215
2003/04	0.115	1.8	1.045	0.0885	0.022	340
2004/05	0.054	2.05	1.5	0.0578	0.0218	540
2005/06	0.079	2.05	1.20	0.075	0.015	375
2006/07	0.064	1.60	0.88	0.052	0.015	550
2007/08	0.039	1.85	1.17	0.039	0.013	145
2008/09	0.035	2.90	2.30	0.059	0.016	350
2009/10	0.0365	2.35	1.585	0.053	0.018	230
2010/11	0.25	4.8	3.0	0.144	0.035	3000
2011/12	0.093	2.2	1.415	0.058	0.015	600
ANZECC	0.021	0.614	0.444	0.033	0.010	260 ¹

The annual medians show that water quality in Waituna Creek consistently exceeds the ANZECC standards, which exist to provide for ecosystem protection, for each parameter measured.

Monitoring of Waituna Lagoon over the last 10 years has shown a rapid decline in lagoon condition to the point that it has deteriorated to a degraded condition. Recommendations from the Waituna Lagoon Technical Group (LTG), convened by the Council to provide advice and guidance on management of the Waituna Lagoon, are that:

³ Staff Report for Hearing of App-20146534 by Marshall Road Farm Trustee Limited, August p.13.

1. Waituna Lagoon is in an unstable ecological state and requires active management to improve its ecological condition and reduce the risk of further degradation. Specifically, Waituna lagoon currently exhibits symptoms of eutrophication that are consistent with a high risk of the highly valued system shifting to an algal-dominated state; and
2. It is necessary to significantly reduce current nutrient and sediment inputs from the catchment to ensure the long-term viability of the Waituna Lagoon, which equates to a 50% catchment load reduction for both nitrogen and phosphorus.⁴

To use National Policy Statement for Freshwater Management 2014 (NPS for FWM) water quality terminology, the Waituna catchment, including its Lagoon, is over allocated from a water quality perspective.

Nutrient budget

The applicant has modelled nutrient losses using Overseer from the new dairy farming activity based on up to 306 milking cows versus the status quo, i.e. dairy grazing and beef.

Table 3 – Summary of nutrient outputs

	Total N loss (kg N/yr)	N loss (kg N/ha/yr)	Total P loss (kg P/yr)	P loss (kg P/ha/yr)
Status quo	3,798	35	44	0.4
Proposed conversion	3,233	29	71	0.6

The nutrient budget predicts a long term scenario of N losses of 29kg/ha/yr and P losses of 0.6kg/ha/yr over the entire farm (110ha). The application suggests the conversion scenario will provide a better outcome in terms of nutrient losses than the existing activity and hence will improve water quality.

In this case:

1. Overseer calculates an annual nutrient budget that represents the long term annual average if the management system described remained in place. Accordingly, Overseer assumes that:
 - a. 'Good management practices' have been implemented on the farm;
 - b. The inputs, such as stocking rates and rate / timing of fertiliser applied, are correct; and
 - c. Specific 'good management practices' selected as additional measures have been implemented on the farm if selected.

The application does not provide detail on:

⁴ Waituna Lagoon Technical Group, *Ecological Guidelines for Waituna Lagoon*, December 2013, pp. 16 – 18.

- a. What, if any, audit or review of the operation is proposed to ensure that the modelled leaching rates remain in place and further intensification resulting in increased nutrient loss does not occur over time.

Previous research by Monaghan and De Klein (2014) in five regionally representative catchments where land use was dominated by dairy farming (including the Bog Burn in Southland) showed nitrogen losses increased at a compounding rate of 2% per year over a 10 year period⁵

There is reference in the application to using a stand-off pad to facilitate restricted grazing as a mitigation, however the proposed stand-off pad is small (17m x 21m = 317m²) relative to the size of the proposed herd (up to 306 lactating cows) and unlikely to be sufficient to accommodate it. In comparison, Dairy NZ recommends a stand-off pad sizes of 5m²/cow for standard cross-bred size cows for short term use (up to 12 hrs/day and up to 2 days in a row) and 15 – 20m²/cow for long term use (+12hrs/day and 3 or more days in a row).⁶ Further, no stand-off pad and restricted grazing regime is included in Overseer modelling. Restricted grazing research from South Otago shows that preventing cows from grazing on wet soils during spring has a large benefit on soil structure and pasture production in the long-term, however this requires cows to spend a significant amount of time off-paddock.

- b. Where the majority of cows (216) are to be wintered off farm. No detail is provided as to whether these cows are to be wintered off farm in or outside the Waituna catchment.
- c. The accuracy of the annual losses modelled by Overseer under two differing scenarios; and
- d. How and when the bulk of leached N and P from the proposed conversion is transported to ground / surface water and whether this could be further mitigated.

In this case, the property is underlain by a network of subsurface tile drains discharging to tributaries of Waituna Creek, i.e. surface water bodies. Research by Environment Southland provides that:

- i. Because of the soil type and the relatively low-lying topography, developed land in the Waituna catchment includes extensive artificial drainage (mole, tile and surface drains) resulting in significant modification of the natural hydrology. Due to artificial drainage, water now flows much more rapidly to streams thereby reducing summer stream flows and reducing the opportunity for natural biochemical processes to improve water quality⁷

⁵ Snelder, T and Ledgard, G. March 2014, *Assessment of farm mitigation options and land use change on catchment nutrient contaminant loads in the Southland Region* – Prepared for Southland Regional Council, Report No C13055/04, p. 2.

⁶ http://www.dairynz.co.nz/media/667797/dairynz_stand_off_pads_booklet.pdf

⁷ C Rissman, K Wilson & B Hughes, *Waituna Catchment Groundwater Resource - Technical Report*, Environment Southland, 2012, p. 17.

- ii. The Northern Waituna Zone (Waituna Creek catchment north of Mokotua) has relatively good groundwater quality compared to Southland-wide norms. Excluding tile drainage, which is elevated in nutrients, shallow aquifers across the Northern Waituna Zone show little impact from intensive land use.⁸ This suggests that tile drainage in the Northern Waituna Zone is a significant contributor of nutrients.

Research at the Southland Demonstration Farm Southland at Wallacetown indicates that:

- i. The majority of N leaching to surface water occurred during spasmodic events when farm drains were running and the receiving water body was flowing fast; and
- ii. During the period from January – December 2012, most N leaching losses occurred between May and the end of July.⁹

The above research suggests that in terms of seasonality the majority of nutrient leaching is likely to occur during the shoulders of the milking season and winter period. This raises issues in terms of the timing and frequency of monitoring because simply taking spot readings during dry conditions could lead to inaccurate conclusions about the effect of the proposed conversion on surface water quality.

2. N loss of 29kg/ha/yr from the proposed dairy platform is not low on a kg/ha/yr basis, particularly in a catchment where a 50% reduction is required in the N load entering the lagoon to restore moderate ecological functioning.

As yet, no statutory body has acted to develop nutrient loading limits to address issues raised in the Waituna catchment or other catchments in Southland. However, Environment Southland intends to commence catchment limit setting for the Waituna catchment (in conjunction) with the Maitua catchment from July 2017. No consideration is given in the application to:

- a. The possibility that the applicant may be required to reduce their modelled losses should future planning instruments require reductions; or
 - b. Alternative land uses, which would result in lower nutrient leaching.
3. The review of the application undertaken by Jens Rekker of Lincoln Agritech raises a number of issues in relation to the Overseer modelling.¹⁰ As yet, no peer review of the Overseer modelling has been undertaken by Environment Southland. Fish & Game is reliant on Environment Southland to provide information on whether the predicted nutrient losses are justified and have a sound basis.

⁸ Ibid, p. 91.

⁹ KC Cameron, HJ Di, A Roberts, N Beale, J Weir and N Borrie. *Monitoring effects of southland demonstration farm on stream water nitrate*. In *Nutrient management for the farm, catchment and community*. (Eds L.D. Currie and C L. Christensen). <http://flrc.massey.ac.nz/publications.html>. Occasional Report No. 27. Fertilizer and Lime Research Centre, Massey University, Palmerston North, New Zealand. 6 pages.

¹⁰ Jens Rekker, Lincoln Agritech, *Technical Review of Consent Application Documentation and Assessment of Effects on the Environment*, 24 July 2015, pp. 3 – 4.

4. If granted, conditions should be imposed that limit the applicant's nutrient leaching in line with modelling and prohibit further intensification resulting in increased leaching. Conditions should specifically include:

- a. That the remainder of the applicant's herd (216 cows) cannot be winter grazed within the Waituna catchment.
- a. Monitoring of nutrient and sediment losses, especially during the shoulders of the milking season and winter; and
- b. Annual audit or review of the applicant's nutrient leaching.

Fish & Game considers that the proposed conditions are required to give effect to:

- a. The purpose of sustainable management defined in Part 2 of the RMA;
- b. Sections 6(a), 6(b), 6(c), 7(aa), 7(b), 7(c), 7(d), 7(f), 7(g), 7(h), 30(1)(c)(ii) and 107 of the Resource Management Act.
- c. The objectives and policies of the National Policy Statement for Freshwater Management (2014) including:
 - i. Policies A2, A3 and A4 which require Environment Southland to set objectives and limits to assist improvements of water quality in water bodies;
 - ii. Policies B5 and B7 which seek to protect the life-supporting capacity of freshwater resources; and
 - iii. Policy C1 which requires integrated management of freshwater and land use.
- d. Policies 13 and 14 of the New Zealand Coastal Policy Statement 1994, which are designed to protect the coastal environment from inappropriate use and development.

Policies 13 and 14 refer to the protection of not only the natural character of the coastal environment, but the biophysical and ecological character. Policy 14 requires the identification of area and opportunities for restoration and rehabilitation.

- e. The objectives and policies of the RWP, including objectives 2, 4, 9C and 10 and Policies 3, 4, 25, 31A, 31C, 38, 42 and 43 and Appendix A of the RWP.

Objectives 2 and 4 and Policy 3 seek to ensure that water quality is not further degraded as a result of the discharge activity. The application is not consistent with these objectives from a property perspective or from a cumulative perspective taking into account the wider catchment.

Policy A4 of the NPS for FM, which has been inserted in the RWP, requires consideration of the extent that contamination of water will be avoided.

Consent duration

The applicant seeks effluent discharge and groundwater abstraction consents of 15 years duration, principally to reflect the applicant's need for security and degree of investment. In response:

1. There is a need to match the consent duration for the discharge permit to the level of risk of adverse environmental effects, the quality of water resources that could be impacted and knowledge of water resources in the area. In this case, the Waituna Lagoon catchment is significantly over allocated from a water quality point of view due to the effects of intensive land use. A 50% reduction in nutrient loading in the Lagoon is required to restore moderate ecological functioning; and
2. Effluent discharge consents in the Waituna catchment have largely been granted for 10 years duration. Most recently, Milk Powder Ltd (APP-20147087) was granted a permit of 10 years duration to discharge dairy effluent to land in the Kapuka South area in the Waituna catchment as part of a new dairy conversion.¹¹ Conversely, effluent discharge consents in the Waituna catchment have been granted for as little as 5 years.

If granted, the applicant's discharge permit should be restricted to 10 years duration. The applicant's investment is unlikely to be prejudiced by a consent duration less than 15 years in circumstances where amendment to s 104(2A) of the Act in 2005 requires decision makers to have regard (subject to Part II) to the value of the investment of the existing consent holder, when considering renewal of a resource consent.

Decision We Wish the Council to Make:

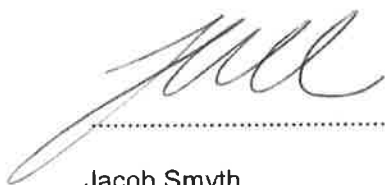
That the application be declined.

Fish & Game wishes to be heard in support of its submission at a hearing if needed.

Fish & Game wishes to be involved in any pre-hearing meeting that may be held for this application.

If others make a similar submission, Fish & Game will consider presenting a joint case with them at a hearing.

Fish & Game has served a copy of its submission on the applicant.



Jacob Smyth
Resource Management Officer
Fish & Game New Zealand – Southland Region

Date: Thursday, 15 October 2015

¹¹ Application APP-20147087 by Milk Powder Ltd - Decision of Commissioners Nugent and Ryder, 10 April 2015.

Cc: BTW South Ltd
PO Box 302
Cromwell 9342

Attention: Kate Scott

15 October 2015

Consents Section

Environment Southland
Private Bag 90116
Invercargill

Tēnā koe, Joanna

RE: Submission on Resource Consent Application – Shrader Mains Ltd APP-20158099, 514 Rimu Seawards Downs Road.

Please find attached a submission lodged by Te Ao Marama Inc. on behalf of Te Rūnanga o Waihopai and Te Rūnanga o Ngāi Tahu to the resource consent applications being sought by Shrader Mains Ltd to convert land to dairying, to construct an effluent pond, construct a bore, to discharge dairy shed and standoff/ feed pad effluent to land from up to 306 cows and a water permit to take up to 36720 litres of groundwater per day.

We trust the information contained within the submission is sufficient; however, should you wish to discuss any aspect further, please do not hesitate to contact me.

Naku noa,

Nā



Stevie-Rae Blair
Te Ao Marama Inc
Junior Māori Environmental Officer

To: Southland Regional Council
Private Bag 90166
Invercargill

Name of submitters: Te Ao Marama Inc. on behalf of Te Rūnanga o Waihopai and Te Rūnanga o Ngāi Tahu (collectively referred to as Ngāi Tahu).

1. This is a submission for the application from Shrader Mains Ltd to:

Seek consent for:

Land Use Consents:

to convert land to dairying. The proposal is a discretionary activity under transitional Rule 17(a) of the Regional Water Plan for Southland. To construct an effluent pond. The proposal is a restricted discretionary activity under Rule 49 (a) of the Regional Water Plan for Southland. To construct a bore. The proposal is a controlled activity under Rule 22(a) of the Regional Water Plan for Southland.

Discharge Permit :

To discharge dairy shed and standoff/ feed pad effluent to land from up to 306 cows. The proposal is a discretionary activity under Rule 5.4.6 of the Regional Effluent Land Application Plan.

Water Permit

To take up to 36,720 litres of groundwater per day. The proposal is a discretionary activity under Rule 23(d)(ii) of the Regional Water Plan for Southland.

Purpose: Dairy Farming Operation.

2. The Ngāi Tahu submission relates to the whole of the applications
3. Ngāi Tahu wishes the application to be declined
4. Ngāi Tahu wishes to be heard in support of its submission
5. If others are making a similar submission, Ngāi Tahu will consider presenting a joint case with them at a hearing.
6. A copy of this submission has been sent to the applicant.

Signed for and on behalf of Te Rūnanga o Waihopai and Te Rūnanga o Ngāi Tahu

A handwritten signature in black ink, appearing to be 'SRB' followed by a long horizontal line.

Stevie-Rae Blair
Junior Māori Environmental Officer
Te Ao Marama Inc
408 Tramway RD
Invercargill

15 October 2015

Introduction

1. This submission is made on behalf of Te Rūnanga O Waihopai and Te Rūnanga o Ngāi Tahu collectively referred to as Ngāi Tahu

Papatipu Rūnaka

2. The Te Rūnanga o Ngāi Tahu Act 1996 (the TRoNT Act) and the Ngāi Tahu Claims Settlement Act 1998 (the Settlement Act) give recognition to the status of Papatipu Rūnanga as kaitiaki and manawhenua of the natural resources within their takiwā boundaries.

3. The consent application proposals relate to the consent renewal for discharge and water permits of a dairy farm within the takiwā of Te Rūnanga o Waihopai.

Te Rūnanga o Ngāi Tahu

4. Te Rūnanga o Ngāi Tahu is the tribal representative body of Ngāi Tahu Whānui. It is a body corporate established under section 16 of the TRoNT Act. Section 15(1) of the TRoNT Act states:

Te Rūnanga o Ngāi Tahu shall be recognised for all purposes as the representative of Ngāi Tahu Whānui.

5. In paragraph 7 of section 6 of the Settlement Act (recording the Crown's apology) Ngāi Tahu is recognised "as the tangata whenua of, and as holding rangatiratanga within, the Takiwā of Ngāi Tahu Whānui." It has therefore been clearly affirmed in statute that Te Rūnanga o Ngāi Tahu is the sole representative of Ngāi Tahu Whānui, the iwi that is tangata whenua within the Ngāi Tahu Takiwā.
6. The attention of Environment Southland is respectfully drawn to the special status of Te Rūnanga o Ngāi Tahu. Te Rūnanga o Ngāi Tahu notes that this submission should not be treated as a single submission, in the manner customarily adopted, but should be accorded the status and weight due to the tribal collective, Ngāi Tahu Whānui, which it represents.
7. There are currently over 54,000 members of Ngāi Tahu Whānui whose names are registered on the roll in accordance with section 8 of the TRoNT Act and this number continues to grow.
8. Notwithstanding its statutory status as the representative voice of Ngāi Tahu Whānui "for all purposes", Te Rūnanga o Ngāi Tahu accepts and respects the right of individuals and Papatipu Rūnanga to make their own submissions.

General Position

9. Ngāi Tahu is supportive of development within its takiwā, provided activities are undertaken in ways which respect the receiving environment and do not adversely affect Ngāi Tahu cultural values, customs and their traditional relationship with land and water.
10. However, Ngāi Tahu understands that this application wishes to apply for consent convert land to dairying, to construct an effluent pond, construct a bore, to discharge dairy shed and standoff/ feed pad effluent to land from up to 306 cows and a water permit to take up to 36720 litres of groundwater per day within the Waituna Lagoon Catchment.
11. Waituna Lagoon is of immense cultural significance to both Ngā Rūnanga and to Te Rūnanga o Ngai Tahu as a whole. The significance of the lagoon to tangata whenua has been recognised by the Crown and is now a Statutory Acknowledgment under the Ngāi Tahu Settlement Act.
12. Ngāi Tahu also understand that the Waituna Lagoon is a part of the wider internationally recognised Waihopai Wetland complex which has been afforded international recognition as being a RAMSAR site.
13. In addition, Ngāi Tahu understand that the Waituna Lagoon is under pressure, and is in real risk of changing from an aquatic plan dominated system to an algae dominated system. This change in state is commonly referred to a 'flipping'. To avoid this occurring a number groups have been initiated to implement actions on the ground. Ngāi Tahu are a part of the Waituna Partnership which is currently seeking ways to ensure that the lagoon does not flip and that water quality within the catchment is improved.
14. There has been a poor compliance record on the farm and measures must be put in place to address this.

We wish the consent authority to make the following decision

15. If council is of a mind to grant the application, stringent conditions need to be imposed which will ensure water quality within the catchment improves and overall performance on the farm improves. We request the conditions hold the applicant to the on farm mitigations that the applicant states will be implemented to minimise nutrient loss to water, therefore enhancing the Iwi and Community values within the catchment and lagoon.

A copy has been served on the applicant.