

Our reference: APP-20181917
Enquiries to: Joanna Gilroy
Email: joanna.gilroy@es.govt.nz



11 January 2019

South Pro Maitland Limited
C/- Grant & Camille Taylor
371 Piako Road
R D 1
Hamilton 3281

Dear Grant and Camille

Request for Further Information under Section 92(1) of the Resource Management Act 1991 - Application for a land use consent for farming and discharge of effluent to land.

Thank you for lodging an application to use land for farming and to discharge effluent to land at 131 Garden Gully Road, Gore. I require further information before the application can be notified or a determination can be made on your application. This information is what I raised with you and Nessa via email in late 2018, no additional matters have been raised.

Please provide^[1], in accordance with Section 92(1) of the Resource Management Act, the following information:

Infrastructure

- Confirmation that the sludge beds are fit for use and that the use of them is a permitted activity. This means that they need a drop test undertaken by a suitably qualified person.

This is required as sludge beds come under the definition of 'agricultural effluent storage facilities' for the purpose of the rule (they are not treated as storage for the purpose of the effluent system). Storage of agricultural effluent (as opposed to the discharge of agricultural effluent) is now managed in the decisions version of the pSWLP in Rule 32D.

Existing use rights for these structures¹ do not apply because the effects of the activity are not the same or similar in character, intensity and scale to the effects

¹ under Section 20A of the RMA

that existed before the rule took legal effect as you are applying to increase your cow numbers.

Nutrient budget

- The nutrient budgets for your application have been sense checked by a Certified Nutrient Management Advisor. A copy of this report is attached.

One of the matters that came up in this review is concerns about the increase in pasture production and the reduction in N fertilizer inputs. This means that there may be a shortfall in feed and additional supplements may be required. As a result modelled losses of nitrogen may change from what is currently predicted.

Can you please provide a response to points 37, 38 and 43 of the attached review, or submit a revised nutrient budget which includes increased supplements to account for the shortfall in feed which is predicted to occur.

Use of land for farming

- An explanation and assessment of the specific mitigation measures for the use of land for farming and their effectiveness.

There needs to be a clear definition between what is a mitigation measure and what is a good management practice. A large number of matters listed as mitigations, are considered to be good management practices and are expected by the plan (and assumed by Overseer), and are also representative of the current practices occurring on farm.

We consider that GMP can be quite general, but specific mitigations are the measurable “things” that are done on farm that go “above and beyond” to mitigate a specific effect.

- An assessment of effects of the use of land for dairy farming. The assessment of effects provided with the application details what activities are occurring currently and what will be occurring moving forward, but it doesn't tell me what this means for the surrounding environment.

What you need to do

Under Section 92A of the RMA you have until 15 working days from the date of this request, which we calculate to be 31 January 2019, to either provide the information, tell the Council, in writing, either that you agree to provide the information or that you refuse to provide the information.

If you refuse to provide the information requested, or if you do not respond to this request, the Council may decline the application on the grounds that it has inadequate information to determine the application.

Next steps

Notification and the determination of your application is postponed until receipt of this information. The next step after responding to this request is for me to make a recommendation about if your application should be publically notified or not. If I think that your application should be publically notified I will be in touch before this recommendation is made. Attached to this letter is some information about public notification.

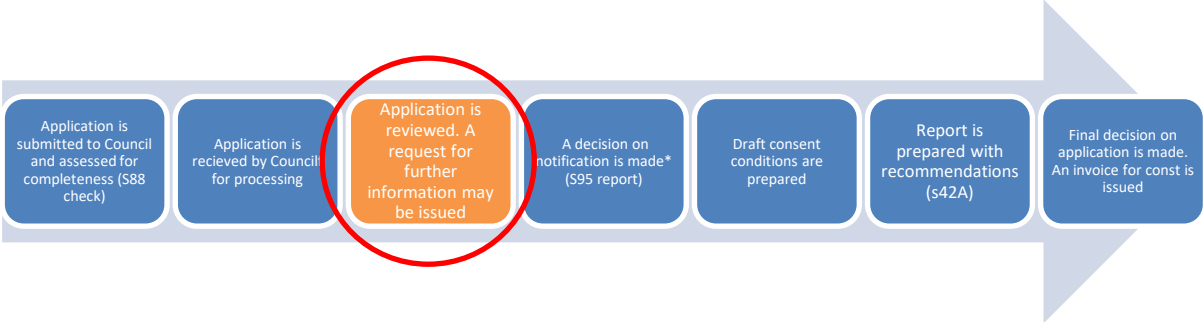
Please contact me if you have any questions regarding this request.

Yours sincerely



Joanna Gilroy
Team Leader Consents

Your application is here in the consent process:



*If your application is assessed as needing to be limited or publically notified, you will be contacted regarding the process for these pathways.

CC: Dairy Green Limited, C/- Nessa Legg, P O Box 5003, Waikiwi, Invercargill 9843