BEFORE THE HEARING PANEL OF SOUTHLAND REGIONAL COUNCIL

In the matter	The Resource Management Act (RMA, 1991)
And	
In the matter of	Resource Consent Application's including land use permits, water permits and discharge permits (APP-20191140)
By	Woldwide Four Limited and Woldwide Five Limited

STATEMENT OF EVIDENCE OF

AURORA GRANT AND ALEX ERCEG

REPORTING OFFICERS

4 November 2019

Introduction

1. This statement of evidence is filed in accordance with the directions issued by the Panel dated 7 and 11 October 2019.

2. This statement addresses the evidence provided by the Applicant on 18 October 2019.

Background

3. Dr Freeman provided a statement of evidence that was to summarise the outcome of the technical caucusing on matters relating to the application, respond to any outstanding relevant technical and planning matters and provide initial feedback on the draft conditions put forward prior to the hearing including an outline of a proposed groundwater quality monitoring programme.

Response to Statement of Evidence

4. Dr Freeman states in his evidence that;

> "A*dditional questions raised by the reporting officers are very broad in nature, and a comprehensive response is beyond the scope of these applications and/or would duplicate information provided elsewhere in the application and/or evidence".*

5. We consider that the information raised in the caucusing is required;
   - for the purposes of assessing the application;
   - for determining whether the baseline modelling is an accurate representation of what was occurring on the property;
   - to demonstrate that the good management practices assumed by Overseer are in place on the property;
   - to show that all activities modelled were undertaken lawfully with the all required permissions and authorisations. This includes the use of land owned by Land Information New Zealand and the intensive winter grazing on the Cochran Block subsequent to 1 May 2019.

6. Dr Freeman states that the specific proposed P mitigations are detailed in several documents including the farm environmental management plans, however the farm environmental management plans and other documents do not provide specific detail as to what the additional mitigations are that are proposed to be implemented to ensure a reduction in phosphorous loss, nor do they specify implementation timeframes of these mitigation measures. As a result, we have been unable to identify the mitigations that are proposed to mitigate phosphorus loss and consider whether they are appropriate nor consider their effectiveness.

7. Dr Freeman also did not provide detail as to the locations of the feed pads/ stand-off pads nor provide detail on when they will be operational. Should these be used as a mitigation measure, especially during phase one of the proposed activities, the intended use of these will need to be detailed as will their locations to ensure they meet the standard buffer distances required to meet the permitted activity rules of Rule 35A of the proposed Southland Water and Land Plan.

8. Mr Crawford has also provided an addendum to his evidence (dated 18 October 2019). In para 2.1 of his evidence he states;

"Dairy shed solids are also shown to be spread on non-effluent areas, which is perfectly normal practice in dairy farming and in Southland and is an agreed best practice as per study by Houlbrooke (2008) for Horizons Regional Council"

9. At caucusing with Dr Freeman we raised concerns with this. The application includes all land as being proposed to be part of the discharge area for effluent. This would infer that all blocks would be effluent blocks.

10. Mr Crawford also refers to solid effluent, of which the applicant is not proposing to discharge. The application states that effluent to be discharged, as defined by the applicant, is either liquid effluent or slurry effluent. However, slurry effluent does not consist of enough dry matter to be considered dairy shed solids or sludge. Consequently, all liquid effluent and slurry effluent will, in our opinion, meet the definition of agricultural effluent and is therefore indistinguishable.

11. The applicant does not propose to store the slurry effluent and dairy shed effluent in separate storage infrastructure, as such to model effluent from one storage pond going to effluent and non-effluent areas does not correlate to what will be occurring on the ground in reality.

12. In effect, the current modelling shows dairy shed effluent and dairy organic fertiliser (slurry) being applied to separate areas, yet it all originates from a single source so cannot be separated into different products.

13. I accept that para 2.1 of Mr Crawford's evidence is correct and acceptable should the effluent being modelled was actually dairy solids or sludge. However, when modelling this way, Overseer is assuming the dairy solids are solid. In regards to this application, the slurry is not solid and as such there may be a deviation between the losses when modelled as a solid when compared to a liquid.

Consent Conditions

14. Ms Ballinger and Dr Freeman provided comments on the draft conditions proposed prior to hearing. We do not address those comments in detail, but provide a few general comments below.

15. The comments from Ms Ballinger and Dr Freeman include the deletion of a significant number of recommended conditions. This includes conditions that are intended to limit the scope of the consent to the documents provided with the application and throughout their processing. We consider the deletion of such conditions is inappropriate as, if granted, the resource consents must be limited to as proposed by the application and supporting documents.

16. Ms Ballinger and Dr Freeman have also deleted a number of consent conditions relating to critical mitigation measures put forward by the applicant to ensure the effects of the activities are adequately avoided, remedied and mitigated. The deletion of such conditions would remove any ability to ensure that the mitigations are implemented, removing any certainty that the effects of the activity would be avoided, remedied and mitigated as proposed.

17. We disagree with the suggestion that Ms Ballinger's and Dr Freeman's comments and suggested amendments to the draft conditions would provide sufficient certainty to address and/or mitigate adverse effects of the proposed activities. We consider that the suggested changes and deletions of recommended conditions increases the uncertainty around the way in which the activities will be undertaken by removing the restriction for the applicant to operate in accordance with their proposal and whether the critical mitigations will be implemented as the applicant has proposed. This will consequently increase the risk of the proposed activities resulting in significant adverse effects, should the consents be granted.

Aurora Grant
Processing Officer

Alex Erceg
Secondary Processing Officer