

Proposed Natural Resources Plan:

Submitter:

Kaiwaiwai Dairies Limited

Submitter Number:

S119

Submission on the Proposed Natural Resources Plan for the Wellington Region



INSTRUCTIONS FOR USING THE SUBMISSIONS SPREADSHEET:

Send to: regionalplan@gw.govt.nz

Your details:

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Trade competition

I/we could not gain an advantage in trade competition through this submission

Yes I/we could gain an advantage in trade competition through this submission.

If you could gain an advantage please complete one of the following:

Yes I/we are directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

I/we are not directly affected by an effect of the subject matter of my submission that adversely affects the environment and does not relate to trade competition or the effects of trade competition.

Attendance and wish to be heard at hearing(s)

Yes I/we do wish to be heard in support of my/your submission

[Note: this means that you wish to speak in support of your submission at the hearing(s).]

I/we do not wish to be heard in support of my/our submission

[Note: this means that you cannot speak at the hearing. However, you will still retain your right to appeal any decision made by the Wellington Regional Council to the Environment Court.]

Yes if other make a similar submission, I will consider presenting a joint case with them at a hearing.

Date: 25/09/2015

I seek the following from WRC
(give precise details):

Reasons for my submission:

My submission on this provision is:

Introduction

Introduction

We support the general direction of the introduction, in particular the concept of integrated catchment management and the consolidation of five original plans into one.

Introduction

The time frame for submissions falls in the busiest time of year for farmers (calving and lambing) and has significantly reduced their opportunity to read and comment on the proposed plan. While many farmers have been involved in the consultation process there are significant changes in the proposed plan that will materially effect them.

Interpretation **My submission on this provision is:** **Reasons for my submission:** **I seek the following from WRC (give precise details):**

<p>Interpretation</p>	<p>Water races should be included in "Regionally significant Infrastructure"</p>	<p>Water races are vital for supplying water to large areas in the Wairarapa. As such they need to be recognised as regionally significant.</p>	<p>Include Water races in definition of Regionally significant infrastructure.</p>
<p>Interpretation</p>	<p>Category 2 surface water body, if water races are to be included the definition should be for water races wider than 1 metre</p>	<p>To be consistent with other water bodies</p>	<p>Water races should not be included as the have their own resource consents held by TLA's. If water races are included as category 2 surface water body then only include water races wider than 1 metre.</p>
<p>Interpretation</p>	<p>Category B groundwater - both definitions refer to the wrong schedule - Q instead of P</p>	<p>Change typo error from Q to P</p>	<p></p>
<p>Interpretation</p>	<p>Silage definition is very loose</p>	<p>A majority of silage stacks have a moisture content that is at a level that produces no leachate.</p>	<p>High moisture is defined as above 75% moisture content</p>
<p>Interpretation</p>	<p>Add a definition for Ponding - particularly in relation to animal effluent</p>	<p>Ponding is referred to in a number of policies (P94) and rules (R83). Current policies and rules don't allow any ponding, this is not practical and if the soil is capable of absorbing effluent, then ponding will disappear quickly. Ponding infers there is no runoff. We refer to the consent condition for the MDC sewage disposal which allows 24 hours of ponding and Rule 79 (h)</p>	<p>Ponding defined as: areas of ponded effluent on the ground surface greater than 10m2 for a period greater than 12 hours or runoff (visible overland flow)</p>
<p>Interpretation</p>	<p>The drain and Artificial farm drainage canal definitions needs to specifically exclude Water Races for clarity</p>	<p>Water races are do not fit the definition of a drain or artificial farm drainage canal but are often confused with these.</p>	<p>Specifically exclude Water Races (Map 28) from the definition of a drain and artificial farm drainage canal</p>
<p>Interpretation</p>	<p>Add definition of river</p>	<p>Section 2 of the RMA has a definition of river that would be helpful in the plan</p>	<p>Add: River: a continually or intermittently flowing body of fresh water; and includes a stream and modified watercourse; but does not include any artificial watercourse (including an irrigation canal, water race, canal for the supply of water for electricity power generation, and farm drainage canal)</p>

Objectives

My submission on this provision is:

Reasons for my submission:

I seek the following from WRC (give precise details):

	O25. Table 3.6 the levels of nitrate are not defined

Without defined numbers we cannot determine the impact or effect on ground water.

Nitrate level initially set at drinking water standard, with the Waitua to make the final determination.

My submission on this provision is:

Reasons for my submission:

I seek the following from WRC (give precise details):

Policies	P3: Precautionary approach. This is hamstringing the local economy, it becomes easy to use precautionary as an excuse for conservative management	This is effecting the potential economic growth of the region, decisions limiting water and land use (eg. Aquifer moratoriums)	
Policies	4.2 P7 (b) add diffuse discharges	The beneficial use of land and water for the treatment, dilution and disposal of diffuse discharges (from humans and animals) should be recognised.	Add: ...and diffuse discharges.
Policies	P11 Support this policy		
Policies	4.8.1 P63 Support the Whaitua process		
Policies	P94 delete (b) (iv)	repeats (b) (ii)	Delete P94 (b) (iv)
Policies	P94 (b) (ii) and (iv) refer to ponding, ponding needs a definition	To be consistent with R79 (h), and it will be a practical method of determining whether a disposal system is working.	Ponding defined as: areas of ponded effluent on the ground surface greater than 10m2 for a period greater than 12 hours or runoff (visible overland flow)
Policies	P94 move to Section 4.8.8	Not part of hydraulic fracturing	Move to 4.8.8
Policies	P105	We question having a policy protecting an introduced, predatory species. This conflicts with objectives and policies to protect native species.	Either delete or take into account the negative effect this policy will have on native species.
Policies	P115 (c) (i) should be deleted	Restricting the number of days is at odds with providing water for rootstock protection.	Delete P115 (c) (i)

Rules - Air quality

My submission on this provision is:

Reasons for my submission:

I seek the following from WRC (give precise details):

Rules - Air quality	R37 no provision for non commercial applicator

Insert: for ground-based applications where the applicator is not a commercial applicator the applicator shall:
(i) hold a GROWSAFE® Introductory Certificate, or
(ii) be supervised by a person holding a current GROWSAFE® Advanced Certificate, and

Rules - Discharges to land **My submission on this provision is:** **Reasons for my submission:** **I seek the following from WRC (give precise details):**

<p>Rules - Discharges to land</p>	<p>R83 (f) needs definition of ponding</p>	<p>Require a definition so there is a practical method of determining ground uptake of effluent. To be consistent with R79 (h)</p>	<p>Ponding defined as: areas of ponded effluent on the ground surface greater than 10m² for a period greater than 12 hours or runoff (visible overland flow)</p>
<p>Rules - Discharges to land</p>	<p>R83 (g) existing ponds only required to meet the permeability standard if being modified</p>	<p>The section 32 report does not address the economic impact of upgrading existing storage to meet the new standard. Many ponds have been constructed from impervious materials i.e. clay and it is almost impossible to seal them retrospectively. Unless there is any perceivable evidence of leakage existing ponds should be allowed to operate as is. Horizon's One Plan has been through the Environment Court and now recognises that sealing an existing pond is environmentally uneconomic.</p>	<p>Suggested wording to replace (g): The entire extent of effluent storage and treatment facilities (including sumps and ponds) must be sealed so as to restrict seepage of effluent where all or any part of the storage facility (including weeping walls, stone traps, sumps and ponds) is established or extended (including deepening) from the date the Plan is made operative. The permeability of the sealing layer must not exceed 1x10⁻⁹m/s subject to the following exceptions: (i) Where there are multiple ponds that make up the storage facility, but not all are being extended then only those that are being extended are required to be fully sealed, or (ii) The establishment or extension of sumps, weeping walls or stone traps alone do not trigger a requirement for sealing of existing ponds.</p>

No evidence has been produced that an economic benefit A collaboratively produced section 32 analysis of the economic benefit of storage is carried out before farmers are forced to spend \$150,000 - \$400,000 on storage.

to the environment will occur from farmers being forced to install storage. Effluent is already irrigated to pasture so storage is not going to produce any further gains.

Irrigating to flat soils at field capacity will displace clean water at the bottom of the soil profile (Bowler DairyNZ Wairarapa Moana feild day 2014). As only 1 irrigation event is likely to occur on any give area of land in wet conditions, the impact on receiving waters is less than minor. The section 32 report severly underestimates to cost of building storage, it also ignores nutrient loss through denitrification while effluent is being held and the production of methane, a serious greenhouse gas. NIWA has identified dairy effluent storage ponds as a hot spot for greenhouse gas emmissions.

We don't like moving, discretionary targets Include the limits that are being used

<p>Rules - Discharges to land</p>	<p>R83 (h) disagree with the need for storage</p>
<p>Rules - Discharges to land</p>	<p>R83 Matters of control. If limits are included in the matters of control, these need to be defined and included in the plan - particularly points 2 and 3.</p>
<p>Rules - Discharges to land</p>	<p>R90 split silage and compost into separate rules.</p>
<p>Rules - Discharges to land</p>	<p>R90 (b) does not apply to silage - delete</p>
<p>Rules - Discharges to land</p>	<p>R90 (d) disagree</p>

They are compleatly different products, silage is covered 2 seperate rules and fermented for preservation, compost is exposed to the elements as part of the breakdown process.

Delete R90 (b) from silage rule

Silage stacks below 75% moisture content do not produce leachate. Farmers work hard to prevent harvesting wet crops as this may reduce silage quality. The section 32 report suggests most silage pits will comply with the permitted activity condition so why have a rule?

Delete rule or more consultation with the rural sector about what is being attempted to be achieved with this rule.

Rules - Wetlands and beds of lakes and rivers

My submission on this provision is:

Reasons for my submission:

I seek the following from WRC (give precise details):

Rules - Wetlands and beds of lakes and rivers	R115 general agreement except (h) (iv)	The culvert size should reflect the flow rate rather than the bed width, this is covered in R115 (k) (i) & (ii).	Delete R115 (h) (iv)
Rules - Wetlands and beds of lakes and rivers	R121 (g) needs to allow the appropriate method of aquatic weed removal	The specified method is one of many options, the rule should allow the operator to select the best tool for the job. Rule R121 (h) covers the return of native species to the drain	Delete R121 (g) as (h) covers the required outcome.
Rules - Wetlands and beds of lakes and rivers	R121 (h) is too restrictive in the time frame	Drains are there primarily to remove surplus water (surface and ground water), the cleaning is expensive and needs to be carried out as quickly and efficiently as possible. It would be more practical for operators to do this at their schedule breaks.	Change R121 (h) All reasonable steps shall be taken to return any stranded native fish back into the drain
Rules - Wetlands and beds of lakes and rivers	R121 (j) completely impractical	This won't work. Drains are there primarily to remove surplus water. If not cleaned correctly they will not work as drains when needed. M14 needs to develop practical best practice for drain cleaning.	Delete R121 (j) and refer to reworded M14
Rules - Wetlands and beds of lakes and rivers	R121 (k) is a reversal from the draft	Drain cleaning operators report that starting at the bottom is best because it allows better grade, depth and width control. If starting from upstream and working down water builds up pushing weed in front of it making the cleaning more difficult and time consuming.	Delete R121 (k) and refer to reworded M14
Rules - Wetlands and beds of lakes and rivers	R122 the same considerations should be applied to this rule as for R121 above		Delete R122 (h) & (i) and (j) extend to two hours

Rules - Wetlands and beds of lakes and rivers Should R121 be replaced by rule 17-20 from One Plan?

Rules - Water allocation

My submission on this provision is:

Reasons for my submission:

I seek the following from WRC (give precise details):

Rules - Water allocation	R136 the note refers to Section 14(1)(b) or the RMA, is this Sec 14(3)(b) &(e)?		Correct reference
Rules - Water allocation	R136 (a) there needs to be a bigger allowance for larger properties.	Our property is 275 ha with 4 dwellings and under the rule are restricted to 20 cubic meters	Add another step for properties above 40ha allow an additional 2 cubic meters per 10 hectares
Rules - Water allocation	R137 needs to recognise the water availability for food processing and hygiene	MPI requires a set cleaning requirement of plant and premises	
Rules - Water allocation	R137 (b) this should not have a time frame	Restricts and complicates the process of determining a permitted activity.	Delete "during the three years prior.... Plan (31.07.2015) and add " in that year as determined by Rule 83.
Rules - Water allocation	R137 (f) all washdown water by its use is contaminated	Doesn't make sense	Change "washdown" to "cooling"
Rules - Water allocation	R143 needs to be permitted	Needs to allow for dynamic water use	Change Controlled to permitted

