

This is a further submission to the Environmental Protection Authority where the matter relates to request for change to plan where Minister has made a direction under section 142(2) of the Resource Management Act 1991.

The plan change is the Omnibus Plan Change – Plan Change 8 to the Water for Otago: Regional Plan.

Part A: Further submitter details

Name of organisation: <i>(if relevant)</i>	DairyNZ Limited		
Title:	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Dr <input type="checkbox"/> Other: (Please tick the appropriate title)		
First name of further submitter:	DairyNZ Ltd	Surname of further submitter:	
First name of contact person: <i>(if different to above)</i>	Carina	Surname of contact person: <i>(if different to above)</i>	Ross
Home Ph:		Work Ph:	027 306 3134
Mobile:	027 306 3134		
Email address for service:	Carina.ross@dairynz.co.nz		
Postal Address: <i>(or alternative address for service)</i>	24 Millpond Lane	Postcode:	Lincoln 7608

Part B: Interest

Only persons that come under the following categories may make further submissions.

<p>I am a person representing a relevant aspect of the public interest.</p> <p>The grounds for saying why I come within this category are explained below. <input type="checkbox"/></p>	<p>I am a person who has an interest in the Omnibus Plan Change (PC8) that is greater than the interest the general public has.</p> <p>The grounds for saying why I come within this category are explained below. <input checked="" type="checkbox"/></p>	<p>I am the local authority <input type="checkbox"/></p>
<p>Please specify the grounds for saying why you come within the category above:</p>		
<p>DairyNZ is making this Further Submission as the industry good organisation representing New Zealand's dairy farmers. DairyNZ therefore has an interest in the proposed plan which is greater than the public generally.</p> <p>DairyNZ is funded by a levy on milksolids and through government investment. Our vision is for New Zealand to have the world's most competitive and responsible dairy farming. DairyNZ's work includes research and development to create practical on-farm tools, leading on-farm adoption of farming within limits, promoting careers in dairying, and advocating for farmers with central and regional government.</p>		

Part C: Do you wish to be heard in support of your further submission?

<p>I do not wish to be heard in support of my further submission <input type="checkbox"/></p>	<p>I wish to be heard in support of my further submission. <input checked="" type="checkbox"/></p> <p>If others make a similar submission, I will consider presenting a joint case with them at a hearing. <input checked="" type="checkbox"/></p>
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Part D: Further submission points

If you require additional space for any question(s) please attach further documents or paper to this further submission form and clearly state your name and the question(s) you are expanding on.

Name of original submitter	Particular parts of the submission you support/oppose <i>Please indicate whole submission or submitter point ID (e.g. 80005.3)</i>	Are you in support of or in opposition to the particular whole/part of the submission?	What are your reasons for your support or opposition?	Do you seek for the whole/part of the submission to be allowed or disallowed (select one)?
Landpro Limited	80093.05 Amend as follows: <u>Where possible, ensuring</u> <u>Requiring low-rate effluent application for any new discharge of animal waste to land and encouraging the transition to low-rate effluent application for existing discharges of animal waste to land.</u>	Support	The amendment would provide more flexibility to take into account different conditions for different farms.	Allow
Landpro Limited	80093.19 Amend to provide clarity on sizing output from Dairy Effluent Storage Calculator (calculator gives a recommendation rather than specification based on parameters)	Support	The Dairy Effluent Storage Calculator give the total storage volume requirement, and it also gives the 90th percentile of the required storage over a 30-year timeframe. To provide clear guidance for the user, the rule could be amended, as suggested by Landpro in their submission, to state that	Allow

			<i>storage should be built to at least the 90th percentile.</i>	
Landpro Limited	80093.20 Amend to exclude above-ground tanks, or consider above-ground tanks separate to storage ponds per Rule 14.7.1.1(b)	Support in part	<i>DairyNZ agrees with the submission from Landpro that a pond drop test is not designed to be carried out on an above ground tank. The rules would need amending to clarify what is required.</i> <i>DairyNZ support the submission by Landpro to revise rule 14.7.1.1(c) to exclude above-ground tanks, as stated in their original submission.</i>	Allow
Landpro Limited	80093.21 Amend as follows: <u>Pond drop tests of the storage pond(s) every three five years;</u>	Support	<i>Pond Drop Test every 5 years will provide sufficient certainty that the storage pond is not leaking. Every 3 years will add an unnecessary cost and might not be warranted based on environmental risk.</i>	Allow
Landpro Limited	80093.22 Amend reference to Practice Note 27 for in ground pond systems (as Practice Note 27 does not apply to in ground pond systems)	Oppose	<i>Rule 14.7.2.1(c) refers to the animal waste system, and not only in ground ponds. The reference to IPENZ practice note 27 is correct since that would cover some parts of the animal waste system, whereas practice note 21 would cover</i>	Disallow

			<i>effluent ponds. The reference to both the practice notes are therefore correct and should remain as it is.</i>	
Landpro Limited	<p>80093.30</p> <p>Amend "Intensive Grazing" to be consistent with NES for Freshwater Management, as follows:</p> <p><u>Means grazing of stock on forage crops (including brassica, beet and root vegetable crops), excluding pasture and cereal crops. Grazing livestock on an annual forage crop at any time in the period that begins on 1 May and Ends with the close of 30 September of the same year</u></p>	Support	<i>The Resource Management (National Environmental Standards for Freshwater) Regulations 2020 includes a definition of "Intensive winter grazing". To adopt this definition will increase consistency and avoid confusion for farmers. It will also avoid unnecessary duplications.</i>	Allow
Otago Regional Council	<p>80042.15</p> <p>Add new definition: <u>Low-rate effluent application means a method of applying effluent or animal waste to land at a rate of no more than ten millimetres per hour.</u></p>	Oppose	<i>It is not always necessary to limit application to 10 millimetres per hour to reduce the risk for ponding. Low rate application can be required in some circumstances but under some conditions, depending on for example soil type and slope, it is not</i>	Disallow

			<i>necessary from an environmental risk point of view. The rules need to provide flexibility to consider different conditions such as soil type and slope.</i>	
<i>Royal Forest and Bird Protection Society of New Zealand Inc.</i>	80082.06 <i>Amendments to policy 7.D.7</i>	<i>Oppose</i>	<i>The proposed amendment to avoid discharge of effluent to critical source areas is impractical from a farming point of view. Further, the amendment proposed to not exceed the natural capacity of the soil to treat or remove contaminants is too vague and it is uncertain how a requirement like that would be implemented and enforced.</i>	<i>Disallow</i>
<i>Royal Forest and Bird Protection Society of New Zealand Inc.</i>	80082.17 Amend definition of "Intensive grazing" as follows: <u>Means grazing of stock on forage crops (including brassica, beet and root vegetable crops), excluding or pasture and cereal crops in a manner that results in bare ground or reduces sward thickness below 10cm.</u>	<i>Oppose</i>	<i>The amendments to the definition are unnecessary complicated and would be difficult to measure and enforce.</i>	<i>Disallow</i>

<p>Royal Forest and Bird Protection Society of New Zealand Inc.</p>	<p>80082.15</p> <p>Amend policy 7.D.9</p>	<p>Oppose</p>	<p><i>The reason for some of the suggested amendments are unclear and are not clarified by any amendments to the rules, particularly (d)(iii) and (e). The proposed amendment (e) is also not practical in all circumstances and mapping will always need to be verified by visual inspections.</i></p>	<p>Disallow</p>
<p>Lower Waitaki Irrigation Company Ltd</p>	<p>80061.11</p> <p>Amendments to schedule 18.</p>	<p>Oppose</p>	<p><i>Lower Waitaki Irrigation Company have suggested changes to the requirements for a pond drop test in schedule 18. Some of these changes are not consistent with Pond Drop Test (PDT) Methodology as set out in IPENZ practice note 21 (table 8.1). We oppose changes being made that are inconsistent with industry standards.</i></p>	<p>Disallow</p>
<p>Aukaha Limited</p>	<p>80059.11</p> <p>Amend as shown: <u>(c) A management plan for the animal waste system is prepared and implemented that requires:</u> <u>(i) Pond drop tests of the storage pond(s) every three years; and</u> [replace Clause (i) with a requirement for a leak detection system that is designed to capture leachate</p>	<p>Oppose</p>	<p><i>The IPENZ practice note 21 sets out different ways to monitor a pond for any leaks. To use a leak detection system is one way, but this could only be installed at the same time as the pond is constructed. Other means of detecting leaks will have to be considered for ponds already in place. Pond drop tests is an effective alternative when, for whatever reason, a leak</i></p>	<p>Disallow</p>

	from under the entire storage pond - no specific wording provided].		<i>detection system cannot be installed. For these reasons, DairyNZ does not think it is appropriate to limit the rule to only allow a leak detection system as a way of detecting a leak.</i>	
Aukaha Limited	<p>80059.13</p> <p>Amend as shown: <u>(c) A management plan for the animal waste system is prepared and implemented that requires:</u> (i) Pond drop tests of the storage pond(s) every three years; and [replace Clause (i) with a requirement for a leak detection system that is designed to capture leachate from under the entire storage pond - no specific wording provided].</p>	Oppose	<i>The IPENZ practice note 21 sets out different ways to monitor a pond for any leaks. To use a leak detection system is one way, but this could only be installed at the same time as the pond is constructed. Other means of detecting leaks will have to be considered for ponds already in place. Pond drop tests is an effective alternative when, for whatever reason, a leak detection system cannot be installed. For these reasons, DairyNZ does not think it is appropriate to limit the rule to only allow a leak detection system as a way of detecting a leak.</i>	Disallow
Federated Farmers of New Zealand	<p>80090.07</p> <p>Amend to provide clarity and understanding of what is required regarding Kāi Tahu cultural values, particularly as to what to specifically</p>	Support	<i>DairyNZ agree with the need to provide guidance and support for what would be required by an applicant to have regard to adverse effects on Kāi Tahu values. It is an important condition for several rules and guidance and support provided by ORC would</i>	Allow

	consider for the Otago region.		<i>benefit not only farmers, but potentially also improve the quality of the resource consent applications and reduce processing time.</i>	
Federated Farmers of New Zealand	<p>80090.16</p> <p>Amend 14.7.1.1(b)(iv)(2) as follows:</p> <p><u>Meeting</u> Either has an effective leak detection system or otherwise meets the relevant pond drop test criteria in Schedule 18; and</p>	Support	<i>DairyNZ has submitted on the requirements for a pond drop test (PDT) and that this should not be necessary if the pond has an effective leak detection system. The amendments proposed by Federated Farmers are in line with the DairyNZ submission and makes it clear that the PDT is not required if a leak detection system is in place.</i>	Allow
Federated Farmers of New Zealand	<p>80090.17</p> <p>Amend 14.7.1.1(c)(i) as follows:</p> <p><u>That where effective leak detection systems are not in place</u> Pond drop tests of the storage pond(s) every three years; and</p>	Support	<i>DairyNZ has submitted on the requirements for a pond drop test (PDT) and that this should not be necessary if the pond has an effective leak detection system. The amendments proposed by Federated Farmers are in line with the DairyNZ submission and makes it clear that the PDT is not required if a leak detection system is in place.</i>	Allow

<p>Federated Farmers of New Zealand</p>	<p>80090.20</p> <p>Amend as follows:</p> <p><u>(b) The storage pond is either:</u></p> <p><u>(i) Fully lined with an impermeable synthetic liner and has an effective leak detection system that underlies the storage pond;</u></p> <p><u>or</u></p> <p><u>(ii) Of concrete construction;</u></p> <p><u>or</u></p> <p><u>(iii) Is an above-ground tank;</u></p> <p><u>and or</u></p> <p><u>(iv) Is certified by a Suitably Qualified Person as:</u></p> <p><u>(1) Structurally sound and without any visual defects;</u></p>	<p>Support</p>	<p><i>Clay lined ponds are provided for in the IPENZ practice notes and are under the right circumstances a viable option. As such, the rule should provide for clay lined ponds to be constructed. This amendment gives a pathway to construct a clay lined pond using a Suitably qualified person to certify the pond as being structural sound. For these reasons, DairyNZ supports the suggested amendments.</i></p>	<p>Allow</p>
<p>Federated Farmers of New Zealand</p>	<p>80090.28</p> <p>Amend definition of Animal Waste System as follows:</p> <p>includes <u>Means the</u> collection, conveyance, storage, treatment, disposal or application of liquid or</p>	<p>Support</p>	<p><i>Several submitters have pointed out that the effluent storage policies and rules captures other animal types than dairy, even though the rules are not appropriate except for dairy farming. To amend this definition would make it clear that the animal waste system would only apply to dairy cattle waste.</i></p>	<p>Allow</p>

	solid animal dairy cattle waste.			
Fonterra Co-operative Group Ltd	80091.02 Delete Policy 7.D.6	Support	<i>Given the interim nature of the proposed plan change, it would be more appropriate to comprehensively review issues addressed by this policy when the new Land and Water Plan is developed.</i>	Allow

Part E: Signature

Signature of person making further submission or person authorised to sign on behalf of person making further submission. Please note a signature is not required for electronic submissions.

Signature: David Burger _____ Date: 2/10/2020 _____