

# ORC Omnibus Plan Change - Plan Change 8

Submission Reference no: 110

Emma Crutchley



**Submitter Type:** Not specified

**Source:** Email

**Overall Notes:**

**Clause**

Are you a trade competitor?

**Position**

I am a person who would not gain an advantage in trade competition through this submission

**Notes**

**Clause**

What are you submitting on? You can submit on specific parts of Plan Change 8 or the whole plan change.

**Position**

I am submitting on specific parts of the plan change (please detail below).

**Notes**

**Clause**

What is your view on the Plan Change 8 or the specific parts listed above? Please select one, if you have multiple views state clearly in the notes box below.

**Position**

Oppose

**Notes**

**Clause**

What decision would you like the Environment Court to make?

**Position**

Decline the plan change

**Notes**

**Clause**

Do you wish to be heard in support of your submission? All submissions will be considered by the Environment Court. Please indicate if you wish to be heard in support of your submission.

**Position**

I wish to be heard in support of my submission

**Notes**

**Clause**

Please indicate your choice(s) below. If you do not indicate your intention to call experts, you can change your mind later and decide to call experts to give evidence in relation to your submission, provided you do so in time to meet any procedural direction the Environment Court might make.

**Position**

If others make a similar submission I/we would consider presenting a joint case with them at a hearing

**Notes**

**Clause**

Authority to act:

**Position**

I confirm I have the authority to sign this submission on behalf of the submitter

**Notes**

# SUBMISSION FORM

6 July 2020

## Otago Regional Council Omnibus Plan Change - Plan Change 8 (Water Quality) to the Regional Plan: Water for Otago

This form is for making submissions on a change the Otago Regional Council (ORC) has prepared for the Regional Plan: Water for Otago. This plan change is one of two comprising the Omnibus Plan Changes (also known as the Water Quality Plan Change). The Omnibus Plan Change has been called in by the Minister for the Environment under section 142(2) of the Resource Management Act 1991 (RMA).

Plan Change 8 proposes to introduce a range of amendments targeting specific issues or activities known to be contributing to water quality issues in parts of Otago.

NB: Please use a **separate form** if you wish to make a submission on the other part of the Omnibus Plan Change - Plan Change 1 (Dust suppressants and landfills) to the Regional Plan: Waste for Otago.

**This submission form includes guidance to aid the submitter. For more information on Plan Change 8, please refer to the Public Notice or further information on the EPA website: [www.epa.govt.nz/ORCplanchanges](http://www.epa.govt.nz/ORCplanchanges).**

### Where to get help preparing your submission

If you have any queries about making a submission or the plan change itself please contact the EPA by phone on 0800 401 673 or by email at [ORCplanchanges@epa.govt.nz](mailto:ORCplanchanges@epa.govt.nz).

### How to make a submission

Your submission on Plan Change 8 must be received no later than **5pm on Monday, 17 August 2020**.

**You must also send a copy of your submission on Plan Change 8 to the ORC when you make a submission.**

Submissions on Plan Change 8 can be made by either:

1. Using the online submission form on the EPA website under [www.epa.govt.nz/ORCplanchanges](http://www.epa.govt.nz/ORCplanchanges)  
**All submissions made online will automatically be forwarded to the applicant and the form includes a space to upload any supporting documents;**

OR

2. Filling out this form and:
  - a. Emailing it and any supporting information to [ORCplanchanges@epa.govt.nz](mailto:ORCplanchanges@epa.govt.nz) (if smaller than 10 MB) with the following subject line: Submission [Your Name] ORC Plan Change (Omnibus); OR
  - b. Posting it and any supporting information to: Environmental Protection Authority, ORC Proposed Plan Changes, Private Bag 63002, Wellington 6140; OR
  - c. Delivering it in person to the Environmental Protection Authority office on Level 10/215 Lambton Quay.

Submissions made on this form must be forwarded to ORC by either:

1. Emailing it and any supporting information to [policy@orc.govt.nz](mailto:policy@orc.govt.nz) (if smaller than 10 MB) with the following subject line: Submission [Your Name] ORC Plan Change (Omnibus);
2. Posting it and any supporting information to Otago Regional Council (attention Rachel Currie), Private Bag 1954, Dunedin 9054
3. Delivering it in person to Otago Regional Council (attention Rachel Currie), at any of the Otago Regional Council office:
  - Alexandra (William Fraser Building, Dunorling Street),
  - Dunedin (70 Stafford Street); or
  - Queenstown (Terrace Junction, 1092 Frankton Road).

## Privacy statement

The personal information you provide on this form will be held by the EPA, 215 Lambton Quay, Wellington. It will be used by the EPA for the purpose of administering the public consultation aspects of the Omnibus Plan Change. Copies of your full submission will be provided to the Environment Court and the ORC, and your address for service may also be provided to other parties in the process. Other than your name, your personal contact information in Part A of this form will not be published on the EPA website.

Your name, the information in Part B of this form, and any attached information will be published on the EPA website, and made available to the Environment Court, the ORC and the public for use in the processing and consideration of the proposed WPPC.

By completing this submission form, you give the EPA permission to use the information for the purpose stated above. You have the right to access and correct personal information held by the EPA. All information held by the EPA is subject to the Official Information Act 1982. Note: If the submitter is a company, full business contact details will be published on the website.

## Notes about your submission

Please note, your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission or (part of the submission):

- it is frivolous or vexatious:
- it discloses no reasonable or relevant case:
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
- it is supported only by evidence that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert evidence on the matter:
- it contains offensive language.

# Part A

## Submitter details

<b>Name of organisation (if relevant):</b>			
<b>Title:</b>	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input checked="" type="checkbox"/> Dr <input type="checkbox"/> Other: <i>(Please tick the appropriate title)</i>		
<b>First name of submitter:</b>	Emma	<b>Surname of submitter:</b>	Crutchley
<b>First name of contact person (if different to above):</b>		<b>Surname of contact person (if different to above):</b>	
<b>Home Ph:</b>	██████████	<b>Work Ph:</b>	██████████
<b>Mobile:</b>			
<b>Email address for service:</b>	██		
<b>Postal Address (or alternative address for service):</b>	██	<b>Postcode:</b>	████

# Part B

Submitter Name: \_\_\_\_\_ Emma Crutchley \_\_\_\_\_

This is a submission on a matter in relation to which the Minister for the Environment made a direction under section 142(2) of the Resource Management Act 1991. The matter is **Water Plan Change 8**, part of the Omnibus Plan Change prepared by the Otago Regional Council.

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

## Are you a trade competitor?

***Please select the appropriate option.***

I am **not a person who could gain an advantage in trade competition** through this submission ✓

I am **a person who would gain an advantage in trade competition** through this submission and am directly affected by an effect of the plan change that adversely affects the environment and does not relate to trade competition or the effects of trade competition

## What are you submitting on?

*You can submit on specific parts of Water Plan Change 8 or the whole plan change.*

I am submitting on the **whole of Plan Change 8**

I am submitting on **specific parts of Plan Change 8** (please detail below) ✓

**The specific parts of the matter that my submission relates to are:**

Part C Good Farming practices

Part D – Intensive Grazing

Part E – Stock access to water,

## What is your view on Plan Change 8 or the specific parts listed above?

Please select one, if you have multiple views state clearly in the comments box below.

Support <input type="checkbox"/>	Neutral <input type="checkbox"/>	Oppose <input checked="" type="checkbox"/>
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The reasons for my view(s) are:

The Rules that I am submitting on are in relation to the notified document

[https://www.epa.govt.nz/assets/FileAPI/proposal/NSP000045/Applicants-proposal-documents/Omnibus\\_Plan\\_Change\\_Plan\\_Change\\_8.pdf](https://www.epa.govt.nz/assets/FileAPI/proposal/NSP000045/Applicants-proposal-documents/Omnibus_Plan_Change_Plan_Change_8.pdf)

Any further regional policy that is not included in this document I would like the chance to submit on with regard to

- Nitrogen use on farm
- Time periods to replant crops following a previous crop

**I have made suggestions taking into account that these rules have to comply with NES, NPSFW and National Stock exclusion rules given that these laws will become operative on September 3<sup>rd</sup>**

**Part C Rule 7.D.9 (b) (i)** – *Progressively exclude stock from lakes, wetlands, and continually flowing rivers*, this rule is not based around a positive outcome. The outcome is covered in (ii). *avoid significant adverse effects on water quality, bed and bank integrity and stability.*

*National stock exclusion rules already progressively remove deer, cattle and pigs from rivers lake beds and wetlands.*

I propose that 7.D.9 (b) (i) be removed this is because negative outcomes are more specifically related to stocking rate and effects (covered in ii) rather than whether 1 cow/ha has access to a highcountry lake or continually flowing stream. Stock (sheep) grazing on the Upper Taieri flood plan can have significant environmental gains by controlling weed grasses and crack willow trees which impact the natural character and hydrology of the river, it is proven by years of water tests (<https://www.lawa.org.nz/explore-data/otago-region/river-quality/taieri-river/taieri-at-stonehenge/>) that stock with access to this river and tributary streams at a low stocking rate can have none of the adverse effects mentioned in 7.D.9 (b) (ii). Grazing these areas also improves public access to a world renowned trout fishery.

The Wetland Boundry for the Upper Taieri River in the Maniototo was developed many years ago with no intention of any stock being excluded. Areas must be redefined as part of the Wetland Management Plan consulting with all stakeholders as part of the Upper Taieri Water Resource Management Group.

Part D Intensive Grazing – The **definition of Intensive grazing** is incorrect. Intensive Grazing is defined by the number of stock/ha or stock units/ha it is not a direct result of the crop being grazed because brassica yields can range significantly depending on climatic conditions and subspecies. This definition needs to be corrected using a proven scientific equation such as

**Grazing intensity (animals/ha/day) = Stocking Rate (animals/ha) X Rotation Length (days).**

### 14.6 Rural land uses

Brassica Crops are widely used in Otago to provide high quality feed for livestock during times of feed shortage. This can be summer and winter. Brassica crops are a cost effective and sustainable way to provide a break crop in a pasture renewal program. They allow farmers to control noxious weeds and raise fertility of the paddock. The life time of pasture means that upto 10% of a farm will be put into brassicas each year as part of this process.



Issues around brassica crops can be

- Kg of N lost/ha through urine of grazing high yielding brassica crops and fodderbeet
- Soil damage and sediment loss from grazing high yielding crops on high risk soils or near water ways.
- Animal health implications from grazing animals on heavy wet soils

12.6.1.1 (a) 100 ha rule needs to be removed because

- there is no clear positive environmental outcome from restricting the owners of large farms (over 1000 ha) to 100 ha of cropping.
- Having to get a consent for this practice would only cost time and money with no clear environmental gain
- It also incentivises larger landowners to grown significantly higher yields on smaller areas which will increase the kg/N lost/ha during grazing of these areas.
- Where moisture is the most limiting factor through dryland areas of Central Otago farmers will grow larger areas of crops that will yield much lower 2-6 t DM/ha. This means that larger areas are required with very little environmental impact compared to high yielding crops over 20t/ha. This is where the definition of impensive grazin in Plan Change 8 is flawed.

14.6.1.1 (b) Agree with consent conditions to grown crops in critical source areas, but **critical source areas needs redefined** while it could cover sediment runoff it is open to interperatation, ability of achieving the desired outcome with this rule are unclear. It does not reference soil type, soil type has a large baring on the kg of Nitrogen lost to groundwater and the damage that could be done with heavy livestock.

14.6.1.1 (c&d) Agree with these clauses

14.6.2.1 With regard to suggestions above discretionary activity needs altered.

#### Part E – Stock Access to Water

13.5.1.8A – agree with these rules because they are based on outcomes

13.5.1.8A – These rules are not consistant with the NPSFW for exsisting fencelines. Rules should also be linked to stocking rate and a Wetland Management plan as described above.

## What decision would you like the Environment Court to make?

Approve Plan Change 8

Approve Plan Change 8with  
amendments

Decline Plan Change 8

The reasons for my view and/or any amendments I am seeking are:

I have only submitted on the parts of PC 8 that directly affect the sustainability of our business with no clear positive environmental and social gains. The tone, clauses and definitions are telling me that it has been written with no regard to correct scientific terminology or triple bottom line objectives.

Many rules have no bearing on the outcomes that it aims to achieve. It creates unnecessary compliance costs for farmers and our Regional Council is not equipped to enforce these rules. I have real concern for the state of the environment in Otago because of the lack of focus on environmental outcomes

The timing of this document is really confusing with the NPSFW, NES, and National Stock exclusion rules passing into law part way through the consultation period, I am concerned with the lack of consistency and time spent submitting when rules are inconsistent with law

## Do you wish to be heard in support of your submission?

All submissions will be considered by the Environment Court.

*Please indicate if you wish to be heard in support of your submission*

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

**I wish to be heard in support of my submission**

If others make a similar submission, I will consider presenting a joint case with them at the hearing


I intend to call an expert witness(es)

*(If you do not tick this box, you can change your mind later and decide to call experts to give evidence in relation to your submission, provided you do so in time to meet any procedural direction the Environment Court might make)*

## Authority to Act

**I confirm that I have authority to sign this submission on behalf of the submitter**

Signature: \_\_\_\_\_



Date: 17/8/2020

