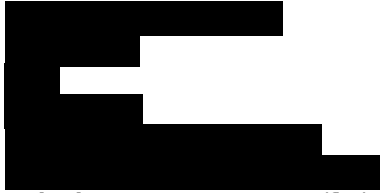


ORC Omnibus Plan Change - Plan Change 8

Submission Reference no: 44

Gladsmuir Limited (Stephen & Charlotte Dykes)



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

[REDACTED]

From: Stephen and Charlotte Dykes [REDACTED]
Sent: Friday, 14 August 2020 4:44 pm
To: ORCplanchanges; policy
Subject: Submission Stephen & Charlotte Dykes ORC Plan Change (Omnibus);
Attachments: S.C.Dykes_Submission_Form_Omnibus_Plan_Change_8.pdf

Hi there

Please find attached our submission for the ORC Plan Change (Omnibus).

Kind Regards

Stephen & Charlotte Dykes
Gladsmuir

[REDACTED]

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.

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.

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
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 (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 (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

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

Part B

Submitter Name: _____ **Stephen & Charlotte Dykes** _____

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 <input checked="" type="checkbox"/> | 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 <input type="checkbox"/> |
|---|---|

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 <input type="checkbox"/> | I am submitting on specific parts of Plan Change 8 (please detail below) <input checked="" type="checkbox"/> |
|---|---|

| |
|--|
| The specific parts of the matter that my submission relates to are: |
| <p>Part A: Policy 7.D.6 AND Part C: Policy 7.D.9 (b) (i) AND Part D: Rule 14.6 Definition: Intensive Grazing</p> <p>Part E: 13.5.1.8A</p> |

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 X |
| The reasons for my view(s) are: | | |
| Part A: Policy 7.D.6 | | |
| <p>We oppose this policy.</p> <p>It is extremely unfair that high nitrogen leachers are able to lock in their leaching via consents for up to 10 years. It sets up Otago for a grandparented nutrient allocation framework when Otago Regional Council review the regional plan. This means that other low nitrogen leaching farmers in Otago will end up penalised as a large percentage of the nitrogen allocation is already used up by the heavy leachers.</p> <p>We operate an extensive Sheep and Beef operation near Middlemarch. We are a low risk operation and are low nutrient emitters. We should not be punished by having our nutrient levels limited when we are not the problem. This regulation needs to be proportionate to risk.</p> <p>We also oppose this policy as it grandparents the nutrient usage for Otago and it is not right or fair. It would be catastrophic for our region. Our annual rainfall is only 500ml. We are dry land farmers and do not have any irrigation. Therefore we need to have flexibility in how we operate as we can experience very dry seasons. Climate change is likely to increase how often drought conditions occur and we need to be able to easily adapt to face these challenges.</p> <p>When we have favourable growing seasons we have to make as much surplus feed as possible (for example, silage, baleage and hay). This gives us more feed on hand to more successfully navigate dry seasons when we often need to feed out additional feed for long periods of time. We often fatten more stock during this time to assist with economic viability as in the drought years economic viability can be seriously compromised.</p> <p>Looking at ways at which we can adapt and improve our farming operation is key. We have areas of the farm that we would like to further develop but this would not be possible if this policy is implemented. It is unreasonable that we would not be able to do this when we would still be running a very low risk, low nutrient emission system. We took on considerable debt when we purchased our property and this policy would have major financial repercussions for us.</p> <p>Impacting on our economic viability by limiting our nutrient usage would have other serious consequences. We are very passionate about the environment in which we farm and are always looking at ways in how we can improve our environmental footprint. An example of this is that we already have a number of areas of trees and large areas of tussock on our property. We are planting a further 11 hectares in trees this spring and are looking at new areas of native plantings next spring. We cannot be environmentally sustainable if we are not economically sustainable. These two concepts go hand in hand. They complement each other and need to work in harmony to enable success.</p> | | |

Part C: Policy 7.D.9 (b) (i)

We oppose this policy.

We run an extensive, hill country, sheep and beef operation. We happily drink the water straight from the stream that runs through our property. We are proud of the abundant wildlife that can be found in this stream. It is a thriving, healthy waterway that is part of the sustainable farming ecosystem that we operate.

There are many steep bluffs and terrain which varies greatly around the stream that winds its way through our property. It would be near impossible to fence the stream to exclude all stock. It would also be very unpractical and extremely expensive to do so and would provide little to no environmental benefit.

The water level of the stream that runs through our property greatly can greatly fluctuate. If we were able to fence off some areas of the stream it may well be a waste of time and money as when the stream is very high it would most likely destroy any fences put in place.

Access to large parts of our farm would be seriously impacted if stock were excluded. It is not possible or practical to put in bridges for crossing the stream due to the terrain and the ever changing water levels.

Part D: Rule 14.6

Definition: Intensive Grazing

We oppose this policy.

As already outlined in this submission we operate a low risk, extensive, sheep and beef farming operation near Middlemarch. We farm in an area with a relatively low rainfall of 500ml (and in dry years it can be much lower). We are dryland farmers meaning we do not have any irrigation. We can experience hot, dry summers and cold, dry winters. Our growing system is severely limited by these climatic factors.

To help counter these climatic conditions we plant specialised forage crops for both summer grazing and winter grazing. If we did not plant these crops the welfare of our animals would be put at serious risk. During our winter we do not have any grass growth. If we were to rely solely on pasture for winter grazing we would be out of business. During the summer months we can experience extended periods of time without any rainfall. We rely on our summer forage crops to help combat these conditions.

The tough climatic conditions we can face means the forage crops we do plant can sometimes fail as we don't have any irrigation to guarantee plant strike and growth. The crop yields, in terms of tonnes of dry matter produced per hectare, can greatly vary from year to year. Because of this we often

plant larger areas in forage crops to lessen the impacts we face from poorer yielding crops or failed crops.

The Otago Regional Council's definition of Intensive Grazing is extremely vague and broad. Whilst we graze stock on forage crops during the winter and summer months we would not consider our grazing to be intensive by any means and we think it is unjust that just because we utilise forage crops we are deemed to be intensive grazers.

If the Otago Regional Council limits the area we can plant in forage crops this would have major implications on our farming business. Our extensive hill country operation has lower margins compared with intensive, lowland operations. We could not farm the number of stock that we do without our forage crops. Our operation would not be financially feasible.

Our farm terrain varies greatly from rolling paddocks to steep faces and gullies within blocks. The gullies and steeper areas of our property all remain in tussock. We also have large areas of tussock on the perimeter of many of the paddocks and blocks with all these tussock areas acting as a buffer for filtering nutrient runoff. They are natural vegetated strips which would be much wider than 10 metres. This factor combined with the fact that we farm in a low rainfall area and are low risk operators means we shouldn't have to fence off all water bodies when we have stock grazing forage crops. This would be extremely impractical and would have no environmental benefit.

Animal starvation could be a real possibility of limited areas planted in forage crops. As climate change steps up we need to be more adaptable and forage crops help with this. During droughts options to de-stock can be limited if the regions facing the dry conditions are widespread. The options to buy in feed can also be limited and very costly. When farmers are faced with de-stocking they can lose years and years of genetic gains they have made via selective breeding. They will have to buy in stock again when they have the feed available and this can be financially challenging if there is a shortage of stock. They may also not be able to afford to do this if they de-stocked and received poor prices.

Restricting the area of forage crop planted would also have wider effects on the community. The mental health of farmers would be put at risk. Farmers may have to let go of staff as a way of cutting costs meaning unemployment levels in rural communities would rise. Local businesses would be effected as a result of decreased turnover and school rolls may drop if families have to shift to other areas.

Part E: 13.5.1.8A

We oppose this policy.

As already commented on, our farming operation is a low risk, extensive sheep and beef operation. We have a stream that winds its way through part of our property. Due to the terrain of our property it would be very difficult to exclude all stock from all parts of this stream. We have to cross the stream to reach certain parts of our farm.

The extensive nature of our operation combined with our low rainfall and tussock areas around the edges of streams, gullies, blocks and paddocks, means that noticeable slumping, pugging and erosion damage on or around the stream is not an issue.

What decision would you like the Environment Court to make?

| | | |
|--|--|-------------------------|
| Approve Plan Change 8 <input type="checkbox"/> | Approve Plan Change 8 with amendments <input type="checkbox"/> | Decline Plan Change 8 X |
| The reasons for my view and/or any amendments I am seeking are: | | |
| <p>Part A: Policy 7.D.6</p> <p>Delete this policy.</p> <p>The Otago Regional Council needs to make regulation PROPORTIONATE TO RISK. The proposed policy is not proportionate to risk and severely punishes low risk, low nutrient emitters. The Otago Regional Council needs to carry out suitable scientific, economic and social analysis to make informed policies that are PROPORTIONATE TO RISK to tackle nitrogen losses in Otago.</p> <p>More in depth examinations of the different farming areas in Otago and the different farming systems also needs to be taken into account – a one size fits all policy will not work and is not fair. A system where nutrient losses are capped in different areas may be a better method to utilise and gives farmers more flexibility to work within these parameters.</p> <p>Part C: Policy 7.D.9 (b) (i)</p> <p>Delete this policy.</p> <p>Again the Otago Regional Council needs to make regulation PROPORTIONATE TO RISK. We run an extensive, low risk sheep and beef operation and fencing off the waterways on our property would</p> | | |

be a very difficult and very expensive undertaking and we do not believe it would provide any environmental gains.

The Otago Regional Council needs to carry out the appropriate scientific research to show how excluding stock from lakes, wetlands and continually flowing rivers on hill and high country operations will have environmental benefits.

The testing of water on extensive farming operations could be an option they implement as an alternative. Again looking at the different farming areas within Otago as well as the different farming systems needs to be a key consideration for this policy. A one size fits all approach is not fair and again the regulation and policy made needs to be PROPORTIONATE TO RISK.

Part D: Rule 14.6

Definition: Intensive Grazing

Delete this policy.

The policy that the Otago Regional Council is trying to implement surrounding Intensive Grazing and areas that can be planted in forage crops will make it very difficult for us as farmers to grow sufficient feed to feed our animals well during challenging times of the year. We would not be able to farm sustainably without our forage crops.

They need to re-evaluate their definition of Intensive Grazing and take into consideration the different climatic conditions that the different area of Otago face. Just because farms in low risk areas with low rainfall plant larger areas of forage crops does not mean they are going to cause more environmental damage. The regulation and policy that the council implements needs to be PROPORTIONATE TO RISK. The Otago Regional Council needs scientific evidence to back their policy and consult with farmers on Best Farming Practices as we as farmers are proud custodians of the land.

Part E: 13.5.1.8A

Delete this policy.

The Otago Regional Council needs to consider the diverse farming areas within Otago as well as the diverse range of farming systems that operate within these areas.

We see ourselves as caretakers of the land. We would like the Otago Regional Council to engage in meaningful discussions with farmers to understand how our operations function and comprehend the tremendous work we are doing before enforcing new policy that could cause have detrimental impacts on our business but not create any environmental gains. Policy needs to be PROPORTIONATE TO RISK.

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

A handwritten signature in blue ink that reads "Charlotte Dykes". The signature is written in a cursive style.

Signature: _____ Date: 14 August 2020