

# ORC Omnibus Plan Change - Plan Change 8

Submission Reference no: 46

Glengarry Station (Jonathan Hay)



**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?

### Notes

see attached

### 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]

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**From:** Jennifer [REDACTED]  
**Sent:** Monday, 17 August 2020 12:05 pm  
**To:** ORCplanchanges; policy@orc.govt.nz  
**Subject:** plan change 8 submission  
**Attachments:** Submission\_Form\_Omnibus\_Plan\_Change\_8 (1) (1).docx

# 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>	Glengarry Station		
<b>Title:</b>	Mr Mrs Miss Ms Dr Other: <i>(Please tick the appropriate title)</i>		
<b>First name of submitter:</b>	Jonathan	<b>Surname of submitter:</b>	Hay
<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: Jonathan Hay

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 <b>not a person who could gain an advantage in trade competition</b> through this submission <input type="checkbox"/> yes	I am <b>a person who would gain an advantage in trade competition</b> 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"/>
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## 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 <b>whole of Plan Change 8</b> <input type="checkbox"/>	I am submitting on <b>specific parts of Plan Change 8</b> (please detail below) <input checked="" type="checkbox"/> Yes
<b>The specific parts of the matter that my submission relates to are:</b>	
Part D Intensive Grazing Part E Stock Exclusion Part A – Nutrient Allocation policy 7d6 and Part C policy 7d9	



## 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	Neutral	Oppose yes
<b>The reasons for my view(s) are:</b>		
<p><b>Intensive Grazing Part D</b></p> <p>I oppose the proposed Intensive Grazing rules in respect to the 100ha or 10% of the land holding rule</p> <p>I oppose the proposed Intensive Grazing Rule in respect to the 10m vegetative strip between the area of grazing and a water body.</p> <p>I Jonathan farm Glengarry Station in Moonlight Otago on the Taieri Ridge, it is an extensive 2500 ha property supporting 7500 Stock Units ( 300 Cattle and 6000 sheep). Our average rainfall is 450ml with extremely hot summers and very cold winters.</p> <p>Our pastures have limited or no growth from the May until September. We rely on spring/summer harvested silage, balage and hay and Brassica crops to feed our stock over the winter months. The rule states 100ha or 10% of the land holding – whatever is lesser, of brassica, beet and root crops.</p> <p>This rule is unfair and punishes larger landowners. Especially as it applies to both grazing summer and winter crops.</p> <p>This year we have 95 ha in Rape and 20 Ha in Fodder Beet and 20 Ha in Swedes. 135 ha in total. Or approximately 5.5% of our total land holding. Under the proposed rules this would require a resource consent.</p> <p>Yet smaller properties can have up to 10% of their total landholding intensively grazed. Our extremely low rainfall and use of sacrifice areas means we rarely experience pugging and run of from intensively grazed brassica crops (please see images below).</p> <p>Putting this rule in place will make little or no difference on the sediment and nutrient losses from intensive grazing areas on properties like ours, but it will mean additional expense and time in respect for applying and paying for a resource consent.</p> <p>I support the exclusion of pastures and crops in this rule</p> <p>I would ask the Environment Court to remove the 100ha maximum limit and apply the 10% rule only.</p>		
<p><b>Stock Exclusion Part E</b></p> <p>I support the desire to maintain or improve the quality of water in Otago, I understand that in some instances stock can have a negative effect on water quality.</p> <p>However, I oppose blanket rules that do not consider the variability of land type, stocking rate and farming practises in Otago.</p> <p>I oppose rule 13.5.1 8AB – definition of a dairy cow</p>		

The exclusion is for pigs and dairy cattle at this stage. Dairy Cattle farmed for milk production and weaned and unweaned calves and dry stock.

Here at Glengarry Station we buy in 15 Dairy bull Calves annual – these are treated like beef animals in every respect and grazed in the same way we would a beef calf. As such should be classified as beef and not dairy.

I would ask the Environment Court to remove the dairy weaned calves from the rule or stipulate if managed as a beef calf the rule does not apply.

The exclusion of Dairy Cattle is the first step towards more comprehensive stock exclusion and by 2023 all cattle will be excluded.

I oppose the blanket rule of all cattle exclusion from all 1m wide waterways. On extensive properties such as ours with large blocks, small creeks and low cattle stocking rates, the effect on water quality is non-existent. We know this, because we have measured the quality of the water on our extensive hill country as it leaves the property and know water quality has not been affected by cattle, and on our flatland the creeks are ephemeral and do not flow into the neighbours.

The cost of fencing the waterways on these large rugged blocks and putting in a reticulated water system (if even possible) is eye watering, and could threaten the viability of our farming business, for no benefit. Fencing \$15 per meter estimate of 25km - \$300,000. This is a direct cost with no increased production benefits to support it.

I support ORC current permitted activity-based rules around water quality as it allows farmers the flexibility to manage the water quality on their farms without blanket restrictions.

I would ask the Environment Court to remove the blanket restriction that exclude all cattle from waterways greater than 1m in 2023. And replace it with rules that give exception to extensive properties with low cattle stocking rates and slope and or give exceptions for those properties that can show the quality of water has not been degraded in any way by the cattle grazing policies of the farming business

I support the exclusion of sheep from this rule. As excluding sheep will have minimal if any positive effect on water quality but will add significant fencing costs - \$20 per meter for sheep exclusion fencing vs \$15 per meter for cattle.

### **Nutrient Allocation (Nitrogen)**

Part A – Nutrient Allocation policy 7d6 and Part C policy 7d9

I oppose this policy

The Policy locks in Nitrogen for high leachers in resource consents for up to 10 years. This means there is automatically less Nitrogen available in the allocation for farmers who were farming within the environmental limits under when ORC reviews the regional plan, because a significant proportion of the nitrogen has already been locked up in resource consents that will expire well after the regional plan changes. The ORC has not done the scientific work and modelling to determine how much nutrients need to be reduced in Otago waterways and therefore how much nitrogen allocation is available to land users. ORC should not be allowing nitrogen to be locked into resource consents until it has done that work

It also effectively sets up grandparenting nutrient allocation framework. Restricting farmers to limits based on historical nutrient losses is Grandparenting. Grandparenting punishes farms such as

ours with low nutrient losses by removing our ability to adapt and change, whilst allowing the high leachers to continue as they traditional have and continue to negatively impact water quality.

Glengarry Station is and extensively farmed property (at 3.5 su/ha) in the development phase, our Nitrogen losses across the property are exceptionally low.

Our financial sustainability for our business is based on implementing the development plan for the farm. The proposed Grandparent provisions will severely impact the financial stability of our business, our ability to retain staff, the taxes we pay and the money we spend with agricultural related businesses. We would strongly oppoisy any form of grandparenting as a way of allowcating nutrient discharges as this would penilise us as low emitters because it removes our ability to adpdt to changing conditions and farming practises.

ORC have not done the scientific , economic or social analysis to determine what allocation frame work is the right one for Otago

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

Approve Plan Change 8	Approve Plan Change 8with amendments	Decline Plan Change 8
<b>The reasons for my view and/or any amendments I am seeking are:</b>		
<p><b>Intensive Grazing</b>            For the reasons stated above            I would ask the Environment Court to remove the 100ha maximum limit and apply the 10% rule only.</p> <p><b>Stock Exclusion</b>            I oppose rule 13.5.1 8AB – definition of a dairy cow            I would ask the Environment Court to remove the dairy weaned calves from the rule or stipulate if managed as a beef calf the rule does not apply.</p> <p>I oppose the blanket rule of all cattle exclusion from all 1m wide waterways. On extensive properties such as ours with large blocks, small creeks and low cattle stocking rates, the effect on water quality is non-existent. We know this, because to comply with ORC 6A based on permitted activity we have measured the quality of the water that passes through our farm as it leaves the property and know water quality has not been affected by cattle.            I would ask the Environment Court to remove the blanket restriction that exclude all cattle from waterways greater than 1m in 2023. And replace it with rules that give exception to extensive properties with low cattle stocking rates and slope and or give exceptions for those properties that</p>		

can show the quality of water has not been degraded in any way by the cattle grazing policies of the farming business

**Nutrient Allocation(Nitrogen) Part A 7D6**

Delete this policy

ORC needs to undertake the scientific economic and social analysis to make an informed policies and rules to address Nitrogen losses in Otago. This needs to be done in consultation with farmers.

## 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 **yes**

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: \_\_\_\_\_ :Jonathan Hay \_\_\_\_\_ Date: \_\_\_\_\_  
17/8/2020

