

ORC Omnibus Plan Change - Plan Change 8

Submission Reference no: 64

Lauder Creek Limited (Kelly Heckler)

New Zealand

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: [REDACTED]
Sent: Monday, 17 August 2020 1:35 pm
To: ORCplanchanges
Subject: Submission Kelly Heckler ORC Plan Change (Omnibus)
Attachments: Submission_Form_Omnibus_Plan_Change_8 (1).docx

Hello
Please find enclosed my submission.
Kind regards
Kelly Heckler

James Heckler

[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):	Lauder Creek 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: <i>(Please tick the appropriate title)</i>		
First name of submitter:	Kelly	Surname of submitter:	Heckler
First name of contact person (if different to above):		Surname of contact person (if different to above):	
Home Ph:		Work Ph:	
Mobile:	[REDACTED]		
Email address for service:	[REDACTED]		
Postal Address (or alternative address for service):		Postcode:	

Part B

Submitter Name: _____ **Kelly Heckler** _____

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"/>
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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 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"/>
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The specific parts of the matter that my submission relates to are:

This submission relates the specific rules:
Part C – Good farming practices
Part D – Intensive grazing
Part E – Stock access to water
Part F – Sediment traps
These rules directly effect our faming business.

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

The reasons for my view(s) are:

Policy 7.D.6 (b)(i)

Wording isn't clear. There is ambiguity about what this policy means when applying for resource consent. Does this rule apply to all chemical, physical, and biological indicators of water quality or only specifically Nitrogen?

Action: Amend wording clearly define the criteria.

Policy 7.D.9. (a)

Good farming practices do not always translate to reduction in contaminants entering water ways. Evidence and understanding of water ways will encourage engagement and address issues relating to water quality.

Action: Good farming practices should always be linked to actual outcomes and this needs to be reflected in the policy.

Policy 7.D.9. (b)

Stock grazing can be beneficial for some water bodies. Extensive grazing (low stocking rate) especially at certain times of the year can promote biodiversity by controlling weeds and can also prevent flow channels which can occur in overgrown grass and help mitigate some effects of flooding due to overgrown grass.

Action: Amend this rule to recognise the benefit of grazing water ways at certain times on the year.

Rule 14.6 – Rural land use

Rule 14.6.1.1.(a)

A blanket rule created with lack of farm level scientific data and little regard to water quality.

This rule will effectively create environmentally damaging hot spots on the intensive grazing areas on farms due to:

A forced position to have large amounts on livestock on high yielding crops, on small areas, contributing to large amounts of nutrient accumulating on these small areas.

This rule is unreasonable and will cripple farming businesses. It has failed to address the economic and social implications on community wellbeing.

Large farms are being penalised unfairly. For example a 2000 ha farm might have usually have 180ha of winter and summer crop to feed stock at times of no growth i.e. drought and winter. Under this proposed rule they will only be allowed to crop 100 ha in winter and summer crops. The usual crop area is below 10% of total farm area but the farm would have to comply with the 100ha maximum as per the proposed rule. This farm could potentially have to reduce stocking rate significantly, impacting on the financial viability of the farming business. This farm could also have high water quality.

Action: Removal of rule 14.6.1.1.(a)

Intensive grazing definition

The definition of intensive grazing is incorrect. Intensive grazing defined by stocking rate per ha, not crop.

Action: The definition and term needs to be corrected to align with the objectives of the ORC and what the policy needs to achieve.

Rule 5.1.10

Sediment traps under the definition of proposed plan change 8 don't extend to rivers and continually flowing water bodies. There is a significant benefit in altering water velocity to remove sediment in rivers and annually flowing bodies.

Please see the link <https://youtu.be/BMUJn9zL2y8> where effective sediment traps are working in rivers and continually flowing streams.

Action: Amend rule to include rivers and continually following water ways.

What decision would you like the Environment Court to make?

Approve Plan Change 8

Approve Plan Change 8 with amendments

Decline Plan Change 8

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

While some of the policies and rules outlined in proposed plan change 8 are long overdue there still seems to be a drive towards controlling inputs with no regard to scientific outputs.

Many of the proposed plan change 8 rules seem to be generic and technically unfounded to promote improved water quality.

As a community we need to gather data and make decisions based on evidence and trends. We cannot continue to ignore the outputs. Focusing on inputs alone, stifles innovation and community engagement with the natural resource we are all striving to enhance.

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:** _____

