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To: [Plan Hearings](#)
Subject: Rooney Farms Limited - Plan Change 7 Evidence
Date: Friday, 17 July 2020 9:43:06 am
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[Rooney Farms Limited Richard Draper Evidence LWRP_PC7_FINAL_170720.pdf](#)
[Rooney Farms Limited Statement of Evidence Keri Johnston_FINAL_170720.pdf](#)

Please find this attached.

Kind regards,

Keri



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**BEFORE THE HEARING PANEL APPOINTED BY THE
CANTERBURY REGIONAL COUNCIL**

IN THE MATTER OF the Resource Management Act 1991

AND

IN THE MATTER OF the Proposed Plan Change 7 [LWRP]

STATEMENT IN SUPPORT OF ROONEY FARMS LIMITED, SUBMISSION # PC7-453

PREPARED ON BEHALF OF THE ABOVE SUBMITTERS BY

RICHARD DRAPER

Dated: 16 July 2020

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1. Introduction

1.1 My name is Richard Draper.

1.2 I am the Business Manager of Rooney Farms Limited (**RFL**).

1.3 I hold a PhD (Biochemistry) and a MSc with distinction (Genetics), both from Otago University.

1.4 I have been involved in the agricultural sector most of my life either through farming or agricultural service activities and have a strong interest in farm systems and farm performance, particularly animal finishing systems.

1.5 I have been with RFL since 2013 and have responsibilities in the areas of farm performance and strategy, stock and agricultural policies, resource consenting and compliance, staff, and business development. I have also been involved in the design, evaluation, and approval of Rooney Farms recent irrigation developments.

1.6 In preparing my evidence, I have reviewed the following:

- i. Proposed Plan Change 7 to the Canterbury Land and Water Regional Plan (**PC7**);
- ii. Various submissions from other parties
- iii. Parts of the Section 42A Report

2. Rooney Farms – Introduction

2.1 RFL runs an integrated farming business which includes sheep, beef, deer, dairy, and arable enterprises.

2.2 Our business operates throughout Canterbury and North Otago, with nine of our farms located within the Orari-Temuka-Opihi-Pareora (**OTOP**) Zone.

2.3 Our organisation is environmentally conscious and has a strong focus on protecting the natural environment. Recent efforts include large scale stock exclusion and riparian planting programs, significant annual investments in weed and pest control, and the protection of large tracts of high-country land.

2.4 RFL hold a number of individual irrigation consents and are shareholders and/or supporters of irrigation schemes in the zone. We are advocates for sustainable irrigation, recognising the significant economic and community benefits water brings to our region.

3. Summary of our Submission

3.1 I address a selection of matters raised in the RFL submission, in particular:

- i. Orari River High Naturalness Water Body; effects on existing land use / irrigation and consent renewal pathways; related impact on farm and business.
- ii. Orari Freshwater Management Unit Environmental Flow and Allocation Regime; effects on reliability for upstream users; related impact on farm and business.
- iii. Land use restrictions in the High Runoff Risk Phosphorous Zone [HRRPZ]; effects on farm system and related impact on farm and business.
- iv. Rangitata Orton High Nitrogen Concentration Area.

4. Orari River High Naturalness Water Body

- 4.1 Under both the proposed and operative LWRP, Orari River and tributaries (from the mouth of the Gorge to the headwaters) is listed as a High Naturalness Water Body. This is in respect of the (a) high degree of naturalness and (b) high visual amenity value – very high scenic and recreational values, and very high water clarity.
- 4.2 The Upper Orari catchment (above the Gorge) maps at approximately 50,000 ha and includes one of our farms, Dry Creek Station, through which the three major tributaries of the Orari River flow. These are the Hewson River, Phantom River and the Orari River itself. A location plan is attached to my evidence in **Appendix One**.
- 4.3 Dry Creek Station is 14,000 ha, and ranges from approximately 450-1700 m elevation. The farm is in most ways typical of a high country station, with smaller areas of more developed land on the lower and flatter 'front country', with larger more extensive areas of native and tussock land cover on the ranges and river valleys to the back. RFL agrees that the area and farm are special, which is one of reasons the farm was purchased.
- 4.4 Areas of developed or improved pasture on Dry Creek Station account for less than 1,000 ha of the total farm area but are critically important for the farm system as a whole, and the ability to meet animal feed requirements over the course of a year. These areas produce 'strategic feed', necessary to manage the 120 day plus winter period where there is no growth, by securing winter crops, and supplementary feed (silage/hay). These areas are also critical to produce higher energy feed to support the growth of young stock, for which 'native' or unimproved pastures are insufficient.
- 4.5 An important part of the above 'developed area' is 90 ha of irrigated pasture. The irrigation provides a level of control and certainly around feed production in one area of the property that provides a critical link in our feed supply and farm system. We estimate that on average this irrigated area grows three times the feed as other developed areas on the farm, with 20 % higher feed quality/energy. Specific and tangible examples of the productive and economic improvements this irrigation has contributed to since 2014 include: a 30% lift in lambs born, 25% lift in lambs sold prime, and heifers grown more successfully, so that they can calve as 2-year olds.
- 4.6 This irrigation naturally requires a consent. In this case, RFL holds a consent to take and use surface water from the Orari River. The ability to renew this consent, now and also in the future is critical to maintaining the gains listed above and remaining economic. In 2016, we

lodged an application to renew our resource consent. This has proved difficult. The process and the difficulties being experienced are discussed in the evidence of Keri Johnston. We placed the application on hold while the LWRP sub-regional process was worked through.

- 4.7 The OTOZ Zone Implementation Program Addendum (**ZIPA**) sought to address the renewal of water takes from High Naturalness Waterbodies and specifically recommended: *“the policy and rule framework for High Naturalness Waterbodies ... recognise the value of, and investments in, existing irrigation infrastructure when considering resource consent applications that will replace an existing resource consent for the same activity on essentially the same terms and conditions”*.
- 4.8 However, PC7 does not attempt to resolve these issues, and does not provide an effective pathway for renewal of our consent. Without the consent, our significant investment in irrigation and related infrastructure (in excess of \$1.5 million dollars to date), as well as those other investments reliant on irrigation, will be unusable. And we would ultimately unwind to a less productive farm system, and a less economically viable farm business.
- 4.9 I note the Section 42A report in relation to other submissions in relation to High Naturalness Waterbodies¹ has incorrectly suggested that there are other options such as transferring these takes deep groundwater. At Dry Creek Station, deep groundwater is not an option for us. There is no deep groundwater resource at our location, and therefore, this is not a viable alternative for us at all. Our only water source is the river.
- 4.10 Our submission simply seeks a policy framework that will allow us to renew our consent from a High Naturalness Waterbody. This is also discussed in the evidence of Keri Johnston.

5. Orari Freshwater Management Unit Environmental Flow and Allocation Regime

- 5.1 Table 14(h) of PC7 sets out the Orari Freshwater Management Unit Flow and Allocation Regime for abstractions from the Orari River and tributaries. This regime ties all surface water takes from the Orari River and some of its tributaries to a minimum flow at the Upstream Ohapi recorder site.
- 5.2 Our current consent (which we continue to operate under until such time as the renewal consent is issued) is subject to a minimum flow measured at the Orari Gorge of 2,203 L/s.

¹ Orakipaoa Water Users Group

- 5.3 RFL believes Upstream Ohapi is not the best location to measure takes above the Gorge. This is because the hydrology of the Orari River is complex, with water moving into, out of, and between adjacent systems. There are also significant underground flows, and large dry reaches in summer.
- 5.4 PC7 and the ZIPA place significant emphasis on the values, character, and overall importance of the Orari Gorge, which RFL generally agrees with. This is manifested by listing the Upper Orari in both the “High Naturalness Water Body” and “Flow Sensitive” catchment categories.
- 5.5 It stands to reason then, to preserve these values, abstractions above the Gorge would be best measured against a minimum flow at the Gorge Recorder, as they do currently.
- 5.6 Our environmental consultant has looked at the flow statistics for the Orari River at the Gorge. The mean flow at Orari Gorge is 9,665 L/s. RFL understands that under the draft National Environmental Standards – Ecological Flow and Water Levels (2008) (**Draft NES**), based on a threshold of 80% of MALF for rivers with a mean flow greater than 5,000 L/s, the minimum flow at the Gorge would be in the order of 1910 L/s.
- 5.7 As well as our take, there is one other abstraction above the Orari Gorge. This consent has a minimum flow of 2,950 L/s, and the total allocation between the two consents is 110 L/s.
- 5.8 RFL believe it would be logical then, to create a separate allocation block for above the Orari Gorge, and to use the current consented minimum flows as these are the more restrictive than the Draft NES.

6. Land use restrictions in the High Runoff Risk Phosphorous Zone (HRRPZ)

- 6.1 Plan Change 5 to the Land and Water Regional Plan (**LWRP**) brought in restrictions on the amount of winter grazing that could be conducted without the need to obtain a resource consent. This was up to 10 hectares, or 10% of a property between 100-1000 hectares, so long as other conditions such as registration in the Farm Portal and a Management Plan had been prepared and implemented.
- 6.2 PC7 seeks to introduce a lower (seemingly arbitrary) threshold of 20 hectares winter grazing by cattle or deer on any farm where some of the property falls within the HRRPZ (Rule 14.5.17). Any area greater than this requires a resource consent to be obtained.
- 6.3 Requiring a resource consent means that an audited Farm Environment Plan (**FEP**) is required. In our experience, investment in time and financial resources to satisfy the audit requirements

of FEP's is now in real danger of dramatically eclipsing the time and money spent on achieving environmental outcomes (fencing, planting, and active grazing management). In general terms we support the use of FEP's but remind the regulators that these only remain effective tools when the focus stays on achieving environmental outcomes, rather than satisfying the auditor and/or regulator.

- 6.4 The definition of Property in the LWRP is any property or group of property 'farmed continuously' under same management. This means that under proposed Rule 14.5.17 there is significant inequity between neighbouring farms of different sizes if a flat 20 ha threshold is applied. For example, 20 ha of winter grazing on one 100 ha farm is permitted, but 30 ha on a 200 ha farm would require resource consent and audited FEP.
- 6.5 Plan Change 5 has only recently come into play, so there has been insufficient time to assess what progress will be made under existing nutrient management and winter grazing rules such as the 10% threshold, and requirement for Management Plan.
- 6.6 RFL requests Rule 14.5.17 be deleted, or at least amended to remove the word 'Deer' so that only winter grazing of Cattle will be captured by this rule until the effectiveness of the Plan Change 5 framework can be assessed (logically at the next plan review).

7. Rangitata Orton High Nitrogen Concentration Area (HNCA)

- 7.1 RFL supports the submissions of DairyNZ, Federated Farmers, and Rangitata South Irrigation Limited in regard to the Rangitata-Orton (and other) High Nitrogen Concentration Areas (HNCA) and associated rules and policies.
- 7.2 In particular, we believe it is critically important that any reductions in N-loss required are linked to water quality targets, so that reductions are only required to be achieved if the water quality targets are not being met.

Dated 17 July 2020

Richard Draper

APPENDIX ONE

