

Submission on Notified Proposal for Plan, Change or Variation

Clause 6 of Schedule 1, Resource Management Act 1991

To: Timaru District Council

Name of submitter:

SIMON JOHNSON RANGITATA IS DAIRY LTD
[State full name]

This is a submission on the following proposed plan or on a change proposed to the following plan or on the following proposed variation to a proposed plan or on the following proposed variation to a change to an existing plan) (the 'proposal'):

DRAFT PLAN, in its current form
[State the name of proposed or existing plan and (where applicable) change or variation].

I ~~can~~ could not* gain an advantage in trade competition through this submission.
[*Select one.]

*I am ~~not~~ directly affected by an effect of the subject matter of the submission that—

- (a) adversely affects the environment; and ✓
- (b) ~~does not relate to trade competition or the effects of trade competition.~~

[*Delete or strike through entire paragraph if you could not gain an advantage in trade competition through this submission.]
[†Select one.]

The specific provisions of the proposal that my submission relates to are: [Give details]

SASM 23

My submission is: [Include whether you support or oppose the specific provisions or wish to have them amended; and reasons for your views]

[If your submission relates to a proposed plan prepared or changed using the collaborative planning process, you must indicate the following:

- Where you consider that the proposed plan or change fails to give effect to a consensus position and therefore how it should be modified; or
- In the case that your submission addresses a point on which the collaborative group did not reach a consensus position, how that provision in the plan should be modified.]

Refer to attachment

I seek the following decision from the local authority: [Give precise details as this is the only part of your submission that will be summarised in the summary of decisions requested]

Refer to attachment

I wish (or do not wish) † to be heard in support of my submission.

[*In the case of a submission made on a proposed planning instrument that is subject to a streamlined planning process, you need only indicate whether you wish to be heard if the direction specifies that a hearing will be held.]

[†Select one.]

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

[*Delete if you would not consider presenting a joint case.]

Simon Johnson

Signature of submitter (or person authorised to sign on behalf of submitter)

[A signature is not required if you make your submission by electronic means]

Date 15/12/22

Electronic address for service of submitter: simon.johnson@scorch.co.nz

Telephone: 0218744448

Postal address (or alternative method of service under s352 of the Act): 227 Wallace Road RD 26 Temuka 7986

Contact person: [name and designation, if applicable] Simon

Note to person making submission

- 1. If you are making a submission to the Environmental Protection Authority, you should use form 16B. If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.
2. Please note that 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 contains offensive language:
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialist knowledge or skill to give expert advice on the matter.

TDC Proposed District plan Submission, SASM 23

14/12/22

Rangitata Island Dairy Ltd

Submission to TDC regarding the rules of SASM 23 that effect our entire property located on Rangitata Island, Wallace Road.

Dairy Farming

We oppose the intent of the sasm rules where they will restrict and over regulate the normal operations of our farming business.

We would like to be heard on this submission in person.

We would like district plans that balances environmental, cultural, social, and economic values while ensuring rules are equitable, cost-effective, pragmatic and effects based. We also want district plans that are easy to use and understand; acknowledge and reward the positive effects farming has on conservation; and recognise the importance of collaborating with rural communities to achieve desired environmental outcomes. A lot of regulation has come at a significant cost to financial and mental health within the primary sector. Many of the costs are unnecessary and place additional pressure on the primary sector. Areas of discussion around climate change, biodiversity, outstanding natural features, and general land use activities need to be carefully considered to ensure that decision making takes into account the impact (economic, social, and environmental) on rural communities.

We believe there is already regulation currently on the land for our farming operation to have the same effects the proposed SASM district rules are intending.

We accept that, where there is something identified to be protected ie something physical or specific, we can work toward managing the risks around the degradation of that specific/physical feature, while still allowing the normal course of business, giving equitable weight in what EVERYBODIES needs are, both iwi and private landowners.

The proposed layer of rules, on top of an already encyclopaedia of rules, is choking the ability to farm financially and operate a farm, not to mention the time, cost , and mental capacity/welfare. My time is now spent 15-30% on compliance, that is including using consultants on just about every aspect. Annually our business is up to \$30-40k on rules based compliance, so when the council say it will just cost \$1200 to conduct a consent for an unpermitted activity under the new SASM proposed rule, not including a consultant, as the council elude "its just a little cost", this is just added to the pile. We object, its just a little cost.

We take issue with the fact the rules do not specify what they are protecting. This becomes too broad and open for interpretation. The challenge then is, who in the council has the ability to define whats been degraded or protected. The wide ranging area (SASM 23) as its proposed in TDC draft plan effects our entire private property that may or may not have anything to protect.

To refer to existing rights (the councils words) as a way of combatting the force of the proposed rules, is flawed, as existing rights can have an expiry (Regional Council), and lock your business into the existing use. It also is a defence mechanism with a high threshold scrutiny by an environmental court, wasting time, money, and mental collateral to simply defend what you already do if your business is challenged on existing rights.

If there are areas specific , we believe you would largely get better buy in from Landowners as they can see it, unfortunately with broad brush approach , you will get unintended degradation and less engagement from the private property owners. Defeating the objective. The reason for iwi not to identify specific areas for fear of vandalism is an unfounded reason not to specify.

Specific Ruling:

Artificial lighting:

The rules around artificial lighting or limited lighting would have an profound effect of the operation of our business, this is practically debilitating, meaning we will not be able to operate in the hours of darkness. Meaning, drive a tractor, or any machinery at night, this rules out harvesting any crops, silage making, feeding stock in the evening/morning, (ie cant feed out to stock in the evening after milking so they will have to wait til the next day, really!!!!) becomes an major animal welfare issue,, logistical nightmare. Resulting from this is an economic issue – require more staff to do more jobs in a confined period for the same output. And animals under stress will not perform. This just simply will not work practically for any farming operation, particularly dairying like ours or cropping.

Earthworks:

Earthworks are essential to the operations of my farm, the rules proposed by the council are too over prescriptive and create un-necessary regulation in areas that have been zoned as an SASM, that could have been accidentally zoned where there was no evidence that it is culturally significant to Māori. As a landowner we find it concerning that extend of which these areas have been mapped, without proper consultation from the council.

Earthworks, the entire area mapped over our property, means that any earthworks other than track maintenance is not permitted. One example of many, is if I wanted to fill in a hole (could be a hole or rut mark from winter who got stuck in a tractor and left a big hole in the ground, or pivot wheel track maintenance. If left unattended, the regional council will prosecute for ponding of water lying in the wheel rut, and if it that ponding happens to be in an effluent discharge area, then we would be prosecuted for ponding of effluent and downgraded on our farming consent. The alternative is we have to organise a truck (contractor) to bring material in from outside the area, and infill the hole, in the case of pivot wheel maintenance, volumes could be as much as on our farm 50mm x 400mm x 40kms (11 pivots). Approx 1000ton would need to be imported at a cost of \$40/t = \$40,000. Just for the material, then laid, so \$60k. Currently under the Regional rules we can utilise the tailings from the wheel displacement to infill and on farm quarry. At a cost using our own machinery for around \$2-3000. This is just one example of the effect of restricting our normal operations.

Enabling earthworks is an essential sustainable requirement for any farming operation, just like it is for the rural roads, electrical utilities, any land based activity. Again if there are any areas specific , then we could manage that accordingly.

Trees

Restrictions of shelterbelts are seen as heavy-handed approach taken by council, without the consideration of implications these will on farm operations, especially the welfare of stock. We use them to create environments of shelter from conditions for stock and creating biosphere is essential to the health of crops and wildlife who use the shelterbelts as sanctuaries from the climate. This is huge unnecessary regulation on the rural sector.

In summary, we find these proposed rules unnecessarily restrictive to basic farming operations and just over the top regulation, with little regard given to landowners and businesses. We would like the council to give landowners and businesses a fair say in these rules as we believe the consultation process was light and rushed. We only found out regarding the rules via an industry body that we happened to be talking to at the time. We did not see it in the format the council used to communicate with. It is unreasonable to expect busy people to be just wading through someone's web site and come across the information. Normally we'd get a letter regarding this, as we did with the SNA, but not with the SASM.

Regards

Simon Johnson

simon.johnson@scorch.co.nz

From: [Simon and Jen Johnson](#)
To: [PDP](#)
Subject: RE: Submission on TDC district plan
Date: Thursday, 15 December 2022 9:06:13 pm
Attachments: [image001.png](#)
[Submission TDC district plan.docx](#)
[Submission form 120221215_20592024.pdf](#)
[Submission form 220221215_21003066.pdf](#)

Hi, I have just received this email now as I've been working all day and I am furious to discover this will not be considered. I have spent days doing this, and this is very important to me. I am lodging my submission, and if it isn't heard I will lodge a complaint, and demand that I will be heard.

Simon

From: PDP <pdp@timdc.govt.nz>
Sent: Thursday, 15 December 2022 9:37 am
To: simon.jen.johnson@outlook.co.nz
Subject: RE: Submission on TDC district plan

Hi Simon,

Thank you for your submission. All submissions must be made in the prescribed form. Please complete the attached form and return to us by 5pm today. Otherwise the submission might be treated as a late submission.

Please note all fields in the form are mandatory.

Regards

Megan



Timaru District Council | PO Box 522 | Timaru 7940
P: 03 687 7200 | W: www.timaru.govt.nz

From: Simon and Jen Johnson <simon.jen.johnson@outlook.co.nz>
Sent: Thursday, 15 December 2022 7:58 AM
To: mailroom <mailroom@timdc.govt.nz>
Subject: Submission on TDC district plan

Hi Can you please forward the attached to the correct department with the TDC before 2pm 15/12/22. And send me an acknowledgement reply email.

Regards

Simon