

Our Reference: A1782060

Consent No. RM23.321.01

LAND USE CONSENT

Pursuant to Section 104C of the Resource Management Act 1991, the Otago Regional Council grants consent to:

Name: L.G. and J.M. Morris Limited

Address: 161 Wairuna Settlement Road, Popotunoa

Use of land for intensive winter grazing

For a term expiring 28 April 2028

Location of consent activity: 161 Wairuna Settlement Road, Popotunoa and
289 Burkes Ford Road, Wharetoa.

Legal description of consent location: Part Lot 48 DP 1956, Lot 1 DP 11083, Lot 1
DP 459028

Map Reference NZTM2000 E1316123 N4889837, E1322055 N4893670
(approximate midpoint for site):

Conditions

Specific

1.
 - a) This consent authorises the use of a maximum of 70 hectares of land for intensive winter grazing between 1 May and 30 September each year at the location and legal descriptions specified above.
 - b) The total area of the farm to be used for intensive winter grazing over the term of the consent must not exceed 425 hectares at the location and legal descriptions specified above.

2. The activity must be carried out in accordance with the plans and all information submitted with the application, detailed below, and all referenced by the Consent Authority as consent number RM23.321.01:
 - a) Application form, and assessment of environmental effects prepared by L G and J M Morris dated 21 April 2023.
 - b) Intensive winter grazing management plan, dated 21 April 2023 and any subsequent management plans supplied on an annual basis as required by conditions 10 and 11;

If there are any inconsistencies between the above information and the conditions of this consent, the conditions of this consent will prevail.

3. The intensive winter grazing authorised by this consent must only be exercised in conjunction with consent RM23.321.02.

4. From 1 May to 30 September each year:
 - a) The intensive grazing activity must not occur within any critical source areas unless otherwise provided for in the Intensive Winter Grazing Management Plan required by Condition 10.
 - b) Vegetation must be maintained as ground cover over all of the critical source areas within and adjacent to any area of land to be used for grazing where reasonably practicable.
 - c)
5. The grazing activity must not occur within:
 - a) 5 metres of the bed of any river, lake, artificial watercourse, wetland or surface drain regardless of whether there is water in it at the time.
 - b) 50 metres of any water abstraction point;
 - c) any Wahi Tapu sites or sites of cultural significance to Kai Tahu;
or
 - d) 200 metres of any place of assembly or dwelling not on the subject property.
6. When the intensive winter grazing activity is occurring on any part of the landholding, the Consent Holder must, where included as a strategy in the management plan required under condition 10:
 - a) Where practical back fence stock at all times to prevent the stock re-entering previously grazed areas; and
 - b) provide water trough(s) in or near the areas being grazed; and
 - c) where practical progressively graze stock from the top to the bottom of any slope, where this is not possible a 20 metre "last bite" strip must be left at the bottom of the slope to be grazed last; and
 - d) Where practical stock will enter at the top end of the paddock and be strip grazed moving in a downhill direction
7. Vegetated buffer strips must be maintained at all times between any area where the intensive grazing activity is occurring and the bed of any river, lake, surface drain, artificial watercourse or wetland.
8. Where the grazing activity occurs on a slope greater than 10 degrees:
 - a) Where practical, stock must be progressively break-fed or block-fed from the top of the slope to the bottom of a slope; and
 - b) Where practical buffers of 10 metres will be implemented between grazing areas and CSA's or surface water bodies
9.
 - a) The Consent Holder must take all reasonably practicable steps to minimise adverse effects on freshwater of any pugging that occurs on the land use for intensive grazing.
 - b) The Consent Holder must ensure that vegetation is established as ground cover over the whole area of land use for grazing as soon as practicable after livestock have finished grazing that land.

Performance Monitoring

10. The Consent Holder must have and maintain an Intensive Winter Grazing Management Plan for the site at all times. For every winter grazing season the plan must include at a minimum:
 - a) Paddock scale plan for the paddocks to be used for the upcoming grazing season that shows where applicable: Critical source areas, buffer zones, areas of slope, gateways, permanent water troughs, shelter, fencing, grass strips, baleage placement and portable troughs.
 - b) Plans for wet weather, adverse events and poor soil conditions.
 - c) How the Consent Holder will undertake the grazing activity.
 - d) How and when the Consent Holder will monitor the grazing activity and management strategies to ensure effectiveness.
 - e) How the Consent Holder will review the management plan and make any changes for the next season.
 - f) Records of:
 - i. How many hectares of intensive grazing occurs each year;
 - ii. What types of stock are and were intensively grazed;
 - iii. Any changes made to the management plan and management of the grazing activity over the season;
 - iv. Photographs of the grazing areas taken before, during and after the grazing season; and
 - v. Type of forage crop grazed.
11. The intensive winter grazing management plan required under Condition 10 must:
 - a) Be updated for each winter grazing season to reflect the area of the farm to be grazed for the upcoming season; and
 - b) After the first year of this consent, be provided to the Consent Authority for certification by 30 April each calendar year in advance of the upcoming grazing season, and any time upon request.
12. The grazing activity must be undertaken in accordance with the management plan required under Condition 10. If there are any inconsistencies between the management plan and the conditions of this consent, the conditions of this consent will prevail.
13. The Consent Holder must ensure that all personnel managing the grazing activity on the site are made aware of, and have access at all times to:
 - a) The contents of this document; and
 - b) The intensive winter grazing management plan required under Condition 10.

Copies of these documents must be present on-site at all times.

General

14. Under section 125 of the Resource Management Act 1991, this consent lapses two years after the date of commencement of the consent unless:

- a) The consent is given effect to; or
- b) The Consent Authority extends the period after which the consent lapses.

Review

15. The Consent Authority may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the Consent Holder of its intention to review the conditions of this consent during the period of three months either side of the date of granting of this consent each year, or within two months of any enforcement action taken by the Consent Authority in relation to the exercise of this consent, or on receiving monitoring results, for the purpose of:
- a) Determining whether the conditions of this consent are adequate to deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage, or which becomes evident after the date of commencement of the consent;
 - b) Ensuring the conditions of this consent are consistent with any National Environmental Standards, relevant regional plans, and/or the Otago Regional Policy Statement; and
 - c) Reviewing the frequency of monitoring or reporting required under this consent.

Notes to Consent Holder

1. *If you require a replacement consent upon the expiry date of this consent, any new application should be lodged at least 6 months prior to the expiry date of this consent. Applying at least 6 months before the expiry date may enable you to continue to exercise this consent under section 124 of the Resource Management Act 1991 until a decision is made on the replacement application (and any appeals are determined).*
2. *Where information is required to be provided to the Consent Authority this is to be provided in writing to compliance@orc.govt.nz, and the email heading is to reference RM23.321.01 and the condition/s the information relates to.*
3. *This consent does not authorise access to the land where the intensive winter grazing will occur. Access to the land where grazing will occur must be arranged with the landowner/s.*

Issued at Dunedin this 28th day of April 2023



Rebecca Jackson
Acting Team Leader Consents