



Dairy effluent discharges cop hefty fines

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Two Southland dairy farmers and a company yesterday were given hefty fines for unlawfully discharging dairy effluent to land.

Union Station Dairies and Jeavon Zeestraten both appeared before Judge Jane Borthwick in the Invercargill District Court on the same charge of discharging dairy shed effluent to land in circumstances where it could have entered water at the Tussock Creek property near Winton on January 9.

Environment Southland lawyer Barry Slowley said a council contractor found a pond of effluent on the farm during a routine inspection. The effluent was contained but only because a blocked drain stopped it from entering Tussock Creek, he said.

The summary of facts says since the property was bought in 2004 there has been a history of non-compliance including three prosecutions.

Representing the company, Kees Zeestraten told the court he doubted the pond came from a malfunctioning irrigator and instead could have come from an uncharted tile drain on the property.

The effluent could have been there for some time because it did not smell strong and it was diluted, he said.

"I want to make it quite clear it is not a case of over-application by a travelling irrigator."

There was no evidence of system failure, he said.

Jeavon Zeestraten was also charged with the same offence because as farm manager he was responsible for the effluent system.

Judge Borthwick said while the effluent did not escape through the drain there could have been waterway contamination via runoff.

She was also concerned that there had been no work done to map out the tile drain network on the farm to prevent any like problems in the future.

The company was fined \$25,000 while Jeavon Zeestraten was fined \$11,000.

Brian Maxwell Adams was also charged with discharging dairy shed effluent to land in circumstances where it could have entered water, at his Gummies Bush farm on October 16.

Mr Slowley said council staff discovered effluent spilling from a tile drain into a small water course that flowed into the Aparima River.

Adams' travelling irrigator had only one cam when it should have had two, which led to faulty operation, he said.

Adam's lawyer Rachel Kennard said the defective irrigator was overlooked by a temporary farm manager.

The incident happened while Adams was nursing his ill wife, she said.

Adams had taken immediate steps to remedy the problem by having a new effluent pond designed, with a new low-application irrigator to be installed, Ms Kennard said.

He was investing \$75,000 to improve the operation of the farm, she said.

Judge Borthwick said the irrigator was set up correctly but the missing cam made it apply effluent.

The offending could be put down to a lack of a maintenance programme, she said.

"It is the defendant's responsibility to ensure the farm can comply by the conditions on the discharge permit."

Adams was fined \$12,000.