

18 October 2019

The Chief Executive of the Manawatū-Whanganui Regional Council
Private Bag 11025
Manawatū Mail Centre
Palmerston North 4442

Dear Michael,

Submission of the Horowhenua District Council on Plan Change 2 to the One Plan

Introduction

The Horowhenua District Council (the Council) makes the following submission on Proposed Plan Change 2 – Existing Intensive Land Uses (PC2) to the One Plan, the combined Regional Policy Statement and Regional Plan for the Manawatū-Whanganui Region.

The Council makes this submission in recognition of the purpose of local government set out in the Local Government Act 2002, and the role, status, powers and principles under that Act relating to local authorities. In particular, the Council's comments are made in recognition of its functions and responsibilities under the Local Government Act 2002 and the Resource Management Act 1991 (RMA).

The Council would not gain a competitive advantage in trade competition in making this submission.

The primary interests of Horowhenua District Council relates to the integrated management of land and water resources in the Hokio and Waikawa Water Management Subzones (WMSZ's) as well as implications for other catchments located within the Horowhenua District. Maps of the land uses within the Hokio and Waikawa WMSZ's are attached to this submission.

The Council recognises the scope of PC2 does not include any new objectives and policies in the Regional Policy Statement (RPS) or amend any existing objectives in the Regional Plan (RP).

General Comments

The Council supports the intent to manage the effects of land use to meet freshwater quality objectives and setting N limits - agreed through a specific catchment-based integrated management approach - whilst also providing for economic, social, and cultural goals of the wider community.

In regard to the target catchments within the Horowhenua District, it is imperative that proposed changes recognise and provide for a managed transition and pathways to meet updated limits (Table 14-2). Provisions for transition need to be based on a thorough understanding of catchment data (uses and values, and demands and pressures) and genuine engagement with the affected landowners,

stakeholder interest groups and the wider community, if they are going to be truly effective and achieve desired environmental outcomes.

The Council seeks that in establishing transitional pathways for the Hokio and Waikawa WMSZ's that particular consideration is given to protecting efficient, existing investment in the short term, whilst farmers and growers work through their consenting processes, transition plans (including mitigation strategies and financing) and / or exit strategies.

The Council seeks more detailed information / guidance on how over-allocation will be managed in transition, once a limit has been settled for the target catchments in Horowhenua.

The Council supports the development of a range of methods for "managing N" toward limits established for target catchments. The Council is aware of industry audited self-management programmes to guide a managed transition, and support these as methods to achieve revised limits. Funding and technical support resources could also be provided, for example, to establish self-empowering catchment groups for local land and water management initiatives.

The Council considers that a successful RMA planning regime for target catchments in the Horowhenua District must:

- Anticipate the role of ongoing collaboration and importance of adaptive management to meet the established limits for target catchments;
- Support existing farmers and growers to move towards farming practices that improve the health of waterways;
- Balance environmental, social, cultural and economic values;
- Recognise that optimal mitigation measures differ by sector, farm system and management practices, and by catchment;
- Be based on sound science that the farmers and growers and wider community can understand;
- Protect existing investments of intensive farming activities and allow responsible growth;
- Establish a practical pace of change and transition for farmers;
- Be simple, practical and easily implementable; and
- Maximise returns to the primary sector and community "within the limits", when these are settled.

The Council wishes to express its concerns about the limited information and pre-consultation on draft PC2 given the impact of the change on existing horticulture activities (commercial vegetable growing) which operate in target catchments. The Council was not formally advised of any PC2 meetings nor were they invited to provide any pre-consultation feedback on Draft PC2. The Council would have welcomed the opportunity to provide input on PC2 particularly around the alternatives and options to address the issues identified in the Environment Court Declaration and achieve the purpose of the RMA.

The lack of pre-consultation is a concern to Council as PC2 will have a major disruptive effect on the primary sector in Horowhenua and long established horticulture activities (commercial vegetable growing) which operate in the Hokio and Waikawa WMSZ's. Under the proposed changes (re-calibrated Table 14-2 and consent regime for existing Intensive Farming Land Uses) horticulture operations may not be technically or economically feasible to consent with consequential impacts on New Zealand's supply of fresh vegetables, the District's economy and livelihoods (employment).

Council is also concerned that PC2 will drive land use change away from nationally important food production activities to lower N leaching activities like silviculture, which have low earnings and much lower employment opportunities. (Anecdotally, ~42 people are employed in the value chain of a 1000 ha dairy farm, ~28 from beef and sheep farms, ~ around 230 people are employed in larger-scale horticulture operations through to 3-4 persons for smaller family-scale operations compared to ~14 from pine plantations). The Council is particularly concerned about impacts on district's horticulture industry, which is a sizeable part of the local economy as a whole. PC2 has the potential to negatively affect local employment and have knock on employment effects outside the impacted industry. The Council submits that these economic effects have not been appropriately considered nor assessed in the section 32 report for PC2.

The Council also believes that PC2 could have significant implications on future urban development and infrastructure planning in Levin (and Hokio Beach) as well as growth plans for the Manakau and Waikawa Beach communities. The Hokio WMSZ includes the Levin Town Centre which is the heart of the District and hosts its prime commercial, business, industrial zones. Critical infrastructure, 3 waters and roading infrastructure/transport facilities, are also located within the Hokio WMSZ. An unintended consequence of PC2 could be to constrain the provision of this critical infrastructure to support the local community, which in turn could act as a development moratorium for Levin, which is extremely concerning as it is the economic centre of the district.

The Council is concerned that PC2 is premature, being notified in advance of the scheduled catchment review processes for the Hokio and Waikawa WMSZ's. As a result the proposed changes to Table 14-2 may not achieve the objectives and policies of the RPS relating to N reduction / N Mitigation and improved water quality outcomes, which are sought for the Horowhenua target catchments. Council submits that a formal catchment review process and collaborative consultation with key stakeholders on land use plans, good management practices (GMP's) and N mitigation strategies, are an essential precursor to updating/recalibrating a sustainable land use and N regulation regime for the Hokio and Waikawa WMSZ's. A robust catchment review process is the best option for informing good policy and regulation leading to sustainable practices and improved water quality outcomes long term. On this point, Council notes that the information for PC2 records that N discharges are different than projected N discharge estimates. Hence research and engagement is critically important to increase knowledge on N discharges, N mitigation strategies/GMP's and even green technologies at the catchment level. Ideally, Table 14-2 should be customised for each catchment, stream by stream, to appropriately recognise the values, uses of resources and pressures of each catchment, and even between catchments.

In summary, the Council believes that consenting frameworks and nitrogen limits set for target catchments in Horowhenua must take account of the ability of existing production land uses to meet new limits and existing investment (including investment in natural capital). Reasonable transition times and pathways are also essential given the significance of the target catchments as a food bowl to the nation, and the continuation of secure supply of healthy, affordable food to our domestic and regional economy.

The Council believes there are other methods that should be investigated in the section 32 report and favours a Collaborative Planning Process for PC2 as provided under the RMA. A collaborative planning process will amongst other things:

- recognise and provide for existing use and investment including the production of food and fibre, urban activities and iwi aspirations and development plans
- Recognise and provide for entities, meeting industry identified standards for good management practice
- provide for limits that recognise spatial variation in values and allow the negotiation of transitions amongst land users.

The Council submits that PC2 be withdrawn, to allow for the completion of the scheduled catchment reviews, and transitioned to a Collaborative Planning Process to enable a more holistic investigation to be conducted and better inform the regulatory regime.

The Council is supportive of the Collaborative Planning Process method as this process is more democratic. It also promotes collaborative working with the catchment community, in setting targets, timeframes and methods at a catchment level. The process framework ensures that the methodology for setting catchment targets, timeframes and methods is informed by the best available information and scientific and socio-economic knowledge; and by a clear understanding of the options including their achievability, costs, benefits and consequences.

Other benefits of the Collaborative Planning Process are that it strengthens stakeholder buy-in, minimises transaction costs and recognises public and private benefits from shared investments in environmental outcomes.

Specific Comments

Wastewater Management Schemes

The Council is concerned at the potential implications of PC2 on management of wastewater and infrastructure and land based disposal as well as the interaction between infrastructure planning and the intensive land use policies and rules. The Council's primary concern is Table 14-2 its application to wastewater irrigation to land.

To date, HDC has been consistently implementing a strategic direction to remove wastewater discharges from water and to discharge to land. The majority of the Council's schemes in the District have now obtained consent and have been implemented, and / or the Council is in the process of implementing a transition to a land based system. Tokomaru is the last of Council's schemes to move to a land based system.

With regard to Tokomaru, Council is concerned that the One Plan and PC2 does not necessarily provide a clear consenting pathway to enable a land discharge consent to be obtained for Tokomaru, and that the proposed provisions may restrict the option to transition away from a discharge to water. Certainty is also sought on the impacts of PC2 on existing consented schemes. It is not clear how PC2 will impact on these schemes at the time of consent review or renewal.

Our expert advice is that Table 14-2 is inappropriate for managing municipal wastewater applications as Overseer is not well developed for modelling such effects and furthermore, wastewater applications generally require groundwater modelling and monitoring to determine actual and potential effects. Based on this advice, Council submits that consideration be given to an alternative assessment approach to Overseer modelling for municipal wastewater schemes, such as an effects based assessment as these are likely to be more appropriate than Overseer modelling, for municipal wastewater schemes.

The Council is concerned about the coherency of PC2 with the directives of the One Plan. In this regard, Council notes that wastewater application to land may result in higher N leaching than provided for in Table 14-2 but that this outcome is still likely to be consistent with Part 2 RMA and the objectives of the One Plan in defined circumstances ie *if it reduces N loading to surface water*. This is provided for in Policy 5-6 (Regional Policy Statement), but the intensive land use rules (Regional Plan) and Table 14-2 in particular are potentially in conflict with the RPS. For these reasons, Council submits that PC2 needs to be amended to, as a minimum, exclude areas which receive wastewater applications to land from needing to meet Table 14-2 N leaching limits. One option is for municipal wastewater operations to be specifically provided for with a policy equivalent to Policy 5-6 in the Regional Plan intensive land use provisions.

For clarity, a clear pathway that provides for consenting of wastewater to land (municipal schemes), where N leaching will be above that specified in Table 14-2 but with overall net benefit (by removing direct water discharge), is required.

Decisions Requested

On the basis of these general comments above Council seeks that PC2 be withdrawn and transitioned to a collaborative planning process as set out in Part 4, Schedule 1 of the RMA.

Or in the alternative, without prejudice to the decision requested, such other relief as will achieve the reasons for the Council's submission.

On the basis of the specific comments above relating to wastewater management schemes, Council seeks that PC2 needs to be amended to, as a minimum, exclude areas which receive municipal wastewater applications to land from needing to meet Table 14-2 N leaching limits and that municipal wastewater applications be provided for by an alternative policy framework similar to Policy 5-6 in the Regional Plan intensive land use provisions.

Or in the alternative, without prejudice to the decision requested, such other relief as will achieve the reasons for the Council's submission.

Conclusion

The Council looks forward to your consideration of this submission.

The Council wishes to be heard in support of the matters raised within their submission.

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

Yours faithfully

A handwritten signature in black ink, appearing to read 'DM Clapperton'.

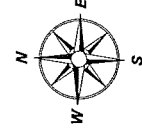
David Clapperton
Chief Executive

Address for Service:

The Horowhenua District Council,
Private Bag 4002,
Levin 5540.
Attention: The Chief Executive

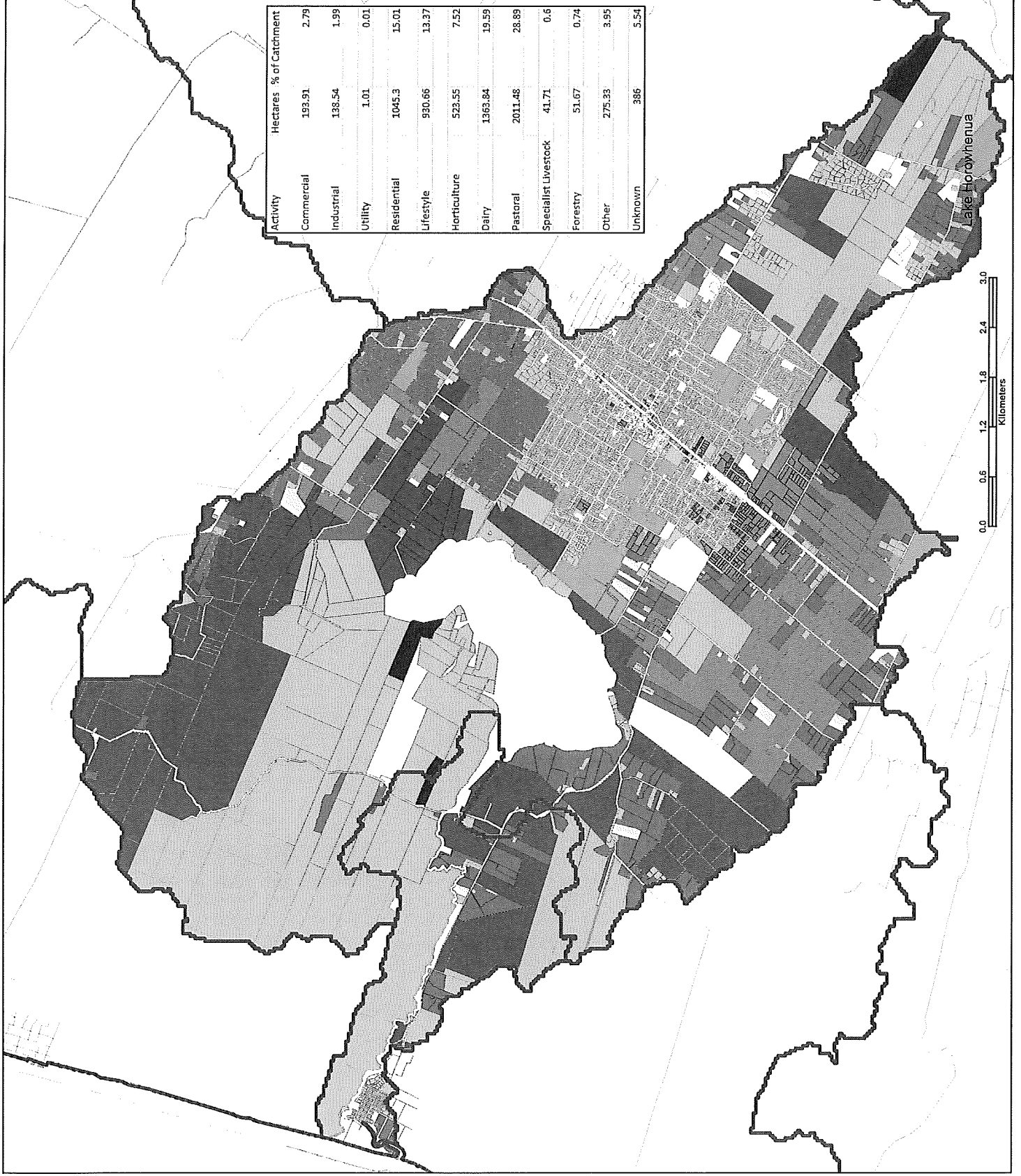
Rates Land Use Classes Within Hokio 1a & 1b Management Zones

Legend



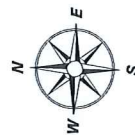
Source: Horizons Regional Council, Surface Water Management Zones (One Plan Figure A.8) & HDC Authority Rates Information, July 2019

Activity	Hectares	% of Catchment
Commercial	193.91	2.79
Industrial	138.54	1.99
Utility	1.01	0.01
Residential	1045.3	15.01
Lifestyle	930.66	13.37
Horticulture	523.55	7.52
Dairy	1363.84	19.59
Pastoral	2011.48	28.89
Specialist Livestock	41.71	0.6
Forestry	51.67	0.74
Other	275.33	3.95
Unknown	386	5.54



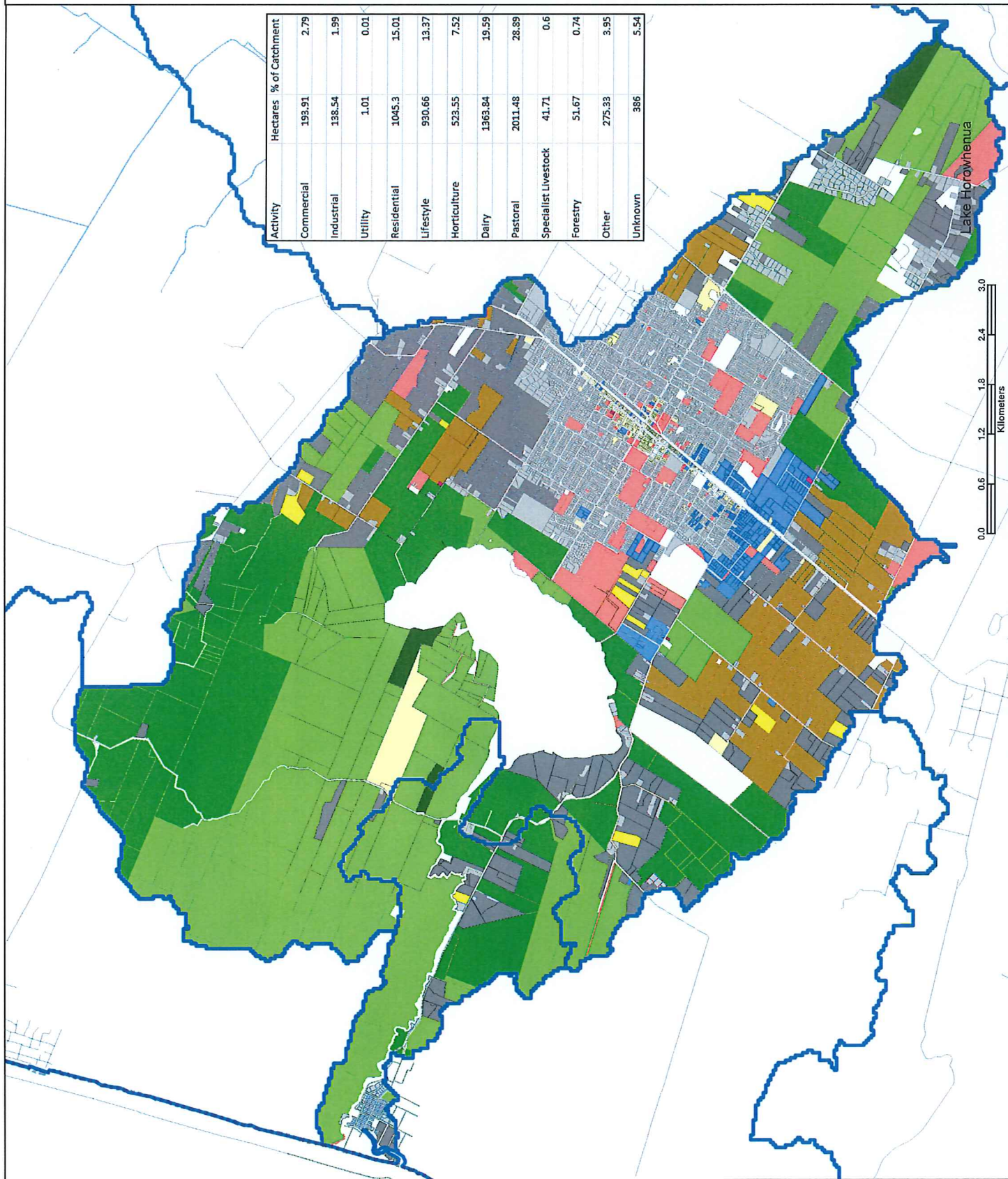
Rates Land Use Classes Within Hokio 1a & 1b Management Zones

Legend



Source: Horizons Regional Council Surface Water Management Zones (One Plan Figure A.8) & HDC Authority Rates Information, July 2019

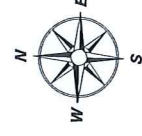
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Residential	1045.3	15.01
Lifestyle	930.66	13.37
Horticulture	523.55	7.52
Dairy	1363.84	19.59
Pastoral	2011.48	28.89
Specialist Livestock	41.71	0.6
Forestry	51.67	0.74
Other	275.33	3.95
Unknown	386	5.54



Rates Land Use Classes Within Waikawa 9a & 9b Management Zones

Activity	Hectares	% of Catchment
Commercial	13.4	0.17
Utility	0.79	0.01
Residential	152.97	1.93
Lifestyle	728.4	9.18
Horticulture	131.57	1.66
Pastoral	876.11	11.04
Dairy	1687.99	21.27
Specialist Livestock	339.92	4.28
Forestry	1083.97	13.66
Other	233.91	2.95
Unknown	2688.67	33.85

Legend



Source: Hoizons Regional Council Surface Water Management Zones (One Plan Figure A:8) & HDC Authority Rates Information. July 2019

Lower Ohau

Waikawa



