

21 OCT 2019

To: Horizons Regional Council

06118

Name of Submitter: Woodhaven Gardens Ltd

This is a submission on the following proposed plan: Proposed Plan Change 2 – Existing Intensive Farming Land uses

Woodhaven could not gain an advantage in trade competition in making this submission.

The specific provisions of the proposal that our submission relates to are:

- Policy 5-8 Management and Regulation of intensive farming land^ use activities affecting groundwater and surface water^ quality
- Policy 14-3 - ~~Industry-based standards~~ Good management practices*
- Policy 14-5 - Management of intensive farming land^ uses
- Policy 14-6 - Resource consent decision-making for intensive farming land^ uses
- Rules 14.1 - Agricultural Activities

Our submission is:

- In its current form, Woodhaven opposes the proposed plan change 2 (PPC2) as it does not adequately provide a viable consenting pathway for commercial vegetable growing. The Section 32 analysis supporting PPC2 acknowledges that it is unlikely that commercial vegetable growing would fall to be considered as a controlled activity. Any consent status that has no absolute certainty of the outcome is not a viable consent pathway and provides no certainty for commercial growing operations when considering investment in ongoing and new business opportunities. PPC2 appears to wrongly assume that the effects of dairy farming and commercial vegetable growing are similar, when in fact they are very different and accordingly require separate rule frameworks. In the event that PPC2 is approved, appropriate amendments are recommended to go some way to improving the proposed PPC2 as it relates to horticultural activities and if accepted Woodhaven would support PPC2.
- Background:
Established in 1978, Woodhaven Gardens is a family run commercial growing operation located in Horowhenua. Since its establishment, the business has grown to the point where our commercial production covers an area of over 1800 acres. We grow 23 different types of product, including broccoli, spring onions, radish, silverbeet, spinach, lettuce and cabbage, all of which is sold exclusively in New Zealand. Woodhaven is one of the largest suppliers of fresh produce to the lower North Island. It is an operation that works 365 days of the year.
- Commercial Vegetable Growing activities have been included with a general 'intensive farming land use activities' group of activities in the rules. However, Woodhaven considers that not all rural production activities are equal in value to the community or equal in environmental effect, and a one size fits all approach to regulation is therefore inappropriate.
- Woodhaven is concerned that the value of commercial vegetable growing to New Zealand (through fresh vegetables for consumption, job security for 200-250 full time staff plus casual labour and the spin off for other industry such as equipment supply, transportation etc) is not adequately reflected in PPC2. There is no recognition to the fact that essentially all vegetables produced are consumed domestically here in New Zealand. A tailored approach is required for commercial vegetable production activities if land with high production value is to be realised for its food production purpose, while achieving catchment wide water quality improvements. As currently drafted, PPC2 fails to achieve the purpose of the Act and will continue to until the mechanism introduced through PPC2 is amended to provide surety of future activity.

- Woodhaven want to make it very clear our submission is not opposed to the objective of PPC2, being to improve water quality, but the mechanisms proposed. The current mechanism does not achieve the “workable pathway for landowners to apply for resource consent for intensive farming land use activities” that the proposed PPC2 purports to. Woodhaven are not disputing the outcome sought and support the Council's desire for improved water quality in the Region. However, Woodhaven considers that the proposed mechanism puts mass vegetable production activities at risk through imposing consent processes that cannot guarantee security of operation far enough into the future. This lack of security undermines the confidence of commercial growers in their ability to be able to operate sustainably (including by affecting their ability to borrow money for further investment, providing vegetables with as small a carbon footprint as possible, or providing vegetables to market that otherwise would not be available (as they don't ship well)). We acknowledge the Council's attempt to remove the uncertainty that the current provisions have, but, the amendments as proposed do not achieve the intent as it relates to commercial vegetable growing.
- The LUC system does not adequately recognise the difference in productivity of Commercial Vegetable growing land that can produce on average 50 tons of marketable vegetables per Ha compared to 10 Ton Fresh Milk (1 Ton Milk Solids) for Dairy and 0.3 Tons Red Meat. The LUC system does not take into account drainage, access to irrigation or susceptibility to frost for example.
- The assessment process underpinning the proposed PPC2 is not adequate to justify driving land use change away from vegetable growing or requiring vegetable growers to invest in un-costed innovations and measures, to achieve unquantified outcomes. The Farm Scale Economic Impact Analysis of One Plan Intensive Land Use Provisions 2017 study clearly demonstrates that mitigations have limited impact and that outright Nitrogen reductions to crop has a disproportional impact on yield.
- PPC2 does not drive equitable progress towards Nitrogen Loss Reduction and improved Water Quality. Horticulture (including some Tree and Canopy crops) only makes up 7.52% of land use in the Hokianga catchment vs 19.59% for Dairy and 28.89% for Pastoral catchments and 1.66% in the Waikawa catchment vs 21.27% Dairy and 11.04% Pastoral. As noted in the Essential Freshwater Action for Healthy Waterways document “those under the threshold should do their part. Without this commensurate reduction... there is no limit on nitrogen discharges from farmers below the threshold, such that benefits of the reductions achieved by those farmers over the threshold could be eroded, or even undermined.”
- Woodhaven is concerned that PPC2 does not create equitable consenting pathways across sectors. Commercial Vegetable growers will be subject to large costs to prepare and lodge an application for resource consent with a heavy burden of proof of Environmental Effects and the effectiveness of Best Practical Option mitigations with no certainty of outcomes.
- Horizons has consulted with and listened to Dairy and Pastoral Farmers and worked with them to create an achievable pathway for their businesses through the creation of Table 14.2. However, Woodhaven notes that the Council has not engaged with vegetable growers to establish a similar controlled activity pathway for Commercial Vegetable Growers based on realistic and industry appropriate nitrogen loss reduction targets. No Commercial Vegetable growers were consulted with in the formation of the revisions included in PPC2, and no feedback from Commercial Vegetable growers was included in PPC2 after it was first shared prior to Public Notification.
- Woodhaven considers that PPC2 also fails to recognise the differences between the activities that are grouped together as 'Intensive Farming Land Uses'. No specific policy has been included, for example, that provides for Commercial Vegetable Growers and their approach to nutrient management. Woodhaven requests that new Policy for Commercial Vegetable Growing inside a WMSZ be added to the Plan to set the scene for a separate rule regime for Commercial Vegetable Growing. As an example of such a Policy, the below has been recently introduced by Environment Canterbury to its Land and Water Plan, as follows:

Recognise the particular constraints that apply to commercial vegetable growing operations (including the need to rotate crops to avoid soilborne diseases and for growing locations in close

proximity to processing facilities) and provide a nutrient management framework that appropriately responds to and accommodates these constraints while improving or maintaining water quality by:

- a. requiring commercial vegetable growing operations to operate at good management practice;*
- b. avoiding the establishment of a new commercial vegetable growing operation, or any expansion of an existing commercial vegetable growing operation beyond the baseline commercial vegetable growing area, unless the nitrogen losses from the operation can be accommodated within the lawful nitrogen loss rate applicable to the new location*
- c. requiring commercial vegetable growing operations to demonstrate, at the time of application for resource consent and at the time of any Farm Environment Plan audit, how any relevant nutrient loss reduction will be achieved;*
- d. constraining, as far as practicable, commercial vegetable growing operations to a single soil management zone or sub-region; and*
- e. requiring a Nutrient Management Plan as part of any application for resource consent.*

- In order to properly reflect the concerns of Woodhaven, the Policy could be reworded as follows:

Recognise the particular constraints that apply to commercial vegetable growing operations (including the need to rotate crops to avoid soilborne diseases and for growing locations in close proximity to processing facilities) and provide a nutrient management framework that appropriately responds to and accommodates these constraints while improving or maintaining water quality by:

- a. requiring commercial vegetable growing operations to operate at good management practice;*
- b. within the Water Management Sub Zones, restricting ~~avoiding~~ the establishment of a new commercial vegetable growing operations, or any expansion of an existing commercial vegetable growing operation beyond the baseline commercial vegetable growing area, unless the nitrogen losses from the operation can be accommodated within the lawful nitrogen loss rate applicable to the new location*
- c. Recognising that if leased land is retired from commercial vegetable production to achieve nitrogen losses, any new activity on that land must be restricted to activities that produce no more than the average nitrogen loss figures for the catchment the land is located in*
- c. requiring commercial vegetable growing operations to demonstrate, at the time of application for resource consent and at the time of any Farm Environment Plan audit, how any relevant nutrient loss reduction will be achieved;*
- d. constraining, as far as practicable, commercial vegetable growing operations to a single soil management zone or sub-region; and*
- e. requiring a Nutrient Management Plan as part of any application for resource consent.*

- Woodhaven considers that the inclusion of such a Policy would then provide for the new rules proposed as part of this submission. Restricting the future use of relinquished land to activities that are less intensive and produce no more than the average nitrogen loss per hectare for that catchment is consistent with the Council's aim of reducing nitrogen losses overall. Otherwise, allowing a more intensive use that has higher nitrogen losses would fail to achieve the purpose of divesting the land in the first place.
- Woodhaven considers the proposed consenting pathways in PPC2 are inequitable and includes commercial vegetable growers in the same category of activities as dairy farming and intensive sheep and beef farming with no apparent understanding of the nature of the activities nor their effects. Horizons' own modelling showed that it will be unlikely Commercial Vegetable growers will be able to gain a consent under the proposed methodology. Woodhaven considers that Commercial Vegetable growers deserve a clear, transparent pathway to achieve a Controlled Activity consent in the same way that has been afforded to Dairy and Pastoral farms. This is why, in our submission, it is clear that the PPC2 in its current form does not give effect to the RMA and the purpose of the RMA cannot therefore be achieved.
- Woodhaven supports requiring all growers to operate in accordance with good management practice as demonstrated by independently audited compliance with the Horticulture New Zealand EMS module, and supports agreed total enterprise Nitrogen Loss reductions over time within the WMSZ as calculated within Overseer. Reductions can be achieved through movement to best management practice as defined by the Horticulture New Zealand EMS module, on farm or community mitigations, enterprise offsets, reducing the land area cropped by forgoing leased or owned land or reduced production through decreased rotation. Where growers forego leased land

Woodhaven Gardens support this land returning to the catchment average Nitrogen loss for the land class of the leased land. Woodhaven Gardens supports avoiding the establishment of a new commercial vegetable growing operation, or any expansion of an existing commercial vegetable growing operation inside the WMSZ beyond the April 2017 baseline commercial vegetable growing area, unless the nitrogen losses from the operation can be accommodated within the lawful nitrogen loss rate applicable to the new location for any new commercial growing. Woodhaven Gardens supports the creation of a controlled activity pathway for new commercial vegetable growing outside the WMSZ at Good Management Practice as evidenced by independently audited adherence to the Horticulture NZ EMS Module.

- Woodhaven considers that it is inappropriate to propose consenting requirements on existing Commercial Vegetable growing within the WMSZ's without providing a viable consenting pathway for Land Use Change outside the WMSZ's. This potentially leaves existing operators in limbo with no certainty that their activities will be consented in either area. In this regard, it is noted that the Ford study evidences the fact that in order to reduce Nitrogen Losses, the most effective way will be for growers to move production outside of the WMSZ's to less environmentally sensitive receiving areas over time. It is illogical and unfair to expect growers to agree to Nitrogen Loss reductions for land inside the WMSZ's if they do not know if they will be able to replace lost production in other catchments. The changes to be proposed under proposed Plan Change 3 (PPC3) therefore need to be made public and publicly notified simultaneously with PPC2 so that growers can understand the full implications of both plan changes. Not to do so leaves growers businesses at risk and reduces the potential for maximum Nitrogen Loss reductions inside the WMSZ as growers cannot trade off land or production inside the WMSZ for new land or production outside the WMSZ's.
- Woodhaven therefore requests that PPC2 should either be suspended until PPC3 is notified and catches up with PPC2, or that PPC2 should be withdrawn and should be merged with PPC3 to provide a comprehensive and integrated approach to the management of activities across the WMSZs and outside these zones to provide greater clarity and certainty to industry. This combined approach should allow new commercial vegetable growing outside the WMSZ to operate in accordance with Good Management Practice as demonstrated by compliance with the Horticulture New Zealand EMS module. Such a process would allow for fair and transparent decisions to be made by growers and maximum practical Nitrogen Loss reductions to be achieved in the WMZS. Should the proposed plan changes not be managed in this way, Woodhaven considers the outcome could be provided by including new rules in PPC2.
- Woodhaven request provisions be added to enable existing areas of vegetable growing to move onto different land, to account for crop rotation, leased land arrangements and to enable growers to move to less environmentally sensitive locations.
- Woodhaven requests new provisions be added to ensure Commercial Vegetable growers can replace lost production due to Nitrogen Loss restrictions and that they be entitled to consent for Land Use Change on land in less sensitive receiving areas to avoid job losses, protect individual enterprises economic viability and avoid loss of reasonable priced, healthy food production.
- It is no idle threat to suggest that failure to create a clear, achievable pathway for Commercial Vegetable growing will drive land use change for Woodhaven Gardens toward Dairy Farming and Housing resulting in:
 - 250 jobs losses (80% local New Zealand residents)
 - reduction in the availability and affordability of fresh vegetables for New Zealanders
 - increases in LUC class 1 & 2 land lost to housing
 - increases in methane and *E.coli* in our environment
 - loss of \$100k + of support to community organisations
 - loss of \$30-\$35mil GDP in the township of Levin
 - loss of \$8-10mil in redundant infrastructure
 - little to no benefit in overall water quality

- These outcomes are not isolated to Woodhaven's' operations. Failure to provide an appropriate consenting pathway for commercial vegetable growers will have similar effects on other activities.
- Woodhaven proposes that if growers are unable to meet either Table 14.2 or proposed N loss reduction percentages they be granted consent for 10 years subject to Best Management Practice allowing for growers time to repay debt, recoup infrastructure investment & loss of land value, and work with the council and the community to establish best possible alternative land uses for the catchment through the Freshwaters Future process which may consider alternative options for commercial vegetable growing, sheep/beef and dairy which may include reducing production or ceasing and/or relocating the activity and undertaking land use change to an alternative lower Nitrogen Loss activity.

Decisions required:

- 1) Inclusion of a new policy that establishes the framework for rules for Commercial Vegetable Growing as set out above.
- 2) Addition of a controlled activity pathway for existing Commercial Vegetable growing inside a WMSZ with a table specifying required Nitrogen Loss reductions for Commercial Vegetable growing if they are unable to meet Table 14.2. The starting position should be based on the enterprise baseline of total average Nitrogen Loss inside the WMZS 2017-2018.
- 3) The merging of PPC2 with PPC3 to provide for rules for consenting Land Use Change for Commercial Vegetable growing outside the WMSZ in accordance with Good Management Practice as demonstrated by independently audited compliance with the Horticulture New Zealand EMS.
- 4) Addition of a restricted discretionary activity pathway for existing Commercial Vegetable growing inside the WMSZ that cannot meet table 14.2 and cannot meet the controlled activity pathway proposed in decision 1 required above to continue Commercial Vegetable growing at independently audited Best Management Practice.
- 5) Addition of caps or small reductions required for Land Users below values on Table 14.2 to ensure N loss cannot increase eroding the value of cuts made by users exceeding Table 14.2.
- 6) Link the Rules to the land areas that existed as at 2017/2018 rotation, as this was the date that the industry learnt that the Council would not proceed with Good Management Practice. Prior to this date, growers made investment decisions for CVP activities as it was understood that GMP would be adopted by the Council.

In addition to the proposed policy addition set out above, proposed new rules to address Woodhaven's concerns are shown in the attached table.

I wish to be heard in support of this submission.

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

Signature of submitter:

21 October 2019

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Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
14-1 Existing intensive farming land[^] use activities	<p>The use of land[^] pursuant to s9(2) RMA for any of the following types of intensive farming:</p> <ul style="list-style-type: none"> (i) <i>dairy farming</i>[*] (ii) <i>commercial-vegetable-growing</i> (iii) <i>cropping</i>[*] (iv) <i>intensive sheep and beef farming</i>[*] that was existing in the <i>Water Management Sub-zones</i>[*] listed in and from the dates specified in Table 14.1 and any of the following <i>discharges</i>[^] pursuant to ss15(1) or 15(2A) RMA associated with that intensive farming: <ul style="list-style-type: none"> (a) the <i>discharge</i>[^] of <i>fertiliser</i>[*] onto or into land[^] (b) the <i>discharge</i>[^] of <i>contaminants</i>[^] onto or into land[^] from <ul style="list-style-type: none"> (i) the preparation, storage, use or transportation of stock feed on <i>production land</i>[^] (ii) the use of a <i>feedpad</i>[*] (c) the <i>discharge</i>[^] of <i>grade Aa biosolids</i>[*] or <i>compost</i>[*] onto or into <i>production land</i>[^] (d) the <i>discharge</i>[^] of <i>poultry farm litter</i>[*] onto or into <i>production land</i>[^] (e) the <i>discharge</i>[^] of farm <i>animal effluent</i>[*] onto or into <i>production land</i>[^] (or upon expiry or surrender of any existing consent for that <i>discharge</i>[^]) including: <ul style="list-style-type: none"> (i) effluent from dairy sheds and <i>feedpads</i>[*] (ii) effluent received from piggeries (iii) sludge from farm effluent ponds (iv) poultry farm effluent 	Controlled	<ul style="list-style-type: none"> (a) A <i>nutrient management plan</i>[*] must be prepared for the land[^], and provided annually to the Regional Council. (b) The activity must be undertaken in accordance with the <i>nutrient management plan</i>[*] prepared under (a). (c) The <i>nutrient management plan</i>[*] prepared under (a) must demonstrate that the nitrogen leaching loss from the activity will not exceed the <i>cumulative nitrogen leaching maximum</i>[*] specified in Table 14.2. (d) Cattle must be excluded from: <ul style="list-style-type: none"> (i) <i>wetlands</i>[^] and <i>lakes</i>[^] that are a <i>rare habitat</i>[*] or <i>threatened habitat</i>[*], and (ii) the <i>beds</i>[^] of <i>rivers</i>[^] that are permanently flowing or have an <i>active bed</i>[*] width greater than 1 m. (e) <i>Rivers</i>[^] that are permanently flowing or have an <i>active bed</i>[*] width greater than 1 m, that are crossed by cattle must be bridged or culverted, and the cattle must cross via that bridge or culvert, and run-off originating from the carriageway of the bridge or culvert must be <i>discharged</i>[^] onto or into land[^]. (f) The <i>discharge</i>[^] of <i>fertiliser</i>[*] onto or into land[^] and any ancillary <i>discharge</i>[^] of <i>contaminants</i>[^] into air must comply with the <i>conditions</i>[^] of Rule 14-5. (g) The <i>discharge</i>[^] of <i>contaminants</i>[^] onto or into land[^] from: <ul style="list-style-type: none"> (i) the preparation, storage, use or transportation of stock feed on <i>production land</i>[^], or (ii) use of a <i>feedpad</i>[*] 	<p>Control is reserved over:</p> <ul style="list-style-type: none"> (a) the implementation of the <i>nutrient management plan</i>[*] (b) compliance with the <i>good management practices</i>[*] to avoid, remedy or mitigate nutrient leaching and run-off, faecal contamination and sediment losses from the land[^] (c) the matters of control in Rule 14-11 (d) avoiding, remedying or mitigating the effects of odour, dust, <i>fertiliser</i>[*] drift or effluent drift (e) provision of information including the <i>nutrient management plan</i>[*] (f) duration of consent (g) review of consent <i>conditions</i>[^] (h) compliance monitoring (i) the matters in Policies 14-5, 14-6 and 14-9. <p><i>Resource consent</i>[^] applications under this rule[^] will not be notified and written approval of affected persons will not be required (notice of applications need not be served[^] on affected persons).</p>

	<p>and any ancillary discharge[^] of contaminants[^] into air pursuant to ss15(1) or 15(2A) RMA.</p> <p>Where the existing intensive farming land[^] use is located partly on land within one or more of the <i>water management sub-zones</i>[*] listed in Table 14.1 and partly on other land, this rule only applies:</p> <p>(a) if at least 20% of the existing intensive farming land[^] use is located on land within the listed <i>water management sub-zones</i>[*]; and</p> <p>(b) to the portion of the existing intensive farming land[^] use that is located within the listed <i>water management sub-zones</i>[*].</p>		<p>and any ancillary discharge[^] of contaminants[^] into air must comply with the conditions[^] of Rule 14-6.</p> <p>(h) The discharge[^] of grade Aa biosolids[*] or compost[*] onto or into production land[^] and any ancillary discharge[^] of contaminants[^] into air must comply with the conditions[^] of Rule 14-7.</p> <p>(i) The discharge[^] of poultry farm litter[*] onto or into production land[^] and any ancillary discharge[^] of contaminants[^] into air must comply with the conditions[^] of Rule 14-9.</p> <p>(j) The discharge[^] of farm animal effluent[*] onto or into production land[^] including:</p> <ul style="list-style-type: none"> (i) effluent from dairy sheds and feedpads[*] (ii) effluent received from piggeries (iii) sludge from farm effluent ponds (iv) poultry farm effluent <p>and any ancillary discharge[^] of contaminants[^] into air must comply with the conditions[^], standards and terms of Rule 14-11.</p>		<p>Control is reserved over:</p> <p>(a) the implementation of the <i>nutrient management plan</i>[*]</p> <p>(b) <i>best management practices</i>[*] to avoid, remedy or mitigate nutrient leaching and run-off, and sediment losses from the land[^].</p> <p>(c) the frequency of independent audits in accordance with the</p>
<p>14-1A</p> <p>Existing intensive farming land[^] use activities:</p> <p>Commercial Vegetable Growing</p>	<p>The use of land[^] pursuant to s9(2) RMA for commercial vegetable growing[*] that was existing in the <i>Water Management Sub-zones</i>[*] as at April 2017 and as listed in Table 14.1 and any of the following discharges[^] pursuant to ss15(1) or 15(2A) RMA associated with that intensive farming:</p> <p>(a) the discharge[^] of fertiliser[*] onto or into land[^]</p> <p>(b) the discharge[^] of grade Aa biosolids[*] or compost[*] onto or into production land[^]</p>	Controlled	<p>(a) A <i>nutrient management plan</i>[*] must be prepared for the land[^] and provided annually to the Regional Council.</p> <p>(b) The activity must be undertaken in accordance with the <i>nutrient management plan</i>[*] prepared under (a).</p> <p>(c) The <i>nutrient management plan</i>[*] prepared under (a) must demonstrate that either</p> <ul style="list-style-type: none"> (i) the nitrogen leaching loss from the activity will not exceed the cumulative nitrogen leaching 		

	<p>and any ancillary <u>discharge[^] of contaminants[^]</u> into air pursuant to ss15(1) or 15(2A) RMA.</p> <p>Where the existing intensive farming <u>land[^]</u> use is located partly on land within one or more of the <u>water management sub-zones[*]</u> listed in Table 14.1 and partly on other land, this rule only applies:</p> <p>(a) if at least 20% of the existing intensive farming <u>land[^]</u> use is located on land within the listed <u>water management sub-zones[*]</u>; and</p> <p>(b) to the portion of the existing intensive farming <u>land[^]</u> use that is located within the listed <u>water management sub-zones[*]</u>.</p>		<p>maximum[*] specified in Table 14.2; or</p> <p>(ii) for activities that cannot meet Table 14.2, that the Nitrogen reduction limits in Table 14.3 are met.</p> <p>(d) The nitrogen reduction limits in Table 14.3 shall be based upon the total nitrogen loss of the business in the WMSZ based non the 2017/2018 rotation baseline.</p> <p>(e) Where the nitrogen losses in (c) or (d) above are achieved by divesting leased land, the future use of that land shall be restricted to activities that produce no more than the average nitrogen loss per hectare for the catchment the land is located in.</p> <p>(e) The <u>discharge[^] of fertiliser[*]</u> onto or into <u>land[^]</u> and any ancillary <u>discharge[^] of contaminants[^]</u> into air must comply with the <u>conditions[^]</u> of Rule 14-5.</p> <p>(f) The <u>discharge[^] of grade Aa biosolids[*]</u> or <u>compost[*]</u> onto or into <u>production land[^]</u> and any ancillary <u>discharge[^] of contaminants[^]</u> into air must comply with the <u>conditions[^]</u> of Rule 14-7.</p>	<p>Horticulture NZ Environment al Management System;</p> <p>(d) the matters of control in Rule 14-11</p> <p>(e) avoiding, remedying or mitigating the effects of odour, dust, <u>fertiliser[*]</u> drift or effluent drift</p> <p>(f) duration of consent for no less than 20 years</p> <p>(g) review of consent <u>conditions[^]</u></p> <p>(h) compliance monitoring</p> <p>(i) the matters in Policies 14-5, 14-6 and 14-9.</p> <p><u>Resource consent[^]</u> applications under this <u>rule[^]</u> will not be notified and written approval of affected persons will not be required (notice of applications need not be served[^] on affected persons).</p>
<p>14-1B</p> <p>Intensive farming land[^] use activities:</p> <p>Commercial Vegetable Growing not complying with</p>	<p>The use of <u>land[^]</u> pursuant to s9(2) RMA for <u>commercial vegetable growing[*]</u> that was existing in the <u>Water Management Sub-zones[*]</u> as at April 2017 and as listed in in Table 14.1, and any of the following <u>discharges[^]</u> pursuant to ss15(1) or 15(2A) RMA associated with that intensive farming:</p> <p>(a) the <u>discharge[^] of fertiliser[*]</u> onto or into <u>land[^]</u></p>	<p><u>Restricted Discretionary</u></p>	<p>(a) The activity must be independently audited by an appropriately qualified person to demonstrate that the activity is complying with Best Management Practices.</p>	<p>Discretion is reserved over:</p> <p>(a) <u>best management practices[*]</u> to avoid, remedy or mitigate nutrient leaching and run-off, and sediment losses from the <u>land[^]</u></p> <p>(b) the matters of control in Rule 14-11</p>

Standards c(i) or (ii) of Rule 14-1A	<p>and any ancillary <u>discharge</u>[^] of <u>contaminants</u>[^] into air pursuant to ss15(1) or 15(2A) RMA.</p> <p>Where the existing intensive farming <u>land</u>[^] use is located partly on <u>land</u> within one or more of the <u>water management sub-zones</u>[*] listed in Table 14.1 and partly on other <u>land</u>, this rule only applies:</p> <p>(a) <u>if at least 20% of the existing intensive farming land</u>[^] use is located on <u>land</u> within the listed <u>water management sub-zones</u>[*]; and</p> <p>(b) <u>to the portion of the existing intensive farming land</u>[^] use that is located within the listed <u>water management sub-zones</u>[*].</p>			<p>(c) <u>avoiding, remedying or mitigating the effects of odour, dust, fertiliser</u>[*] drift or effluent drift</p> <p>(e) <u>duration of consent, up to a period of 10 years and</u></p> <p>(f) <u>review of consent conditions</u>[^]</p> <p>(g) <u>compliance monitoring</u></p> <p>(i) <u>the matters in Policies 14-5, 14-6 and 14-9.</u></p> <p><u>Resource consent</u>[^]</p> <p><u>applications under this rule</u>[^] will not be notified and written approval of affected persons will not be required (notice of applications need not be served[^] on affected persons).</p>
<p>14-1C</p> <p>Intensive farming land[^] use activities:</p> <p>Expansion of Commercial Vegetable Growing activities inside WMSZ</p>	<p>The use of <u>land</u>[^] pursuant to s9(2) RMA for the expansion of a commercial vegetable growing[*] activity that was existing in the Water Management Sub-zones[*] as at April 2017 and as listed in Table 14.1, or new a commercial vegetable growing[*] activity, provided that the nitrogen losses from the operation can be accommodated within the lawful nitrogen loss rate applicable to the new location, and any of the following discharges[^] pursuant to ss15(1) or 15(2A) RMA associated with that intensive farming:</p> <p>(a) <u>the discharge</u>[^] of <u>fertiliser</u>[*] onto or into <u>land</u>[^]</p>	Restricted Discretionary	<p>(a) Activities in all areas must be independently audited by an appropriately qualified person to demonstrate that the activity is complying with Best Management Practices.</p> <p>(b) <u>A nutrient management plan</u>[*] must be prepared for the <u>land</u>[^] and provided annually to the Regional Council.</p> <p>(c) The activity must be undertaken in accordance with the <u>nutrient management plan</u>[*] prepared under (a).</p>	<p>Discretion is retained over:</p> <p>(a) <u>best management practices to avoid, remedy or mitigate nutrient leaching and run-off, and sediment losses from the land</u>[^]</p> <p>(b) <u>the matters of control in Rule 14-11</u></p> <p>(c) <u>avoiding, remedying or mitigating the effects of odour, dust, fertiliser</u>[*] drift or effluent drift</p> <p>(e) <u>duration of consent for no more than 10 years and</u></p> <p>(f) <u>review of consent conditions</u>[^]</p>

	<p>and any ancillary discharge[^] of <u>contaminants[^]</u> into air pursuant to ss15(1) or 15(2A) RMA.</p> <p>(a) <u>Where the existing intensive farming land[^] use is located partly on land within one or more of the water management sub-zones* listed in Table 14.1 and partly on other land, this rule only applies:</u></p> <p>(b) <u>(a) if at least 20% of the existing intensive farming land[^] use is located on land within the listed water management sub-zones*.</u> and</p> <p>(c) <u>(b) to the portion of the existing intensive farming land[^] use that is located within the listed water management sub-zones*.</u></p>		<p>(d) <u>The <i>nutrient management plan</i>[*] prepared under (a) must demonstrate that either</u></p> <p>(i) <u>the nitrogen leaching loss from the activity will not exceed the cumulative nitrogen leaching maximum* specified in Table 14.2; or</u></p> <p>ii) <u>for activities that cannot meet Table 14.2, that the Nitrogen reduction limits in Table 14.3 are met.</u></p> <p>(e) <u>The nitrogen reduction limits in Table 14.3 shall be based upon the total nitrogen discharge of the business.</u></p> <p>(f) <u>Nitrogen loss predictions from any leased land foregone by growers to meet Nitrogen loss reductions shall be limited to the average Nitrogen loss for the catchment based on the LUC of the leased land.</u></p> <p>(g) <u>The discharge[^] of fertiliser* onto or into land[^] and any ancillary discharge[^] of contaminants[^] into air must comply with the conditions[^] of Rule 14-5.</u></p> <p>(h) <u>The discharge[^] of grade Aa biosolids* or compost* onto or into production land[^] and any ancillary discharge[^] of contaminants[^] into air must comply with the conditions[^] of Rule 14-7.</u></p>	<p>(g) compliance monitoring</p> <p>(i) <u>the matters in Policies 14-5, 14-6 and 14-9.</u></p> <p><u>Resource consent[^]</u> applications under this <u>rule[^]</u> will not be notified and written approval of affected persons will not be required (notice of applications need not be served[^] on affected persons).</p>
14-1D Intensive farming	<p>The use of land[^] pursuant to s9(2) RMA for a new commercial vegetable growing* activity on land located</p>	Controlled	<p>(a) <u>The activity must be independently audited by an appropriately qualified person to demonstrate that the activity is</u></p>	<p>Control is restricted to:</p> <p>(a) <u>good management practices* to avoid.</u></p>

<p><u>land[^] use activities:</u></p> <p>New Commercial Vegetable Growing activities outside WMSZ</p>	<p>outside the Water Management Sub Zones and any of the following discharges[^] pursuant to ss15(1) or 15(2A) RMA associated with that intensive farming:</p> <p>(a) <u>the discharge[^] of fertiliser* onto or into land[^]</u></p> <p>and any ancillary discharge[^] of <u>contaminants[^]</u> into air pursuant to ss15(1) or 15(2A) RMA.</p> <p>(c) <u>Where the existing intensive farming land[^] use is located partly on land within one or more of the water management sub-zones* listed in Table 14.1 and partly on other land, this rule only applies:</u></p> <p>(d) (a) if at least 20% of the existing intensive farming land[^] use is located on land within the listed water management sub-zones*., and</p> <p>(e) (b) to the portion of the existing intensive farming land[^] use that is located within the listed water management sub-zones*.</p> <p>(f)</p>	<p>complying with Good Management Practices.</p>	<p>remedy or mitigate nutrient leaching and run-off, and sediment losses from the <u>land[^]</u></p> <p>(b) <u>the matters of control in Rule 14-11</u></p> <p>(c) <u>avoiding, remedying or mitigating the effects of odour, dust, fertiliser* drift or effluent drift</u></p> <p>(e) <u>duration of consent</u>.</p> <p>(f) <u>review of consent conditions[^]</u></p> <p>(g) <u>compliance monitoring</u></p> <p>(i) <u>the matters in Policies 14-5, 14-6 and 14-9.</u></p> <p><u>Resource consent[^]</u></p> <p><u>applications under this rule[^] will not be notified and written approval of affected persons will not be required (notice of applications need not be served[^] on affected persons).</u></p>
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New Table 14.3:

Nitrogen Leaching Reduction Targets	
Period (from year Rule has legal effect)	
0	
Year 5	15% reduction
Year 10	25% reduction
Year 20	36% reduction