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Submission on
Manawatu Whanganui Regional Council's One Plan
Proposed Plan Change 2 - Existing Intensive Farming Land Uses

From:
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21st October 2019

To: submissions@horizons.govt.nz

1. WPS could not gain an advantage in trade competition through this submission.
2. Members of WPS is directly affected by an effect of the subject matter of this submission that adversely affects the environment and does not relate to trade environment or the effect of trade competition.
3. The specific provisions of the proposed plan change that our submission relates to are as follows (policy or rule number or part provision):

Policy 5-8

Methods 5-12 and 5-13

Policy 14-3

Policy 14-5

Policy 14-6

Rules 14-1, 14-2, 14-2A and possibly other necessary Rules.

4. Clearly indicate whether you support or oppose the specific provisions or wish to have amendments made, giving reasons).
 - a) WPS supports most of the intent of PPC2 except the provisions which enable land users to continue using practices which result in nitrogen leaching at levels above the maximums specified in Table 14-2 without a time limit.
 - b) It supports the change to Table 14-2 the cumulative nitrogen leaching maximums to reflect the updating of the Overseer model nitrogen leaching estimates.

- c) It supports some of the other changes entirely, supports some partially and it opposes some others.
 - d) We desire amendments to be made to many of the clauses. The details of those amendments and the reasons for suggesting them is given in the accompanying document (PPC2 submission - Water Protection Society - proposed amendments 191021).
5. The underlying thinking that shaped the amendments WPS has proposed is that:
- a) there needs to be a finite period for achieving the water quality objectives of the One Plan;
 - b) land users should be given a reasonable period of time to implement changes to management procedures or the nature, scale or intensity of the activity itself so as to achieve the cumulative nitrogen leaching maximums specified in Table 14-2;
 - c) the cumulative nitrogen leaching maximums specified in Table 14-2 are the best current estimate of the amounts of nitrogen that can be leached without adversely affecting the life supporting capacity and other values of the region's waterways;
 - d) the cumulative nitrogen leaching maximums should be set taking into account all sources of nitrogen contamination, both point source and non-point source since the effect of the nitrogen contamination is the same irrespective of the source;
 - e) allowing some land users to cause higher levels of nitrogen leaching than specified in Table 14-2, without requiring other land users to cause lower levels of nitrogen leaching to compensate, is likely to compromise the values of the region's waterways;
 - f) the current regulatory system operates on an individual land user basis and does not provide for one land user's low leaching level to be used to compensate for excessive leaching by another land user;
 - g) nobody has an automatic right to use more than their fair share of resources, including pollution assimilative capacity, and any right granted to do so should be of short enough duration to enable the One Plan water quality objectives to be achieved within the finite period;
 - h) it is inequitable for some land users to be allowed to not comply with the nitrogen leaching maximums for a long period while others have to comply or are given a much shorter period over which to achieve compliance;

- i) allowing nitrogen to leach is inefficient practice and wastes resources as well as potentially causing harm;
 - j) implementing good management practices should be a requirement of all land users;
 - k) where good management practices for a particular land use are insufficient to enable land users to achieve levels of nitrogen leaching that comply with the maximums set in Table 14-2, additional measures should have to be taken to be allowed to continue using the land for that particular land use;
 - l) if neither good management practices nor additional measures are sufficient to meet the cumulative nitrogen leaching maximums over a reasonable time period then the activity should not be permitted if our water quality objectives are to be achieved;
 - m) sediment and faecal contamination of waterways also needs to be addressed through stronger regulation.
6. Details of what decisions we request MWRC to make are given in the accompanying document (PPC2 submission - Water Protection Society - proposed amendments 191021).
 7. We wish to be heard in support of our submission.
 8. If others make a similar submission we will consider presenting a joint case with them at a hearing.
 9. WPS has not been consulted on the draft PPC2 prior to this time.
 10. We would appreciate being kept informed about this Proposed Plan Change (by email only unless otherwise indicated).

Thank you.

Sincerely,
Dr. Chris Teo-Sherrell
Chairperson
Water Protection Society



Proposed Plan Change 2 – Existing Intensive Farming Land Uses

MWRC-proposed insertions are shown as underlined text; proposed deletions are shown as ~~strikethrough~~.

WPS position (support/support in part/neutral/oppose) is shown in purple.

WPS requested amendments are shown in blue.

WPS reasons for requested amendments are shown in green.

We have used the same conventions for insertions and deletions as above.

Policy 5-8: Management and Regulation of intensive farming land^ use activities affecting groundwater and surface water^ quality

1. WPS supports this change.

In order to give effect to Policy 5-7, the effects of intensive farming land^ use activities on groundwater and surface water^ quality must be managed in the following manner:

2. WPS supports this change.

3. WPS requests insertion into Policy 5-8, at this position, a new clause (a) that states

'(a) All intensive farming land^ use activities must be regulated to manage nutrient leaching and run-off, faecal contamination, and sediment losses in accordance with good management practices*.

Good management practices should be the baseline for all intensive farming land use and anything less is unacceptable.

This clause was included as Policy 5-8(d) in the PPC but is more appropriately positioned here because it relates to the content of all three sections below - nutrients, faecal matter and sediment.

(a) **Nutrients**

4. WPS requests Policy 5-8(a) be relabelled 5-8(b).

This requested amendment is consequential to 3.

- (i) Nitrogen leaching maximums must be established in the regional plan which:
 - A) take into account all the non-point sources of nitrogen in the catchment

5. WPS requests slight adjustment of Policy 5-8(a)(i)(A) so that it states '(A) take into account all the non-point and point sources of nitrogen contamination of ground and surface water in the catchment.'

To achieve levels of nitrogen in the region's waterways that are low enough to ensure the life supporting capacity and other values of the waterways are

maintained or restored, all sources of nitrogen need to be accounted for. Otherwise limits could be set on one source yet not have the desired effect because, combined with contributions from the other sources, the nitrogen level could still exceed the level that needs to be attained in the waterways to avoid adverse effects. It is the total level of nitrogen (that can be assimilated by periphyton) in the waterways, not that due, for example, only to farming activities or due only to wastewater plant discharges, that causes the observed adverse effects.

B) will achieve the strategies for surface water^A quality set out in Policies 5-2, 5-3, 5-4 and 5-5, and the strategy for groundwater quality in Policy 5-6

6. WPS does not support deleting Policy 5-8(a)(i)(B).

WPS requests that the original wording be altered to state:

'(B) will, together with other aspects of this Policy, achieve the strategies goals for surface water^A quality set out in Policies 5-2, 5-3(a), 5-4(a) and 5-5(a), and the strategy goal for groundwater quality set out in Policy 5-6(a).'

We see no good reason for removal of this clause. It is important to say what the N-leaching limits are intended to achieve. Such a statement needs to be at this level in the hierarchy Statements and Plans so that there is no uncertainty about the goal and the rules must then give effect to it.

However, it is fair comment to say that the limits themselves may not enable water quality to be maintained or enhanced. They could be set too high (especially if other N-sources in the catchment are not taken into account when setting them) or compliance with them may not be adequate.

Also, water quality, referred to in Policies 5-2 to 5-6, covers more than just N-status. Setting N-leaching limits will have no substantial impact on faecal or sediment contamination of waterways. These aspects are covered by other parts of this Policy and so should be referred to. Hence, our request for insertion of 'together with other aspects of this Policy'.

Strategies are ways of achieving goals. The Policies and relevant Rules, along with monitoring and enforcement, together constitute a strategy. What is specified in the Policies are the goals that are sought.

- B) (C) recognise the productive capability of land^A in the Water Management Sub-zone*
- C) (D) are achievable on most farms using good management practices*

D) (E) provide for appropriate timeframes for achievement where large changes to management practices or high levels of investment are required to achieve the nitrogen leaching maximums.

7. WPS does not support the change proposed to Policy 5-8(a)(i)(E).

WPS requests the following wording be adopted :

'(E) provide for appropriate timeframes for leaching to be decreased sufficiently to achieve the nitrogen leaching maximums established under this Policy, if they are not already being met.
The time allowed to meet the nitrogen leaching maximums will be determined by the practicality, complexity and cost of modifying farm practice to do so but in no case will exceed 10 years.
Proposals for decreasing leaching to below the established maximums over more than 3 years will require milestones to be specified and achieved.'

WPS believes the statement needs to be explicit about what the timeframes are for.

Further, 'appropriate' is undefined and will only lead to uncertainty about when the N-leaching limits are to be complied with. It is reasonable for the timeframe to be variable according to the practicality, complexity and cost of altering the way things are done. This is likely to vary greatly among farms.

However, that cannot be allowed to provide for an indefinite period to implement changes. Instead, we have proposed a 10-year time limit to achieve the limits which ties in with the original intent of the One Plan (in 2010 when most parts became operative) which was that N-leaching would be decreased to the necessary levels by year 20 (2030). By the time a decision is made on this Plan Change, we will be in year 10 of the One Plan and so a 10-year time limit to implementing changes will bring us to approximately the same end-time.

Furthermore, 10 years is a reasonable length of time from an economic perspective, since much capital expenditure can be depreciated over this period. And it is long enough to prepare for any additional capital expenditure that may be required to achieve the leaching limits, but remembering that it may be a change of management practices more than increase capital expenditure that is required.

There is always a danger when extended timeframes are set that insufficient action is taken early enough to be able to meet the deadlines. This is the problem of people 'putting things off'. It is likely to be a particular problem when substantial changes in management or high levels of investment are required. Therefore, we believe requiring clear plans for change and/or investment to obtain consent to continue operating, even while exceeding the N-leaching limits, is a necessity. And that within those plans, milestones that must be accomplished will provide a way to increase the likelihood of those plans being successfully implemented.

- (ii) Existing intensive farming *land*^A use activities must be regulated in targeted Water Management Sub-zones* to achieve the nitrogen leaching maximums specified in (i) except as provided for in (iia) and (iib) below.

8. WPS supports making provision for exceptions to be made to the requirement for meeting the nitrogen leaching maximums by the years stated in Table 14-2. However, this support is only for a temporary failure to comply not a permanent one.

WPS seeks replacement proposed clause 5-8(a)(ii) with
'Existing intensive farming *land*^A use activities must be regulated in targeted Water Management Sub-zones* to achieve the nitrogen leaching maximums specified established in under (i) within the timeframes established under (i)(E) except as provided for in (iia) and (iib) below'.

Clearly we have a situation already where some intensive farming land uses are not complying with Table 14-2 leaching limits and so temporary non-compliance should be provided for. But these exceptions must only be on certain conditions and for limited periods.

(iia) Existing intensive *land*^A use activities which do not comply with (ii) must be regulated to reduce nitrogen leaching which is in excess of the nitrogen leaching maximums established under (a) by implementing good management practice*, and additional measures to minimise the degree of non-compliance, having regard to:

- (A) the feasibility, practicality, and cost of achieving the nitrogen leaching maximums specified in (i); and
(B) the strategy for surface water^A quality set out in Policies 5-2, 5-3, 5-4 and 5-5, and the strategy for groundwater quality in Policy 5-6.

9. WPS supports in part insertion of clause (iia).

WPS requests Policy 5-8(a)(iia) be replaced by

(iia) Existing intensive *farming* *land*^A use activities which do not comply with (ii) the nitrogen leaching maximums established under (i) within 5 years must be regulated to reduce nitrogen leaching which is in excess of the nitrogen leaching maximums established under (a) by implementing good management practice*, and additional measures sufficiently to achieve the nitrogen leaching maximums within 10 years by implementing additional measures.

We suspect the omission of 'farming' was a typing error.

It is compliance with the N-leaching maximums established under (i) that is the essence of the matter so it would be better to refer to them directly rather than

to another clause (ii) which refers to them. Hence, we suggest inserting ‘the nitrogen-leaching maximum established under (i)’ would improve readability.

Our request for insertion of ‘within 5 years’ is to give (in part) some definition to the timeframe mentioned in (i)(E). Our proposed 5-8(a) requires that all intensive farming land uses implement good management practices. These should either already be in place or be promptly adopted. 5 years seems like a generous amount of time especially given how much has already passed since the One Plan was made operative.

So then, if after 5 years, the intensive farming land uses still aren’t complying with the N-leaching maximums despite implementing good management practices then a further 5-year period is allowed in which they are required to implement additional measures, beyond those categorised as good management practices, to attempt to achieve the N-leaching maximums.

However, a line needs to be drawn sometime and we believe 10 years is a reasonable, if not generous, amount of time. After 10-years, intensive farming land uses which do not meet the N-leaching maximums would be prohibited (made explicit below in proposed clause (iv)) and require change of land use. This would reflect that the activity cannot be carried out on the land in question without having adverse effects. The proper way to deal with this is not to allow the activity to continue to be carried out by making further exceptions but by requiring a fundamental change to the way the land is used.

(iib) Existing *land*^A use activities which do not comply with (ii) but are intended to transition to an alternative non-intensive farming *land*^A use must be regulated to ensure that they are able to continue for a limited period of time in order to enable that transition and only where there is no increase in the exceedance of the nitrogen leaching maximums established under (a).

10. WPS supports in part insertion of Policy 5-8(a)(iib).

WPS requests the specification of a time limit for transition so that the clause would read

‘Existing intensive farming *land*^A use activities which do not comply with (ii) but are intended to transition to an alternative non-intensive farming *land*^A use within 5 years must be regulated to ensure that they are able to continue for a limited period of time in order to enable that transition and only where there is no increase in the exceedance of the nitrogen leaching maximums established under (ai).’

Again the omission of ‘intensive farming’ seems like a typing error.

The insertion of ‘within 5 years’ is to make the Policy intent quite specific. It is mentioned later in Policy 14-6(d)(ii) but we see no good reason to leave it to then. It should be in this higher order policy.

- (iii) New intensive farming *land*^A use activities must be regulated throughout the Region to achieve the nitrogen leaching maximums specified in (i).

11. WPS requests the addition of the following clause after Policy 5-8(a)(iii)
'(iv) All existing intensive farming land use activities must comply with the nitrogen leaching maximums established under (i) within 10 years.'

'For the avoidance of doubt, any existing intensive farming land use which does not comply with the nitrogen leaching maximums established under (i) within 10 years are prohibited activities.'

This proposed clause is to set a deadline for compliance with the N-leaching limits and to make it absolutely clear what the status of any intensive farming land use activity that fails to do so is. This is to avoid the uncertainty as to how to deal with such activity that has existed to date. It also, provides a strong incentive for land users to comply.

(b) **Faecal contamination**

12. WPS requests Policy 5-8(b) be relabelled 5-8(c).

This requested amendment is consequential to 3.

- (i) Those persons carrying out existing intensive farming *land*^A use activities in the targeted *Water Management Sub-zones** listed in Table 14.1 or new conversions to intensive farming *land*^A use activities anywhere in the Region must be required, amongst other things, to

13. WPS requests that 'amongst other things,' be deleted from Policy 5-8(b)(i).

the phrase, without specifying what the 'other things' are, adds nothing of value to either the ease of understanding of the clause or to the requirements.

- (A) prevent cattle access to some surface water bodies^A and their beds^A
(B) mitigate faecal contamination of surface water^A from other entry points (eg., race run-off)

14. WPS requests that Policy 5-8(b)(i)(B) be replaced by
'mitigate faecal contamination of surface water^A from other entry points (eg., race run-off from races, stand-off pads and paddocks)'

Run-off simply refers to overland flow. Most of this comes from paddocks and so measures should be required to mitigate it from that source as well as from races, stand-off pads and and other similar areas.

- (C) establish programmes for implementing any required changes.

15. WPS requests 5-8(b)(i)(C) be deleted.

This clause seems equivalent to saying 'Do it'. To comply with the Policy things have to be done. It is unnecessary to say 'Do it'.

(c) **Sediment**

16. WPS requests Policy 5-8(c) be relabelled 5-8(d).

This requested amendment is consequential to 3.

- (i) In those *Water Management Sub-zones** where agricultural *land^* use activities are the predominant cause of elevated sediment levels in surface *water^*, the Regional Council will promote the preparation of voluntary management plans under the Council's Sustainable Land Use Initiative or Whanganui Catchment Strategy for the purpose of reducing the risk of *accelerated erosion**, as described in Chapter 4.

17. WPS requests Policy 5-8(c)(i) be replaced by

'In those *Water Management Sub-zones** where agricultural *land^* use activities are the predominant cause of elevated sediment levels in surface *water^*, the Regional Council will promoterequire the preparation and implementation of voluntary management plans under the Council's Sustainable Land Use Initiative or Whanganui Catchment Strategy for the purpose of reducing the risk of *accelerated erosion**, as described in Chapter 4.'

It's time for the management plans to become mandatory. Good land users have already acted and the 'slow movers' need to be brought up to the standard.

However, it shouldn't just be about preparing the plans but also the implementation of them. Without specifying that there is the danger that the plans are written but not implemented and that has no benefit in terms of decreasing sediment load. There's already been roughly 10 years since

(d) **Good management practices***

- (i) All intensive farming *land^* use activities must be regulated to manage nutrient leaching and run-off, faecal contamination, and sediment losses in accordance with *good management practices**.

18. WPS supports in part insertion of this clause.

WPS requests that Policy 5-8(d) be repositioned to near the top of this Policy and relabelled Policy 5-8(a).

For the reason stated in WPS-proposed Policy 5-8(a).

19. WPS supports the addition of Methods 5-12 and 5-13 to the Regional Policy Statement.

Both seem to be potential useful additions to the non-regulatory options for helping to achieve the water quality goals.

<u>Description</u>	<u>Support initiatives by local communities, sector groups or tangata whenua which develop options for sustainable land use in the Region. Support for work in Water Management Sub-zones*</u> where nitrogen leaching is an issue will be a priority in order to find viable options for intensive farming land users that will have difficulty in achieving the <i>cumulative nitrogen leaching maximums*</i> (refer Table 14.1). <u>Horizons will provide assistance through providing data and information that will assist in the identification and evaluation of innovative land use options and participating in any evaluative work as appropriate.</u>
<u>Who</u>	<u>Local communities, rural and other sector groups, Territorial Authorities, Regional Council.</u>
<u>Links to Policy</u>	<u>This method implements Policies 5-7 and 5-8.</u>
<u>Target</u>	<u>Advice and assistance is available for landowners in the Region regarding land use management practices.</u>

<u>Method 5-13</u>	<u>Provision of Information</u>
<u>Description</u>	<u>Horizons will collate and publish information regarding Overseer version changes and the identification and evaluation of nutrient management models other than Overseer that may be more appropriate for calculation of on-farm nutrient losses.</u>
<u>Who</u>	<u>Regional Council, rural sector groups, and nutrient management model providers.</u>
<u>Links to Policy</u>	<u>This method implements Policy 5-8.</u>
<u>Target</u>	<ul style="list-style-type: none"> • <u>Horizons will consider whether it needs to respond to changes in Overseer through a plan change process.</u> • <u>A list of nutrient management models appropriate for use in intensive farming land is maintained on Horizons' website.</u>

WWPS

Policy 14-3: Industry-based-standards Good management practices*

When making decisions on resource consent^A applications, and setting consent conditions, for activities affecting groundwater and surface water^A quality, The Regional Council must have regard to good management practices* will examine on-an-on-going basis relevant industry-based-standards (including guidelines-and-codes-of-practice), recognising that such industry-based-standards generally represent current best practice, and may accept compliance-with-these-standards-as-being-adequate-to-avoid, remedy-or-mitigate-adverse-effects^A to the extent that those standards good management practices* address the matters in Policies 14-1, 14-2, 14-4, and 14-5 and 14-6.

...

20. The general intent of recognising the potential usefulness of certain practices is supported.

WPS requests a clearer definition of good management practices be given (in the glossary).

Besides that we request the proposed wording be changed to
'When making decisions on resource consent^A applications, and setting consent conditions, for activities affecting groundwater and surface water^A quality, the Regional Council must have regard to good management practices*
and additional measures for decreasing nitrogen leaching to-and the extent to which that those good management practices* and additional measures help give effect to Policies 5-1 to 5-8 address-the-matters-in-and Policies 14-1, 14-2, 14-4, and 14-5 and 14-6.

This should cover not only 'good management practices' but also 'additional measures' that may decrease nitrogen leaching. It should also consider the extent to which these practices and measures are likely to decrease that leaching and what contribution they will make to achieving the water quality goals.

We do not see a good reason to omit reference to the Chapter 5 Policies which are the higher level ones relating to water quality that those in Chapter 14 have to give effect to.

Policy 14-5: Management of intensive farming land^A uses

In order to give effect to Policy 5-7 and Policy 5-8, intensive farming land^A use activities affecting groundwater and surface water^A quality must be managed in the following manner:

- (a) The following land uses have been identified as intensive farming land^A uses:

- (i) *Dairy farming**
 - (ii) *Commercial vegetable growing**
 - (iii) *Cropping**
 - (iv) *Intensive sheep and beef**
- (b) The intensive farming /and^a uses identified in (a) must be regulated where:
- (i) They are existing (ie., established prior to the Plan having legal effect) intensive farming /and^a uses, in the targeted Water Management Sub-zones* identified in Table 14.1¹.
 - (ii) They are new (ie., established after the Plan has legal effect²) intensive farming /and^a uses, in all Water Management Sub-zones* in the Region.

21. WPS supports the intention of this insertion but opposes its location.

WPS requests Policy 14-5(b)(i) and (ii) be replaced by
'(i) They are existing (ie., established prior to the Plan having legal effect) intensive farming /and^a uses*, in the targeted Water Management Sub-zones* identified in Table 14.1¹.
(ii) They are new (ie., established after the Plan has legal effect²) intensive farming /and^a uses*, in all Water Management Sub-zones* in the Region.'

WPS also requests the deletion of the two footnotes.

The terms 'existing' and 'new' referring to intensive farming land uses occur many times through the One Plan and it would therefore be better to define them in the Glossary rather than in as footnotes.

- (c) Nitrogen leaching maximums have been established in Table 14.2.
- (d) Except as provided for in Policy 14-6(d). Existing intensive farming /and^a uses regulated in accordance with (b)(i) must be managed to ensure that the leaching of nitrogen from those /and^a uses does not exceed the cumulative nitrogen leaching maximum* values for each year contained in Table 14.2, unless the circumstances in Policy 14-6 apply.

¹ The Plan has legal effect in the case of existing intensive farming land^a uses in these zones from the dates identified in Table 14.1.

² The Plan has legal effect in the case of dairy farming* from 24 August 2010 and for commercial vegetable growing*, cropping* and intensive sheep and beef* it has legal effect from 9 May 2013.

~~not exceed intensive farming land uses regulated in accordance with (b)(i) to ensure that the leaching of nitrogen from those land uses does not exceed the cumulative nitrogen leaching maximum* values for each year contained in Table 14.2.~~

22. WPS supports in part Policy 14-5(d).

WPS requests that a reference to a further exception is added to Policy 14-5(d) as follows:

- (d) Except as provided for in Policy 14-6(d) and Policy 14-6(e), Existing intensive farming land uses regulated in accordance with (b)(i) must be managed to ensure that the leaching of nitrogen from those land uses does not exceed the cumulative nitrogen leaching maximum* values for each year contained in Table 14.2;

This provides for an additional exception to cover the years when additional measures, beyond good management practices, are being implemented to decrease N-leaching.

- (e) Intensive farming land uses regulated in accordance with (b) must exclude cattle from:
- (i) A wetland^a or lake^a that is a rare habitat*, threatened habitat* or at-risk habitat*.
 - (ii) Any river^a that is permanently flowing or has an active bed* width greater than 1 metre.

23. WPS requests that Policy 14-5(f) be replaced by

- (f) Intensive farming land uses regulated in accordance with (b) must exclude cattle from:

- (i) within 20m from the mean annual highest water level of a wetland^a or lake^a that is a rare habitat*, threatened habitat* or at-risk habitat*.
- (ii) within 5m of the bed^a of any river^a that is permanently flowing
- (iii) within 5m of the active bed^a of any river that is intermittently flowing and that has an active bed* width greater than 1 metre
- (iv) within 2.5m of the centreline of any other watercourse

As recent consultation on the NPS-FM showed, there is lack of clarity about how to measure the width of exclusion zones as well as a range of views on the appropriate width. The WPS-proposed wording aims to give clarity. Bed is defined in the RMA while active bed is defined in the One Plan.

The mean annual highest water level would need to be assessed for wetlands and could be based on land user assessment initially but require recorded measurement subsequently.

The inclusion of other water courses is to take account of the finding that first and second order waterways can contribute high level of contaminants to higher order ones (little creeks feed voluminous rivers). By only preventing access to streams over 1m in width considerable contamination may still enter the waterways. This should no longer be ignored. Policy 14-6(c) still provides for exceptions where topographical or geographical constraints make exclusion impractical and we support that.

- (f) All places where cattle cross a river that is permanently flowing or has an active bed* width greater than 1 metre must be culverted or bridged and those culverts or bridges must be used by cattle whenever they cross the river.

Policy 14-6: Resource consent decision-making for intensive farming /and^ uses

When making decisions on resource consent^ applications, and setting consent conditions^, for intensive farming /and^ uses the Regional Council must:

- (a) Ensure the nitrogen leaching from the /and^ is managed in accordance with Policy 14-5.
- (b) Ensure implementation of good management practices* to manage nutrient leaching and run-off, faecal contamination and sediment loss, as part of any intensive farming /and^ use.

24. WPS supports the intent of proposed Policy 14-6(b)

WPS requests that 'as part of any intensive farming /and^ use' be deleted from it.

Is repetitive of what is in the lead-in sentence and so is unnecessary.

An exception may be made to (a) for existing intensive farming /and^ uses in the following circumstances:

- (i) where the existing intensive farming /and^ use occurs on land that has 50% or higher of LUC Classes IV to VIII and has an average annual rainfall of 1500 mm or greater; or
- (ii) where the existing intensive farming /and^ use cannot meet year 1 cumulative nitrogen-leaching-maximums* in year 1, they shall be managed through conditions on their resource consent to ensure year 1 cumulative nitrogen-leaching-maximums* are met within 4 years.

Where an exception is made to the cumulative nitrogen leaching maximum* the existing intensive farming land uses must be managed by consent conditions to ensure:

- (i) Good management practices to minimise the loss of nitrogen, phosphorus, faecal contamination and sediment are implemented.
- (ii) Any losses of nitrogen, which cannot be minimised, are remedied or mitigated, including by other works or environmental compensation. Mitigation works may include but are not limited to, creation of wetland and riparian planted zones.
- (c) Ensure that cattle are excluded from surface water in accordance with Policy 14-5 (f) and (g) except where landscape or geographical constraints make stock exclusion impractical, and the effects of cattle stock movements are must be avoided, remedied or mitigated. In all cases any unavoidable losses of nitrogen, phosphorus, faecal contamination and sediment are remedied or mitigated by other works or environmental compensation. Mitigation works may include (but are not limited to) creation of wetland and riparian planted zones.

25. WPS requests that proposed Policy 14-6(c) be replaced by

'(c) Ensure that cattle are excluded from surface water in accordance with Policy 14-5 (f) and (g) except where landscape or geographical constraints make stock exclusion impractical, and the effects of cattle stock movements are must be avoided, remedied or mitigated. In all such cases, the effects of any unavoidable losses of nitrogen, phosphorus, faecal contamination matter and sediment are must be avoided, remedied or mitigated by other works or environmental compensation.'

MWRC-proposed wording makes it unclear so the WPS-proposed wording seeks clarity. Environmental compensation does not avoid, remedy or mitigate effects of an activity, it is compensation for not doing so.

- (d) Provide for exceptions to (a) for existing intensive farming land uses that exceed the cumulative nitrogen leaching maximum* where:
 - (i) Good management practices* are implemented in accordance with a nutrient management plan*, along with additional innovations and measures to further reduce nutrient leaching and run-off, faecal contamination and sediment losses from the land* progressively over time; or

26. WPS supports in part this insertion of Policy 14-6(d)(i).

WPS requests Policy 14-6(d)(i) be replaced by
(d) Provide for exceptions to (a), for a period of 5 years, for existing intensive farming land uses that exceed the cumulative nitrogen leaching maximums where:

(i) Good management practices* are being progressively implemented in accordance with a nutrient management plan*, along with additional innovations and measures to further reduce nutrient leaching and run-off, faecal contamination and sediment losses from the land progressively over time; or

These give effect to WPS-proposed policy 5-8(a)(ia) with respect to the timeframe for providing an exception. They also acknowledge that implementation of good management practices is likely to happen progressively rather than all at once.

(ii) The existing intensive farming land use is to continue for no longer than five years in order to enable the transition to an alternative non-intensive farming land use without an increase in nutrient leaching and run-off, faecal contamination and sediment losses from the land over that period of time.

27. WPS supports insertion of Policy 14-6(d)(ii).

28. WPS requests addition of the following clause to Policy 14-6:

(e) Provide for exceptions to (a), for a period of 10 years, for existing intensive farming land uses that do not comply with the cumulative nitrogen leaching maximums even with implementation of good management practices where:

(i) additional innovations and measures to further reduce nutrient leaching and run-off, faecal contamination and sediment losses from the land are implemented progressively over time.

This means that for intensive farming land users already implementing good management practices, they will have up to 10 further years to implement additional measures to decrease N-leaching. Given that these measures are not already considered to be good management practices there may be a degree of uncertainty as to their operation and effectiveness and so the additional time may be justified.

Combined with Policy 14-6(d)(i), it also means that for those intensive farming land users not already implementing good management practices, they will have 5 years to implement good management practices and a further 5 years to implement additional measures if, once they have done that, they still exceed the N-leaching maximums.

So in both cases, there is a maximum of 10 years to reach the N-leaching maximums. Beyond that time is covered by the prohibition in WPS-proposed Policy 14-6(h).

(e) When determining whether to enable an existing intensive farm *land*^a use to continue under (d)(i), have regard to:

29. WPS requests that Policy 14-6(e) be relabelled Policy 14-6(f).

This requested amendment is consequential to 28.

30. WPS requests that Policy 14-6(e) be replaced by

'(f) When determining the timeframe (not to exceed 10 years) for an existing intensive farm land use to continue to exceed the nitrogen leaching maximums established under Policies 5-8(a) (as provided for by the exceptions described in by Policies 14-5(d), 14-6(d)(i) and 14-6(e)) have regard to :

This aims to reinforce the notion of a 10-year maximum extension for intensive farming land uses which exceed the N-leaching maximums. It also aims to make clear that the time to be granted for implementing changes to achieve the N-leaching maximums is dependent on a number of factors, listed below.

- (i) Whether the proposed innovations and measures represent the *best practicable option*^a to minimise the nutrient leaching and run-off, faecal contamination and sediment losses from the *land*^a, having particular regard to:
 - (A) The extent of the exceedance of the *cumulative nitrogen leaching maximum** in Table 14.2;
 - (B) The rate of reduction of nitrogen loss towards the *cumulative nitrogen leaching maximum** for any given year in Table 14.2;
 - (C) Whether further reductions are currently possible for the intensive farming *land*^a use based on existing technologies.
- (ii) The extent to which the non-compliance with the *cumulative nitrogen leaching maximum** specified in Table 14.2 is attributable to updates in versions of OVERSEER:
 - (iii) The nature and characteristics of the *land*^a, having regard to physical characteristics of the soil including in terms of attenuation capacity, climatic conditions, and topography of the property.
 - (iv) The contribution of the progressive reduction in nutrient leaching and run-off, faecal contamination and sediment losses from the *land*^a, over time, to the improvement of water^a quality within that *Water Management Sub-zone**.
 - (v) The strategy for surface water^a quality set out in Policies 5-2, 5-3, 5-4 and 5-5, and the strategy for groundwater quality in Policy 5-6.

31. WPS supports in part insertion of Policy 14-6(e)(i) to (v).

WPS requests 'strategy' be replaced by 'goals' on its first occurrence in (v) and by 'goal' on its second occurrence.

32. WPS requests that an additional point be added to this list in Policy 14-6(e) as follows:

(vi) The nature, sequencing, measureability and enforceability of any steps proposed to decrease the leaching to below the mimumums established under Policy 5-8(a).

This is to enable decision makers to allow a longer period (not to exceed 10 years) for changes to be made to achieve the N-leaching maximums depending on the complexity, practicality and cost (the nature) of the proposed changes as well. Land users who can achieve the N-leaching maximums by implementing relatively small or inexpensive changes should do so almost immediately while those requiring more difficult changes should be given longer.

(f) When determining whether to enable the existing intensive farming and use to continue under (d)(ii), have regard to:

33. WPS requests that Policy 14-6(f) be relabelled Policy 14-6(g).

This requested amendment is consequential to 28.

- (i) Measures implemented in accordance with a nutrient management plan* to ensure that nutrient leaching and run-off, faecal contamination and sediment losses from the land do not increase over the duration of the resource consent¹:
- (ii) good management practices* proposed to avoid, remedy or mitigate nutrient leaching and run-off, faecal contamination and sediment losses from the land:
- (iii) the nature, sequencing, measurability and enforceability of any steps proposed to transition out of the intensive farming land¹ use by the expiry of the resource consent¹.

34. WPS supports insertion of policy 14-6(f).

35. WPS requests that an additional clause is added to Policy 14-6 as follows:

(h) Not permit any intensive farming land use to continue to exceed the nitrogen leaching maximums for more than 10 years.

This is a further clear statement that intensive farming land use is not allowed to continue to exceed the N-leaching maximums for more than 10 years, giving effect to WPS-proposed Policy 5-8(a)(i)(E), (a)(ii), (a)(iiA) and (iv) and Policy

14-6(d)(i) and Policy 14-6(e).

14.1

Rules - Agricultural Activities

Table 14.1 sets out the target *Water Management Sub-zones** where management of existing intensive farming *land^a* use activities must be specifically controlled and the dates on which Rules of the Plan have legal effect in regards to Rule 14-1 in those Sub-zones.

Table 14.1 Targeted Water Management Sub-zones*

Catchment	Water Management Subzone	Date the Rules of the Plan have legal effect in regards to Rule 14-1
Mangapapa	Mangapapa Mana_9b	1 July 2014
Waikawa	Waikawa West_9a Manakau West_9b	1 July 2014
Other south-west catchments (Papaitonga)	Lake Papaitonga West_8	1 July 2014
Mangatainoka	Upper Mangatainoka Mana_8a Middle Mangatainoka Mana_8b Lower Mangatainoka Mana_8c Matakahi Mana_8d	1 July 2015
Other coastal lakes	Northern Manawatu Lakes West_6 Kaitoke Lakes West_4 Southern Whanganui Lakes West_5	1 July 2015
Coastal Rangitikei	Coastal Rangitikei Rang_4	1 July 2015

³ The Plan has legal effect in the case of *dairy farming** from 24 August 2010 and for commercial *vegetable growing**, *cropping** and *intensive Sheep and beef** it has legal effect from 9 May 2013.

Catchment	Water Management Sub-zone	Date the Rules of the Plan have legal effect in relation to Rule 14-1
Lake Horowhenua	Lake Horowhenua Hoki_1a Hokio Hoki_1b	1 July 2015
Upper Manawatu above Hopelands	Upper Manawatu Mana_1a Mangatewainui Mana_1b Mangatoro Mana_1c Weber-Tamaki Mana_2a Mangatera Mana_2b Upper Tamaki Mana_3 Upper Kumeti Mana_4 Tamaki-Hopelands Mana_5a Lower Tamaki Mana_5b Lower Kumeti Mana_5c Oruakeretaki Mana_5d Raparapawai Mana_5e	1 July 2016
Manawatu above gorge	Hopelands-Tiraumea Mana_6 Upper Gorge Mana_9a Mangaatua Mana_9c	1 July 2016

Table 14.2 sets out the *cumulative nitrogen leaching maximum** for the *land^A* used for intensive farming *land^A* use activities within each specified *land use capability class**.

Table 14.2 Cumulative nitrogen leaching maximum* by Land Use Capability Class*

Period (from the year that the rule has legal effect)	LUC 1	LUC II	LUC III	LUC IV	LUC V	LUC VI	LUC VII
Year 1	51 30	45 27	40 24	29 48	25 46	24 45	11 8
Year 5	46 27	42 25	35 24	26 46	20 43	16 40	8 6
Year 10	44 26	37 22	32 49	23 44	20 43	16 40	8 6
Year 20	43 25	35 24	30 48	21 43	19 42	16 40	8 6

36. WPS requests all such changes to the Rules as are necessary to give effect to the changes it has proposed above to PPC2.

We apologise but because of time constraints, and because the value of doing so depends on whether the above amendments are accepted or not, we have not specified the Rule changes that need to be part of this Plan change. That can be left to those who are paid to do this sort of thing on instruction from the people who reach decisions on this Plan change. We simply point out that it is absolutely necessary to carry through the Policy intent to the Rules. WPS would be willing to assist in the Rule defining process once decisions on the policies have been made. [Please also see the **Glossary page for further proposals**]

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
14.1 Existing intensive farming <i>land^A</i> use activities	The use of <i>land^A</i> pursuant to s9(2) RMA for any of the following types of intensive farming: (i) dairy farming* (ii) commercial vegetable growing* (iii) cropping* (iv) intensive sheep and beef farming* that was existing in the Water Management Sub-zones* listed in and from the dates specified in Table 14.1 and any of the following discharges ^A	Controlled	(a) A <i>nutrient management plan*</i> must be prepared for the <i>land^A</i> , 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.	Control is reserved over: (a) the implementation of the <i>nutrient management plan*</i> (b) compliance-with-the-cumulative-nitrogen-leaching-maximum* specified in Table 14.2 good management practices* to avoid, remedy or mitigate nutrient leaching and run-off, faecal contamination and sediment losses from the <i>land^A</i> . (c) the matters of control in Rule 14-11 (d) avoiding, remedying or mitigating the

pursuant to ss15(1) or 15(2A) RMA
associated with that intensive farming:
(a) the *discharge*^a of fertiliser^{*} onto or
into land^a
(b) the *discharge*^a of contaminants^a
onto or into land^a from

(d) Cattle must be excluded from:
(i) wetlands^a and lakes^a that are a rare habitat^{*}
or threatened habitat^{*}, and
(ii) the beds^a of rivers^a that are permanently
flowing or have an active bed^{*} width greater
than 1 m.

effects of odour, dust, fertiliser^{*} drift
or effluent drift
(e) provision of information including the
nutrient management plan^{*}
(f) duration of consent

⁴—The Plan has legal effect in the case of dairy farming^{*} from 24 August 2010 and for commercial vegetable growing^{*}, cropping^{*} and intensive sheep and beef^{*} if it has legal effect from 9 May 2013.

Rule	Activity	Classification	Conditions/Standards/Terms	Control/I/discretion	Non-Notification
	<ul style="list-style-type: none"> (i) the preparation, storage, use or transportation of stock feed on production land^A (ii) the use of a feedpad* (c) the discharge^A of grade Aa biosolids* or compost* onto or into production land^A (d) the discharge^A of poultry farm litter* onto or into production land^A (e) the discharge^A of farm animal effluent* onto or into production land^A (or upon expiry or surrender of any existing consent for that discharge^A) including: <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 and any ancillary discharge^A of contaminants^A into air pursuant to ss15(1) or 15(2A) RMA. <p>Where the existing intensive farming land^A 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:</p> <ul style="list-style-type: none"> (a) if at least 20% of the existing intensive farming land^A use is 		<ul style="list-style-type: none"> (e) Rivers^A that are permanently flowing or have an active bed^A 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 discharged^A onto or into land^A. (e) Rivers^A that are permanently flowing or have an active bed^A 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 discharged^A onto or into land^A. (f) The discharge^A of fertiliser* onto or into land^A and any ancillary discharge^A of contaminants^A into air must comply with the conditions^A of Rule 14-5. (g) The discharge^A of contaminants^A onto or into land^A from: <ul style="list-style-type: none"> (i) the preparation, storage, use or transportation of stock feed on production land^A, or (ii) the use of a feedpad* and any ancillary discharge^A of contaminants^A into air must comply with the conditions^A of Rule 14-6. (h) The discharge^A of grade Aa biosolids* or compost* onto or into production land^A and any ancillary discharge^A of contaminants^A into air must comply with the conditions^A of Rule 14-7. (i) The discharge^A of poultry farm litter* onto or into production land^A and any ancillary discharge^A of contaminants^A into air must comply with the conditions^A of Rule 14-9. (j) The discharge^A of farm animal effluent* onto or into production land^A including: <ul style="list-style-type: none"> (i) effluent from dairy sheds and feedpads* (ii) effluent received from piggeries (iii) sludge from farm effluent ponds 		

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- (g) review of consent conditions^a
 - (g) review of consent conditions^a
 - (h) compliance monitoring
 - (i) the matters in Policies 14-5, 14-6 and 14-9

Resource consent^b applications under this rule^a will not be notified and written approval of affected persons will not be required (notice of applications need not be served^a on affected persons).

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion
	<p>located on land within the listed water management sub-zones*, and</p> <p>(b) to the portion of the existing intensive farming land^A use that is located within the listed water management sub-zones*.</p>		<p>and any ancillary discharge^A of contaminants^A into air must comply with the conditions^A, standards and terms of Rule 14-11.</p> <p>The use of land^A pursuant to s9(2) RMA for any of the following intensive farming:</p> <ul style="list-style-type: none"> (i) dairy farming* (ii) commercial vegetable growing* (iii) cropping* (iv) intensive sheep and beef farming* <p>that was existing in the Water Management Sub-zones* listed in and from the dates specified in Table 14-1, and any of the following discharges^A pursuant to ss 5(1) or 15(2A) RMA associated with intensive farming, that do not comply with one or more of the conditions^A, standards and terms of Rule 14-1 (except for (c))</p> <ul style="list-style-type: none"> (a) the discharge^A of fertiliser* onto or into land^A (b) the discharge^A of contaminants^A onto or into land^A from <ul style="list-style-type: none"> (i) the preparation, storage, use or transportation of stock feed (ii) the use of a feedpad* 	<p>Non-notification</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> (a) preparation of and compliance with a nutrient management plan* for the land^A (b) the extent of non-compliance with the cumulative nitrogen leaching maximum* specified in Table 14-2 (b) (c) The nutrient management plan* prepared under (a). (a) must demonstrate that the nitrogen leaching loss from the activity will not exceed the cumulative nitrogen leaching maximum* for any year in Table 14-2. (c) (d) (e) measures good management practices* to avoid, remedy or mitigate nutrient leaching and runoff, faecal contamination and sediment losses from the land^A (f) measures to exclude cattle from wetlands^A and lakes^A that are a rare habitat* or threatened habitat*, and rivers^A that are permanently flowing or have an active bed* width greater than 1 m (d) (e) the bridging or culverting of rivers^A that are permanently flowing or have an active bed* width greater than 1 m that are crossed by cattle (e)(f) the matters referred to in the conditions^A of Rules 14-5, 14-6, 14-7, and 14-9

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion
				Non-Notification
			associated with intensive farming, that	
	(c) the <i>discharge^a</i> of grade Aa biosolids* or compost* onto or into production land ^A (c) the <i>discharge^a</i> of grade Aa biosolids* or compost* onto or into production land ^A (d) the <i>discharge^a</i> of poultry farm litter* onto or into production land ^A (e) the <i>discharge^a</i> of farm animal effluent* onto or into production land ^A (or upon expiry or surrender of any existing consent for that <i>discharge^a</i>) including: (i) effluent from dairy sheds and feedpads* (ii) effluent received from piggeries (iii) sludge from farm effluent ponds (iv) poultry farm effluent and any ancillary <i>discharge^a</i> of contaminants* into air pursuant to ss15(1) or 15(2A) RMA.	Discretionary The use of land ^A pursuant to s9(2) RMA for any of the following intensive farming: (i) dairy farming* (ii) commercial vegetable growing* (iii) cropping* (iv) intensive sheep and beef farming* that was existing in the Water Management Sub-zones* listed in and from the dates specified in Table 14.1 and any of the following discharges ^A pursuant to ss15(1) or 15(2A) RMA		

Rule 14-2A Existing intensive farming land^A use activities not complying with condition, standard, term (c) of Rule 14-1 or Rule 14-2.

- (f) {§} the matters referred to in the *conditions*[^] of Rule 14-11 and the matters of control in Rule 14-11
- (f) {§} the matters referred to in the *conditions*[^] of Rule 14-11 and the matters of control in Rule 14-11
- (g) {§} avoiding, remedying or mitigating the effects of odour, dust, fertilise^{*} drift or effluent drift
- (h) {§} provision of information including the annual *nutrient management plan*^{*}
- (i) {§} duration of consent
- (j) {§} review of consent
- (k) {§} compliance monitoring

(l) {§} the matters in Policy 14-9.

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion
				Non-Notification
	<p>do not comply with conditions, standards and term (c) of Rule 14.1 or one or more of the conditions^A, standards and terms of Rule 14-2:</p> <ul style="list-style-type: none"> (f) the discharge^A of fertiliser* onto or into land^A (g) the discharge^A of contaminants^A onto or into land^A from (i) the preparation, storage, use or transportation of stock feed on production land^A (ii) the use of a feedpad* (h) the discharge^A of grade A_a biosolids* or compost* onto or into production land^A (i) the discharge^A of poultry farm litter* onto or into production land^A (j) the discharge^A of farm animal effluent* onto or into production land^A (or upon expiry or surrender of any existing consent for that discharge^A) including: (l) effluent from dairy sheds and feedpads* (ii) effluent received from piggeries (iii) sludge from farm effluent ponds (iv) poultry farm effluent and any ancillary discharge^A of contaminants^A into air pursuant to ss 15(1) or 15(2A) RMA. 			

...

Rule Guide:

The location of archaeological sites when defined by a single co-ordinate is unlikely to define the true extent of subsurface archaeological evidence. The 50 metre rule should apply from the outer perimeter of the site.

Some activities in *rare habitats**, *threatened habitats** and *at-risk habitats** are regulated by Rules 13-8 and 13-9. Discharges from agricultural activities at other locations are regulated as follows:

- (a) Discharges not covered by rules - Agricultural discharges pursuant to ss15(1) RMA that are not covered by the rules above are a **discretionary activity** under Rule 14-30.
~~(b) Activities that do not comply—Except for Rule 14-3, activities pursuant to ss15(1) or 15(2A) RMA that do not comply with the permitted or controlled activity rules above are a discretionary activity under general Rule 14-30.~~

Glossary

A term or expression that is defined in this glossary is marked with the symbol * when used in the Plan.

A term or expression that is defined in the Resource Management Act 1991 (RMA) and used in the Plan, but which is not included in this glossary, has the same meaning as in the RMA. Definitions provided in the RMA are not repeated in this glossary. A term or expression that is defined in the RMA is marked with the symbol ^ when used in the objectives, policies or rules of the Plan, this glossary and the schedules to the Plan, other than Schedules F, G and I.

When:

* is not used to identify a term anywhere in the Plan, or

^ is not used to identify a term in the objectives, policies or rules of the Plan, this glossary or the schedules to the Plan

the term has its ordinary meaning.

...

Good management practices refers to evolving practical measures and methods, including those established in industry-based standards, which are used at a sector or community level to minimise the effects of discharges to land^ and water^.

37. WPS supports the intent of including a definition of Good management practices.

WPS requests that a more definitive definition of Good management practices be proposed. The meaning of 'at a sector or community level' is unclear. Does it mean that it has to be used in concert across a sector or community rather than at an individual level. Or does it mean it has to be implemented at the individual level and that it is implemented by most individuals in a sector or community? Or something else? A non-exclusive list of the types of practices meant by 'good management practices' would also be helpful to make the meaning clearer, e.g. 'Good management practices include, but are not limited to,'

...

Nutrient management plan means a plan prepared annually in accordance with the Code of Practice for Nutrient Management (NZ Fertiliser Manufacturers' Research Association 2007) which records (including copies of the OVERSEER® input and output files of a recognised nutrient management model used to prepare the plan) and takes into account all sources of nutrients for intensive farming and identifies all current and relevant nutrient management practices and mitigations, and which is prepared by a person who has both a Certificate of Completion in Sustainable Nutrient Management in New Zealand Agriculture and a Certificate of Completion in Advanced Sustainable Nutrient Management from Massey University.

38. WPS supports in part insertion of a definition of nutrient management plan.

WPS requests the phrase 'recognised' be replaced by 'Horizons-approved'.

'Recognised' is too vague. What actually does recognised mean? Known? Known and accepted as being of a certain standard or efficacy? According to whom? Hence the need for specifying the agent (Horizons which could take expert advice on the matter if necessary) and substituting 'approved' for 'recognised'.

39. WPS requests that the terms 'existing intensive farming land use' and 'new intensive farming land use' be defined here in the Glossary rather than as footnotes since the phrases are used many times in the One Plan and a reader shouldn't have to search for footnotes to find such definitions.

Possible definitions are as follows:

'Existing intensive farming land uses, in the targeted Water Management Sub-zones* identified in Table 14.1, are those intensive farming land uses which were being conducted prior to the dates listed in Table 14.1 for the Water Management Sub-zones* in which the land is located', and

'New intensive farming land uses, in all Water Management Sub-zones, are those which have been carried out only since 24 August 2010 in the case of dairy farming and only since 9 May 2013 in the case of commercial vegetable growing*, cropping* and intensive sheep and beef*.'

However, these two definitions are not mutually exclusive. An intensive dairy farm, for example, might have been set up in 2012 in the Makakahi (Mana_8d) Water Management Sub-zone. In that case it would be both a new and an existing intensive farming land use so there would be confusion as to which policies and rules apply. The definitions should be mutually exclusive but we leave that to the people who are paid to write these things to come up with suitable wording.