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FURTHER SUBMISSIONS IN SUPPORT OF, OR IN OPPOSITION TO, SUBMISSIONS MADE ON THE PUBLICLY NOTIFIED PROPOSED PLAN CHANGE 2-EXISTING INTENSIVE FARM USES DISTRICT PLAN, UNDER CLAUSE 8 OF THE FIRST SCHEDULE TO THE RESOURCE MANAGEMENT ACT 1991,

To Manawatu Whanganui (Horizons) Regional Council

This is a Further Submission by Public Health Services, MidCentral District Health Board

About Proposed Plan Change 2- Existing Intensive Farm Uses

1. These Further Submissions are based on the Summary of Submissions published by Horizons Regional Council and copies of original Submissions made by other Submitters.
2. Public Health Services, MidCentral District Health Board is an entity “representing a relevant aspect of the public interest” pursuant to Schedule 1 s.8(1) (a) of the Resource Management Act 1991 as it has statutory obligations for public health under various pieces of legislation under Crown funding agreements with the Ministry of Health.
3. The Ministry of Health requires Public Health Services of District Health Boards to reduce any potential health risks by means including Submissions and Further Submissions on any Proposed Policy Statement or Plan, Changes to Plans, or Variations to Proposed Plan Changes to ensure matters of public health significance are considered by the Council. The notified planning process includes matters with the potential to impact on the health of people and communities.
4. This Further Submission relates to the Submitter(s) named in the attached schedule. The particular part of their Submission supported or opposed is described. The parts of their Submission we seek be accepted or rejected, and our reasons for support or opposition are stated. The scope of our Further Submissions is intended to cover words to the like effect in the relevant section of the proposed plan provisions in the same or any other plan section which might be consequentially added or amended because of a Submission made by the other Submitter(s) on whom we have made these Further Submissions.
5. We will wish to be heard in support of these Further Submissions at any hearing but are not prepared to consider presenting a joint case with other submitters. If clarification or facilitating resolution of any matter related to a proposed policy statement of a plan is initiated pursuant to Schedule 1, s. 8AA of the Act, we request to be consulted or invited.

Dated 3 December 2019

For and on behalf of Public Health Services, MidCentral District Health Board

Address for service: Public Health Service, MidCentral District Health Board Private Bag 11036 PALMERSTON NORTH 4442

Attention: Dr Robert Holdaway **Email:** PublicHealth@midcentraldhhb.govt.nz

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Further Submission # 1

This Further Submission relates to Submitter # 61

Other Submitter's name :

Director General of Conservation

Other Submitter's address :

Department of Conservation *Te Papa Atawhai*, Hamilton Share Services, Private Bag 3072, Hamilton 3240, New Zealand.

Submitter's point	Particular part of other party's Submission	Support or opposition & the decision you seek
Statement 1, Topic 5	Delete proposed wording: "In order to give effect to Policy 5-7, the effects of intensive farming land use activities on groundwater and surface water must be managed in the following manner."	supported and should be accepted
Statement 2 Topic 14, 3	Amend policy to provide direction on what degree of good management practice is necessary, and what level of nitrogen reduction is acceptable, and how costs are balanced with environmental outcomes; and Delete sub clause (A) Delete sub clause (iib); or Amend to clearly direct the process steps and timeframes for the implementation of this policy.	supported in part and should be accepted in part Supported in full except deletion of (A).
Statement 4, General	Amend Policy 14-6(b) to require implementation of the minimum level of good management practice required; and Insert wording as follows: "ensure implementation of good management practices to manage minimise nutrient leaching and run-off, faecal contamination and sediment loss, as part of any intensive farming land use"	supported and should be accepted
Statement 5, General	Amend Policy 14-6(d)(i) to identify what percentage or quantum of reduction in the nitrogen exceedance is to be considered appropriate before granting consent; and Identify over what timeframe these reductions are required and what milestones need to be achieved within that timeframe.	supported and should be accepted
Statement 6, General	Delete Policy 14-6(d)(ii); or Identify the appropriate mechanism by which the policy can guarantee the intensive land use is discontinued, or that a future consent would be declined if the transition did not occur.	supported and should be accepted
Statement 7, General	Amend the provisions [14-6(e)] to provide better direction to plan users and guidance for decision makers when "having regard to" the matters listed in proposed policy 14-6 (e)(i) through (v) when considering whether or not to grant a	supported and should be accepted

	resource consent application. Provide direction on how these matters make an intensive land use activity appropriate or not and how this is linked to a reduction in nutrient leaching; and Delete clause (iv).	
Statement 8, General	Delete Policy 14-6(f); or Amend to clearly dictate the process/steps for the implementation of this policy.	supported and should be accepted
Statement 9, General	Amend the definition of 'Good Management Practice' to better identify what constitutes good management practice.	supported and should be accepted
Statement 10, General	Include minimum requirements for what good management practices are required within nutrient management plans or a farm environment plan and what the anticipated environmental outcomes are.	supported and should be accepted
Statement 13, General	Amend the policies to identify the what level of reduction in nutrient leaching must occur over what time period and ensure clarity on how this would inform both applications for and decisions on land use consents. Provide direction on what level of reduction over what time period is considered appropriate when considering whether to grant or decline a discretionary consent.	supported and should be accepted
Statement 14, General	Clarify and identify how Council will implement, monitor, and enforce a policy which directs an intensive land use activity to continue for no longer than five years.	supported and should be accepted
Statement 17, General	Either amend the definition of nutrient management plan to refer to the latest 2013 version of the Code of Practice for Nutrient Management, or make the 2007 version available to the public	supported and should be accepted

Reasons:

Public Health Services, MidCentral District Health Board agree with the submitter that Plan Change 2 overlooks the urgent need to reduce nutrient loads in many lakes, some which are used for contact recreation and are of public health interest. High levels of nitrogen and phosphorous both promote planktonic cyanobacteria growth in lakes. Planktonic cyanobacteria growth has been the cause of most public health warnings issued for monitored lakes over the past three summers. We agree with the submitter that some lakes are at risk of flipping (becoming phytoplankton dominated). High nitrogen levels are a contributing factor to the risk of lakes flipping.

We agree with the submitter that Plan Change 2 provides a pathway for intensive land use activities to exceed the limits imposed by the plan through a consenting pathway. The cumulative effects of the granting of such consents would either further increase nutrient levels in the receiving environment or maintain current levels in those catchments and water management sub-zones.

We agree with the submitter that the discretionary pathway is ambiguous and lacks clarity. There is limited clear guidance as to what constitutes good management practices and how that will be

implemented to ensure water quality is improved in the region. Without clarification of what good management practices are, the discretionary pathway is too permissive and allows for granting of consents without full consideration of the cumulative and adverse effects of the activity on water quality. That lack of clarity and potentially permissive granting of consents could create public health risks if leaching leads to maintained or increased planktonic (lakes) or benthic (riverine) cyanobacteria growth.

Excessive benthic cyanobacteria growth and exposed benthic cyanobacteria is a public health risk as defined in the New Zealand Guidelines for Cyanobacteria in Recreational and Freshwaters, Interim Guidelines 2009. When warning level exceedances occur, people are advised to avoid swimming.

These warnings have occurred frequently in some catchments and water management sub-zones. For example, the Mangatainoka River catchment over the 2018-2019 monitoring period had health warnings issued due to benthic cyanobacteria exceedances at monitored sites between 40% and 88% of the swim season (from November to March). For extended periods of the swim season the public are advised to avoid use of the river. The continuation of nitrogen leaching will likely lead to, a continuation of these exceedances and public health warnings being issued.

The Mangatainoka river is also a source of drinking water for Pahiatua, as is the Makakahi river for Eketahuna. Cyanotoxins are priority 2b determinants in the New Zealand Drinking Water Standards 2005 (Revised 2018). Their concentration in water can change rapidly and they can reach health significant levels rapidly. The presence of cyanobacteria and cyanotoxins creates both monitoring and potentially treatment costs for these water treatment plants. Although no exceedances of drinking water maximum allowable values for cyanotoxins has occurred at either the Eketahuna or Pahiatua water treatment plants, any increase in the biomass of cyanobacteria could lead to such exceedances occurring.

We agree with the submitter that the nutrient management plan fails to address other effects on the receiving environment such as pathogens entering waterways. *E. coli* is used as an indicator organism of microbiological contamination. Rivers and streams in the region frequently breach microbiological contamination levels during the swim season as defined in the Microbiological Water Quality Guidelines for Marine and Freshwater Recreational Areas and their use for contact recreation is deemed a health risk under those circumstances.

Microbiological warnings regularly occur at times when cyanobacteria warnings are not in effect. The combination of both increases the percentage of the swim season when public health risks exist. By not addressing microbiological pathogens entering the receiving environment, the health risks created by such contamination are not mitigated under Plan Change 2.