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Department of Conservation  
*Te Papa Atawhai*

DOCDM-6144185

3 December 2019

Manawatū-Whanganui Regional Council  
Private Bag 11025  
Manawatū Mail Centre  
Palmerston North 4442

[submissions@horizons.govt.nz](mailto:submissions@horizons.govt.nz)

To whom it may concern

**Further Submission on Proposed Plan Change 2 (PPC2) to the Manawatū-Whanganui Regional Council (Horizons) One Plan.**

Please find enclosed the further submission by the Director-General of Conservation in respect of Proposed Plan Change 2 to the Manawatū-Whanganui Regional Council (Horizons) One Plan.

Please contact Angus Gray in the first instance if you wish to discuss any of the matters raised in this further submission ([agray@doc.govt.nz](mailto:agray@doc.govt.nz)).

Yours sincerely,

A handwritten signature in blue ink.

Moana Smith Dunlop

Operations Manager

Manawatū

**RESOURCE MANAGEMENT ACT 1991**

**FORM 6**  
**FURTHER SUBMISSION IN SUPPORT OR OPPOSITION TO, SUBMISSION ON PUBLICLY  
NOTIFIED**  
**PROPOSED PLAN CHANGE 2 –HORIZONS ONE PLAN**

Clause 8 of Schedule 1, Resource Management Act 1991

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**TO:** Horizons Regional Council

**FURTHER SUBMISSIONS ON:** Proposed Plan Change 2

**NAME:** Director General of Conservation

**ADDRESS:** Address for service:  
RMA Shared Services  
Department of Conservation  
Private Bag 3072  
Hamilton 3240  
Attn: Angus Gray

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**STATEMENT OF SUBMISSION BY THE DIRECTOR GENERAL OF CONSERVATION**

This is a further submission in support of (or in opposition to) a submission on Proposed Plan Change 2.

I, Moana Smith Dunlop, Operations Manager (Manawatū) of the Department of Conservation, acting under delegated authority from the Director General of Conservation, make the following further submissions in support or opposition to the submissions on Proposed Plan Change 2.

1. **I support or oppose the submissions of** those persons and/ or organisations listed in the second column headed "Submitter Name" of the table in the attached.
2. **The particular parts of the submission I support or oppose** are identified in the third column headed "Submission".
3. **The reasons for my support or opposition** are set out under the fifth column headed "Reasons" of the table.
4. **The particular aspect of the Plan that the further submission relates to** are set out in the first column headed "Plan Reference".
5. **Regarding tangata whenua, I set out the submissions that I support below,** together with the reason for my support.

6. In relation to those submissions I support I seek that that submission is allowed.
7. In relation to those submissions I oppose I seek that the part of the submission I oppose is disallowed.
8. I do wish to be heard in support of this submission.
9. If others make similar submissions, I will consider presenting a joint case with them at the hearing.

#### Tangata Whenua

10. I support the submissions in opposition to Proposed Plan Change 2 made by:
  - (a) Ngāti Turanga, Te Rūnanga o Raukawa, Te Roopū Taiao o Ngāti Whakatere Trust and Ngā Waihua o Paerangi Trust in respect of the lack of consultation. I am concerned that Horizon Regional Council does not appear to have undertaken meaningful engagement with iwi/hapū effected by Proposed Plan Change 2, prior to its notification;
  - (b) Ngāti Turanga, Te Rūnanga o Raukawa, Te Roopū Taiao o Ngāti Whakatere, Ngā Waihua o Paerangi Trust, Muaūpoko Tribal Authority, Hokio a Māori Land Trust, Tamarangi Hapū of Muaūpoko Tribal Authority, Hokio A Māori Land Trust, Tamarangi Hapū of Muaūpoko and Rangitāne o Manawatū in respect of Proposed Plan Change 2 not adequately providing for the tikanga of the respective iwi/hapū or properly accounting for the principles of the Treaty of Waitangi. I am concerned that Proposed Plan Change 2 does not appear to recognise and provide for tikanga relating to iwi/hapū associations with their ancestral land, water and other taonga, show particular regard to the role of iwi/hapū as kaitiaki or account for the principles of the Treaty of Waitangi;
  - (c) Ngāti Turanga, Te Rūnanga o Raukawa, Te Roopū Taiao o Ngāti Whakatere Trust and Ngā Waihua o Paerangi Trust in respect of the deficiencies in the Evaluation of Proposed Plan Change 2 Report (the **Report**). Based on the submissions, it appears that the Report does not provide an accurate assessment in relation to cultural effects anticipated from the implementation of Proposed Plan Change 2. In addition, the Report states that Horizon Regional Council adopted a “segmented” approach to consulting with iwi/hapū. It is not clear as to what a segmented approach entails;
  - (d) Ngāti Turanga, Te Rūnanga o Raukawa, Te Roopū Taiao o Ngāti Whakatere Trust and Ngā Waihua o Paerangi Trust in respect of Proposed Plan Change 2 not providing adequate consideration or recognition of Te Mana o Te Wai. The scale of consideration and recognition is unclear. The deficiencies in consultation indicate that the setting of freshwater objectives and limits were not informed by tangata whenua values as required by the NPS-FM.



Moana Smith Dunlop

Operations Manager

Manawatū

Pursuant to delegated authority

On behalf of

Lou Sanson

Director-General of Conservation

Date: 3 December 2019

Note: A copy of the Instrument of Delegation may be inspected at the Director-General's office at Conservation House Whare Kaupapa Atawhai, 18/32 Manners Street, Wellington 6011.

PLAN REFERENCE	SUBMITTER NAME	SUBMISSION/STATEMENT	SUPPORT/ OPPOSE	REASONS
Policy 14-5	Dairy NZ	48.5	Oppose in part	<p>The Director-General is concerned that using a 90% nitrogen baseline and 75<sup>th</sup> percentile reduction approach within a plan framework which uses a LUC allocation undermines the cumulative nitrogen leaching targets. The LUC approach was developed through an extensive Schedule 1 process and Environment Court proceedings. This submission point undermines the outcomes of those processes.</p> <p>It is not clear how this will give effect to the NPS-FM, RPS, or will achieve water quality outcomes.</p>
Rule 14-1	Dairy NZ	48.8	Oppose	<p>The Director-General is concerned that using a 90% nitrogen baseline and 75<sup>th</sup> percentile reduction approach within a plan framework which uses a LUC allocation undermines the cumulative nitrogen leaching targets. The LUC approach was developed through an extensive Schedule 1 process and Environment Court proceedings. This submission point undermines the outcomes of those processes.</p> <p>It is not clear how this will give effect to the NPS-FM, RPS, or will achieve water quality outcomes and reduce nutrient leaching.</p>
Rule 14-2	Dairy NZ	48.9	Oppose	<p>The Director-General is concerned that using a 90% nitrogen baseline and 75<sup>th</sup> percentile reduction approach within a plan framework which uses a LUC allocation undermines the cumulative nitrogen leaching targets. The LUC approach was developed through an extensive Schedule 1 process and Environment Court</p>

			proceedings. This submission point undermines the outcomes of those processes.
Rule 14.1	Environmental Defence society	54.5	Support  It is not clear how this will give effect to the NPS-FM, RPS, or will achieve water quality outcomes and reduce nutrient leaching.
Rule 14.2	Environmental Defence society	54.6	Support  The requested relief increases the scope of matter of control (c) to refer to the One Plan's RPS freshwater objectives and policies and regional freshwater objectives and policies. Considering the Proposed Plan Change 2 directly concerns water quality this is considered appropriate, and necessary to give effect to the NPSFM.
Rule 14.2A	Environmental Defence society	54.7	Support  The requested relief increases the scope of matter of control (c) to refer to the One Plan's RPS freshwater objectives and policies and regional freshwater objectives and policies. Considering the Proposed Plan Change 2 directly concerns water quality this is considered appropriate, and necessary to give effect to the NPS-FM.  Expanding the description of the activity to include non-compliances with condition (j) of rule 14.1 is considered appropriate.
Table 14.1	Federated Farmers	58.11	Oppose in part  The Director-General agrees that Table 14.1 requires updating to better reflect appropriate dates and

				phasing of implementation, however, considers that appropriate dates and timeframes need to be further considered to ensure implementation is practical and enforceable and that it will achieve the required water quality outcomes and reduce nutrient leaching.
New Definition – 75 <sup>th</sup> percentile nitrogen leaching loss	Federated Farmers	58.22	Oppose	The Director-General is concerned that using a 75 <sup>th</sup> percentile reduction approach within a plan framework which uses a LUC allocation undermines the cumulative nitrogen leaching targets. The LUC approach was developed through an extensive Schedule 1 process and Environment Court proceedings. This submission point undermines the outcomes of those processes.
				It is not clear how this will give effect to the NPS-FM, RPS, or will achieve water quality outcomes and reduce nutrient leaching.
Policy 14.5	Federated Farmers	58.7	Oppose	The Director-General considers that the additional wording to allow stock to cross a waterbody more frequently is inappropriate and inconsistent with draft National Environmental Standards and will result in continued degradation of water quality.
General Plan	Forest & Bird	59.1	Support	The Director-General agrees that the Proposed Plan Change 2 is contrary to national and regional policy and supports the opposition of the entire plan change.
Exemption of Lake Horowhenua from PC2.	Muaūpoko Tribal Authority Inc	62.1	Oppose	Lake Horowhenua is degraded in terms of total nitrogen, total phosphorous, phytoplankton, and ammoniacal-nitrogen in relation to one plan and national objectives framework bottom lines. The Director-General supports the need for Lake Horowhenua to improve in water quality. The Director-General is uncertain how the requested relief will manage land use in the catchment to reduce nutrient leaching.

Policy 5.7	Horticulture NZ	66.1	Oppose in part	The Director-General does not disagree that the Proposed Plan Change 2 needs to better address horticultural activities, however, requires further detail as to whether this is the most appropriate mechanism for addressing these concerns.
Insertion of new rule - Rules 14-2BX	Horticulture NZ	66.12	Oppose in part	The effects of this framework are unclear as are the questions of whether it will be consistent with the NPS-FM, achieve required freshwater quality outcomes and reduce nutrient leaching.
Insertion of new rule - Rules 14-2CX	Horticulture NZ	66.13	Oppose in part	The effects of this framework are unclear as re the questions of whether it will be consistent with the NPS-FM, achieve required freshwater quality outcomes and reduce nutrient leaching.
Insertion of new rule – Rule 14-2DX	Horticulture NZ	66.14	Oppose in part	The Director-General does not disagree that the Proposed Plan Change 2 needs to better address horticultural activities, however, requires further detail

			as to whether this is the most appropriate mechanism for addressing these concerns.
Insertion of new rule – Rule 14-2EX	Horticulture NZ	66.15	Oppose in part  The effects of this framework are unclear as are the questions of whether it will be consistent with the NPS-FM, achieve required freshwater quality outcomes and reduce nutrient leaching.
Policy 5.8	Horticulture NZ	66.2	Oppose in part  The Director-General does not disagree that the Proposed Plan Change 2 needs to better address horticultural activities, however, requires further detail as to whether this is the most appropriate mechanism for addressing these concerns.
Insertion of new policy – Policy 5.8A	Horticulture NZ	66.3	Oppose in part  The effects of this framework are unclear as are the questions of whether it will be consistent with the NPS-FM, achieve required freshwater quality outcomes and reduce nutrient leaching.
			The Director-General does not disagree that the Proposed Plan Change 2 needs to better address horticultural activities, however, requires further detail as to whether this is the most appropriate mechanism for addressing these concerns.

			The effects of this framework are unclear as are the questions of whether it will be consistent with the NPS-FM, achieve required freshwater quality outcomes and reduce nutrient leaching.
Insertion of new policy - Policy 14X	Horticulture NZ	66.6	Oppose in part  The Director-General does not disagree that the Proposed Plan Change 2 needs to better address horticultural activities, however, requires further detail as to whether this is the most appropriate mechanism for addressing these concerns.
			The effects of this framework are unclear as are the questions of whether it will be consistent with the NPS-FM, achieve required freshwater quality outcomes and reduce nutrient leaching.