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

TO: Manawatū-Whanganui (Horizons) Regional Council
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Name of submitter: ENVIRONMENTAL DEFENCE SOCIETY INC (EDS)

1. This is a further submission in support of or in opposition to a number of submissions on the proposed plan change 2 (**PC2**) to the Manawatū-Whanganui Regional Council (Horizons) One Plan (**One Plan**).
2. EDS is a person representing a relevant aspect of the public interest. EDS is a not-for-profit national environmental organisation. EDS was established in 1971 with the objective of bringing together the disciplines of law, science and planning, to promote better environmental outcomes in resource management matters. Since that time it has actively participated in public interest environmental litigation including extensive involvement in the One Plan. EDS has been active in assessing the effectiveness of the Resource Management Act 1991 (**RMA**) and statutory planning documents in addressing key environmental issues, including freshwater.
3. EDS opposes the submissions of Dairy NZ¹ and Federated Farmers of New Zealand Inc². In particular, EDS opposes the proposed changes to the controlled activity framework in Policy 14.5, Rule 14.1 and Rule 14.2 and the consequential additions to the definitions section. EDS also opposes the proposal to create an interim regime for Table 14.2.
 - 3.1 Dairy NZ and Federated Farmers seek the addition of a controlled activity pathway for intensive farming activities that cannot meet the Table 14.2 cumulative nitrogen leaching limits (**Table 14.2 limits**) provided the landowner is making a contribution towards improving water quality. This could be by ensuring that nitrogen leaching does not exceed the lesser of:
 - (i) 90% of the leaching occurring on the land in the 2012/13 year; or
 - (ii) The 75th percentile of nitrogen leaching loss for the Surface Water Management Zone.
 - 3.2 Under PC2 intensive farming activities that do not meet the Table 14.2 limits are assessed as a discretionary activity. EDS does not support the more lenient approach proposed by the submitters, and considers the grandparenting exception to reduce leaching to 90% of 2012/13 levels is unjustified.
 - 3.3 EDS also opposes the submission that the Table 14.2 should be included as an interim measure only (until 2023) on the basis that land use capability (**LUC**) is not an appropriate basis for nitrogen allocation. The alternative method for allocating nitrogen in New Zealand is grandparenting, which allocates nitrogen on the basis of current land use and recent historical level. Grandparenting discriminates between land uses and often favours the maintenance of higher nitrogen leaching activities. As

¹ Submitter Number 40

² Submitter Number 58

such, EDS does not support it as a method for calculating nitrogen allocation in the One Plan.

- 3.4 Accordingly, EDS seeks that the parts of the submissions of Dairy NZ and Federated Farmers that relate to the above controlled activity pathway and the 2023 timeline for nitrogen limits be rejected.
4. EDS supports the submissions of Ngā Waihua o Paerangi Trust³ and the Royal Forest and Bird Protection Society of New Zealand (**Forest & Bird**)⁴ that relate to the Table 14.2 limits.
 - 4.1 Ngā Waihua o Paerangi Trust and Forest & Bird support the Table 14.2 limits but consider that an amendment is required to specify they only apply to target catchments in the Tararua District on the basis that the Table 14.2 limits were only calibrated for catchments in this area, which have higher levels of rainfall. As a result, these limits will potentially provide for significantly more leaching on farms in low rainfall areas.
 - 4.2 To address this issue Forest & Bird proposes that Horizons Regional Council investigates the effect that Table 14.2 will have on these low rainfall areas and, if required, include an additional allocation table for catchments on the western side of the Tararua and Ruahine Ranges.
 - 4.3 In light of these submissions, EDS considers that further investigation is required into the effects of the Table 14.2 limits being applied to catchments outside of the Tararua District. If required, EDS supports the addition of a separate allocation table for nitrogen leaching limits outside the Tararua District.
 - 4.4 Accordingly, EDS seeks that the parts of the submissions of Ngā Waihua o Paerangi Trust and Forest & Bird that relate to the above be allowed.
5. EDS wishes to be heard in support of its further submission.
6. If others make a similar submission, EDS will consider presenting a joint case with them at a hearing.

DATED 05 November 2019



Cordelia Woodhouse
ENVIRONMENTAL DEFENCE SOCIETY INC

³ Submitter Number 63

⁴ Submitter Number 59