

DAIRYNZ LTD
PROPOSED PLAN CHANGE 2 TO HORIZONS ONE PLAN
FURTHER SUBMISSIONS

To: Horizons Regional Council

Submitter: DairyNZ Limited

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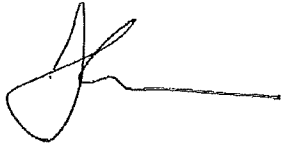
INTRODUCTION

- 1 This is a further submission by DairyNZ Limited ("**DairyNZ**") on proposed Plan Change 2 ("**Plan Change 2**") to the Horizons' One Plan ("**One Plan**").
- 2 DairyNZ is a person who has an interest in the proposal that is greater than the interest the general public has. Dairying is a significant land use in the catchments addressed by Plan Change 2 and the future well-being of those farmers and the communities that are a part of is potentially affected by Plan Change 2.

SUBMISSIONS SUPPORTED AND OPPOSED

- 3 The submissions supported or opposed, and the reasons for the support or opposition are set out in the table attached as an **Appendix** to this submission.
- 4 The **Appendix** sets out:
 - (a) The submissions or parts of submissions that DairyNZ supports or opposes,
 - (b) The reasons for support or opposition; and
 - (c) The relief sought by DairyNZ in relation to those submissions or parts of submissions.
- 5 DairyNZ wishes to be heard in support of the further submission points listed in the **Appendix** and would be prepared to consider presenting a joint case with submitters raising similar concerns.

I confirm that I am authorised on behalf of DairyNZ Limited to make this submission.



Jenny Cameron
General Manager Responsible Dairy, DairyNZ

3 November 2019

DairyNZ's Further Submissions on Plan Change 7

The text included in the "Submission" column of the following table that is italics, underlined and in red font is text proposed by the submitter. Text in *italics* only is text proposed by Plan Change 7 as notified.

Submitter Name	Submission Number	PC 7 reference	Submission	Support/ Oppose	Reasons	Relief Sought
Wellington Fish and Game Council	55/3	Policy 5-8	Deletion of sub-clause (a)(ia) and deletion of "(ia) and" from subclause (a)(ii).	Oppose	Deleting these provisions and reverting to the operative policy forecloses any opportunity to provide a reasonable and effective consenting pathway in the regional plan policies.	Reject the submission
Wellington Fish and Game Council	55/4	Policy 14-3	Reinstate the pre PC2 wording with the inclusion of the underlined words: " <i>The Regional Council will examine on an on-going basis relevant industry based standards including good management practices ...</i> "	Oppose	The wording proposed by Fish & Game, fails to recognise the importance of the policy having clear application in a consenting context. The policy does not say it is the only matter to have regard to.	Reject the submission
Wellington Fish and Game Council	55/5	Policy 14-6	Deletion of sub-clause (d)(i) and (e).	Oppose	Deletion of sub-clause (d)(i) and (e) would remove any reasonable and effective consenting pathway for those farms which cannot meet the Table 14.1 limits.	Reject the submission
Wellington Fish and Game Council	55/6	Rule 14-1	Revert sub-clause (b) in Matters of Control to pre-PC2 wording. Amend sub-clause (i) in Matters of Control to read: "the matters in Objectives and	Oppose/ Oppose in part	Operative matter of discretion (b) is inappropriately worded. Condition (c) is clear that the limits of Table 14.1 must be complied with for the rule to apply. There is not discretion over	Reject the submission

Submitter Name	Submission Number	PC 7 reference	Submission	Support/ Oppose	Reasons	Relief Sought
			Policies, particularly those in Chapter 5 and Chapter 14". If sub-clause (c) is retained, insert the additional words <i>"farm system modelling, optimization and marginal cost-marginal benefit analysis that determines the range of leaching reductions that are available"</i>		<i>compliance</i>. The discretion should logically be focused on how that compliance is demonstrated. It is inappropriate to refer to objectives and policies as matters of discretion. The matters of discretion should be specifically and separately listed. The alternative is to render the "restriction" part of the RDA status unclear and potentially meaningless. Adding the additional word to sub-clause (c) is not appropriate. While DairyNZ agrees that options for achieving N loss reductions extend beyond "technologies" the wording proposed does not recognise the need to maintain profitability of existing farms or that some of the terms used are themselves clear and capable of multiple interpretations.	
Wellington Fish and Game Council	55/7	Rule 14-2	Amend sub-clause (i) in Matters of Discretion to read: "the matters in Objectives and Policies, particularly those in Chapter 5 and Chapter 14".	Oppose	It is inappropriate to refer to objectives and policies as matters of discretion. The matters of discretion should be specifically and separately listed. The alternative is to render the "restriction" part of the RDA status unclear and potentially meaningless.	Reject the submission
Wellington Fish and Game Council	55/8	Rule 14-2A	Amend intensive farming land use activities not complying with condition, standard, term (c) of Rule 14.1 to be non-	Oppose	Non-complying status is inappropriate for existing activities that may be committing to significant reductions in	Reject the submission

DairyNZ Ltd

Further submissions on Plan Change 2

Submitter Name	Submission Number	PC 7 reference	Submission	Support/ Oppose	Reasons	Relief Sought
			complying. Include a requirement for there to be public notification of the consent. Incorporate the parent policy limit of 5 years on consent granted under this rule or if this has been incorrectly applied between the policy and the rule, a maximum time limit of 10 years.		N (and other contaminants) – albeit they remain above Table 14.1 limits. Notification is a matter that should at the discretion of council because its appropriateness will depend on the nature and scale of the activity (and Table 14.1 exceedance) for which consent is sought. Five or ten year consent terms will not be appropriate in all circumstances and, accordingly, should not be ‘fixed’ in policy as proposed by F&G.	
Andrew Day	53/3	GEN	I support the addition of a policy and rule stream to allow non-intensive land uses to opt in to the formal resource allocation framework (see pages 5-77, 5-78 of 2012 decisions from the Environment Court).	Oppose	While DairyNZ supports the inclusion of all rural land uses in the diffuse discharge management regime, it is not within scope of PC2 include non intensive farms at this time. DairyNZ supports the inclusion of those sectors as part of the subsequent PC3 (that we understand to be proposed to follow PC2).	Reject the submission
Andrew Day	53/4	GEN	I support the introduction of a nutrient traceability policy and rule to help reduce the economic cost of PC2 (see pages 5-77, 5-78 of 2012 decisions from the Environment Court).	Oppose	DairyNZ is not clear about what this submission point relates to. If it refers to the suggestion at page 5-78 of the Environment Court’s 2012 decision that a trading scheme should be included in a future plan change then it is opposed by DairyNZ as being outside the scope of PC2. Alternatively, more comprehensive allocation and transfer frameworks	Reject the submission

Submitter Name	Submission Number	PC 7 reference	Submission	Support/ Oppose	Reasons	Relief Sought
					should be addressed as part of the subsequent PC3 (that we understand to be proposed to follow PC2).	
Roya Forest & Bird Protection Society	59/1	GEN	Refuse the entire plan change	Oppose	PC2 is critical to the authorisation of existing dairy farms and for achieving N loss (and other contaminant loss) reductions.	Reject the submission
Horticulture NZ	66/1 - 66/19	GEN	Include a new suite of provisions in One Plan that recognises and provides for commercial vegetation growing (CVG), by CVG not having to comply with Table 14.1 limits, and by allowing for expansion of CVG to meet population growth.	Oppose in part	The HortNZ proposal goes to the heart of the One Plan's approach to allocation. That is, whether allocation is sector-specific or whether all intensive farming must comply with the same limits. While DairyNZ is not averse to a sector-specific allocation framework, it is concerned to ensure that in over-allocated catchments increased allocation for one sector (i.e.. CVG) does not have adverse ramifications for other sectors (i.e.. dairy). In other words, CVG's benefit through any such sector-specific provisions cannot occur at the cost of increased obligations on dairy (by dairy having to decrease its nutrient loss more than it otherwise would). Accordingly, DairyNZ could only support the HortNZ approach if One Plan contained suitable recognition of this principle. Furthermore, Horticulture NZ's proposal is based on the valid	Reject the submission

Submitter Name	Submission Number	PC 7 reference	Submission	Support/ Oppose	Reasons	Relief Sought
					assertion that much vegetable production meets the needs of the domestic population for healthy food. However, that same logic could be used for other agricultural products, including milk production in the Manawatu – much of which is processed as fresh milk (and other perishable consumer-orientated dairy products) for domestic consumption. Any accommodation for CVG (which DairyNZ does not oppose in principle) must apply policy principles even-handedly and must not lead to added burden on the dairy sector in the short or long-term. Because the HortNZ proposal ostensibly does neither of those things it is not supported by DairyNZ at this time.	
Director-General of Conservation	61/7	14-6 (e)	Delete clause (iv)	Oppose	The contribution to the progressive reduction in nutrient leaching, faecal contamination and sediment losses to water quality improvement over time is a highly relevant consideration	Reject the submission

