

Submitter ID:
File No:

Submission on Proposed Plan Change 5 to the Canterbury Land and Water Regional Plan

By

Organisation: **Fertiliser Association of New Zealand**

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Trade Competition

Pursuant to Schedule 1 of the Resource Management Act 1991, a person who could gain an advantage in trade competition through the submission may make a submission only if directly affected by an effect of the proposed policy statement or plan that:

- a) adversely affects the environment; and
- b) does not relate to trade competition or the effects of trade competition

I could not gain an advantage in trade competition through this submission

I wish to be heard in support of my submission; and,
I would be prepared to consider presenting this submission in a joint case with others making a similar submission at any hearing

Signed:



Date: 11 March 2016

Introduction

1. The Fertiliser Association of New Zealand ('**FANZ**' or 'the Association'), is a trade organisation representing the New Zealand manufacturers of superphosphate fertiliser. The Association has two 'member companies' – Ballance Agri-Nutrients Ltd and Ravensdown Ltd. Both these companies are farmer co-operatives with some 45,000 farmer shareholders. Between them these companies supply over 98% of all fertiliser used in New Zealand.
2. The member companies have invested significantly in systems and capability to reliably estimate and document nutrient cycling on farms, with the purpose of providing sound advice and recommendations for nutrient management to support viable economic production and environmental responsibility. The systems and procedures used are applied in the same way nationally, but recommendations are specific to farmer goals, industry targets and regional council regulation. National and in particular regional consistency in the approach and framework for nutrient management is highly desirable.
3. The Fertiliser Association, along with Ministry for Primary Industries and AgResearch is a one-third owner of OVERSEER® Nutrient Budgets. The staff of the Association's member companies bring a collective wealth of extensive experience and technical expertise in nutrient management.

Preamble relating to the use and application of the Farm Portal.

4. The Fertiliser Industry has significant concerns about the modelling rules used to produce the fertiliser proxy for the Farm Portal. Throughout its development and with its intended application in the proposed Plan Change 5, there has remained a good will to follow the MGM project and resultant Farm Portal, recognising the intended benefits, however, a satisfactory fertiliser proxy is yet to be devised.
5. In addition, some farming systems cannot be addressed through the Farm Portal and so an alternative pathway is required regardless of the concerns about the fertiliser proxy.
6. There is considerable risk of implementing farm system change, prohibited activity status and consents based on the FARM Portal GMP N loss values if there is an unacceptable level of variance, and many farms cannot meet the derived number. This is exacerbated by the fact the Farm Portal is not OVERSEER. It remains a separate model using the inputs used in the OVERSEER model. That is, the standards which must be met continue to be set by one tool and compliance is being assessed by another. The tool being used to generate GMP N loss values is considered by the fertiliser industry to be significantly flawed as it currently stands.
7. The social, economic and cultural risks of using a system known to be inadequate, is potentially very significant. FANZ considers it to be ill advised to rush into setting limits using the Farm Portal proxies as they currently stand.

8. An alternative method is therefore required, particularly where farm operating to audited good practice arrive at widely variant GMP N loss number when using the Farm Portal.

In summary – Use of the FARM PORTAL

- I. The fertiliser proxy in the Farm Portal is considered by the Fertiliser industry to be fundamentally flawed.
- II. An alternative fertiliser proxy was presented but rejected
- III. This alternative fertiliser proxy is also considered to be inadequate, but remains a preferred option to that currently in place.
- IV. If a robust fertiliser proxy is not available, a work around is required for the initial implementation of the plan using the Farm Portal, however the Farm Portal should be used with caution, or withheld until such time as a robust process can be implemented.
- V. Regardless, an alternative pathway is required immediately for farms which cannot be addressed using the Farm Portal, even with its current flaws.
- VI. In the event that the Farm Portal, and the proxies within it, cannot be satisfactorily amended to function as intended to generated GMP N loss values, the Fertiliser Industry still recognises value in the Farm Portal framework as a tool for efficiently reporting and farm data from OVERSEER files.
- VII. Fertiliser Industry is willing to consider and suggest options for alternative methods for arriving at or describing Good Management Practice N loss values.

The submission following is based on the assumption that there is a commitment to use the Farm Portal and it is locked into the proposed Plan Change 5 for CLWRP.

(1) The specific provisions of the Proposed Plan that my submission relates to are:		(2) My submission is that: <i>(include whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views.)</i>		(3) I seek the following decisions from Environment Canterbury: <i>(Please give precise details for each provision. The more specific you can be the easier it will be for the Council to understand your concerns.)</i>
Section & Page Number	Sub-section/	Oppose/support (in part or full)	Reasons	
PART A - Region Wide Amendment				
Part A - Definitions				
Sect 2 p3-1	Definition: Accredited Farm Consultant	Support	Recognising that nutrient management is an essential component of planning requirements but also that a farm consultant has a wider brief than a Certified Nutrient Management Adviser, the minimum requirement for an “Accredited farm Consultant” is as defined.	Retain the definition for an Accredited Farm Consultant.
Sect 2 p3-1	Definitions: Audit	Support	Audit of objectives and targets of the Farm Environment Plan is necessary to achieve the goals of the regional	Retain the definition for Audit.
Sect 2 p3-1	Definitions: Baseline GMP Loss rate	Support in part	<p>The proposed definition for Baseline GMP is supported subject to consideration that a satisfactory modelling rule is not available for the fertiliser model in the Farm Portal The fertiliser industry seeks a more satisfactory modelling rule for determining GMP N loss values when using the Farm Portal.</p> <p>Regardless of the modelling rules: Consequential amendment to Policies and Rules are required, such that exceedance of the Baseline GMP Loss</p>	<p>Seek a long term solution for robust modelling rules of the Farm Portal, in particular fertiliser modelling rules.</p> <p>Regardless of the modelling rules: Consequential amendment to Policies and Rules such that an exceedance of the Baseline GMP Loss Rate results in restricted discretionary or discretionary consent and not a prohibited activity status.</p>

			Rate results in restricted discretionary or discretionary consent and not a prohibited activity status due to a modelled output for Baseline GMP Loss rate or GMP Loss rate.	
Sect 2 p3-1	Definitions: Farm Portal	Oppose in part	<p>The modelling rules in particular are opposed by the Fertiliser industry.</p> <p>In the interim a work around is required, with over the long-term, more satisfactory and robust modelling rules for determining GMP N loss values when using the Farm Portal.</p> <p>It is recognised that some farm systems cannot be represented satisfactorily in the Farm Portal and an alternative process is also required to provide for these circumstances.</p>	<p>Amend the Farm Portal so that in the interim a work around is provided, however over the long more satisfactory and robust modelling rules are sought for determining GMP N loss values.</p> <p>An alternative process is still required as not all farm systems can be satisfactorily be represented in the Farm Portal.</p>
Sect 2 p3-1	New Definition: Certified Nutrient Management Adviser		<p>Means a Nutrient Management Adviser certified under the Nutrient Manager Adviser Certification Programme Ltd.</p> <p>The NMAC programme was developed with the aim of building and upholding a transparent set of industry standards for nutrient management advisers to meet, so that they provide nationally consistent advice of the highest standard to</p>	<p>Introduce recognition for appropriately qualified advisers for nutrient management as being certified under the Nutrient Manager Adviser Certification Programme Ltd. (www.nmacertification.org.nz)</p>

			<p>farmers.</p> <p>In 2012, DairyNZ commissioned the Fertiliser Association to establish the programme as part of the Ministry for Primary Industries' Primary Growth Partnership (PGP).</p> <p>The programme has an Advisory Group, with pan sector representation, including Regional Council, university and primary sector representatives supporting recognised qualifications and ongoing proficiency of those who advise on nutrient use and management in the farming community.</p>	
Sect 2 3-1	<u>Certified Farm Environment Plan Auditor</u>	Oppose	<p>The list of alternative qualifications (a) to 1 (c) are not comparable and therefore not logical.</p> <p>The qualification 1 (c) - <i>tertiary qualification in agricultural science or demonstrated an equivalent level of knowledge and experience</i>; is a mandatory prerequisite for the qualification 1(b) – <i>Certificate of Completion in Sustainable Nutrient Management in New Zealand Agriculture from Massey University</i> ; which in turn is a mandatory prerequisite for 1 (a)- <i>Certificate of</i></p>	<p>Amend the definition of Certified Farm Environment Plan Auditor under bullet 1. as follows:</p> <p>1. at least five years' professional experience in the management of pastoral, horticultural or arable farm systems: and</p> <p>(a) holds a Certificate of Completion in Advanced Sustainable Nutrient Management in New Zealand from Massey University; or</p> <p>(b) holds a Certificate of Completion in Sustainable Nutrient Management in New Zealand Agriculture from Massey University; or</p> <p>(c) holds a tertiary qualification in agricultural</p>

			<p><i>Completion in Advanced Sustainable Nutrient Management in New Zealand</i></p> <p>By treating the three levels in Section 1, as equivalent and introducing the term 'OR,' the actual qualification required for a Certified Farm Environment Plan Auditor under this section is simply 1(c) - <i>tertiary qualification in agricultural science or demonstrated an equivalent level of knowledge and experience</i></p> <p>It should be noted that only the Advance Sustainable Nutrient Management Course requires the demonstration of use and application of OVERSEER to produce Nutrient Management Plans which address nutrient loss limits. This may or may not be a desirable requirement for a Certified Farm Environment Plan Auditor. If it is a desirable requirement, then the "Advance" Sustainable Nutrient Management Course should be a minimum requirement for Certification, not the prerequisite courses.</p>	<p>science or demonstrated an equivalent level of knowledge and experience; and</p> <p>Or in the alternative:</p> <p>(a) holds a Certificate of Completion in Advanced Sustainable Nutrient Management in New Zealand from Massey University; or</p> <p>(b) holds a Certificate of Completion in Sustainable Nutrient Management in New Zealand Agriculture from Massey University; or</p> <p>(c) holds a tertiary qualification in agricultural science or demonstrated an equivalent level of knowledge and experience; and ...</p> <p>(The reason for this amendment is that listing the Advanced Sustainable Nutrient Management course and its prerequisites as equivalent but different options is not logical.)</p>
Sect 2 p3-2	Definitions; Good Management Practice	Support	The industry agreed definition for Good Management Practice is supported	Retain the industry agreed definition for industry good management practice
Sect 2 p3-2	Definitions;	Support in part	Subject to significant concerns raised	Amend the definition for Good Management

	Good Management Practice Loss Rate		<p>about modelling rules within the Farm Portal, in particular modelling rules for fertiliser, the definition for Good Management Practice Loss Rate as described using 4 years average data is appropriate. However, it is recognised within Plan Change 5 (as shown in the Definition for Baseline GMP loss rate), that for some farm activities an appropriate GMP loss rate cannot be generated by the Farm Portal.</p> <p>Farm systems which the Farm Portal cannot generate a satisfactory GMP loss rate must be provided for within the definition for GMP Loss.</p> <p>Fertiliser Industry is willing to consider and suggest options for alternative methods for arriving at or describing Good Management Practice N loss values</p>	<p>Loss Rate to provide for those farms systems which the Farm Portal cannot generate a satisfactory GMP loss rate.</p> <p>Other options for arriving at or describing Good Management Practice N loss rates to be considered.</p>
Sect 2 p3-2	Definition: Management Plan	Support	The general principles presented in definition for a management plan are supported as they represent agreed practices. Its wording and structure is cumbersome but appears to be functional within the rule and policy framework	Retain the definition of a Management Plan, though cumbersome it is functional within the rule and policy framework.
Sect 2 p3-2	Definition: Nitrogen Baseline	Support	The proposed amendments are acceptable to The Fertiliser Association	Retain the proposed amendments to the definitions of Nitrogen Baseline

Sect 2 p3-2	Definition: Nitrogen N loss calculation	Support	The proposed amendments are acceptable to The Fertiliser Association	Retain the proposed amendments to the definitions of Nitrogen N Loss calculation
Sect 2 p3-2	Definition: Phosphorus Risk Zone	Support	The proposed definition is acceptable to The Fertiliser Association	Retain the proposed definition for Phosphorus Risk Zone
Part A- Policies				
Sect 4 p4-2	Policy 4-11	Oppose	Consent restricted to just 5 years is too short a time frame to provide confidence and security for business development and capital investment.	Extend consents to at least 10 to 15 years past expected notification any plan change that will introduce water quality or water quantity provisions into Sections 6 -15 of this plan
Sect 4 p4-2	Policy 4- 34	Support	The proposed amendment to delete the word 'modelled' in reference to providing information on nutrient loss is acceptable to FANZ, as the information on nutrient loss to inform decision making could be modelled nutrient loss or where appropriate and possible, measured.	Retain the proposed amendment to Policy 4-34
Sect 4 p 4-2 and p 4-3	Policy 4-36	Opposed in part	<p>Support is given bullet (a) recognising the role of implementing good management practice which should be adopted by all farms even small lifestyle blocks. Amendment is sought to refer to Good Management Practice as defined in Sect 2.</p> <p>Bullet (b) is supported in principle, as the Schedule 7A requirements apply to specific farm activities , and</p> <p>There is sympathy with the general intent of Bullet (bb) subject to the</p>	<p>Amend Policy 4-36 (a) to refer to "Good Management Practices" so that the definition in Sect 2 applies</p> <p>Retain proposed changes to 4-36 (b)</p> <p>Delete 4-36 (bb) entirely.</p>

			<p>concerns raised about the flawed nature of the Calculation of GMP Loss rates derived by the Farm Portal, however,</p> <p><i>'Farms with potential for more significant nutrient loss'</i> is a vague and ill-defined term and in any case, if these farms manage nutrient loss to remain within limits which provide for permitted activity, farm should not be required to be subject to resource consent as a matter of policy.</p> <p>Requirement for resource consent is adequately provided for within the proposed plan.</p> <p>Bullet (bb) is not necessary and can be deleted without detracting from the Plan.</p>	
Sect 2 p4-3	Policy 4-37	Oppose	<p>Policy 4-37 (a) requires as a blanket provision, avoiding the granting of resource consent allowing N loss greater than the "Baseline GMP Loss rate" in lake or red zones, and where GMP Loss rate is less than Baseline GMP, then not exceeding GMP Loss rate</p> <p>While there is sympathy with the intent of this policy, the GMP Baseline Loss Rate and GMP Loss Rates are</p>	<p>Amend Policy 4-37 (a) and (b) to give direction to seek additional scrutiny with decisions following clear decision guidelines and protocols for assessment of any resource consent application seeking to exceed Baseline GMP Loss Rate, or exceed GMP Loss Rate.</p> <p>Amend Policy 4-37 (a) and (b) as follows:</p> <p>(a) avoiding requiring additional scrutiny following clear decision guidelines for applications for the granting of any resource</p>

			<p>developed using one model, (The Farm Portal) and compliance is measured against a separate model (OVERSEER). These models each have a degree of uncertainty and are decision support tools. Some level of discretion is required in their interpretation and application.</p> <p>This policy removes any discretion or allowance for interpretation and places decisions on resource consent entirely in the hands of modelling rules which are known to be uncertain, and currently in the case of the Farm Portal Modelling rule, flawed.</p> <p>Prohibited activity status based on these models without discretion is inappropriate.</p> <p>Use of Farm Environment Plan to describe actions and timeframes to undertake good management practice to achieve management objectives and targets is supported.</p>	<p>consent that will allow the nitrogen losses from a farming activity to exceed the Baseline GMP Loss Rate, except where Policy 4.38A applies;</p> <p>and;</p> <p>(b) <u>where practicable based on clear decision guidelines</u>, including on any resource consent granted for the use of land for a farming activity, conditions that:</p> <p>(i) limit the nitrogen loss calculation for the farming activity to a rate not exceeding the Baseline GMP Loss Rate; and</p> <p>(ii) require farming activities to operate at or below the Good Management Practice Loss Rate, in any circumstance where that Good Management Practice Loss Rate is less than the Baseline GMP Loss Rate; and</p> <p>Retain Policy 4-37 (c)</p>
Sect 2 p4-3	Policy 4-38	Oppose	<p>For the reasons given above, relating to known uncertainty in modelling, and known flawed modelling rules for GMP Loss rates, requirements in Policy 4-38 (a) and (b) for farms to meet these limits in all cases without</p>	<p>Amend Policy 4-38 (a) and (b)as follows:</p> <p>Freshwater quality is maintained within the Orange Nutrient Allocation Zone by:</p> <p>a) <u>requiring additional scrutiny following clear decision guidelines for resource consent</u></p>

			<p>discretion, are opposed.</p> <p>Use of a Farm Environment Plan to describe actions and timeframes to undertake good management practice to achieve management objectives and targets is supported.</p>	<p>restricting applications seeking to exceed the lesser of, to the lesser of the Baseline GMP Loss Rate or the Good Management Practice Loss Rate, except where Policy 4.38A applies; and</p> <p>(b) <u>where practicable based on clear decision guidelines, include-ing</u> on any resource consent granted for the use of land for a farming activity, conditions that:</p> <p>i) limit the nitrogen loss calculation for the farming activity to a rate not exceeding the Baseline GMP Loss Rate; and</p> <p>(ii) require farming activities to operate at or below the Good Management Practice Loss Rate, in any circumstance where that Good Management Practice Loss Rate is less than the Baseline GMP Loss Rate; and</p> <p>Retain Policy 4-38 (c)</p>
Sect 2 p 4-4	Policy 4-38 AA	Oppose	<p>For the reasons given above, relating to known, flawed modelling rules for GMP Loss rates, requirements in Policy 4-38AA (a),(b) and (c) for farms, in all cases, to meet limits based on these GMP Loss Rates derived by the Farm Portal, are opposed.</p> <p>The principle for provision to grant consent where N loss rates exceed the Baseline GMP or GMP Loss Rates, where it can be demonstrated water quality will be maintained, is</p>	<p>Amend Policy 4-38AA (a)and (b) as follows: Freshwater quality is maintained within the Green and Light Blue Nutrient Allocation Zones by:</p> <p>(a) restricting <u>require additional scrutiny following clear decision guidelines for resource consent applications seeking to exceed</u> increases in nitrogen loss from farming activities to no more than a total of 5kg/ha/yr above the Baseline GMP Loss Rate; and</p> <p>(b) <u>where practicable based on clear decision guidelines, include-ing</u> on any resource consent granted for the use of land for a farming activity, conditions that:</p>

			<p>supported as it is consistent with the NPS-FM.</p> <p>Use of a Farm Environment Plan to describe actions and timeframes to undertake good management practice to achieve management objectives and targets is supported.</p>	<p>(i) limit the nitrogen loss calculation for the farming activity to a rate not exceeding a total of 5kg/ha/yr above the Baseline GMP Loss Rate; and</p> <p>(ii) require farming activities to operate at or below the Good Management Practice Loss Rate, in any circumstance where that Good Management Practice Loss Rate is less than 5kg/ha/yr above the Baseline GMP Loss Rate; and</p> <p>Retain Policy 4.8 AA(c) which falls within the spirit of the above submission by allowing for discretion to be applied.</p> <p>Retain Policy 4-38AA (d)</p>
Sect 2 p4-4	Policy 4-38 AB	Oppose	<p>When considering an application for resource consent, decisions should be based on clear decision guidelines and protocols.</p> <p>Policy 4-38 AB gives direction to <i>“not disregard any adverse effectson water quality...on the basis that this Plan permits an activity with that effect.”</i></p> <p>This Policy is vague and provides no clear guidance for case by case assessments. Policy 4-38AB serves no useful purpose, if there are in-fact</p>	Delete Policy 4-38 AB

			clear and meaningful decision guidelines and protocols to assist consent decision making.	
Sect 2 p4-4	Policy 4-38 A	Oppose	<p>The decision on resource consent should be based on merit, following clear decision guidelines and protocols.</p> <p>For the reasons given above relating to known, flawed modelling rules for GMP Loss rates, requirements in Policy 4-38 A to only allow resource consent for farms below limits based on GMP loss rates derived by the Farm Portal, are opposed.</p>	<p>Delete Policy 4-38 A</p> <p>If not deleted in entirety, then provide for resource consents based on clear decision guidelines appropriate for the different zones described; e.g. if not deleted, amend Policy 4.48 A as follows: Within the Red, Orange, Green or Light Blue Nutrient Allocation Zones, only consider the granting of <u>require additional scrutiny, based on clear decision guidelines for an application for resource consent to exceed the nitrogen baseline where unless:</u></p> <ul style="list-style-type: none"> (a) the nitrogen baseline has been lawfully exceeded prior to 13 February 2016 and the application contains evidence that the exceedance was lawful; and (b) the nitrogen loss calculation remains below the lesser of the Good Management Practice Loss Rate or the nitrogen loss calculation that occurred in the four years prior to 13 February 2016.
Sect 2 p4-5	Policy 4-38 B	Oppose	<p>Policy 4-38 B can be deleted, as it is misleading due to the language used and the requirement to model N loss is provided for elsewhere in the plan, so this policy provides no useful purpose.</p> <p>Contrary to the Policy wording, effects</p>	Delete Policy 4-38 B

			<p>on water quality are not monitored by submitting information on a farm activity into the Farm Portal.</p> <p>The Farm Portal is intended to provide an estimate of acceptable N loss when operating under Good Management Practice. The fertiliser modelling rules are known to be flawed, but even if not flawed, estimated farm N loss does not assess the effect on water quality.</p> <p>Effects on water quality are dictated by the receiving environment - which is not part of the Farm Portal or OVERSEER.</p> <p>The estimated nutrient loss from a farm is, at best, an indication of “risk” for potential effects on water quality depending on circumstance and additional information on the receiving environment.</p>	
Sect 2 p4-5	Policy 4-38 C	Support in part	Support is given to providing for reasonable timeframes to achieve required N loss limits for farming activity.	Retain the intent of Policy 4-38 C to provide for reasonable time frames to meet N loss limits. (These should be at least 2020 before coming into force, but could be extended to 2025 or beyond depending on circumstance)
Sect 2 p4-5	Policy 4-38 D	Oppose in part	For reasons given above the requirement to meet the GMP Loss	Amend time frames listed in Policy 4-38 D (a) to (d) by extending by at least 2 years as follows:

			<p>rate derived by the Farm Portal requires an alternative process for farm system which cannot be addressed through the Farm Portal.</p> <p>There remains considerable uncertainty around modelling rules for the GMP loss rates and difficulty in achieving them. Where compliance with the GMP loss rates is required the proposed timeframes provided for in Policy 4-38 D are too short and should be extended by a minimum of two years.</p>	<p><i>Where a policy or rule requires a farming activity to be managed in accordance with the Good Management Practice Loss Rate, compliance with that loss rate shall not be required prior to:</i></p> <p><i>(a) 1 July 2016 2018 for any land where part of the property is located within the Lake Zone;</i></p> <p><i>(b) 1 January 2017 2019 for any land where part of the property is located within the Orange Nutrient Allocation Zone;</i></p> <p><i>(c) 1 July 2017 2019 for any land where part of the property is located within the Red Nutrient Allocation Zone;</i></p> <p><i>(d) 1 January 2018 2020 for any land where part of the property is located within the Green or Light Blue Nutrient Allocation Zone.</i></p>
Sect 2 p4-5	Policy 4-38 E	Support	The process described for identifying risk areas for high runoff and associated P and sediment loss risk, and documented management approaches to reduce losses is supported.	Retain policy 4-38E
Sect 2 p4-5	Policy 4-40	Support	The principle of using a Farm Environment Plan to document desirable farm practices is supported.	Retain Policy 4-40
Sect 2 p4-5	Policy 4-41	Support	The principle of resource consent (if required) specifying the manner in which a Farm Environment Plan is reviewed and updated, monitored and complied with, and audited including frequency of audits, is consistent with	Retain Policy 4-41 but include an additional bullet; f) information and planning details required should be commensurate with the level of risk of nutrient loss and risk of environmental impact, particularly for low risk land use

			<p>the meaningful use of Farm Environment Plan. A minor amendment seeks to give direction that the level of detail and effort required is commensurate with the environmental risk. For example, arable cropping or extensive sheep & beef farming with low risk of nitrogen leaching losses, should not require detailed and extensive modelling and mitigation options where risk of nitrogen loss and adverse environmental impacts is minor.</p>	<p>activities.</p>
Sect 2 p4-6	Policy 4-41A	Support in part	<p>The general intent of Policy 4-41 to give credence to appropriately qualified consultants in the preparation of Nutrient Budgets using OVERSEER Data Input Standards is supported.</p> <p>Fertiliser industry considers an appropriately qualified consultant to produce nutrient budgets for consent and compliance purposes is a Certified Nutrient Management Adviser , certified under the Nutrient Management Adviser Certification Programme Ltd. There are now over 130 certified nutrient management advisers nationally and the scheme was developed with support from the Dairy industry, specifically to provide</p>	<p>Amend Policy 4-41 A and include due recognition of Nutrient Management Advisers certified under the Nutrient Management Adviser Certification Programme Ltd, as follows:</p> <p>The contribution that the preparation of accurate nutrient budgets and Farm Environment Plans make to the attainment of the water quality outcomes is recognised by:</p> <p>(a) requiring the preparation of nutrient budgets in accordance with the Overseer Best Practice Input Standards <u>by a Certified Nutrient Management Adviser</u> ; and</p>

			nationally consistent, robust, universally recognised qualifications with on-going professional development of those who advise on nutrient use and management.	
Sect 2 p4-6	Policy 4-41 B	Support in part	<p>Support is given to a strong focus on auditable good management practices and rewarding good performance.</p> <p>Under 4.41B (e) &(f) nutrient budgets estimates N loss should be valid for at least 3 years, unless there is a significant change in the farm system.</p>	<p>Amend Policy 4-41 B (e) and (f) as follows:</p> <p>(e) requiring the nitrogen loss calculation to be prepared <u>once every three years unless there is a significant farm system change</u> using annual input data in circumstances where:</p> <p>(f) the results of the most recent audit indicate there is a low level of confidence that the objectives in the Farm Environment Plan are being met; or a significant farm system change is represented by:</p> <ul style="list-style-type: none"> (i) the area of irrigated land has increased, as compared with the area of land that was irrigated at the time of the most recent audit; or (ii) the area of land used for winter grazing has increased as compared with the area of land that was used for winter grazing at the time of the most recent audit. <p>(f) <u>provide a reduction in audit frequency where the results of the most recent audits indicate there is a low level of confidence that the objectives in targets of the Farm Environment Plan are being consistently met; or</u></p>

Sect 2 p 4.6	Policy 4-41 C	Support in part	<p>For reasons given above the requirement to meet the Baseline GMP Loss rate or 5kg N /ha/yr above Baseline GMP Loss Rate derived by the Farm Portal requires an alternative process for farm system which cannot be addressed through the Farm Portal.</p> <p>In addition, some discretion is required for interpretation and application of modelled N loss values.</p>	<p>Amend Policy 4-41 C as follows:</p> <p>Maintain water quality in Orange, Green and Light Blue Nutrient Allocation Zones, and improve water quality in Red Nutrient Allocation Zones and Lake Zones by requiring:</p> <ul style="list-style-type: none"> (a) any application for resource consent for the discharge of nutrients submitted by an irrigation scheme or principal water supplier to describe the methods that will be used to implement the good management practices on any land that will be supplied with water from the scheme or principal water supplier; and (b) discharge permits granted to irrigation schemes or principal water suppliers to be subject to conditions <u>require reporting of N loss calculations and where practicable not exceeding that restrict the total nitrogen loss to a limit not exceeding:</u> <ul style="list-style-type: none"> (i) the Baseline GMP Loss Rate for any land within the Red, Lake or Orange Nutrient Allocation Zones; and (ii) a total of 5kg/ha/yr above the GMP loss rate for any land within the-Green or Light Blue Allocation Zones.
Sect 2 p 4-7	Policy 4-41 D	Support	<p>The process of accountability based on reporting methods to ensure good management practice within irrigation schemes is acceptable to the fertiliser Association.</p>	<p>Retain Policy 4.41D</p>

Part A- Rules				
Red Zones				
Sect 5 p 5-3	Rule 5.41 A	Support	The general intent of this rule as a permitted activity is supported.	Retain Rule 5.41A
Sect 5 p 5-4	Rule 5-43 A	Support in part	Permitted activity for farms less than 10 Ha is supported, however the primary industry in general holds the view that all land use activities including lifestyle blocks should comply with Industry Agreed Good Management Practices.	Amend Rule 5.43A as follows ; Within the Red Nutrient Allocation Zone, the use of land for a farming activity on a property 10 hectares or less in area is a permitted activity <u>subject to complying with Good Management Practices.</u>
Sect 5 p 5.4	Rule 5-44 A	Oppose	<p>While the provision of permitted activity for farming activities which are recognised to be relative low risk for Nitrogen leaching is supported, (being under 50 ha irrigation and 20 winter grazing) Rule 5.44 A requires registration with the Farm Portal and updating information every 24 months.</p> <p>FANZ maintains that nutrient budgets should be valid for at least three years, unless there is a significant farm system change.</p> <p>A realistic time frame is required if Farm Environment Plans and Nutrient Budgets are to be provided for all farms. A staged, priority based approach is supported.</p>	<p>Amend Rule 5.44 A as follows, to require a nutrient budget to be updated after three years, unless there is a significant farm system change.</p> <p>1. The property is registered in the Farm Portal by 1 July 2017 <u>18</u> and information about the farming activity and the property is reviewed and updated by the property owner or their agent, every <u>24 36</u> months thereafter <u>or upon a significant farm system change</u>; and</p> <p>In addition; provide an alternate pathway for circumstances where the farm system cannot be addressed by the Farm Portal.</p> <p>Delete Bullet 3, of Rule 5.44A</p>

			<p>An alternate pathway is required for circumstances where the farm system cannot be addressed by the Farm Portal.</p> <p>Under bullet 3 the area of land for increased irrigation is limited to 10 ha, however, if the permitted activity rule is for less than 50 ha irrigation, this should suffice, and Bullet 3 can be deleted.</p>	
Sect 5 p 5-4	Rule 5-44 B	Support in part	<p>While the general intent of Rule 5-44B is supported under Condition 2, the uncertainty around values generated by the Farm Portal should be provided for and in addition, an alternative pathway is required for farm systems that cannot be addressed with the Farm Portal.</p>	<p>Amend Rule 5.44 B condition (2) to provide for an alternate pathway for farm systems which cannot use the Farm Portal to generate a GMP N loss value or a Baseline GMP N loss value.</p>
Sect 2 p 5-5	Rule 5-45 A	Support in part	<p>As for Rule 5-44B, while the general intent of Rule 5-45A is supported the uncertainty around values generated by the Farm Portal should be provided for and in addition, an alternative pathway is required for farm systems that cannot be addressed with the Farm Portal.</p> <p>Under matters for discretion, include provision to consider demonstration</p>	<p>Amend Rule 5.45A condition (2) to provide for an alternate pathway for farm systems which cannot use the Farm Portal to generate a GMP N loss value or a Baseline GMP N loss value.</p> <p>Under matters for discretion, include provision to consider demonstration of meeting Good Management Practice.</p>

			of meeting Good Management Practice.	
Sect 5 p 5-6	Rule 5-46 A	Support in part	As for Rule above, while the general intent of Rule 5-46 A is supported the uncertainty around values generated by the Farm Portal should be provided for and in addition, an alternative pathway is required for farm systems that cannot be addressed with the Farm Portal.	Amend Rule 5-46 A condition (2) to provide for an alternate pathway for farm systems which cannot use the Farm Portal to generate a GMP N loss value or a Baseline GMP N loss value.
Sect 5 p5-6	Rule 5-47 A	Oppose in part	Consent based on robust guidance should provide for activity status based on the most permissive approach practicable which can achieve the Plan's objective. Discretionary consent should apply rather than non-complying.	Amend Rule 5.47A as follows: Within the Red Nutrient Allocation Zone, the use of land for a farming activity on a property greater than 10 hectares that does not comply with condition 1 of Rule 5.44B or condition 1 of 5.45A or the use of land for a farming activity as part of a farming enterprise that does not comply with condition 1 and 3 of Rule is non-complying a <u>discretionary</u> activity.
Sect 5 p 5-7	Rule5- 48 A	Oppose	As discussed in Definition of Good Management Practice Loss Rate and in Policy and Rules above, the uncertainty around values generated by the Farm Portal should be provided for and in addition, an alternative pathway is required for farm systems that cannot be addressed with the Farm Portal. Further to the discussion above, it is	Amend Rule 5.48A as follows: Within the Red Nutrient Allocation Zone, the use of land for a farming activity on a property greater than 10 hectares in area that does not comply with condition 2 of Rule 5.45A, or the use of land for a farming activity as part of a farming enterprise that does not comply with condition 2 of Rule 5.46A is a <u>discretionary</u> prohibited activity.

			<p>an entirely inappropriate use and application of a long term annual average model, which is designed to inform decision making, to be applied in a manner which takes all discretion and judgement away from Council staff. It is entirely inappropriate to use a decision support tool to make full and final decisions on critical social and economic matters such as prohibited activity, without opportunity for discretion or judgement.</p> <p>In order to ensure hard decisions are taken for environmental protection it is necessary to provide detailed and clear guidance to Council Staff, but it is entirely inappropriate to instead devolve the responsibility to a decision support tool as occurs with the proposed Rule 5.48 A. The inadequacy of this approach is further amplified by the known, flawed nature of the modelling rules currently presented in the Farm Portal.</p> <p>FANZ holds the view there can be no justification is using the modelling rules to decide on prohibited activity status for a farm activity.</p>	<p>Or in the alternative combine with Rule 5.47A as a discretionary activity.</p> <p>An alternative pathway is required for farm systems that cannot be addressed with the Farm Portal.</p>
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Lake Zones				
Sect 5 p 5-7	Rule 5-49 A	Support in part	Permitted activity for farms less than 10 Ha is supported, however the primary industry in general holds the view that all land use activities including lifestyle blocks should comply with Industry Agreed Good Management Practices	Amend Rule 5.49A as follows ; Within the Lakes Zone, the use of land for a farming activity on a property 10 hectares or less in area is a permitted activity <u>subject to complying with Good Management Practices</u> .
Sect 5 p 5-7	Rule 5.50A	Support in part	As for Rule 5-45A, the uncertainty around values generated by the Farm Portal should be provided for and in addition, an alternative pathway is required for farm systems that cannot be addressed with the Farm Portal.	Amend Rule 5.50A, condition (2) to provide for an alternate pathway for farm systems which cannot use the Farm Portal to generate a GMP N loss value or a Baseline GMP N loss value.
Sect 5 p 5-8	Rule 5-51 A	Oppose	Consent based on robust guidance should provide for activity status based on the most permissive approach practicable which can achieve the Plan's objective. Discretionary consent should apply rather than non-complying.	Amend Rule 5.51A as follows: Within the Lake Zone, the use of land for a farming activity on a property greater than 10 hectares that does not comply with condition 1 of Rule 5.50A is non-complying <u>a discretionary</u> activity.
Sect 5 p 5-8	Rule 5-52 A	Oppose	As discussed in Definition of Good Management Practice Loss Rate and in Policy and Rules above, the uncertainty around values generated by the Farm Portal should be provided for and in addition, an alternative pathway is required for farm systems that cannot be addressed with the Farm Portal.	Amend Rule 5.52A as follows: Within the Lake Zone, the use of land for a farming activity on a property greater than 10 hectares that does not comply with condition 2 of Rule 5.50A is a prohibited <u>discretionary</u> activity. Or in the alternative combine with Rule 5.51A

			<p>Further to the discussion above, it is an entirely inappropriate use and application of a long term annual average model, which is designed to inform decision making, to be applied in a manner which takes all discretion and judgement away from Council staff. It is entirely inappropriate to use a decision support tool to make full and final decisions on critical social and economic matters such as prohibited activity, without opportunity for discretion or judgement.</p> <p>In order to ensure hard decisions are taken for environmental protection it is necessary to provide detailed and clear guidance to Council Staff, but it is entirely inappropriate to instead devolve the responsibility to a decision support tool as occurs with the proposed Rule 5.52 A. The inadequacy of this approach is further amplified by the known, flawed nature of the modelling rules presented in the Farm Portal.</p> <p>FANZ holds the view there can be no justification is using the modelling rules to decide on prohibited activity status for a farm activity.</p>	<p>as discretionary activity.</p> <p>An alternative pathway is required for farm systems that cannot be addressed with the Farm Portal.</p>
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Orange Zone				
Sect 5 p5-9	Rule 5-53 A	Support	Permitted activity for a farm activity on a property less than 10 ha is supported. However the primary industry in general holds the view that all land use activities including lifestyle blocks should comply with Industry Agreed Good Management Practices.	Amend Rule 5.53A as follows: Within the Orange Nutrient Allocation Zone, the use of land for a farming activity on a property 10 hectares or less in area is a permitted activity <u>subject to complying with Good Management Practices.</u>
Sect 5 p 5-9	Rule 5-54 A	Oppose in part	<p>As per comments on Rule 5-44A</p> <p>While the provision of permitted activity for farming activities which are recognised to be relative low risk for Nitrogen leaching is supported, (being under 50 ha irrigation and 20 winter grazing). Rule 5.54 A requires registration with the Farm Portal and updating information every 24 months.</p> <p>FANZ maintains that nutrient budgets should be valid for at least three years, unless there is a significant farm system change. A realistic time frame is required if Farm Environment Plans and Nutrient Budgets are to be provided for all farms. A staged, priority based approach is supported.</p> <p>An alternate pathway is required for circumstances where the farm system</p>	<p>Amend Rule 5.54 A as follows, to require a nutrient budget to be updated after three years, unless there is a significant farm system change.</p> <p>1. The property is registered in the Farm Portal by 1 July 2017 <u>18</u> and information about the farming activity and the property is reviewed and updated by the property owner or their agent, every 24 <u>36</u> months thereafter <u>or upon a significant farm system change</u>; and</p> <p>In addition; provide an alternate pathway for circumstances where the farm system cannot be addressed by the Farm Portal.</p>

			cannot be addressed by the Farm Portal.	
Sect 5 p 5-	Rule 5-54 B	Support in part	While the general intent of Rule 5-54B is supported under Condition 2, the uncertainty around values generated by the portal should be provided for and in addition, an alternative pathway is required for farm systems that cannot be addressed with the portal.	Amend Rule 5.54 B condition (2) to provide for farm systems which cannot use the Farm Portal to generate a GMP N loss value or a Baseline GMP N loss value.
Sect 5 p 5-10	Rule 5-55 A	Support in part	As for Rule 5-54B, while the general intent of Rule 5-55A is supported the uncertainty around values generated by the Farm Portal should be provided for and in addition, an alternative pathway is required for farm systems that cannot be addressed with the portal. Under matters for discretion, include provision to consider demonstration of meeting Good Management Practice.	Amend Rule 5.55A condition (2) to provide for an alternate pathway for farm systems which cannot use the Farm Portal to generate a GMP N loss value or a Baseline GMP N loss value. Under matters for discretion, include provision to consider demonstration of meeting Good Management Practice.
Sect 5 p 5-11	Rule 5-56 AA	Support in part	As for Rule above, while the general intent of Rule 5-56 AA is supported the uncertainty around values generated by the Farm Portal should be provided for and in addition, an alternative pathway is required for farm systems that cannot be addressed with the portal.	Amend Rule 5.56 AA condition (2) to provide for an alternate pathway for farm systems which cannot use the Farm Portal to generate a GMP N loss value or a Baseline GMP N loss value.

Sect 5 p 5-11	Rule 5-56 AB	Oppose	<p>Consent based on robust guidance should provide for activity status based on the most permissive approach practicable which can achieve the Plan's objective.</p> <p>Discretionary consent should apply rather than non-complying.</p>	<p>Amend Rule 5.46 AB as follows:</p> <p>Within the Orange Nutrient Allocation Zone, the use of land for a farming activity on a property greater than 10 hectares that does not comply with condition 1 of Rule 5.54B, or one or more of the conditions of 5.55A, or the use of land for a farming activity as part of a farming enterprise that does not comply with one or more of the conditions of Rule 5.56AA is a non-complying <u>a discretionary</u> activity.</p>
Green or Light Blue Zone				
Sect 5 p 5- 11	Rule 5-57 A	Support in part	<p>Permitted activity for farms less than 10 Ha is supported, however the primary industry in general holds the view that all land use activities including lifestyle blocks should comply with Industry Agreed Good Management Practices.</p>	<p>Amend Rule 5.57A as follows ;</p> <p>Within the Green or Light Blue Nutrient Allocation Zone, the use of land for a farming activity on a property 10 hectares or less in area is a permitted activity <u>subject to complying with Good Management Practices</u></p>
Sect 5 p 5-12	Rule 5- 57 B	Support in part	<p>As per comments on Rule 5-44A</p> <p>While the provision of permitted activity for farming activities which are recognised to be relative low risk for Nitrogen leaching is supported, (being under 50 ha irrigation and 20 winter grazing) Rule 5.57 B requires registration with the Farm Portal and</p>	<p>Amend Rule 5.47 B as follows, to require a nutrient budget to be updated after three years, unless there is a significant farm system change.</p> <p>1. The property is registered in the Farm Portal by 1 January 2018 19 and information about the farming activity and the property is reviewed and updated by the property owner or their agent, every 24 <u>36</u> months thereafter <u>or upon a</u></p>

			<p>updating information every 24 months.</p> <p>FANZ maintains that nutrient budgets should be valid for at least three years, unless there is a significant farm system change. A realistic time frame is required if Farm Environment Plans and Nutrient Budgets are to be provided for all farms. A staged, priority based approach is supported.</p> <p>An alternate pathway is required for circumstances where the farm system cannot be addressed by the Farm Portal.</p>	<p><u>significant farm system change</u>; and</p> <p>In addition; provide an alternate pathway for circumstances where the farm system cannot be addressed by the Farm Portal.</p>
Sect5 p 5-12	Rule 5-57 C	Support in part	<p>While the general intent of Rule 5.57C is supported under Condition 2, the uncertainty around values generated by the portal should be provided for and in addition, an alternative pathway is required for farm systems that cannot be addressed with the portal.</p>	<p>Amend Rule 5.57 C condition (2) to provide for an alternate pathway for farm systems which cannot use the Farm Portal to generate a GMP N loss value or a Baseline GMP N loss value.</p>
Sect5 p 5-13	Rule 5-58 A	Support in part	<p>As for Rule 5-55A, while the general intent of Rule 5-58A is supported the uncertainty around values generated by the Farm Portal should be provided for and in addition, an alternative pathway is required for farm systems that cannot be addressed with the</p>	<p>Amend Rule 5.58A condition (2) to provide for an alternate pathway for farm systems which cannot use the Farm Portal to generate a GMP N loss value or a Baseline GMP N loss value.</p> <p>Under matters for discretion, include provision to consider demonstration of meeting Good</p>

			<p>Farm Portal.</p> <p>Under matters for discretion, include provision to consider demonstration of meeting Good Management Practice.</p>	Management Practice.
Sect 5 p 5- 13	Rule 5-58 B	Support in part	As for Rule above, while the general intent of Rule 5.58 B is supported the uncertainty around values generated by the Farm Portal should be provided for and in addition, an alternative pathway is required for farm systems that cannot be addressed with the Farm Portal.	Amend Rule 5.58B condition (2) to provide for an alternate pathway for farm systems which cannot use the Farm Portal to generate a GMP N loss value or a Baseline GMP N loss value.
Sect 5 p 5-14	Rule 5-59A	Oppose	<p>Consent based on robust guidance should provide for activity status based on the most permissive approach practicable which can achieve the Plan's objective.</p> <p>Discretionary consent should apply rather than non-complying.</p>	<p>Amend Rule 5-59A as follows;</p> <p>Within the Green or Light Blue Nutrient Allocation Zone the use of land for a farming activity on a property greater than 10 hectares in area, that does not comply with condition 1 of Rule 5.57C, or one or more of the conditions of Rule 5.58A, or the use of land for a farming activity as part of a farming enterprise that does not comply with one or more of the conditions of Rule 5.58B, is a <u>non-complying discretionary</u> activity.</p>
Schedule 7				
Sect 16 p 6-3	Schedule 7, Part B	Support in part	The general principles provided for by Schedule 7 are supported, however,	Amend Schedule 7 to provide for an alternative pathway to the Farm Portal where required.

			<p>as discussed above the Baseline GMP Loss rate and GMP Loss rate generated by the Farm Portal, required by Schedule 7, clause 4B (b), have unacceptable levels of uncertainty which must be provided for in the policies and rules. Where farm systems cannot be addressed by the Farm Portal, an alternative pathway is required and should be provided for.</p>	
Sect 16 p 6-5	Schedule 7, Part B Management Area Nutrient Management:	Oppose	<p>Schedule 7 Part B, Management Area, Nutrient Management: Objective, requires the management plan to maximise nutrient use efficiency while minimising losses to water.</p> <p>While sympathetic to the intent of the objective, the interpretation of “Nutrient use efficiency”, particularly within the OVERSEER Nutrient Budget report is given by the ratio of nutrient outputs divided nutrient inputs. This ratio does not necessarily provide for environmental or economic best practice and is not aligned to the targets presented in Schedule 7 Nutrient Management Targets listed under this objective.</p> <p>For these reasons “Maximising nutrient use efficiency” is not an</p>	<p>Amend the objective in Schedule 7 Part B, Management Area, Nutrient Management as follows: To maximise <u>manage</u> nutrient use efficiency <u>responsibly</u> while minimising losses to water.</p>

			appropriate objective for this Management Area.	
Sect 16 p 6-7	Schedule 7, Part C Farm Environment Plan Audit Requirements	Support in part	<p>Documented requirements for Farm Environment Plan Audits is supported, and provisions for a certified auditor is supported.</p> <p>It is noted that under the minimum criteria listed there is: 2. An assessment of the robustness of the Nutrient Budget/s.</p> <p>If the Farm Environment Plan Auditor is required to have sufficient specialist knowledge to assess the robustness of a Nutrient Budget, then the auditor should also be a Certified Nutrient Management Adviser, or at the very least have successfully completed the Advanced Sustainable Nutrient Management Course.</p> <p>It is noted the Certified Farm Environment Plan Auditor Manual sets out the standards and methods to be used. In principle, a documented system with clear guidance and standards is supported, but support of this principle is not to be interpreted as support and endorsement (or otherwise) of the content of this document itself.</p>	Retain Schedule 7 part C, but given roles described for the Certified Farm Environment Plan Auditor, consider the necessity of the auditor to also be a Certified Nutrient Management Adviser or, in the alternative, modify the requirements to one of auditing the nutrient budget 'process' to ensure nutrient budgets are robust, rather than auditing nutrient budgets themselves.

Sect 16 p 6-9	Schedule 7A	Support	The general principles presented in Schedule 7 A represent agreed practices.	Retain Schedule 7A
Schedule 28				
Sect 16 p 6-11	Schedule 28 Good Management Practice Modelling Rules	Oppose	<p>While the industry agreed descriptions of good farm management practices listed in Table 28, are in general, supported, the methodology for deriving good management practice fertiliser rates is opposed.</p> <p>The fertiliser industry was excluded from the Project Management and Project Development Groups for establishment of MGM and ultimately the Farm Portal. The fertiliser industry was brought in only at its conclusion when it was recognised it is not possible to develop a credible fertiliser modelling rule to be applied universally to all farms in Canterbury to derive a GMP N loss rate.</p> <p>The Fertiliser industry opposed the fertiliser modelling rules presented and suggested a preferred, though still inadequate modelling rule. This alternative option was rejected by the development team.</p> <p>If the Farm Portal is to operate, then</p>	<p>Amend Schedule 28 to develop a 'work around' for the fertiliser modelling rule, or alternative pathway.</p> <p>In addition, provide an alternative pathway for those farms which cannot be addressed by the Farm Portal.</p>

			<p>until such time as a robust modelling rule is established, a 'work around' or alternative pathway is required.</p> <p>In addition for farm systems which cannot be addressed by the farm portal, an alternative pathway is required.</p> <p>Regardless, the consequences of not meeting a GMP baseline or GMP N loss must be addressed through restricted discretionary or discretionary consents in preference to 'prohibited' activity so that all farm management factors can be considered appropriately.</p>	
PART B- Waitaki Amendments				
Section 15 B Waitaki Sub-Region				
Part B – Policies				
Nutrient Management Sub Waitaki				
Sect 15B P 4-8	Policy 15B.4.10	Support in part	<p>Although the general intention of Policy 15B 4-10 is supported, where water quality outcomes and limits are being met, it may not always be necessary to 'minimise' nutrient loss, but rather manage to ensure standards continue to be met.</p>	<p>Amend Policy 15B.4.10 (a) as follows: All farming activities minimising managing nutrient losses through implementation of good practice</p>

Sect 15B P 4-8	Policy 15B.4.11	Support	The general intent of Policy 15B.4.11 is supported.	Retain Policy 15B .4.11
Sect 15B P 4-8	Policy 15B.4.12	Support	The general intent of Policy 15B.4.12 is supported.	Retain Policy 15B .4.12
Section 15B P 4-8	Policy 15B.4.13	Support in part	The general intent of Policy 15B.4.13 is supported subject to the concerns expressed above about the uncertainty around values generated by the Farm Portal being provided for and in addition, an alternative pathway is required for farm systems that cannot be addressed with the Farm Portal. (and any consequential changes)	Retain Policy 15B.4.13 but provide for uncertainty in GMP loss rates and an alternative pathway for GMP N loss values. (and any consequential changes)
Section 15B P4-8	Policy 15B.4.14	Support in part	As above the general intent of Policy 15B.4.14 is supported subject the concerns expressed above about the uncertainty around values generated by the Farm Portal being provided for and in addition, an alternative pathway is required for farm systems that cannot be addressed with the Farm Portal. (and any consequential changes)	Retain Policy 15B.4.14 but provide for uncertainty in GMP loss rates and an alternative pathway for GMP N loss values. (and any consequential changes)
Sect 15B P4-9	Policy 15B.4.15	Support in part	As above the general intent of Policy 15B.4.15 is supported subject the concerns expressed above about the uncertainty around values generated by the Farm Portal being provided for	Retain Policy15B.4.15 but provide for uncertainty in GMP loss rates and an alternative pathway for GMP N loss values. (and any consequential changes)

			and in addition,, an alternative pathway is required for farm systems that cannot be addressed with the Farm Portal. (and any consequential changes)	
Section 15B P4-9	Policy 15B.4.16	Oppose	For confidence and business certainty some consents may need to be longer than 15 years and restricting consent to 15 years as a matter of policy is unnecessary, particularly if consents are reviewable as per s128 (1)(a) of RMA.	Amend Policy 15B.4.16 to provide for consents lasting beyond 15 years , or in the alternative , delete Policy 15.4.16
Section 15B P4-9	Policy 15B.4.18	Oppose	<p>Policy 15B.4.18 (b)(ii)requires irrigation schemes to control discharges not to exceed headroom limit in Table 15B(f) load limits and water quality values for ground and surface water in Table 15 B (c) and (e).</p> <p>And Policy 15B.4.18 (b)(iii) not to exceed 90% of GMP Loss rate for irrigated of winter grazing.</p> <p>However, the values specified in the Table 15B(f), (c) and (e) are not discharge limits but total catchment loads or water quality outcomes. In this regard the Policy 15B.4.18(b) to not allow the total nitrogen discharge from properties that are partially or fully supplied water by a scheme, “to exceed these limits” does not make</p>	<p>Amend Policy 15B.4.18 (b) to provide a clear direction on the extent to which Irrigation schemes can limit N loss such that their contribution to the catchment load and water quality outcomes is controlled and will ultimately meet catchment limits, rather than presenting the catchment limits and outcomes as the control point.</p> <p>In addition, provide for uncertainty in GMP loss rates and an alternative pathway for GMP N loss values. (and any consequential changes)</p>

			<p>sense.</p> <p>Policy 15B.4.18 (b) (iii)–(v) requires controls based on GMP Loss rates and as discussed above the uncertainty around values generated by the Farm Portal must be provided for and in addition, an alternative pathway is required for farm systems that cannot be addressed with the Farm Portal. (and any consequential changes)</p>	
Upper Waitaki Freshwater Management Unit				
Sect 15B p 4-10	Policy 15B.4.20	Oppose in part	<p>As discussed above concerns about the uncertainty around values generated by the Farm Portal, and in addition an alternative pathway required for farm systems that cannot be addressed with the Farm Portal, mean that “avoiding” the granting of any resource consent based on GMP loss rates is inappropriate and more scope for discretion is required.</p>	<p>Amend Policy 15B.4.20 to remove the word “avoiding” and provide for discretion when granting resource consent based on GMP Loss rates and, provide for an alternative pathway for farm systems that cannot be addressed with the Farm Portal. (and any consequential changes)</p>
Sect 15B p 4-10	Policy 15B.4.21	Support in part	<p>The general intent of Policy 15B.4.21 is supported but where GMP N loss values apply the uncertainty around values generated by the Farm Portal being provided for and in addition, an alternative pathway is required for farm systems that cannot be addressed with the Farm Portal.</p>	<p>Retain Policy15B.4.21 but provide for uncertainty in GMP loss rates and an alternative pathway for GMP N loss values. (and any consequential changes)</p>

			(and any consequential changes)	
Sect 15B P 4-11	Policy 15B.4.22	support in part	<p>As an interim step, Policy 15B.4.22 (a) provides for exceeding the nitrogen baseline by 1.6 kg N /ha/yr in Haldon and Mid catchment zones.</p> <p>Caution is expressed about the implications of using such a precise value for the permitted increases in N loss based on farms scale and catchment scale modelling which in fact has a large degree of uncertainty.</p>	Retain provisions in Policy 15B.4.22 for flexibility linked to baseline N loss, but to avoid impressions of modelling precision, and round the N loss value up from 1.6 to 2 kg N/ha/yr
Sect 15b P 4-11	Policy 15B.4.23	Oppose	Policy 15B.4.23 (b) puts the onus on the land owner to provide environmental assessment and identification of sites of significant indigenous biodiversity. The provision is excessively burdensome and onerous for a single land owner and identification of site of significant indigenous biodiversity remains a council responsibility.	Delete Policy 15B.4.23, or in the alternative, Amend Policy 15B.4.23 to shift the onus back to regional and district council to identify areas of significant indigenous biodiversity.
Hakataramea Freshwater Management Unit.				
Sect 15B Page 4-11	Policy 15B.4.24	Oppose	As discussed above for Policy 15B.4.15, concerns about the uncertainty around values generated by the Farm Portal, and in addition an alternative pathway required for farm systems that cannot be addressed	Amend Policy 15B.4.24 to remove the word “avoiding” and provide for discretion when granting resource consent based on GMP Loss rates and provide for an alternative pathway for farm systems that cannot be addressed with the Farm Portal.

			<p>with the Farm Portal, mean that “avoiding” the granting of any resource consent based on GMP loss rates and restricting to GMP loss rates with no discretion is inappropriate and more scope for discretion is required.</p> <p>Policy 15B.4.24 (b) requires controls based on GMP Loss rates and as discussed above the uncertainty around values generated by the Farm Portal must be provided for and in addition, an alternative pathway is required for farm systems that cannot be addressed with the Farm Portal. (and any consequential changes)</p>	(and any consequential changes)
Valley and Tributaries Freshwater Management Unit				
Sect 15B P 4-11	Policy 15B.4.25	oppose	<p>As discussed above for Policy 15B.4.24 concerns about the uncertainty around values generated by the Farm Portal, and in addition an alternative pathway required for farm systems that cannot be addressed with the Farm Portal, mean that “avoiding” the granting of any resource consent based on GMP loss rates and restricting to GMP loss rates with no discretion is inappropriate and more scope for discretion is required.</p>	<p>Amend Policy 15B.4.25 to provide for discretion when granting resource consent based on GMP Loss rates and provide for an alternative pathway for farm systems that cannot be addressed with the Farm Portal. (and any consequential changes)</p>

North Fan Freshwater Management Unit				
Sect 15 B P 4-12	Policy 15B.4.26	oppose	<p>As discussed above concerns about the uncertainty around values generated by the Farm Portal, and in addition an alternative pathway required for farm systems that cannot be addressed with the Farm Portal, mean that “avoiding” the granting of any resource consent based on GMP loss rates with no discretion, is inappropriate and more scope for discretion is required.</p> <p>Policy 15B.4.26 (b) requires controls based on GMP Loss rates and as discussed above the uncertainty around values generated by the Farm Portal must be provided for and in addition, an alternative pathway is required for farm systems that cannot be addressed with the Farm Portal. (and any consequential changes)</p>	<p>Amend Policy 15B.4.26 to remove the word “avoiding” and provide for discretion when granting resource consent based on GMP Loss rates and provide for an alternative pathway for farm systems that cannot be addressed with the Farm Portal.</p> <p>(and any consequential changes)</p>
Sect 15B p 4-12	Policy 15B.4.27	Oppose	<p>As discussed above concerns about the uncertainty around values generated by the Farm Portal, and in addition an alternative pathway required for farm systems that cannot be addressed with the Farm Portal, mean that “avoiding” the granting of</p>	<p>Amend Policy 15B.4.27 to remove the word “avoiding” and provide for discretion when granting resource consent based on GMP Loss rates and provide for an alternative pathway for farm systems that cannot be addressed with the Farm Portal.</p> <p>(and any consequential changes)</p>

			any resource consent based on GMP loss rates with no discretion, is inappropriate and more scope for discretion is required.	
Part B - Monitoring and review				
Sect 15B P4-12	Policy 15B.4.28	Support	Monitoring and review using current best available information is supported with necessary changes introduced by Plan Change.	Retain policy 15B.4.28
Part B – Rules				
Waitaki Sub- region Nutrient Management				
Sect 15B P 4-13	Rule 15B.5.6	Support in part	Support for farming land use activity as part of an irrigation scheme or principal water supplier to continue as permitted activity subject to nitrogen loss being managed by the resource consent or permit held by the irrigation company.	Retain Rule 15B.5.6
Sect 15B p 4-14	Rule 15B.5.7	Support in part	The general intent of Rule 15B.5.7 is supported however, as discussed above the uncertainty around values generated by the Farm Portal, and in addition an alternative pathway required for farm systems that cannot be addressed with the Farm Portal, mean that “avoiding” the granting of any resource consent based on GMP loss rates with no discretion, is	Amend Rule 15.5.7 to provide for an alternative pathway where farm systems cannot be addressed by the Farm Portal to develop GMP Loss rates.

			inappropriate and more scope for discretion is required.	
Upper Waitaki Freshwater Management Unit				
Sect 15B P4-15	Rule 15B.5.10	Oppose	<p>Condition 3 of Rule 15B.5.10 requires the N loss calculation for the nutrient user group to not cause the relevant limits in Table 15 B(c), (d), (e) and (f) to be exceeded.</p> <p>There is no clear mechanism to show how this assessment might be made, because the N loss contributions which might impact on the water quality attributes at catchment scale are much wider than just the nutrient user group on its own.</p> <p>Conditions 4 and 6 require N loss to not exceed the Baseline GMP or the lesser of the baseline or GMP baseline.</p>	<p>Amend Rule 15B.5.10 to provide a standard or a mechanism by which the risk of exceeding water quality attributes in Tables 15B (c), (d), (e)and (f) can be assessed,</p> <p>and in relation to Conditions 4 and 6, provide for an alternative pathway where farm systems that cannot be addressed by the Farm Portal to develop GMP Loss rates.</p>
Sect 15B P 4-16	Rule 15B.5.11	Oppose	<p>Not complying with one or more of the conditions in Rule 15B.5.10 is a prohibited activity.</p> <p>As discussed above: The uncertainty around values generated by the Farm Portal should be provided for and in addition an alternative pathway is required for</p>	<p>Amend Rule 15B.5.11 as follows: “The use of land for a farming activity that forms part of a Nutrient User Group that does not comply with one or more of the conditions in Rule 15B.5.10 is a prohibited <u>discretionary</u> activity”</p>

			<p>farm systems that cannot be addressed with the Farm Portal.</p> <p>Further to the discussion above, it is an entirely inappropriate use and application of a long term annual average model, which is designed to inform decision making, to be applied in a manner which takes all discretion and judgement away from Council staff. It is entirely inappropriate to use a decision support tool to make full and final decisions on critical social and economic matters such as prohibited activity, without opportunity for discretion or judgement.</p> <p>In order to ensure hard decisions are taken for environmental protection it is necessary to provide detailed and clear guidance to Council Staff, but it is entirely inappropriate to instead devolve the responsibility to a decision support tool, as occurs with the proposed Rule 15B.5.11. The inadequacy of this approach is further amplified by the known, flawed nature of the modelling rules presented in the Farm Portal.</p> <p>FANZ holds the view there can be no justification is using the modelling</p>	
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			rules to decide on prohibited activity status for a farm activity.	
Ahuriri Zone and Upper Waikato Hill Zone				
Sect 15B P 4-17	Rule 15B.5.13A	Support	Support is given for farming land-use activity as part of an irrigation company to continue as permitted activity, subject to nitrogen loss being managed by the resource consent or permit held by the irrigation company.	Retain Rule 15B.5.13A
Sect 15B P 4-17	Rule 15B.5.13B	oppose	<p>Rule 15B.5.13B requires that any activity not complying with any conditions in Rule 15B.5.13A is triggered directly from permitted to non-complying.</p> <p>This is considered unnecessarily restrictive and should be amended to restricted discretionary, with matters of discretion relating to the nutrient management conditions not complied with.</p>	<p>Amend Rule 15B.5.13B as follows:</p> <p>Until Rules 5.43A, 5.46A, 15B.5.14 to 15B.5.18 become operative in accordance with clause 20 of Schedule 1 to the Resource Management Act 1991, the use of land for a farming activity within the Ahuriri Zone or the Upper Waitaki Hill Zone that does not comply with any applicable condition of Rule 15B.5.13A, is a non-complying <u>restricted discretionary</u> activity</p>
Sect 15B p 4-17	Rule 15B.5.14	Oppose	<p>Permitted activity is supported and Rule 15B.5.14 is consistent with proposed rules under Plan Change 5, however as discussed above;</p> <p>While the provision of permitted activity for farming activities which are recognised to be relative low risk</p>	<p>Amend Rule 15B.5.14 as follows, to require a nutrient budget to be updated after three years, unless there is a significant farm system change.</p> <p>1. The property is registered in the Farm Portal by 1 July 2017 18 and information about the farming activity and the property is reviewed and updated</p>

			<p>for Nitrogen leaching is supported, (being under 50 ha irrigation and 20 winter grazing) Rule 15B.5.14 requires registration with the Farm Portal and updating information every 24 months.</p> <p>FANZ maintains that nutrient budgets should be valid for at least three years, unless there is a significant farm system change.</p> <p>A realistic time frame is required if Farm Environment Plans and Nutrient Budgets are to be provided for all farms. A staged, priority based approach is supported.</p> <p>An alternate pathway is required for circumstances where the farm system cannot be addressed by the Farm Portal.</p>	<p>by the property owner or their agent, every 24 <u>36</u> months thereafter <u>or upon a significant farm system change</u>; and</p> <p>In addition; provide an alternate pathway for circumstances where the farm system cannot be addressed by the Farm Portal.</p>
Sect 15B P 4-18	Rule 15B.5.15	Support in part	While the general intent of Rule 15B.5.15 is supported under Condition 2, the uncertainty around values generated by the portal should be provided for and in addition, an alternative pathway is required for farm systems that cannot be addressed with the portal.	Amend Rule 15B.5.15 condition (2) to provide for an alternate pathway for farm systems which cannot use the Farm Portal to generate a GMP N loss value or a Baseline GMP N loss value.
Sect 15B	Rule 15B.5.16	Support in part	As for Rule 15B.5.15, while the	Amend Rule 15B.5.16 condition (2) to provide

P 4-18			<p>general intent of Rule 15B.5.16 is supported the uncertainty around values generated by the Farm Portal should be provided for and in addition, an alternative pathway is required for farm systems that cannot be addressed with the Farm Portal.</p> <p>Under matters for discretion, include provision to consider demonstration of meeting Good Management Practice.</p>	<p>for an alternate pathway for farm systems which cannot use the Farm Portal to generate a GMP N loss value or a Baseline GMP N loss value.</p> <p>Under matters for discretion, include provision to consider demonstration of meeting Good Management Practice.</p>
Sect 15B P4-19	Rule 15B.5.17	Oppose	<p>Consent based on robust guidance should provide for activity status based on the most permissive approach practicable which can achieve the Plan's objective.</p> <p>Discretionary consent should apply rather than non-complying.</p>	<p>Amend Rule 15B.5.17 as follows;</p> <p>Within the Ahuriri Zone or Upper Waitaki Hill Zone, the use of land for a farming activity on a property greater than 10 hectares in area that does not comply with condition 1 of Rule 15B.5.15 or condition 1 of Rule 15B.5.16, or the use of land for a farming activity as part of a farming enterprise that does not comply with conditions 1 or 3 of Rule 5.46A, is a non-complying <u>discretionary</u> activity.</p>
Sect 15B P4-19	Rule 15B.5.18	Oppose	<p>Not complying with condition 2 in Rule 15B.5.15, 15B.5.16 or 5.46A is a prohibited activity.</p> <p>As discussed above: The uncertainty around values generated by the Farm Portal should be provided for and in addition, an</p>	<p>Amend Rule 15B.5.18 as follows: "Within the Ahuriri Zone or Upper Waitaki Hill Zone, the use of land for a farming activity on a property greater than 10 hectares in area that does not comply with condition 2 of Rule 15B.5.15, or condition 2 of Rule 15B.5.16, or the use of land for a farming activity as part of a farming enterprise that does not comply with</p>

			<p>alternative pathway is required for farm systems that cannot be addressed with the Farm Portal.</p> <p>Further to the discussion above, it is an entirely inappropriate use and application of a long term annual average model, which is designed to inform decision making, to be applied in a manner which takes all discretion and judgement away from Council staff. It is entirely inappropriate to use a decision support tool to make full and final decisions on critical social and economic matters such as prohibited activity, without opportunity for discretion or judgement.</p> <p>In order to ensure hard decisions are taken for environmental protection it is necessary to provide detailed and clear guidance to Council Staff, but it is entirely inappropriate to instead devolve the responsibility to a decision support tool as occurs with the proposed Rule 15B.5.18. The inadequacy of this approach is further amplified by the known, flawed nature of the modelling rules presented in the Farm Portal.</p> <p>FANZ holds the view there can be no</p>	<p>condition 2 of Rule 5.46A, is a prohibited <u>discretionary</u> activity.”</p> <p>or in the alternative combine with Rule 15B.5.17 as discretionary activity.</p>
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			justification is using the modelling rules to decide on prohibited activity status for a farm activity.	
Sect 15B P 4-20	Rule 15B.5.18 A	Support	Support is given for farming land-use activity as part of an irrigation company to continue as permitted activity, subject to nitrogen loss being managed by the resource consent or permit held by the irrigation company.	Retain Rule 15B.5.18A
Sect 15B P 4-20	Rule 15B.5.18 B	Oppose in part	Rule 15B.5.18B condition 3 puts the onus on the land user to provide environmental assessment and identification of sites of significant indigenous biodiversity. The provision is excessively burdensome and onerous for a single land user and identification of sites of significant indigenous biodiversity remains a council responsibility.	Amend Policy 15B.5.18B to shift the onus back to regional and district council to identify areas of significant indigenous biodiversity.
Sect 15B P 4-21	Rule 15B.5.18 C	Oppose in part	Rule 15B.5.18C requires that any activity not complying with any conditions in Rule 15B.5.18B is non-complying. This is considered unnecessarily restrictive and should be amended to discretionary.	Amend Rule 15B.5.13C as follows: “Until Rules 5.53A, 5.54A, 15B.5.19 to 15B.5.23 become operative in accordance with clause 20 of Schedule 1 of the Resource Management Act 1991, the use of land for a farming activity within the Haldon Zone or Mid Catchment Zone that does not meet any of the conditions of Rule 15B.5.18B, is a non-complying <u>discretionary</u> activity”

Sect 15B P 4-21	Rule 15B.5.19	Support in part	While the general intent of Rule 15B.5.19 is supported under Condition 2, the uncertainty around values generated by the portal should be provided for and in addition, an alternative pathway is required for farm systems that cannot be addressed with the portal.	Amend Rule 15B.5.19 condition (2) to provide for farm systems which cannot use the Farm Portal to generate a GMP N loss value or a Baseline GMP N loss value.
Sect 15B P 4-22	Rule 15B.5.20	Oppose in part	Rule 15B.5.20 condition 3 puts the onus on the land user to provide environmental assessment and identification of sites of significant indigenous biodiversity. The provision is excessively burdensome and onerous for a single land user and identification of sites of significant indigenous biodiversity remains a council responsibility.	Amend Rule 15B.5.20 to shift the onus back to regional and district council to identify areas of significant indigenous biodiversity.
Sect 15B P 4-23	Rule 15B.5.21	Support	The general intent of Rule 15B.5.21 is supported .	Retain Rule 15B.5.21
Sect 15B P 4-23	Rule 15B.5.22	Oppose in part	Consent based on robust guidance should provide for activity status based on the most permissive approach practicable which can achieve the Plan's objective. Discretionary consent should apply rather than non-complying.	Amend Rule 15B.5.22 as follows; "Within the Haldon Zone or Mid Catchment Zone, the use of land for a farming activity on a property greater than 10 hectares in area that does not meet condition 1 or 3 of 15B.5.19, or condition 1 or 3 of Rule 15B.5.20, or the use of land for a farming activity as part of a farming enterprise that does not comply with condition 1 or 3 of Rule 15B.5.21, is a non-complying

				<u>discretionary activity.</u> "
Sect 15B P 4-23	Rule 15B.5.23	Oppose	<p>Not complying with condition 2 in Rule 15B.5.20, or Rule 15B.5.21 results in prohibited activity.</p> <p>The uncertainty around values generated by the catchment modelling means that the calculation of the Headroom N loss is an estimate based arrived at using models for decision support.</p> <p>It is inappropriate use and application of a long term annual average model, which is designed to inform decision making, to be applied in a manner which takes all discretion and judgement away from Council staff. It is inappropriate to use a decision support tool to make full and final decisions on critical social and economic matters such as prohibited activity, without opportunity for discretion or judgement.</p> <p>FANZ holds the view there can be no justification is using modelling rules to decide on prohibited activity status for a farm activity.</p>	<p>Amend Rule 15B.5.23 as follows;</p> <p>"Within the Haldon Zone or Mid Catchment Zone, the use of land for a farming activity on a property greater than 10 hectares in area that does not meet condition 2 of Rule 15B.5.20, or the use of land for a farming activity as part of a farming enterprise that does not comply with condition 2 of Rule 15B.5.21, is a prohibited <u>discretionary activity.</u>"</p> <p>or in the alternative combine with Rule 15B.5.22 as discretionary activity.</p>
Hakataramea Freshwater Management Unit				

<p>Sect 15B P 4-23</p>	<p>Rule 15B.5.24</p>	<p>oppose</p>	<p>Permitted activity is supported and Rule 15B.5.24 is consistent with proposed rules under Plan Change 5, however;</p> <p>Rule 15B.5.24 requires registration with the Farm Portal and updating information every 24 months.</p> <p>FANZ maintains that nutrient budgets should be valid for at least three years, unless there is a significant farm system change.</p> <p>A realistic time frame is required if Farm Environment Plans and Nutrient Budgets are to be provided for all farms. A staged, priority based approach is supported.</p> <p>An alternate pathway is required for circumstances where the farm system cannot be addressed by the Farm Portal.</p>	<p>Amend Rule 15B.5.24 as follows, to require a nutrient budget to be updated after three years, unless there is a significant farm system change.</p> <p>1. The property is registered in the Farm Portal by 1 July 2017 18 and information about the farming activity and the property is reviewed and updated by the property owner or their agent, every 24 <u>36</u> months thereafter <u>or upon a significant farm system change</u>; and</p> <p>In addition; provide an alternate pathway for circumstances where the farm system cannot be addressed by the Farm Portal.</p>
<p>Sect 15B P 4-24</p>	<p>Rule 15B.5.25</p>	<p>Support in part</p>	<p>While the general intent of Rule 15B.5.25 is supported under Condition 2, the uncertainty around values generated by the portal should be provided for and in addition, an alternative pathway is required for farm systems that cannot be addressed with the portal.</p>	<p>Amend Rule 15B.5.25 condition (2) to provide for an alternate pathway for farm systems which cannot use the Farm Portal to generate a GMP N loss value or a Baseline GMP N loss value.</p>

Sect 15B P 4-25	Rule 15B.5.26	Support in part	<p>As for Rule 15B.5.25, while the general intent of Rule 15B.5.26 is supported the uncertainty around values generated by the Farm Portal should be provided for and in addition, an alternative pathway is required for farm systems that cannot be addressed with the Farm Portal.</p> <p>Under matters for discretion, include provision to consider demonstration of meeting Good Management Practice.</p>	<p>Amend Rule 15B.5.26 condition (2) to provide for an alternate pathway for farm systems which cannot use the Farm Portal to generate a GMP N loss value or a Baseline GMP N loss value.</p> <p>Under matters for discretion, include provision to consider demonstration of meeting Good Management Practice.</p>
Sect 15B P 4-26	Rule 15B.5.27	Support in part	<p>While the general intent of Rule 15B.5.27 is supported under Condition 2, the uncertainty around values generated by the portal should be provided for and in addition, an alternative pathway is required for farm systems that cannot be addressed with the portal.</p> <p>The activity status for this rule should be restricted discretionary activity</p>	<p>Amend Rule 15B.5.27 condition (2) to provide for an alternate pathway for farm systems which cannot use the Farm Portal to generate a GMP N loss value or a Baseline GMP N loss value.</p> <p>Amend the activity status from discretionary to <u>restricted discretionary</u> activity</p>
Sect 15B P 4-26	Rule 15B.5.28	Oppose in part	<p>Consent based on robust guidance should provide for activity status based on the most permissive approach practicable which can achieve the Plan's objective.</p>	<p>Amend Rule 15B.5.28 as follows;</p> <p>"Within the Hakataramea River Zone or Hakataramea Hill Zone, the use of land for a farming activity on a property greater than 10 hectares in area that does not meet condition 1</p>

			Discretionary consent should apply rather than non-complying.	of Rule 15B.5.25, or condition 1 of Rule 15B.5.26, or the use of land for a farming activity as part of a farming enterprise that does not comply with condition 1 of Rule 15B.5.27, is a non-complying <u>discretionary</u> activity.”
Sect 15B P 4-26	Rule 15B.5.29	Oppose	<p>Not complying with condition 2 in Rule 15B.5.25, or Rule 15B.5.26 or conditions 2 or 3 in Rule 15B.5.27 results in prohibited activity.</p> <p>The uncertainty around values generated by the Farm Portal should be provided for and in addition, an alternative pathway is required for farm systems that cannot be addressed with the Farm Portal.</p> <p>It is inappropriate use and application of a long term annual average model, which is designed to inform decision making, to be applied in a manner which takes all discretion and judgement away from Council staff. It is inappropriate to use a decision support tool to make full and final decisions on critical social and economic matters such as prohibited activity, without opportunity for discretion or judgement.</p>	<p>Amend Rule 15B.5.29 as follows:</p> <p>“Within the Hakataramea River Zone or Hakataramea Hill Zone, the use of land for a farming activity on a property greater than 10 hectares in area that does not meet condition 2 of Rule 15B.5.25, or condition 2 of Rule 15B.5.26, or the use of land for a farming activity as part of a farming enterprise that does not comply with conditions 2 or 3 of Rule 15B.5.27, is a prohibited <u>discretionary</u> activity”</p> <p>or in the alternative combine with Rule 15B.5.28 as discretionary activity.</p>

			FANZ holds the view there can be no justification is using modelling rules to decide on prohibited activity status for a farm activity.	
Hakataramea Flat Zone				
Sect 15B P 4-26	Rule 15B.5.30	Support in part	While the general intent of Rule 15B.5.30 is supported under Condition 2, the uncertainty around values generated by the portal should be provided for and in addition, an alternative pathway is required for farm systems that cannot be addressed with the portal.	Amend Rule 15B.5.30 condition (2) to provide for an alternate pathway for farm systems which cannot use the Farm Portal to generate a GMP N loss value or a Baseline GMP N loss value.
Sect 15B P 4-27	Rule 15B.5.31	Support in part	As for Rule 15B.5.30, while the general intent of Rule 15B.5.31 is supported the uncertainty around values generated by the Farm Portal should be provided for and in addition, an alternative pathway is required for farm systems that cannot be addressed with the Farm Portal. Under matters for discretion, include provision to consider demonstration of meeting Good Management Practice.	Amend Rule 15B.5.31 condition (2) to provide for an alternate pathway for farm systems which cannot use the Farm Portal to generate a GMP N loss value or a Baseline GMP N loss value. Under matters for discretion, include provision to consider demonstration of meeting Good Management Practice.
Sect 15B P 4-28	Rule 15B.5.32	oppose in part	Consent based on robust guidance should provide for activity status based on the most permissive approach practicable which can	Amend Rule 15B.5.32 as follows: “Within the Hakataramea Flat Zone, the use of land for a farming activity on a property greater than 10 hectares in area that does not meet

			<p>achieve the Plan’s objective.</p> <p>Discretionary consent should apply rather than non-complying.</p>	<p>condition 1 of Rule 15B.5.30, or condition 1 of Rule15B.5.31, or the use of land for a farming activity as part of a farming enterprise that does not meet conditions 1 or 3 of Rule 5.46A, is a non-complying <u>discretionary</u> activity.”</p>
Sect 15B P 4-28	Rule 15B.5.33	Oppose	<p>Not complying with condition 2 in Rule 15B.5.31 or Rule 5.46A results in prohibited activity.</p> <p>The uncertainty around values generated by the Farm Portal should be provided for and in addition, an alternative pathway is required for farm systems that cannot be addressed with the Farm Portal.</p> <p>It is inappropriate use and application of a long term annual average model, which is designed to inform decision making, to be applied in a manner which takes all discretion and judgement away from Council staff. It is inappropriate to use a decision support tool to make full and final decisions on critical social and economic matters such as prohibited activity, without opportunity for discretion or judgement.</p> <p>FANZ holds the view there can be no justification is using modelling rules to decide on prohibited activity status</p>	<p>Amend Rule 15B.5.33 as follows: “Within the Hakataramea Flat Zone, the use of land for a farming activity on a property greater than 10 hectares in area that does not meet condition 2 of Rule 15B.5.31, or the use of land for a farming activity as part of a farming enterprise that does not meet condition 2 of Rule 5.46A, is a prohibited <u>discretionary</u> activity.”</p> <p>or in the alternative combine with Rule 15B.5.32 as discretionary activity.</p>

			for a farm activity.	
Valley and Tributaries Freshwater Management Unit				
Sect 15B P 4-28	Rule 15B.5.34	Support in part	While the general intent of Rule 15B.5.34 is supported under Condition 2, the uncertainty around values generated by the portal should be provided for and in addition, an alternative pathway is required for farm systems that cannot be addressed with the portal.	Amend Rule 15B.5.34 condition (2) to provide for an alternate pathway for farm systems which cannot use the Farm Portal to generate a GMP N loss value or a Baseline GMP N loss value.
Sect 15B P 4-29	Rule 15B.5.35	Support in part	<p>Condition 2 of Rule 15B.5.35 requires that the N loss from a farming activity does not cause the Valley and Tributary Zone 'agricultural nitrogen load limit', calculated in accordance with Schedule 27, to be exceeded.</p> <p>Schedule 27 provides a method by which to estimate if a farm N loss will contribute lead to exceeding total catchment load limit based on reference land use patterns.</p> <p>The term agricultural nitrogen load limit does not feature in Schedule 27.</p> <p>For clarity it should be identified if 'agricultural nitrogen load limit' referred to in Rule 15B.5.35 is the same as the 'land based nitrogen load</p>	Retain Rule 15B.5.35, but clarify the term 'agricultural nitrogen load limit', in reference to Schedule 27, Part C, because this term does not feature in this Schedule.

			limit' referred to in Schedule 27 Part C, or some other value.	
Sect 15B P 4-29	Rule 15B.5.36	Support in part	<p>Condition 2 of Rule 15B.5.36 requires that the N loss from a farming activity does not cause the Valley and Tributary Zone agricultural nitrogen load limit, calculated in accordance with Schedule 27, to be exceeded.</p> <p>Schedule 27 provides a method by which to estimate if a farm N loss will lead to exceeding total catchment load limit based on reference land use patterns.</p> <p>A minor editorial error references Table 15(f) - 'South Coastal water allocation values', rather than, Table 15B(f) – 'Waitaki nitrogen loads' which is the intended reference.</p>	<p>For clarity, amend the Table referenced in Rule 15B.5.36 Condition 2, as follows:</p> <p>"The nitrogen loss calculation for the farming enterprise does not cause the Valley and Tributaries Zone nitrogen load limit in Table 15 B (f) and calculated in accordance with Schedule 27 to be exceeded; and"</p>
Sect 15B P 4-30	Rule 15B.5.37	Oppose in part	<p>Consent based on robust guidance should provide for activity status based on the most permissive approach practicable which can achieve the Plan's objective.</p> <p>Discretionary consent should apply rather than non-complying.</p>	<p>Amend rule 15B.5.37 as follows:</p> <p>"Within the Valley and Tributaries Zone, the use of land for a farming activity on a property greater than 10 hectares in area that does not meet condition 1 of Rule 15B.5.34, or condition 1 of 15B.5.35, or the use of land for a farming activity as part of a farming enterprise that does not comply with condition 1 of Rule 15B.5.36, is a non-complying <u>discretionary</u></p>

				activity”
Sect 15B P 4-30	Rule 15B.5.38	Oppose	<p>Not complying with condition 2 in Rule 15B.5.35 or conditions 2 or 3 of Rule 15B.5.36 results in prohibited activity.</p> <p>The uncertainty around values generated by the Farm Portal should be provided for and in addition, an alternative pathway is required for farm systems that cannot be addressed with the Farm Portal.</p> <p>It is inappropriate use and application of a long term annual average model, which is designed to inform decision making, to be applied in a manner which takes all discretion and judgement away from Council staff. It is inappropriate to use a decision support tool to make full and final decisions on critical social and economic matters such as prohibited activity, without opportunity for discretion or judgement.</p> <p>FANZ holds the view there can be no justification is using modelling rules to decide on prohibited activity status for a farm activity.</p>	<p>Amend Rule 15B.5.38 as follows: ‘Within the Valley and Tributaries Zone, the use of land for a farming activity on a property greater than 10 hectares in area that does not meet condition 2 of Rule 15B.5.35, or the use of land for a farming activity as part of a farming enterprise that does not comply with conditions 2 or 3 of Rule 15B.5.36, is a prohibited <u>discretionary activity</u>”</p> <p>or in the alternative combine with Rule 15B.5.37 as discretionary activity.</p>
Greater Waikakahi Zone				

Sect 15B P 4-30	Rule 15B.5.39	Support in part	While the general intent of Rule 15B.5.39 is supported under Condition 2, the uncertainty around values generated by the portal should be provided for and in addition, an alternative pathway is required for farm systems that cannot be addressed with the portal.	Amend Rule 15B.5.39 condition (2) to provide for an alternate pathway for farm systems which cannot use the Farm Portal to generate a GMP N loss value or a Baseline GMP N loss value.
Sect 15B P 4-31	Rule 15B.5.40	Support in part	<p>As for Rule 15B.5.39, while the general intent of Rule 15B.5.40 is supported the uncertainty around values generated by the Farm Portal should be provided for and in addition, an alternative pathway is required for farm systems that cannot be addressed with the Farm Portal.</p> <p>Under matters for discretion, include provision to consider demonstration of meeting Good Management Practice.</p>	<p>Amend Rule 15B.5.40 condition (2) to provide for an alternate pathway for farm systems which cannot use the Farm Portal to generate a GMP N loss value or a Baseline GMP N loss value.</p> <p>Under matters for discretion, include provision to consider demonstration of meeting Good Management Practice.</p>
Sect 15B P 4-32	Rule 15B.5.41	Support in part	As for Rule 15B.5.39, and Rule 15B.5.40, while the general intent of Rule 15B.5.41 is supported the uncertainty around values generated by the Farm Portal should be provided for and in addition, an alternative pathway is required for farm systems that cannot be addressed with the Farm Portal.	<p>Amend Rule 15B.5.41 condition (2) to provide for an alternate pathway for farm systems which cannot use the Farm Portal to generate a GMP N loss value or a Baseline GMP N loss value.</p> <p>Under matters for discretion, include provision to consider demonstration of meeting Good Management Practice.</p>

			Under matters for discretion, include provision to consider demonstration of meeting Good Management Practice.	
Sect 15B P 4-32	Rule 15B.5.42	Oppose in part	Consent based on robust guidance should provide for activity status based on the most permissive approach practicable which can achieve the Plan's objective. Discretionary consent should apply rather than non-complying.	Amend Rule 15B.5.42 as follows: "Within the Greater Waikāhahi Zone, the use of land for a farming activity on a property greater than 10 hectares in area that does not meet condition 1 of Rule 15B.5.39, or condition 1 of Rule 15B.5.40, or the use of land for a farming activity as part of a farming enterprise that does not comply with condition 1 of Rule 15B.5.41, is a non-complying <u>discretionary</u> activity."
Sect 15B P 4-32	Rule 15B.5.43	Oppose	Not complying with condition 2 in Rule 15B.5.40 or conditions 2 or 3 of Rule 15B.5.41 results in prohibited activity. The uncertainty around values generated by the Farm Portal should be provided for and in addition, an alternative pathway is required for farm systems that cannot be addressed with the Farm Portal. It is inappropriate use and application of a long term annual average model, which is designed to inform decision making, to be applied in a manner	Amend Rule 15B.5.43 as follows; "Within the Greater Waikāhahi Zone, the use of land for a farming activity on a property greater than 10 hectares in area that does not meet condition 2 of Rule 15B.5.40, or the use of land for a farming activity as part of a farming enterprise that does not comply with conditions 2 or 3 of Rule 15B.5.41, is a prohibited <u>discretionary</u> activity." or in the alternative combine with Rule 15B.5.42 as discretionary activity.

			<p>which takes all discretion and judgement away from Council staff. It is inappropriate to use a decision support tool to make full and final decisions on critical social and economic matters such as prohibited activity, without opportunity for discretion or judgement.</p> <p>FANZ holds the view there can be no justification is using modelling rules to decide on prohibited activity status for a farm activity.</p>	
Whitneys Creek Zone				
Sect 15B P 4-33	Rule 15B.5.44	Support in part	<p>While the general intent of Rule 15B.5.44 is supported under Condition 2, the uncertainty around values generated by the portal should be provided for and in addition, an alternative pathway is required for farm systems that cannot be addressed with the portal.</p>	<p>Amend Rule 15B.5.44 condition (2) to provide for an alternate pathway for farm systems which cannot use the Farm Portal to generate a GMP N loss value or a Baseline GMP N loss value.</p>
Sect 15B P 4-33	Rule 15B.5.45	Support in part	<p>Condition 2 of Rule 15B.5.45 requires that the N loss from a farming activity does not cause the Whitneys Creek Zone 'nitrogen load limit', calculated in accordance with Schedule 27, to be exceeded.</p> <p>Schedule 27 provides a method by which to estimate if a farm N loss will</p>	<p>Retain Rule 15B.5.45</p>

			lead to exceeding total catchment load limit based on reference land use patterns.	
Sect 15B P 4-34	Rule 15B.5.46	Support	<p>Condition 2 of Rule 15B.5.46 requires that the N loss from a farming activity does not cause the Whitneys Creek Zone nitrogen load limit, calculated in accordance with Schedule 27, to be exceeded.</p> <p>Schedule 27 provides a method by which to estimate if a farm N loss will lead to exceeding total catchment load limit based on reference land use patterns.</p>	Retain Rule 15B.5.46
Sect 15B P 4-34	Rule 15B.5.47	Oppose in part	<p>Consent based on robust guidance should provide for activity status based on the most permissive approach practicable which can achieve the Plan's objective.</p> <p>Discretionary consent should apply rather than non-complying.</p>	<p>Amend Rule 15B.5.47 as follows:</p> <p>“Within the Whitneys Creek Zone, the use of land for a farming activity on a property greater than 10 hectares in area that does not meet condition 1 of Rule 15B.5.44, or condition 1 of Rule 15B.5.45, or the use of land for a farming activity as part of a farming enterprise that does not comply with condition 1 of Rule 15B.5.46, is a non-complying <u>discretionary</u> activity.”</p>
Sect 15B P 4-34	Rule 15B.5.48	Oppose	Not complying with condition 2 in Rule 15B.5.45 or conditions 2 or 3 of Rule 15B.5.46 results in prohibited activity.	<p>Amend Rule 15B.5.48 as follows:</p> <p>“Within the Whitneys Creek Zone, the use of land for a farming activity on a property greater</p>

			<p>The uncertainty around values generated by the Farm Portal should be provided for and in addition, an alternative pathway is required for farm systems that cannot be addressed with the Farm Portal.</p> <p>It is inappropriate use and application of a long term annual average model, which is designed to inform decision making, to be applied in a manner which takes all discretion and judgement away from Council staff. It is inappropriate to use a decision support tool to make full and final decisions on critical social and economic matters such as prohibited activity, without opportunity for discretion or judgement.</p> <p>FANZ holds the view there can be no justification is using modelling rules to decide on prohibited activity status for a farm activity.</p>	<p>than 10 hectares in area that does not meet condition 2 of Rule 15B.5.45, or the use of land for a farming activity as part of a farming enterprise that does not comply with conditions 2 or 3 of Rule 15B.5.46, is a prohibited <u>discretionary activity</u>”</p>
Sect 15B P 5-4	Schedule 27	Support	<p>Schedule 27 provides a key process for understanding the catchment load and calculations for allocation of load allowance for farm activities.</p> <p>A method such as presented in Schedule 27 (and associated reference</p>	<p>Retain Schedule 27 and the associated reference maps.</p>

			maps) is important to retain, even if modification is required.	
Sect 15B P 4-37 to P 4-44	Tables 15B(a) to 15B(j)	Support	Table 15B(a) to 15B(j) are an important part of interpretation and implementation of the rules, even if the tables and content require modification and amendment following further scrutiny.	Retain tables 15B(a) to 15B(j), subject to further scrutiny.

End.