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To: [Plan Hearings](#)
Cc: [Anna Wilkes](#); [Ants Roberts](#); [Stephen Christensen \(stephen@projectbarrister.nz\)](#)
Subject: PC7 to the LWRP / PC2 to the WRRP - Ravensdown's Hearing Evidence (Submitter ID. 114 for PC7 / Submitter ID. 9 for PC2)
Date: Friday, 17 July 2020 11:33:32 am
Attachments: [Ravensdown Sub ID 114 and 9 LWRP PC7 and WRRP PC2 Hearing Ms Wilkes Evidence FINAL 170720.pdf](#)
[Ravensdown Sub ID 114 and 9 LWRP PC7 and WRRP PC2 Hearing Dr Roberts Evidence FINAL 170720.pdf](#)
[Ravensdown Sub ID 114 and 9 LWRP PC7 and WRRP PC2 Hearing Ms Taylor Planning Evidence FINAL 170720.pdf](#)

Hi

Please find attached Ravensdown's evidence for the above hearing.

If have any questions or wish to clarify any matter, please do not hesitate to contact me.

Regards, Carmen



Carmen Taylor - Associate

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IN THE MATTER

of the Resource Management Act 1991

AND

IN THE MATTER

of the Proposed Plan Change 7 to the Canterbury
Land and Water Regional Plan

AND

IN THE MATTER

of the Proposed Plan Change 2 to the Waimakariri
River Regional Plan

AND

IN THE MATTER

of submissions by Ravensdown Limited
(Submitter ID. 114 for PC7 / Submitter ID. 9 for
PC2)

STATEMENT OF EVIDENCE OF CARMEN WENDY TAYLOR

ON BEHALF OF RAVENSDOWN LIMITED

17 JULY 2020

SUMMARY

- A. Ravensdown Limited (Ravensdown) lodged submissions on the Proposed Plan Change 7 (**PC7**) to the Canterbury Land and Water Regional Plan (**LWRP**) and Proposed Plan Change 2 (**PC2**) to the Waimakariri River Regional Plan (**WRRP**).
- B. The overarching goal of PC7 policy and regulatory framework is to improve the freshwater outcomes for the region, particularly in the Orari-Temuka-Opihi-Pareora (**OTOP**) and Waimakariri sub-regions. In relation to Ravensdown's area of interest, the provisions include requiring farming activities to implement good management practices (**GMP**), to prepare and implement Farm Environment Plans (**FEP**) and either comply with permitted activity rules, or resource consent conditions, as a means of reducing diffuse nutrient discharges. These approaches generally reflect similar operative provisions in the LWRP. Ravensdown supported these provisions in its submission and I consider that these approaches are an appropriate resource management approach under the Resource Management Act 1991 (**RMA**).
- C. Having reviewed the section 42A Report, in the context of the recommendations on Ravensdown's submissions, it was considered that some of the issues raised in Ravensdown's submissions still needed to be addressed at this hearing. To that end, Ms Wilkes (Environmental and Policy Manager) and Dr Roberts (Chief Scientific Officer) from Ravensdown, and myself (Consultant Planner) have prepared evidence which is currently before the Hearings Panel.
- D. The key issue traversed in my evidence is the proposed further staged nitrogen loss reductions, beyond 15% for dairy farming and 5% for other farming activities by 2030, in the OTOP sub-region's High Nitrogen Concentration Areas (**HNCA**) and Waimakariri sub-region's Nitrate Priority Area (**NPA**). As outlined in my evidence (**Section 3**), I understand from the evidence of Dr Roberts that further nitrogen loss reductions beyond the initial reductions (which were supported by Ravensdown in its submission), cannot be achieved without effectively causing land use change away from the farming activities regulated by these provisions, and thus causing significant economic and social costs.
- E. In my opinion the amendments requested by Ravensdown in its submission, in relation to the staged nitrogen loss reductions, are a valid planning solution to the concerns raised by Ravensdown. The amendments include the deletion of Tables 14(zc) and 8-9, and associated amendments to all other provisions that refer to these two tables. My proposed amendments to the PC7 staged nitrogen loss provisions, identify that nitrogen loss reductions are required to contribute to the achievement of relevant water quality targets. In my opinion, the amendments sought reflect an achievable resource management response, during the 10 years of the PC7 provisions, that will ensure nitrogen loss reductions from farming activities, thus providing for the improvement of degraded water quality.
- F. I also consider that amendments to the specific commercial vegetable growing activity (**CVGA**) provisions of PC7, namely Policy 4.36A and Rules 5.42CB and 5.42CC, are required to address two matters. The first is the potential issue associated with the use of 'avoid' within the policy (i.e., directs a prohibition on activities), rather than 'restrict' as requested in Ravensdown's submission. The second is that in my opinion it is not necessary to constrain CVGAs to one nutrient management area (**NMA**).

Rather, if an activity traverses more than one NMA, the application and associated consideration by the decision-maker, should consider the provisions that apply in each NMA. In my opinion, this is feasible.

- G. My evidence also requests, based on the evidence of Ms Wilkes, that the section 42A Report's recommended Policy 14.4.41, is amended so as to provide flexibility to recognise relative nitrogen contributions and whether best practice, in relation to an industrial nitrogen discharge, is already in place or not.
- H. I also suggest amendments to Rules 8.5.24 and 8.5.25 to ensure that the irrigation related conditions of these rules are consistent with the similar operative region-wide rules, and the similar rules proposed for the OTOP sub-region.
- I. The amendments sought to PC7 provisions are provided in the table contained in **Appendix B** of my evidence. This table also identifies the WRRP PC2 provisions are retained as notified, as recommended in the section 42A Report.

1. INTRODUCTION

Background - My Role for Ravensdown Limited

- 1.1 My name is Carmen Wendy Taylor. I am a Consultant Planner, and Associate, at Planz Consultants Limited (**Planz**).
- 1.2 Ravensdown Limited (**Ravensdown**) lodged submissions on the Proposed Plan Change 7 (**PC7**) to the Canterbury Land and Water Regional Plan (**LWRP**) and Proposed Plan Change 2 (**PC2**) to the Waimakariri River Regional Plan (**WRRP**). I prepared the submission on behalf of Ravensdown in conjunction with Ms Anna Wilkes, Ravensdown's Environmental and Policy Manager. Ravensdown did not prepare further submission/s on PC7 or PC2.
- 1.3 An overview of my expert qualifications and experience are set out in **Appendix A** of my evidence.

Code of Conduct

- 1.4 Whilst this is a Council Hearing, I acknowledge that I have read and am familiar with the Environment Court's Code of Conduct for Expert Witnesses, contained in the Environment Court updated Practice Note 2014, and agree to comply with it. I confirm that the issues addressed in this statement of evidence are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.
- 1.5 I note that my colleague at Planz, Mr Nicholas (Nick) Boyes, is presenting planning evidence at this hearing, on behalf of Selwyn District Council. The provisions addressed by Mr Boyes are different to the provisions which Ravensdown submitted on and which I traverse within my evidence.

2. SCOPE OF EVIDENCE

- 2.1 As background, Ravensdown in its submissions on PC7 and PC2 (dated 12 September 2019) stated that they generally supported PC7 in terms of its goal to improve freshwater outcomes for the region. This support included requiring farming activities to implement Good Management Practices (**GMP**), to prepare and implement Farm Environment Plans (**FEP**) and either comply with permitted activity rules, or resource consent conditions, as a means of reducing diffuse nutrient discharges. In relation to PC2 of the WRRP, Ravensdown fully supported the proposed amendments as they would ensure that potential inconsistencies between the WRRP and the Waimakakariri sub-region provisions of the LWRP would be removed. However, Ravensdown's submissions also sought amendments to proposed PC7 amendments.
- 2.2 Having reviewed the section 42A Report¹, Ravensdown has decided to present company and planning evidence traversing matters arising from Ravensdown's submission points.

¹ Throughout my evidence, when referring to the 'section 42A Report', I am referring to the document, and associated appendices, titled "Section 42A Report: Plan Change 7 to the Canterbury Land and Water Regional Plan; and Plan Change 2 to the Waimakariri River Regional Plan" dated March 2020, the 29 April 2020 Errata, the 26 June 2020 update to Appendix E Part 1 (Update #2) and the responses, received on 23 June 2020, to the Panel's questions dated 28 May and 16 June

- 2.3 Ravensdown's company evidence, which I have read and considered in preparing my evidence, has been prepared by Ms Wilkes, Ravensdown's Environmental and Policy Manager and Dr Ants Roberts, Ravensdown's Chief Scientific Officer. The matters raised in Ravensdown's evidence is as follows:
- (a) Ms Wilkes' evidence addresses:
 - (i) Ravensdown's interest in regulatory processes;
 - (ii) Farm portal concerns; and
 - (iii) Nitrogen loss reduction requirements for industry in the High Nitrogen Concentration Areas (**HNCA**) in the Orari-Temuka-Opihi-Pareora (**OTOP**) sub-region.
 - (b) Dr Roberts' evidence addresses:
 - (i) The use of Overseer FM in a regulatory context;
 - (ii) The comparative nitrogen losses associated with different farming systems;
 - (iii) Use of Overseer FM to show nitrogen loss changes in farm systems; and
 - (iv) Reductions in nitrogen losses achievable by changes in pastoral farm systems.
- 2.4 Based on my review of the section 42A Report, and given the matters discussed in Ravensdown's evidence, my evidence addresses the following matters:
- (a) The '**Staged Nitrogen Loss Reductions for Farming Activities**', in both the OTOP and Waimakariri sub-regions, and the reasons for the requested amendments to this aspect of PC7 and relevant provisions, are discussed in **Section 3** of my evidence;
 - (b) In **Section 4**, I discuss the reasons for the requested amendments to '**Nutrient Management - Policy 4.36A for Commercial Vegetable Growing Activities**' (**CVGA**), and the associated amendments to CVGA Rules 5.42CB and 5.42CC;
 - (c) In **Section 5** I discuss '**Policy 14.4.41 – Levels Plain High Nitrogen Concentration Area**' in the context of Ravensdown's submission, the section 42A Report recommendation and Ms Wilkes' evidence;
 - (d) **Section 6** of my evidence covers an '**Other Matter**', arising from Ravensdown's submissions on the Waimakariri sub-regional nutrient management permitted and controlled activity rules (**Rules 8.5.24 and 8.5.25**); and
 - (e) A **conclusion** to my evidence is provided in **Section 7**.
- 2.5 **Appendix B** of my evidence contains the provisions of PC7 and PC2 which Ravensdown submitted on. Alongside these provisions I have identified, based on matters traversed in my evidence, as well as Ravensdown's evidence, whether their retention (acceptance of the section 42A Report's recommendations) is supported or further amendments are being sought. In addition, although not specifically discussed within my evidence, within this appendix I have identified a couple of provisions where

2020. I acknowledge a consolidated version of the section 42A Report's recommendations on PC7, dated 10 July 2020m were made available on Council's webpage prior to finalising my evidence.

amended terminology has not been consistently carried through into Appendix E of the section 42A Report (i.e., in Sections 8.5, 11.5 and 13.5 of the LWRP).

- 2.6 I note that my evidence does not address Ravensdown's submissions to PC2 to the WRRP. Given that the purpose of PC2 is to remove potential inconsistencies between the WRRP and PC7 to the LWRP, it is simply requested, as identified in **Appendix B** of my evidence, that the recommendations of the section 42A Report in relation to the provisions Ravensdown submitted on (i.e., to retain the notified provisions) are accepted.

3. STAGED NITROGEN LOSS REDUCTIONS FOR FARMING ACTIVITIES

Notified Provisions

- 3.1 The notified OTOP and Waimakariri sub-regional provisions of PC7 provide for staged reductions of diffuse nitrogen losses from farming activities within the three identified HNCA in the OTOP sub-region and the Nitrate Priority Area (**NPA**) in the Waimakariri sub-region. I understand that the OTOP HNCAs are characterised by elevated nitrate levels. I also understand that the Waimakariri NPA reportedly correlates to the groundwater recharge zones for community water supplies, recharge zones for streams with high nitrate concentrations where nitrate toxicity is a critical health factor, and that the area is the source area contributing to Christchurch aquifers².
- 3.2 In the OTOP sub-region, Table 14(zc) of PC7 identifies that by 1 January 2030 dairy farming activities in all three HNCAs are to reduce nitrogen losses by 10%, with all other farming activities required to achieve 5% losses within the specified timeframe. In two of the HNCAs³, further reductions are then required by 1 January 2035, with the total reductions required for dairy farming being 20% and 10% for all other farming activities. The requirement to achieve the nitrogen loss reduction specified in Table 14(zc) are then contained in a range of OTOP sub-regional provisions (i.e., Policies 14.4.18 to 14.4.20A, Rules 14.5.15, 14.5.19, 14.5.23, 14.5.23A and Schedule 7 (Clause 11)).
- 3.3 In the Waimakariri sub-region, Table 8-9 of PC7 identifies that in the NPA staged reductions of nitrogen losses are required for farming activities, farming enterprises and irrigation schemes. The table identifies that by 1 January 2030, and throughout the NPA, dairy farming activities are to achieve 15% reductions and all other farming activities are to achieve 5% reductions, and by 1 January 2040 these reductions are to be doubled to a total 30% for dairy farming and 10% for all other farming activities. In some sub-areas of the NPA, 15% and 5% nitrogen loss reductions continue to be required in 10 year increments up to 1 January 2080. The maximum nitrogen loss reductions within each sub-area of the NPA are as follows:
- (a) Sub-area A – 30% for dairy farming and 10% for all other farming types by 2040;
 - (b) Sub-area B – 45% for dairy farming and 15% for all other farming types by 2050;
 - (c) Sub-area C – 60% for dairy farming and 20% for all other farming types by 2060;

² As outlined in Section D3.2, under the heading 'Priority management areas', of the Waimakariri ZIPA.

³ Rangitata – Orton HNCA and the Levels Plains HNCA.

- (d) Sub-area D – 75% for dairy farming and 25% for all other farming types by 2070; and
 - (e) Sub-area E – 90% for dairy farming and 30% for all other farming types by 2080.
- 3.4 As with the OTOP sub-region, the requirements to achieve the nitrogen loss reduction specified in Table 8-9 are then contained in a range of Waimakariri sub-regional provisions (i.e., Policies 8.4.25 to 8.4.27, Rules 8.5.22, 8.5.23, 8.5.26, 8.5.30, 8.5.30A and Schedule 7 (Clause 10)).
- 3.5 A note attached to both these tables identifies that the starting point for these nitrogen loss reductions is the Baseline GMP Loss Rate⁴, except where Policies 14.4.20, 8.4.26 or 8.4.29 apply. A note attached to the Waimakariri sub-region Table 8-9 identifies that the reductions apply to farming activities that require a resource consent under PC7 and only where the required reduction, for each stage, is greater than 3kg/ha for dairy and 1kg/ha for all other farming activities.

OTOP and Waimakariri Zone Implementation Programme Addendums

- 3.6 The PC7 provisions, including the proposed staged nitrogen loss reductions for farming, reflect the recommendations of the OTOP and Waimakariri Zone Committees, as contained in the respective Zone Implementation Programme Addendums (dated December 2018). However, I acknowledge, as outlined in the section 42A Report⁵, that Environment Canterbury/Canterbury Regional Council (**Council**) is not obliged to adopt the ZIPA recommendations verbatim. Rather, the ZIPAs, which have been developed as part of the Canterbury Water Management Strategy (**CWMS**), were one consideration for Council in the development of PC7.
- 3.7 The PC7 provisions, as notified, are consistent with the relevant OTOP ZIPA recommendations which required further nitrogen loss reductions for 'high risk farming'⁶ in the HNCAs (Recommendations 5.1.2(I), 5.3.4(I) and 5.4.3(I)). The OTOP Zone Committee, in making these recommendations, considered that staged reductions beyond Baseline GMP Loss Rates are required in the HNCAs to achieve the water quality targets. The OTOP Zone Committee, as outlined in the ZIPA⁷, also considered that resultant water quality improvements would be evident in the 2040 water quality reporting and therefore they recommended the need for the implementation of a monitoring programme to determine if further staged reductions will be required in future plan changes (Recommendations 5.1.2(IV) and (V), 5.3.4(III) and (IV), 5.4.3(IV) and (V)). For this reason, it was also recommended that consent durations should not exceed 10 years (Recommendations 5.1.2(VI), 5.3.4(V) and 5.4.3(VI)).

⁴ The LWRP defines 'Baseline GMP Loss Rate' as – *"means the average nitrogen loss rate below the root zone, as estimated by the Farm Portal, for the farming activity carried out during the nitrogen baseline period, if operated at Good Management Practice."*

⁵ As outlined in Part 1, Section 3 and paragraphs 3.56 to 3.67 of the section 42A Report.

⁶ I have interpreted 'high risk farming' activities to refer to the fact that these farming activities are in the HNCAs.

⁷ As discussed on p.41, p.60 and p.62 respectively of the ZIPA in relation to the three HNCAs.

- 3.8 The Waimakariri ZIPA contains a number of recommendations aimed at reducing nitrates (Section D3.3). The recommendations for staged nitrogen loss reductions from farming are as follows:

***Rec 3.5** - Dairy in the Nitrate Priority Management Area should achieve a 15% beyond Baseline GMP reduction by 2030.*

***Rec 3.6** - All other consented farming activities in the Nutrient Priority Management Area should achieve a 5% beyond Baseline GMP reduction by 2030.*

***Rec 3.8** - Unless amended in a Waimakariri plan review process, the nitrate loss reductions in recs 3.5 and 3.6 above should be repeated until:*

- a. the nitrate reductions necessary to achieve the plan limits have been met, or*
- b. the science information available shows the plan limit is likely to be met in the future without the need for further reductions.*

***Rec 3.9** - The zone committee recommends the plan change includes policy criteria that allow for and guides consideration of extensions to the 2030 target date for beyond baseline GMP reductions in exceptional circumstances.*

- 3.9 The Waimakariri ZIPA, in discussing⁸ the rationale for the staged approach to nitrogen loss reductions in the NPA, acknowledges that significant land and water management change is being signalled and that farmers will need time to adjust farm practices (including potential on-farm capital investments). The Zone Committee, within the rationale outlined in the ZIPA, states that a series of steps is proposed that will coincide with anticipated 10 year reviews of the LWRP thus providing an opportunity for the 'steps' to respond to new information, tools and management practices. To illustrate the proposed steps, Figure 3.2 of the Waimakariri ZIPA identifies 15% reductions for dairy and 5% for all other consented land uses, every 10 years, until 2070 (i.e., a potential maximum of 75% reductions for dairy and 25% for all other consented land uses beyond baseline GMP).

ZIPA Economic Assessments

- 3.10 During the development of the OTOP and Waimakariri ZIPAs, assessments of the economic impacts^{9,10} of the proposed Zone Committees' recommendations, including the proposed staged nutrient reductions that would apply to farming activities were undertaken. As a summary, I understand that these economic assessments concluded, on an indicative basis of farm viability over 10 years, that:

- (a) In the **OTOP sub-region**¹¹:
 - (i) **Dairy farms.** PC7's required 10% of nitrogen loss will have a low impact, dependent on the farm's 'baseline' position, while the 20% reductions, as required by 2035 in PC7, will mean that heavily indebted farms will become non-viable.

⁸ In Section D3.2, on pp.30 and 31 of the ZIPA, under the heading 'A staged approach to setting and achieving limits in the Nitrate Priority Management Area'.

⁹ For the OTOP Zone Committee – 'Economic Assessment of the Healthy Catchments Project Proposed Zone Implementation Programme Addendum (ZIPA)', a memorandum prepared for Environment Canterbury by Simon Harris, dated May 2019.

¹⁰ For the Waimakariri Zone Committee – 'Waimakariri land and water solutions programme Options and Solutions Assessment – Economic assessment', a report prepared for Environment Canterbury by Simon Harris, dated July 2019.

¹¹ Table 12 in the OTOP Economic Assessment (Harris 2019).

- (ii) **Other farming systems** (sheep and beef, arable). Most farms will be able to cope with a 5% nitrogen loss reduction, but there will be impacts on cashflow. The 10% reductions, as required by 2035 by PC7 provisions, will have significant impacts on these farming systems.
 - (b) In the **Waimakariri sub-region**¹²:
 - (i) **Dairy farms.** At 5% nitrogen loss reductions the impact will be low, while at 10% the impact will be low for most farms depending on their 'baseline'. At 20% heavily indebted farms become non-viable, and at 30% farms with average performance and debt loadings become non-viable.
 - (ii) **Other farming systems** (sheep and beef, arable). At 5% nitrogen loss reductions most farms will be able to cope but there will be impacts on cashflow, while at 10% the impact will be significant. At 20% farms with average performance and debt loadings will be threatened, and at 30% farms with average performance and debt loadings become non-viable.
- 3.11 The economic assessment for the Waimakariri sub-region, also states that in relation to the proposed continued staged nitrate reductions in the NPA that:
- After a period of 20 – 30 years the impact of the required reductions becomes very difficult to assess because the economic landscape could potentially be very different. The main impact that can be understood as almost certain is that greater constraints on N losses will reduce land use flexibility and effectively make some land uses and/or styles of farming uneconomic*¹³.

Section 32 Report

- 3.12 The section 32 Report for PC7 assesses the proposed staged nitrogen reductions in Section 10.3 in relation to the OTOP sub-region and Section 15.2 for the Waimakariri sub-region. I have reviewed these assessments.
- 3.13 The key points I have taken from the section 32 Report, in the context of the concern associated with the proposed continued staged nitrogen loss reductions in the OTOP sub-region (Section 10.3 of the section 32 Report) are:
- (a) The staged reductions, beyond GMP, are required to achieve the sub-regional water quality targets.
 - (b) The Farmer Reference Group found that dairy systems are able to reduce nitrogen losses within current farming systems (with significant increases in cost and management complexity), and thus without land use change, by 10% to 15% beyond Baseline GMP.
 - (c) The Farmers Reference Group also found that there were no opportunities for further reductions beyond Baseline GMP for other land uses in the HNCAs.
 - (d) A monitoring programme will determine if future further staged reductions beyond 2035 will need to be applied to meet the water quality targets.
 - (e) The approach is consistent with the policy framework of the National Policy Statement for Freshwater Management 2014 (amended 2017) (**NPSFM**) and

¹² Table 12 in the Waimakariri Economic Assessment (Harris 2019).

¹³ In Section 3.2 and on pp. 29 to 30 of the Waimakariri Economic Assessment (Harris 2019).

the Canterbury Regional Policy Statement (**RPS**) which both require the improvement of freshwater quality where it is degraded.

- (f) The qualitative economic costs, identified in the efficiency and effectiveness evaluation¹⁴, are those as outlined in the ZIPA economic assessment, as outlined above in paragraph 3.10 above, as well as decreased regional GDPs ranging from \$1.17M to \$1.66M per annum and predicted decreased regional employment ranging from 13 to 20 full time employees (regional and on farm) in each of the HNCAs.
- (g) The economic benefits include a diversification of the economy arising from an increase from tourism and recreational activities (including fishing) as a result of improved water quality.
- (h) There are no anticipated social costs, while there are likely to be social benefits associated with improved water quality and thus greater community cohesion and well-being.
- (i) In assessing the efficiency of the selected option, the section 32 Report considers that the staged nitrogen loss reductions provide the greatest benefit to the community while providing an adjustment period for individual landowners to adapt to the economic costs expected.

3.14 In relation to the Waimakariri sub-region, the key points I have taken from the section 32 Report are:

- (a) The staged reductions, beyond GMP, are required to achieve the sub-regional freshwater outcomes, limits and targets and further staged reductions over 60 years may be required to achieve nitrate targets for some drinking water sources or rivers.
- (b) The NPA interventions (i.e., the staged nitrogen loss reduction requirements) have been set in anticipation of targets that will apply to Christchurch waterbodies and will be more stringent than those included in Schedule 8 of the LWRP.
- (c) The required reductions may be modified in further plan changes in response to additional monitoring and scientific investigations.
- (d) While Part C of PC7 does not set limits for waterbodies downstream of the NPA (which includes Christchurch's aquifers and the mainstem of the Waimakariri River) as they are outside the Waimakariri sub-region, PC7 does manage the risks to these waterbodies from farming land uses. These risks were an influencing factor in establishing the NPA boundary and the number of nitrogen loss reduction stages.
- (e) The economic costs (and related social costs) are those as outlined in the ZIPA economic assessment, outlined in paragraphs 3.11 and 3.11 above, as well as, during the first stage of reductions (up to 2030), decreased regional GDP of \$5.75M per annum and predicted decreased employment by 59 full time employees (regional and on farm).

¹⁴ The table in Section 10.3.3 of the section 32 Report.

- (f) The economic benefits include reducing or avoiding water supply treatment and/or sourcing costs for Christchurch City and Waimakariri District Councils, as well as from between 95 to 165 private drinking water wells.
- (g) The social benefits associated with improved water quality, and thus improved stream health and biodiversity and the reduced risk of health impacts from high nitrate-nitrogen in drinking water.
- (h) In assessing the effectiveness of the selected option, the section 32 Report identifies that the proposed 20 to 60 year timeframe provides time for landowners to adapt to the required changes and enables the gathering of additional information that may result in a different number of nitrogen loss stages in future plans. However, despite providing time to adapt farming practices, some existing land uses may no longer be viable after 20 to 30 years.

Ravensdown's Submission

3.15 Ravensdown, in its submission¹⁵ on the OTOP sub-regional staged nitrogen loss reductions for farming activities:

- (a) Acknowledged that the HNCAs are characterised by elevated nitrate levels and advised that the PC7 framework that identified these three areas, associated water quality targets and a planning framework that aims to reduce nitrate to the targets is appropriate.
- (b) Supported the need for farming activities to reduce diffuse nitrogen losses in accordance with GMP and through actions identified in a FEP.
- (c) Supported further nitrogen loss reductions, by 2030, of 15% (rather than the initial 10% required in Table 14(zc)) for dairy farming and 5% for other farming activities on the basis that these reductions should be achievable, while also identifying that these requirements may be challenging for some farmers, have the potential to erode land values and may affect some farmers' ability to remain in business.
- (d) Opposed continued staged nitrogen loss reductions for farming activities in the HNCAs (beyond an initial 15% for dairy farming and the initial 5% proposed for other farming activities).
- (e) Considered that the focus of the OTOP HNCA farming provisions should be on achieving the OTOP sub-region's freshwater outcomes. In this context, if in the future water quality monitoring programmes identify that water quality targets have not been achieved, then the means of achieving the targets is a matter for consideration under a new plan change process.
- (f) Requested the deletion of the staged nitrogen loss reduction table (Table (zc)), and amendments to a number of OTOP sub-regional PC7 provisions¹⁶ which referenced continued staged nitrogen loss reductions by farming activities beyond 2030.

¹⁵ As outlined in paragraphs 2.18 to 2.21 of Ravensdown's submission.

¹⁶ The relevant OTOP sub-regional PC7 notified provisions, as submitted on in Attachment A of Ravensdown's submission, include – the description of the HNCAs, Policies 14.4.18 to 14.4.20A, Rules 14.5.15, 14.5.19, 14.5.23 and 14.5.23A.

- 3.16 In its submission¹⁷ on the Waimakariri sub-regional staged nitrogen loss reductions for farming activities, similar to its submission on the OTOP sub-regional provisions, Ravensdown:
- (a) Generally supported the identification of the NPA (subject to separate submission points on the extent of the NPA, the proposed sub-regions and the reported connection to the aquifer that supplies water to Christchurch city) as a planning tool to be used to trigger a more focussed regulatory framework for the reduction of nitrates.
 - (b) Supported, as it did in relation to the OTOP sub-regional provisions, the development and use of FEPs and the implementation of GMP.
 - (c) Supported, using the same rationale as Ravensdown applied to the OTOP sub-regional provisions (paragraph 3.15(c) above), further nitrogen loss reductions, by 2030, of 15% for dairy farming and 5% for other farming activities on the basis that these reductions should be achievable, while also identifying that these requirements may be challenging for some farmers, have the potential to erode land values and may affect some farmers' ability to remain in business.
 - (d) Considered that continued staged nitrogen loss reductions need to be scientifically based, having considered the economic and practical implications.
 - (e) Opposed continued staged nitrogen loss reductions for farming activities in the NPA (beyond the initial 15% and 5% proposed).
 - (f) If in the future water quality monitoring programmes identify that water quality targets have not been achieved, then the means of achieving the targets is a matter for consideration under a new plan change process.
 - (g) Requested the deletion of the staged nitrogen loss reduction table (Table 8-9), and amendments to a number of Waimakariri sub-regional PC7 provisions¹⁸ which referenced continued staged nitrogen loss reductions by farming activities beyond 2030.

Recommendations of the section 42A Report

- 3.17 The recommendations of the section 42A Report are to reject Ravensdown's submission points that relate to the staged nitrogen loss reductions in both the OTOP and Waimakariri sub-regions.
- 3.18 The section 42A Report¹⁹ identifies that Ravensdown's requested changes to the OTOP sub-regional nutrient management framework are best considered as a whole, rather than provision by provision. In relation to these OTOP sub-regional provisions, the section 42A Report identifies that Ravensdown requested 'equivalent changes' in relation to the Waimakariri sub-regional provisions and therefore the OTOP submissions are considered under the Waimakariri assessment as contained in Part 5 Section 8²⁰ of the section 42A Report.

¹⁷ As outlined in paragraphs 2.24 and 2.27 to 2.31 of Ravensdown's submission.

¹⁸ The relevant Waimakariri sub-regional PC7 notified provisions, as submitted on in Attachment A of Ravensdown's submission, include – Policies 8.4.25 to 8.4.29, Rules 8.5.22, 8.5.23, 8.5.30 and 8.5.30A.

¹⁹ Paragraph 12.17 in Part 4: Section 12 of the section 42A Report.

²⁰ The section 42A Report incorrectly referred to 'Part 4: Section 8'.

- 3.19 In assessing the proposed staged nitrogen loss reductions in the Waimakariri sub-region, and by default the OTOP sub-region, the findings of the section 42A Report include the following:
- (a) The proposed timeframes for staged reductions balance the need to maintain and improve water quality with the economic impacts that are associated with the restrictions²¹.
 - (b) It is acknowledged that long term compliance with Table 8-9 will be challenging and in some instances may result in system change²².
 - (c) Continuing with the status quo, given extended periods of poor water quality, is not consistent with the requirements of the NPSFM, particularly Objective A2²³.
 - (d) Productive economic opportunities exist within the framework, but they are likely to be different to the current land uses²⁴.
 - (e) Current information indicates that significant changes in land management are required to achieve the water quality limits and targets, and removing the proposed reductions beyond 2030 or 2040 would grossly understate the actions required to improve water quality²⁵.
 - (f) Referred to the direction contained in Objective A4 of the NPSFM, *“to enable communities to provide for their economic well-being, including productive economic opportunities, in sustainably managing freshwater quality, within limits”*. In this context, the section 42A Report considers that the provisions allow for reductions over time, to spread the financial costs of implementation mitigations, where mitigation is feasible. On this basis, the retention of a *“revised version of the nitrogen loss reductions in Table 8-9”* is recommended²⁶ (although the notified table has been retained without any revision in Appendix E of the section 42A Report).
 - (g) The identification of the proposed staged nitrogen loss reductions provides plan users with certainty and also provides a clear pathway for achieving the water quality limits and targets²⁷.
 - (h) The proposed nitrogen loss reductions are an integral part of the solution package for achieving the freshwater outcomes for the sub-region²⁸.

Discussion

- 3.20 As outlined in Dr Roberts’ evidence, nitrogen loss reductions from farming activities throughout the OTOP and Waimakariri sub-regions can be achieved through the implementation of GMP. In the context of the OTOP HNCA and Waimakariri NPA additional nitrogen loss reduction requirements, Dr Roberts identifies in his evidence,

²¹ Paragraph 8.123 in Part 5: Section 8 of the section 42A Report.

²² Ibid.

²³ Ibid.

²⁴ Paragraph 8.125 in Part 5: Section 8 of the section 42A Report.

²⁵ Paragraph 8.133 in Part 5: Section 8 of the section 42A Report.

²⁶ Ibid.

²⁷ Paragraph 8.194 in Part 5: Section 8 of the section 42A Report.

²⁸ Ibid.

based on the findings from research farm examples, that nitrogen loss reductions of 15% from dairy farms and 5% from other farming activities should be easily achievable. In saying this, Dr Roberts also outlines that what is achievable in a research situation may not be as easily replicated outside of the research environment.

- 3.21 Based on Dr Roberts' evidence and Ravensdown's submission, I consider that aiming to reduce nitrogen losses from farming activities in the OTOP HNCA and Waimakariri NPA by 15% and 5% for dairy farming and other farming activities respectively, is an appropriate means of contributing to water quality improvements in these two areas. Accordingly, the amendments to PC7 provisions, as contained in **Appendix B** of my evidence, accommodate this requirement.
- 3.22 However, in my opinion, the need for further staged reductions beyond 15% and 5% is more problematic, at this point in time, in terms of practicality, economic implications and from a resource management perspective.
- 3.23 In terms of the ability of farming systems to achieve significant further nitrogen loss reductions of 20% to 30% and beyond for dairying and 10% and beyond for other farming activities in the OTOP HNCAs and Waimakariri NPA, based on Dr Roberts' evidence, I understand that this may not be achievable for many individual farms. This was recognised, at least in part, in the ZIPAs through the proposed staging approach for nitrogen losses.
- 3.24 The economic assessments that accompanied the ZIPAs, and the section 32 Report, also identified the significant economic effects of the proposed staged nitrogen loss reductions beyond the initial 10%/15% and 5% reductions (refer to paragraphs 3.10, 3.11, 3.13 and 3.14 above). These reports identify that further nitrogen loss reductions requirements, as signalled in PC7 and within the 20 to 30 year timeframe of PC7 becoming operative, would mean that some existing farming land uses within the OTOP HNCA and Waimakariri NPA would become uneconomic.
- 3.25 In my opinion, the aim of the PC7 provisions within the OTOP HNCA and Waimakariri NPA, given the reported nitrogen issues in these areas, is to improve water quality. The proposed first stage of nitrogen loss reductions from farming activities should result, in time, in water quality improvements. In my opinion, this approach is consistent with the water quality objectives of the NPSFM which aim to maintain and improve (my emphasis) water quality. Relevant NPSFM objectives require:
 - (a) The maintenance or improvement of water quality, while protecting significant values of water bodies, and requiring water quality improvement where it has been degraded by human activities such that water quality is over-allocated (Objective A2);
 - (b) Improve water quality so it is suitable for primary contact (Objective A3);
 - (c) In sustainably managing water quality, enable communities to provide for their economic well-being, including economic opportunities, within limits (Objective A4).
- 3.26 I acknowledge that the long-term aim is to achieve the relevant water quality limits/targets specified in PC7. In this context, all resource users who contribute to

reduced water quality have a role to play in contributing to the achievement of this desired outcome, albeit subject to the planning framework of PC7 and the LWRP.

- 3.27 To achieve this desired outcome, it is important that the Council undertake monitoring to determine the state of the environment, the effectiveness of the regulatory approach and the need, or otherwise, for further regulatory control which appropriately targets the resource users that give rise to the effect identified and/or can change the nature of their resource use activity to avoid, remedy or mitigate the identified effect. In my opinion, further regulatory control or restrictions should then only be applied, by way of a plan change, in the context of these findings and after determining whether the plan change meets the purpose of the RMA and higher order planning documents that are in force at that time.
- 3.28 From my reading, further nitrogen loss reductions beyond the initial reductions cannot be achieved without effectively causing land use change away from the productive farming activities currently present in the area, and thus causing significant economic and social costs. I consider that this aspect of PC7, and the potential alternative land uses that may arise from such change (i.e., forestry, further lifestyle developments or land abandonment) have not been fully considered in the section 32 Report and section 42A Report, instead the focus seems to have been solely on achieving the water quality targets / limits.
- 3.29 I also note that in relation to the Waimakariri NPA and associated PC7 provisions, the section 32 Report identifies that the staged nitrogen loss reduction requirements have been set in anticipation of targets that have not yet been set (refer to paragraph 3.14(b) and (d)). In other words, targets that have not been notified as part of a Schedule 1 process under the RMA. In my opinion, this does not reflect a fair or open process.
- 3.30 On the above basis, in my opinion, PC7 should accommodate the initial nitrogen loss reductions, identify that the water quality targets / limits are the long-term aim for all resource users and that future plan changes, based on appropriate monitoring and analysis, may be required to ensure that the long-term aim is achieved. In provided amended provisions in **Appendix B** of my evidence, I have endeavoured to reflect this approach.

Summary

- 3.31 In my opinion, the amendments requested by Ravensdown in its submission in relation to the OTOP and Waimakariri sub-regional staged nitrogen loss reductions, beyond 2030, remain a valid means of addressing the concerns raised by Ravensdown.
- 3.32 I also consider that the amendments sought reflect an achievable resource management response, during the 10 years of the PC7 provisions, that will ensure nitrogen loss reductions from farming activities, thus providing for the improvement of degraded water quality.
- 3.33 The specific amendments being sought are provided in the table contained in **Appendix B** of my evidence. The amendments include the deletion of Tables 14(zc) and 8-9, and associated amendments to all other provisions that refer to these two tables. The amended provisions that apply to farming activities, that require resource consents, in the OTOP HNCAs and the Waimakariri NPA, identify that nitrogen loss

reductions are required to contribute to the achievement of relevant water quality targets.

- 3.34 I also note that in relation to Policies 8.4.27 and 14.4.20A, which form part of the staged reductions approach contained in PC7, the section 42A Report has recommended amendments, in response to other submissions²⁹. I consider that the proposed amendments (i.e., deletion of parts (d) to (e)) significantly dilute the intent and purpose of these policies. These policies accommodate the fact that it may not be possible for farming activities to reduce nitrogen losses, as required, for a range of appropriate reasons (as outlined in parts (a) to (c)), and that the focus of reducing nitrogen losses should be on how nitrogen loss reductions are to be achieved (part (d) of the policies), and that the aim of the reductions is to achieve the relevant nitrogen limits and targets (part (e) of the policies). I consider that the deleted provisions of these two policies are important and therefore, as outlined in **Appendix B**, I consider that their reinstatement is appropriate (in conjunction with the amendments sought by Ravensdown through submissions).
- 3.35 While the key changes to PC7 provisions in relation to continued staged nitrogen loss reductions continue to be sought, I note that some of the amendments sought in Ravensdown's submission have not been included in my **Appendix B**. These mainly relate to the need to retain consistent terminology throughout PC7 provisions.
- 3.36 Finally, I am also aware that other PC7 submitters involved in the primary production sector have prepared evidence in relation to the proposed staged nitrogen loss reductions, particularly in relation to the Waimakariri sub-regional provisions. While I understand that a range of solutions have been suggested by those parties, including Ravensdown (as contained in my evidence), to address the issues associated with the proposed staged nitrogen loss reductions, the nature of the concerns and the principles behind the proposed solutions are similar. Broadly, as I understand it, these principles include the fact that further nitrogen loss reductions of 15% for dairy farming and 5% for other farming activities, by 2030, should be achievable. In this context, the NPA sub-areas are not required. The principles also include that the potential for further reductions beyond this initial stage, need to be clearly linked, in policy provisions, to the need to contribute to the achievement of the relevant water quality limits and the associated findings of monitoring.

4. NUTRIENT MANAGEMENT – POLICY 4.36A FOR COMMERCIAL VEGETABLE GROWING ACTIVITIES

- 4.1 Ravensdown's submission supported the region-wide CVGA provisions as it was considered that they generally reflected the nature of such activities, while putting in place restrictions and controls to ensure that adverse nutrient effects are minimised.
- 4.2 While supporting PC7's approach, Ravensdown expressed concern about three aspects of the CVGA provisions, two of which remain a concern based on the recommendations in the section 42A Report. The two areas of concern are associated with the policy direction, as contained in Policy 4.36A (and associated Rules 5.42CB

²⁹ Policy 8.4.27 - Paragraphs 8.207 to 8.213 in Part 5: Section 8 of the section 42A Report. Policy 14.4.20A - Paragraphs 12.38 to 12.46 in Part 4: Section 12 of the section 42A Report.

and 5.42CC) to 'avoid' CVGA expansion and to constrain such activities to a 'Nutrient Management Area' (NMA).

- 4.3 Policy 4.36A, as notified, recognises that CVGA needs to be provided for within the LWRP as standalone provisions that apply on a region-wide basis and that the nutrient discharges from these activities need to be managed. As an overview, the notified policy outlined that CVGA in the region will be required to: operate at GMP; restrict the geographical extent of CVGA to the 'baseline commercial vegetable growing area', unless nitrogen losses can be accommodated in the 'lawful nitrogen loss rate'; identify how nitrogen loss reductions will be achieved; constrain, where practicable, activities within single nutrient allocation zones or sub-regions; and, prepare and implement a FEP.
- 4.4 Ravensdown, in its submission, supported the approach reflected in the policy, except for the two matters I have referred to in paragraph 4.2 above. The reasons for these concerns, as outlined in the submission, were:
- (a) **Avoidance of CVGA expansion** (part (b) of Policy 4.36A). The avoidance of new or expanded CVGA was not considered an appropriate focus, especially where this is a continuing need to grow food for New Zealand's growing population, as well as international demand for New Zealand's produce. However, it was also considered that restricting such expansion was appropriate unless the activity can demonstrate that there will be no increase in nitrogen losses as a whole.
 - (b) **Constraining CVGA to single nutrient allocation zones or sub-regions** (part (d) of Policy 4.26A). I understand that it is feasible that an individual CVGA, whether existing, new or expanded, could potentially traverse across nutrient allocation zones and / or sub-regions. On this basis, the submission outlined that managing the issues associated with cross-boundary activities (i.e., between nutrient management zones and / or sub-regions) within resource consent applications and resource consents, while potentially challenging, is achievable and therefore should not be unduly restricted.
- 4.5 Given the above concerns, Ravensdown sought the following amendments (in tracked changes mode) to parts (b) and (d) of Policy 4.36A (as notified):
- b. ~~avoiding restricting~~ the establishment of a new commercial vegetable growing operation, or any expansion of an existing commercial vegetable growing operation beyond the baseline commercial vegetable growing area, unless the nitrogen losses from the operation can be accommodated within the lawful nitrogen loss rate applicable to the new location;*
 - ...*
 - d. ~~constraining, as far as practicable, commercial vegetable growing operations to a single nutrient allocation zone or sub-region; and~~*
 - ...*
- 4.6 Given the above requested changes, Ravensdown, in its submission, also requested consequential amendments to Rules 5.42CB and 5.42CC to reflect the outcomes associated with deleting part (d) of Policy 4.36A. This included requesting the deletion of Condition 3 of Rule 5.42CB (CVGA restricted discretionary activity rule), which specified that all land subject to the rule was to be in the same sub-region and Nutrient Allocation Zone. As a result of the requested amendment to Rule 5.42CB, a

consequential amendment to Rule 5.42CC (CVGA discretionary activity rule) was also required, namely the removal of the reference to Condition 3 of Rule 5.42CB.

4.7 The recommendations of the section 42A Report are to reject Ravensdown's submissions points for the following reasons:

- (a) In relation to the amendment to part (b), the section 42A Report³⁰ states that softening of this clause, by replacing 'avoiding' with either 'restricting' or 'limiting' would not achieve the objectives of the LWRP or NPSFM.
- (b) In relation to the deletion of part (d) of Policy 4.36A and Condition (3) of Rule 5.42CB, the section 42A Report³¹ considers that restricting the movement of CVGA within NMAs (the name now proposed to reflect nutrient allocation zones or sub-regions etc), will assist in ensuring that water quality outcomes and targets are met. Without this restriction, in conjunction with the other restrictions that apply to CVGAs, the section 42A Report considers that there is the potential for further degradation of water quality. The section 42A Report also notes that discretionary activity status, as provided for by Rule 4.42CB, is appropriate where multiple nutrient zones apply to a CVGA.

4.8 The section 42A Report has recommended amendments to parts (b) and (d) of Policy 4.36A, in response to other submissions, as follows (tracked changes show the proposed changes from the notified version):

b. avoiding the establishment of a new commercial vegetable growing ~~activity operation~~, or any expansion of an existing commercial vegetable growing ~~activity operation~~ beyond the baseline commercial vegetable growing area, unless the nitrogen losses from the operation can be accommodated within the lawful nitrogen loss rate applicable to the new location or where no nitrogen loss rate is applicable, the Baseline GMP Loss Rate;

...

d. constraining, as far as practicable, commercial vegetable growing ~~activities operations~~ to a Nutrient Management Area ~~single nutrient allocation zone or sub-region~~ unless there is a clear method for accounting for nutrient losses which will ensure that any relevant nutrient load or limit is not exceeded; and

4.9 Therefore, the section 42 Report also recommends the retention of Condition 3 of Rule 5.4.2CB, albeit with changes to reflect the amended terminology being applied through the CVGA provisions (i.e., 'activity' rather than 'operation', and the use of the term NMA). In addition, reference to Condition 3 in Rule 5.42CC is also retained.

4.10 In my opinion, the concerns raised in Ravensdown submission remain valid.

4.11 In relation to part (b), I do not consider that the use of the term 'restrict', rather than 'avoid', softens the provision such that the objectives of the NPFM and LWRP will not be met. The use of the word 'avoid' in planning policy frameworks, given the King Salmon decision³², can be problematic in that it directs a prohibition on such activities. In my opinion, an absolute prohibition on new or expanded CVGA is not envisaged by

³⁰ Paragraphs 8.105 to 8.108 in Part 3: Section 8 of the section 42A Report.

³¹ Paragraphs 8.138 to 8.140 in Part 3: Section 8 of the section 42A Report.

³² Environmental Defence Society Inc v The New Zealand King Salmon Co Ltd [2014] NZSC 38.

the policy. Rather, as outlined in the second component of part (b) of the policy, such activities may be consented if the nitrogen losses can be accommodated within the lawful nitrogen loss rate or Baseline GMP Loss Rate (as provided for by a discretionary activity rule – Rule 5.4.2CC). It is this second component of part (b) of the policy that outlines the restriction or constraint that is to be applied to new or expanded CVGAs (in conjunction with other controls that apply to such activities). For this reason, I consider that in part (b) of Policy 4.36A that the word ‘avoid’ should be replaced with the word ‘restrict’, as provided in **Appendix B** of my evidence, as otherwise there is a potential disconnect between the policy framework and the associated rules.

- 4.12 In relation to part (d), I see no reason for constraining CVGAs to one NMA. CVGA, no matter which NMA they are located in, or traverse across, will be required to comply with the conditions of its consents. The applications for CVGA resource consents, and the processing of such applications, will be required to consider the policy and regulatory framework that applies to the activity. If the activity traverses more than one NMA, then the application and associated consideration by the decision-maker, will need to consider the requirements within each of the NMAs, including meeting the relevant nitrogen loss reductions in the context of the relevant water quality targets or limits. While this may not be as straight-forward as would be the case for CVGAs located within one NMA, I consider that it is feasible. I also consider that this approach should result in one resource consent being granted for such an activity, rather than multiple resource consents being granted (which would be problematic for the consent holder and potentially compliance determinations).
- 4.13 On the above basis, I consider that the amendments to parts (b) and (d) of Policy 4.36A, and associated amendments to Rules 5.42CB and 5.42CC, sought by Ravensdown in its submissions remain valid and should be adopted. The amendments requested, as outlined in paragraph 4.5 above, while accommodating the terminology amendments recommended in the section 42A Report, are provided in the table contained in **Appendix B** of my evidence.

5. **POLICY 14.4.41 – LEVELS PLAIN HIGH NITROGEN CONCENTRATION AREA**

- 5.1 Policy 14.4.41, as notified, identifies that industrial or trade waste dischargers in the Levels Plain HNCA are to reduce nitrogen losses from their point source discharges by 30% below current consented rates in order to assist in achieving the water quality targets for the HNCA. This reduction is to be achieved by 1 January 2035.
- 5.2 This policy reflects Recommendation 5.4.3(II) of the OTOP ZIPA. The Zone Committee made this recommendation as a means of ensuring that the burden of reducing nitrogen losses in the Levels Plain HNCA is shared between landowners (farmers) and industry.
- 5.3 Ravensdown, in its submission, supported the policy in part but requested an amendment whereby the policy would state that the aim was to reduce industrial (and trade waste) nitrogen losses from point source discharge by up to 30%, rather than an absolute “by 30%”. As noted in Ravensdown’s submission, this terminology is consistent with the OTOP ZIPA recommendation.

- 5.4 Ravensdown, in submitting on this policy, recognised that the policy would apply to its Seadown store which holds a resource consent to discharge stormwater to land. While Ravensdown acknowledged that it is reasonable for industrial activities to share the burden of achieving the water quality targets, Ravensdown's submission also considered that achieving a 30% reduction, by 2035, may be challenging for some industries. It was also considered that the requested amendments were consistent with the ZIPA recommendation.
- 5.5 The section 42A Report³³ recommends the rejection of Ravensdown's submission on the basis that removing the requirement for industrial activities to limit the amount of reductions required would negate the effect of the policy. The section 42A Report also considers that the proposed 30% reductions are reasonable and achievable.
- 5.6 Amendments to the policy are recommended in the section 42A Report in response to other submissions, and for the purposes of clarity and to maintain consistency with other provisions. The recommended amended policy, with tracked changes showing the proposed changes from the notified version of Policy 14.4.41, is as follows:
- Assist in achieving water quality targets for the Levels Plain High Nitrogen Concentration Area by requiring, before 1 January 2035, ~~in addition to Policy 14.4.19~~, point source discharges of nitrogen from industrial or trade waste disposal activities to reduce nitrogen losses by a minimum of 30% below the rate authorised at 20 July 2019 ~~current consented rates by 1 January 2035~~.*
- 5.7 As discussed in Ms Wilkes' evidence, while Ravensdown considers that at least 30% nitrogen loss reductions on its consented stormwater discharge at the Seadown store are likely to be achievable, Ms Wilkes also considers that it is possible that some of the industrial discharges of nitrogen in the HNCA may already be operating at or close to 'best practice'. Ms Wilkes, in her evidence, outlines that for such industries, achieving a 30% reduction on consented limits may not be achievable without impacting on business viability.
- 5.8 I also consider that the section 42A Report's recommended amendment to Policy 14.4.41, moves the policy direction away from an overall 30% reduction from all industrial discharges in the HNCA, to a requirement for each discharger to achieve a minimum of 30% reductions. In my opinion, this does not reflect the intent of the OTOP HNCA recommendation.
- 5.9 Given the issues outlined above, I consider that it is not appropriate to require all industry in the HNCA to reduce nitrogen discharges by a minimum of 30%. I agree with Ms Wilkes, that the policy should provide Council with the flexibility to recognise relative nitrogen contributions and whether best practice, in relation to the discharge, is already in place or not.
- 5.10 To address these issues, I consider that the section 42A Report's recommended Policy 14.4.41, should be amended (as also contained in **Appendix B** of my evidence) as follows:

... reduce nitrogen losses by ~~a minimum of 30%~~, where achievable, below the rate authorised at 20 July 2019.

³³ Paragraphs 12.210 to 12.212 in Part 4: Section 12 of the section 42A Report.

6. OTHER MATTER – WAIMAKARIRI SUB-REGIONAL RULES 8.5.24 AND 8.5.25

6.1 Rule 8.5.24 provides for farming activities which will have lesser nutrient losses as a permitted activity, subject to complying with conditions. Rule 8.5.25 then provides for these farming activities as a controlled activity where the property is located within the Ashley Estuary (Te Aka Aka) and Coastal Protection Zone (i.e., where Condition 4 of Rule 8.5.24 is not complied with). While accommodating sub-regional constraints, these two rules are similar to the region-wide Rule 5.44 that applies to farming activities in the Red Nutrient Allocation Zone and the OTOP sub-regional Rules 14.5.17 and 14.5.18.

6.2 Ravensdown's submissions supported, in part, Rules 8.5.24 and 8.5.25 but requested amendments to the irrigation related conditions of these rules to ensure the wording was consistent with that used in the region-wide Rule 5.44. Ravensdown's submissions on the two similar OTOP rules requested the same changes.

6.3 The amendments requested were as follows:

- (a) The reference to no more than 50ha of irrigation in notified Condition 3(a) of Rule 8.5.24 and Condition 3 of Rule 8.5.25 needed to be amended to refer to the area authorised to be irrigation as follows:

... provided no more than 50 hectares [~~are~~ ^{is}³⁴] is authorised to be irrigated in total: ...

- (b) Given the above requested amendment to Condition 3 of Rule 8.5.25, it was also considered that Condition 2 was unnecessary and could be deleted (and subsequent conditions renumbered) as follows:

~~2. The area of the property authorised to be irrigated with water is less than 50 hectares; and ...~~

6.4 The section 42A Report³⁵ has not assessed Ravensdown's submission points and therefore the requested amendments have not been made to Rules 8.5.24 and 8.5.25. However, it is noted that the similar submission points on the OTOP rules (Rules 14.5.17 and 14.5.18) have been assessed in the section 42A Report where it was agreed that the requested amendment/s "would provide additional clarity and consistency for the condition"³⁶.

6.5 On the above basis, I consider that the amendments to Rules 8.5.24 and 8.5.25 sought by Ravensdown in its submissions remain valid and should be applied to these two rules. The amendments requested are provided in the table contained in **Appendix B** of my evidence.

³⁴ The amended contained in '[]' applies to Rule 8.5.25 only.

³⁵ Rule 8.5.24 is assessed in Part 5: paras 8.254 to 8.262 of the section 42A Report and Rule 8.5.25 is assessed in Part 5: paras 8.368 to 8.265.

³⁶ As stated in response to the submission point on OTOP Rule 14.5.17 as assessed in Part 4: para 12.77 of the section 42A Report. The OTOP Rule 14.5.18 submission point is assessed in Part 4: para 12.89 of the section 42A Report.

7. CONCLUSION

- 7.1 PC7's goal is to improve the freshwater outcomes for the region, specifically the OTOP and Waimakariri sub-regions. This includes requiring farming activities to implement GMP, to prepare and implement FEPs and either comply with permitted activity rules, or resource consent conditions, as a means of reducing diffuse nutrient discharges. These approaches generally reflect similar operative provisions in the LWRP. I consider that these approaches are an appropriate resource management approach under the RMA.
- 7.2 However, as outlined in my evidence, I consider that amendments to some of the section 42A Report's recommendations on PC7 provisions are appropriate. This is particularly the case with the proposed further staged nitrogen loss reductions, beyond 15% for dairy farming and 5% for other farming activities, in the OTOP HNCA and Waimakariri NPA. As I understand it, further nitrogen loss reductions beyond the initial reductions (which were supported by Ravensdown in its submission), cannot be achieved without effectively causing land use change away from existing farming activities regulated by these provisions of PC7, thus causing significant economic and social costs.
- 7.3 In my opinion, the amendments requested by Ravensdown in its submission in relation to the staged nitrogen loss reductions, as outlined in **Appendix B**, remain a valid means of addressing the concerns raised by Ravensdown. The amendments include the deletion of Tables 14(zc) and 8-9, and associated amendments to all other provisions that refer to these two tables. My proposed amendments to the PC7 staged nitrogen loss provisions, identify that nitrogen loss reductions are required to contribute to the achievement of relevant water quality targets. In my opinion, the amendments sought reflect an achievable resource management response, during the 10 years of the PC7 provisions, that will ensure nitrogen loss reductions from farming activities, thus providing for the improvement of degraded water quality.
- 7.4 I also consider that amendments to specific CVGA provisions, namely Policy 4.36A and Rules 5.42CB and 5.42CC, are required to address two matters. The first is the potential issue associated with the use of 'avoid' within the policy (i.e., direct a prohibition on activities). The second is that it is not necessary to constrain CVGAs to one NMA. Rather, if an activity traverses more than one NMA, the application and associated consideration by the decision-maker, should consider the provisions that apply in each NMA. In my opinion, this is feasible.
- 7.5 My evidence also requests, based on the evidence of Ms Wilkes, that the section 42A Report's recommended Policy 14.4.41, is amended so as to provide flexibility to recognise relative nitrogen contributions and whether best practice, in relation to an industrial nitrogen discharge, is already in place or not.
- 7.6 I also request amendments to Rules 8.5.24 and 8.5.25 to ensure that the irrigation related conditions of these rules are consistent with the similar operative region-wide rules, and the similar rules proposed for the OTOP sub-region.

- 7.7 The specific amendments being sought are provided in the table contained in **Appendix B** of my evidence.



Carmen Taylor
17 July 2020

APPENDIX A – CARMEN WENDY TAYLOR – QUALIFICATIONS AND EXPERIENCE

- A1.1 My full name is Carmen Wendy Taylor.
- A1.2 I hold the qualifications of Bachelor of Science (Geography) and Masters of Regional and Resource Planning from the University of Otago. I am a full member of the New Zealand Planning Institute.
- A1.3 I have over 25 years of professional planning and resource management experience in New Zealand. Since September 2017 I have been employed by Planz Consultants Limited (**Planz**), a planning and resource management consultancy. Prior to joining Planz, I was employed by Golder Associates (NZ) Limited, and before that MWH New Zealand Limited and the Electricity Corporation of New Zealand (**ECNZ**).
- A1.4 Throughout my professional experience, I have been involved in complex projects, initially for ECNZ and then for a range of clients, which have required detailed assessments of the implications and interrelationships associated with utilising a range of resources, such as land, water (surface water and groundwater), air and the coastal marine area. These projects have generally involved technical and scientific input, which I have understood and then utilised when assessing the planning implications (both planning policy implications and resource consent requirements), of projects under the Resource Management Act 1991 (**RMA**).
- A1.5 In relation to policy development work since 2006, I have been involved in the following plan development processes: Environment Southland's Variation No. 4 (Water Quality) to the Proposed Fresh Water Plan; Environment Waikato's Proposed Variation No. 6 (Water Allocation); the Proposed One Plan for the Manawatu-Wanganui Region; Central Otago District Council's Proposed Plan Changes 5A to 5W; Proposed Hauraki District Plan; Bay of Plenty's Proposed Regional Policy Statement; Environment Waikato's Proposed Regional Policy Statement; Taupo District Council's Proposed Plan Change 29; the Proposed Auckland Unitary Plan; the Canterbury Air Regional Plan; the Proposed Marlborough Environment Plan; Clutha District Council's Proposed Plan Change 40 (Stirling re-zoning); Selwyn District Council's District Plan Review; and, Timaru District Council's District Plan Review. The nature of my involvement varies, but includes preparation of plan provisions and section 32 Reports for Councils, as well as the preparation of submissions, further submissions, review and advice on the recommendations of the section 42A Reports, preparation and presentation of planning evidence, review of decisions and participation in appeal processes.
- A1.6 More recently I have been assisting Ravensdown with policy development processes throughout New Zealand, including but not limited to: Plan Change 1 (Waikato and Waipa River Catchments (Healthy Rivers), and Variation 1 to this plan change, to the Waikato Regional Plan; Proposed Plan Change 13 (Air Quality) to the Regional Natural Resources Plan for the Bay of Plenty Region; Proposed Natural Resources Plan for the Wellington Region; Proposed Regional Plan for Northland; Proposed Southland Water and Land Plan; Proposed Marlborough Environment Plan; Proposed Plan Change 1 (Dryland Farming) to the Hurunui and Waiau River Regional Plan; Proposed Plan

Change 2 (Existing Intensive Farming Land Uses) to the Horizons' One Plan; Proposed Plan Change 6AA to the Regional Plan: Water for Otago; the draft National Policy Statement for Highly Productive Land; and, Plan Change 7 (Outstanding Water Bodies) to the Hawke's Bay Regional Resource Management Plan.

A1.7 Examples of complex projects where I have prepared applications under the RMA and/or other legislation include:

- (a) Consent for the continued operation of the Manapouri Hydro-electric Power Scheme and the approvals required for the construction of the second tailrace at Manapouri.
- (b) Resource consents and designations for Municipal wastewater treatment and disposal facilities at Dunedin, Queenstown and Wanaka.
- (c) Resource consents and designations for Queenstown's sanitary landfill and waste management facilities (landfills and transfer stations) in Invercargill City and Southland District.
- (d) Resource consents for the construction and operation of Trustpower's Mahinerangi Wind Farm in Otago.
- (e) Discharge permits for discharges to air, land and water, as well as various regional and district land use consents, for a number of dairy manufacturing facilities.
- (f) Discharges permits for discharges to air and coastal waters from a fertiliser manufacturing site.
- (g) Marine consent to mine phosphorite on the Chatham Rise for Chatham Rock Phosphate Limited.
- (h) Discharge permits, water permits and land use consents for alluvial gold mining in Central Otago.

APPENDIX B – SUMMARY OF REQUESTED AMENDMENTS

Further amendments, beyond those recommended in the section 42A Report's appendices, are identified in the following tables using double underlining for additions, ~~double strikethrough~~ for deletions and grey shading.

LWRP PC7 Provision	Comment / Requested Amendments
PROPOSED PLAN CHANGE 7A (OMNIBUS)	
General	
Queuing system (Ravensdown Sub. Refs. A76 and A77 – Policies 8.4.36 and 8.4.37) (Sub. No. PC7-114.108)	Submission point did not request any specific changes but noted the issue. The section 42A Report does not discuss this matter, and it is noted that the Officers' consider that this submission point is potentially beyond the scope of PC7. The Officers' assessment is acknowledged by Ravensdown and it is noted that no amendments were required in response to this submission point.
Commercial vegetable growing (Ravensdown Sub. Ref. – para 2.5(a)) (Sub. No. PC7-114.109)	Retain the separate regulatory framework as recommended in the section 42A Report (Part 3: paras 8.15 to 8.19).
Farm Portal (Ravensdown Sub. Ref. – paras 2.5(b) and 2.7 to 2.11) (Sub. No. PC7114.110)	Submission point did not request any specific changes but noted the issue. Given the issue, Ravensdown's submission supported the retention of the equivalent pathway provisions of PC7. The section 42A Report identifies that Council is committed to various projects to address the issues and assist in the effective implementation of the Farm Portal (Part 2: 3.13 to 3.34).
Consistent farming activity rule hierarchy (Ravensdown Sub. Ref. – para 2.5(c)) (Sub. No. PC7-114.111)	Submission point did not request any specific changes. The section 42A Report acknowledges the support of the direction of PC7 (Part 2: para 7.2). No amendments are required in response to this submission point.
Good Management Practice (Ravensdown Sub. Ref. – para 2.5(d)) (Sub. No. PC7-114.112)	Submission point did not request any specific changes. The section 42A Report acknowledges the support for farmers, including commercial vegetable growing activities, to implement GMP (Part 2: para 7.2).
Section 2 – How the Plan Works & Definitions	
Relationship with other regional plans controlling land and water	Section 2.8 has been retained as notified in Appendix E of the section 42A Report. This recommendation is consistent with this submission point.

LWRP PC7 Provision	Comment / Requested Amendments
(Ravensdown Sub. Ref. A01) (Sub. No. PC7-114.1)	
Definition – Baseline commercial growing area (Ravensdown Sub. Ref. A02) (Sub. No. PC7-114.2)	Retain the section 42A Report’s recommended amended definition (Part 3: paras 8.89 to 8.104).
Definition – Baseline commercial growing operation (Ravensdown Sub. Ref. A03) (Sub. No. PC7-114.3)	Retain the section 42A Report’s recommended amended definition (Part 3: paras 8.20 to 8.39).
Definition – Lawful nitrogen loss rate (Ravensdown Sub. Ref. A04) (Sub. No. PC7-114.4)	Retain the section 42A Report’s recommendation to not include a definition (Part 3: paras 8.81 and 8.85).
Section 4 - Policies	
Nutrient management - Policy 4.36A (Ravensdown Sub. Ref. A05) (Sub. No. PC7-114.5 and PC7-114.100)	<p>Amend the section 42A Report’s recommended parts (b) and (d) of Policy 4.36A (Part 3: paras 8.105 to 8.107 and 8.125 to 8.140), as follows:</p> <p>...</p> <p><i>b. avoiding restricting the establishment of a new commercial vegetable growing activity, or any expansion of an existing commercial vegetable growing activity beyond the baseline commercial vegetable growing area, unless the nitrogen losses from the operation can be accommodated within the lawful nitrogen loss rate applicable to the new location or where no nitrogen loss rate is applicable, the Baseline GMP Loss Rate;</i></p> <p>...</p> <p><i>d. constraining, as far as practicable, commercial vegetable growing activities to a Nutrient Management Area unless there is a clear method for accounting for nutrient losses which will ensure that any relevant nutrient load or limit is not exceeded; and</i></p> <p>...</p>
Submission of water quality data – Policy 4.103 (Ravensdown Sub. Ref. A06) (Sub. No. PC7-114.6)	Retain the section 42A Report’s recommended amended policy (Part 3: paras 11.131 to 11.153).

LWRP PC7 Provision	Comment / Requested Amendments
Section 5 – Region-wide Rules	
Offal and farm rubbish pits – Rule 5.26A (Ravensdown Sub. Ref. A07) (Sub. No. PC7-114.7)	Retain the notified rule, as recommended in the section 42A Report (Part 3: paras 11.80 to 11.88 and 11.95).
Silage pits and compost – Rule 5.40A (Ravensdown Sub. Ref. A08) (Sub. No. PC7-114.8)	Retain the section 42A Report’s recommended amended rule (Part 3: paras 11.89 to 11.94 and 11.96).
All nutrient allocation zones – Rule 5.41 (Ravensdown Sub. Ref. A09) (Sub. No. PC7-114.9)	Rule 5.41 has been retained as notified in Appendix E of the section 42A Report. This recommendation is consistent with this submission point.
Commercial vegetable growing operations – Rule 5.42CA (Ravensdown Sub. Ref. A10) (Sub. No. PC7-114.10)	Retain the section 42A Report’s recommended amended rule (Part 3: paras 8.40 to 8.54).
Commercial vegetable growing operations – Rule 5.42CB (Ravensdown Sub. Ref. A11) (Sub. No. PC7-114.11 and PC7-114.12)	Delete Condition (3) of the section 42A Report’s recommended Rule 5.42CB (Part 3: paras 8.125 to 8.140) as follows: 3. All land that is used for the commercial vegetable growing activity is located within the same Nutrient Management Area.
Commercial vegetable growing operations – Rule 5.42CC (Ravensdown Sub. Ref. A12) (Sub. No. PC7-114.13)	As a result of the requested amendment to Rule 5.42CB (refer above), amend the section 42A Report’s recommended Rule 5.42CC as follows: <i>The discharge of nutrients from a commercial vegetable growing activity that does not comply with condition 2 or 3 of Rule 5.42CB is a discretionary activity provided the following conditions are met:</i> ...
Commercial vegetable growing operations – Rule 5.42CD (Ravensdown Sub. Ref. A13) (Sub. No. PC7-114.14)	Retain the section 42A Report’s recommended amended rule (Part 3: paras 8.165 to 8.169).
Commercial vegetable growing operations – Rule 5.42CE (Ravensdown Sub. Ref. A14) (Sub. No. PC7-114.15)	Retain the section 42A Report’s recommended amended rule (Part 3: paras 8.170 to 8.177).
Incidental nutrient discharges – Rule 5.63	Retain the notified rule, as recommended in the section 42A Report (Part 3: paras 11.3 to 11.7).

LWRP PC7 Provision	Comment / Requested Amendments
(Ravensdown Sub. Ref. A15) (Sub. No. PC7-114.16)	
Incidental nutrient discharges – Rule 5.64 (Ravensdown Sub. Ref. A16) (Sub. No. PC7-114.17)	Retain the notified rule, as recommended in the section 42A Report (Part 3: paras 11.116 to 11.130).
Fertiliser use – Rule 5.67A (Ravensdown Sub. Ref. A17) (Sub. No. PC7-114.18)	Retain the section 42A Report’s recommended amended rule (Part 3: paras 11.89 to 11.94 and 11.96).
Section 11 – Selwyn – Te Waihora	
Nutrient management, sediment and microbial contaminants – Notes (Rule 11.5.6) (Ravensdown Sub. Ref. A18) (Sub. No. PC7-114.19)	To be consistent with the amended definition for CVGs, amend this note as follows: <i>Note: Commercial vegetable growing operations activities are regulated by Rules 5.4.2CA to 5.42CE.</i>
Section 13 - Ashburton	
Nutrient management, sediment and microbial contaminants – Notes (Rule 13.5.8) (Ravensdown Sub. Ref. A19) (Sub. No. PC7-114.20)	To be consistent with the amended definition for CVGs, amend this note as follows: <i>Note: Commercial vegetable growing operations activities are regulated by Rules 5.4.2CA to 5.42CE.</i>
Section 15A – South Coast Canterbury	
Nutrient management, sediment and microbial contaminants – Notes (Rule 15A.5.1) (Ravensdown Sub. Ref. A20) (Sub. No. PC7-114.21)	Retain the recommended amended note, as contained in Appendix E of the section 42A Report.
Section 15B - Waitaki	
Nutrient management – Note (Rule 15B.5.8) (Ravensdown Sub. Ref. A21) (Sub. No. PC7-114.22)	Retain the recommended amended note, as contained in Appendix E of the section 42A Report.
Section 16 - Schedules	
Schedule 7 – Farm Environment Plans – Part B (Ravensdown Sub. Ref. A22) (Sub. No. PC7-114.23)	Retain all references to ‘commercial vegetable growing activities’ in the schedule, as contained in Appendix E of the section 42A Report.

LWRP PC7 Provision	Comment / Requested Amendments
<p>Schedule 7 – Farm Environment Plans – Part B – Clause 10 – Waimakariri Additional Requirements</p> <p>(Ravensdown Sub. Ref. A23) (Sub. No. PC7-114.24)</p>	<p>Given the requested deletion of Table 8-9 and except for an amendment to Target 1 (refer below), retain the recommended amendments this part of the schedule, as contained in Appendix E of the section 42A Report.</p> <p>Amend Target 1, as recommended in the section 42A Report, as follows:</p> <p>Targets:</p> <ol style="list-style-type: none"> Where required, by 1 January 2030 <u>or in accordance with Policy 8.4.27, further reductions in the nitrogen loss rate for properties within the Nitrate Priority Area to achieve the nitrate-nitrogen and total nitrogen targets specified in Tables 8-5, 8-6 and 8-8 and for further nitrogen losses from dairy farming activities to be reduced by 15% and from all other farming activities by 5%. as required by Table 8-9.</u>
<p>Schedule 7 – Farm Environment Plans – Part B – Clause 11 – Orari-Temuka-Opihi-Pareora Additional Requirements – Management Area 5A: Nutrients</p> <p>(Ravensdown Sub. Ref. A24) (Sub. No. PC7-114.25)</p>	<p>Given the requested deletion of Table 14(zc) and except for an amendment to Target 1 (refer below), retain the recommended amendments to this part of the schedule, as contained in Appendix E of the section 42A Report.</p> <p>Amend Target 1, as recommended in the section 42A Report, as follows:</p> <p>Targets:</p> <p>Where required, by 1 January 2030, <u>or in accordance with Policy 14.4.20A, further reductions in nitrogen losses beyond Baseline GMP Loss Rates, or lawful nitrogen loss rates for properties within the Rangitata Orton, Fairlie Basin and Levels Plains High Nitrogen Concentration Zones Areas to achieve the nitrate-nitrogen, total nitrogen and ammoniacal nitrogen targets specified in Tables 14(d), 14(f) and 14(g) and for nitrogen losses from dairy farming activities to be reduced by a further 15% and from all other farming activities by a further 5% required by Table 14(zc).</u></p>
<p>Schedule 7A – Management Plan for farming activities – Additional requirements</p> <p>(Ravensdown Sub. Ref. A25) (Sub. No. PC7-114.26)</p>	<p>Retain the section 42A Report’s recommended amended schedule (Part 2: paras 5.1 to 5.22, Part 3: paras 8.141 to 8.152, Part 4: paras 13.1 to 13.21 and Part 5: 8.421 to 8.438).</p>
<p>PROPOSED PLAN CHANGE 7B (ORARI-TEMUKA-OPIHI-PAREROA SUB-REGION) (Section 14 of the LWRP)</p>	
<p>High Nitrogen Concentration Areas</p> <p>(Ravensdown Sub. Ref. A26) (Sub. No. PC7-114.27)</p>	<p>Given the requested deletion of Table 14(zc), amend the recommended amended description of HNCAs, as contained in Appendix E of the section 42A Report, as follows:</p>

LWRP PC7 Provision	Comment / Requested Amendments
	<p>High Nitrogen Concentration Areas</p> <p><i>The Orari, Opihi and Timaru Freshwater Management Units contain the High Nitrogen Concentration Areas of Rangitata Orton, Fairlie Basin and Levels Plain. Within these areas, nitrate-nitrogen concentrations in groundwater and surface water exceed recommended guidelines in the New Zealand Drinking Water Standards 2005 (revised 2018), and national bottom lines for ecosystem health in the National Policy Statement for Freshwater Management. Water quality targets have been established in these areas alongside an two or three tiered approach to <u>for</u> nitrate reductions.</i></p>
Orari-Temuka-Opihi-Pareora Zone Committee (Ravensdown Sub. Ref. A27) (Sub. No. PC7-114.28)	Retain the amended description, as contained in Appendix E of the section 42A Report.
Section 14.1A – Orari-Temuka-Opihi-Pareora definitions (Ravensdown Sub. Ref. A28) (Sub. No. PC7-114.29)	Retain the sub-region specific and amended definitions as recommended in the section 42A Report (paras Part 4: 2.8 to 2.10).
Section 14.1 – Other regional plans and instruments that apply to the Orari-Temuka-Opihi-Pareora sub-region (Ravensdown Sub. Ref. A29) (Sub. No. PC7-114.30)	Retain the amended description, as contained in Appendix E of the section 42A Report.
Freshwater Management Units – Policy 14.4.1 (Ravensdown Sub. Ref. A30) (Sub. No. PC7-114.31)	Delete the policy as recommended in the section 42A Report (Part 2: paras 6.5 and 6.6 and Part 4: paras 3.5 to 3.7).
Livestock exclusion from waterbodies – Policies 14.4.15 and 14.4.16 (Ravensdown Sub. Ref. A31 & A32) (Sub. No. PC7-114.32 & PC7-114.33)	Delete Policy 14.4.15 and amend Policy 14.4.16 as recommended in the section 42A Report (Part 4: paras 12.110 to 12.153).
Nutrient management – Policy 14.4.17 (Ravensdown Sub. Ref. A33) (Sub. No. PC7-114.34)	Retain the section 42A Report's recommended amended policy (Part 4: paras 12.20 to 12.28).
Nutrient management – Policy 14.4.18 (Ravensdown Sub. Ref. A34) (Sub. No. PC7-114.35)	<p>Given the requested deletion of Table 14(zc), amend the section 42A Report's recommended amended policy (Part 4: paras 12.177 to 12.193 and Part 5: Section 8), as follows:</p> <p><i>Water quality is improved by:</i></p>

LWRP PC7 Provision	Comment / Requested Amendments
	<p>a. requiring further reductions of nitrogen losses in the Rangitata Orton High Nitrogen Concentration Area, Fairlie Basin High Nitrogen Concentration Area and Levels Plain High Nitrogen Concentration Area, <u>that farming activities achieve further nitrogen loss reductions of 15% from dairy farming activities and 5% from all other farming activities, by 2030, to contribute to the achievement of the nitrate-nitrogen, total nitrogen and ammoniacal targets specified in Tables 14(d), 14(f) and 14(g) in accordance with Table 14(zc);</u> and</p> <p>b. avoiding the grant of any resource consent that will result in the nitrogen loss calculation from a farming activity exceeding the Baseline GMP Loss Rate, except where Policy 14.4.20 applies.; and</p> <p>c. limiting the duration of any resource consent for a farming activity that is required to make further reductions in nitrogen loss (beyond Baseline GMP Loss Rates or consented nitrogen loss rates) to <u>generally no more than ten years.</u></p>
<p>Nutrient management – Policy 14.4.19 (Ravensdown Sub. Ref. A35) (Sub. No. PC7-114.36, PC1-114.101 and PC7-114.102)</p>	<p>Delete the policy as recommended in the section 42A Report (Part 4: paras 12.177 to 12.193 and Part 5: Section 8).</p>
<p>Nutrient management – Policy 14.4.20 (Ravensdown Sub. Ref. A36) (Sub. No. PC7-114.37)</p>	<p>Given the requested deletion of Table 14(zc), amend the section 42A Report’s recommended amended policy (Part 4: paras 12.29 to 12.37 and Part 5: section 8), as follows:</p> <p><i>Only consider granting an application for a land use consent for a farming activity to exceed the Baseline GMP Loss Rate where:</i></p> <p>a. <i>the Baseline GMP Loss Rate has been lawfully exceeded prior to 20 July 2019 and the application for resource consent contains evidence that directly and specifically establishes that the exceedance was lawful; and</i></p> <p>b. <i>the nitrogen loss calculation remains below the lesser of either the Good Management Practice Loss Rate or the nitrogen loss calculation that occurred in the four years prior to 20 July 2019; and</i></p> <p>c. <i>for properties within the Rangitata Orton High Nitrogen Concentration Area, Fairlie Basin High Nitrogen Concentration Area and Levels Plain High Nitrogen Concentration Area, the applicant commits to <u>further reducing nitrogen losses by 2030, to contribute to the achievement of the nitrate-nitrogen, total nitrogen and ammoniacal targets specified in Tables 14(d), 14(f) and 14(g), by 15% from dairy farming activities and 5% from all other farming activities achieving the percentage-based nitrogen loss reductions in Table 14(zc).</u></i></p>

LWRP PC7 Provision	Comment / Requested Amendments
<p>Nutrient management – Policy 14.4.20A (Ravensdown Sub. Ref. A37) (Sub. No. PC7-114.38 and PC1-114.103)</p>	<p>Amend Policy 14.4.20A, as recommended in the section 42A Report (Part 3: paras 12.38 to 12.46), as follows:</p> <p><i>Where an application for a land use consent for a farming activity demonstrates the nitrogen loss rate reductions required by Policy 14.4.20(c) are unable may not be able to be achieved by the dates specified in Table 14(zc), only consider granting an application for an extension of time to achieve those reductions where:</i></p> <ul style="list-style-type: none"> <i>a. enduring nitrogen loss reduction below the Baseline GMP Loss Rate has already been achieved; and</i> <i>b. mitigations implemented during the nitrogen baseline period are better than Good Management Practice, and it is demonstrated that these have been effective in minimising nitrogen losses.; and</i> <i>c. <u>the capital and operational costs of achieving the nitrogen loss rate reductions and the benefit (in terms of maintaining a farming activity's financial viability) of spreading that investment over time; and</u></i> <i>d. <u>the nature, sequencing, measurability, effectiveness and enforceability of any steps proposed to achieve the nitrogen loss rate reductions; and</u></i> <i>e. <u>progress made towards achieving nitrate-nitrogen limits and targets in Tables 14(a) to 14(g).</u></i>
<p>Nutrient management – Policies 14.4.20B and 14.4.20C (Ravensdown Sub. Ref. A38 & A39) (Sub. No. PC7-114.39 & PC7-114.40)</p>	<p>Delete the policies as recommended in the section 42A Report (Part 4: paras 12.47 to 12.58).</p>
<p>Levels Plain High Nitrogen Concentration Area – Policy 14.4.41 (Ravensdown Sub. Ref. A40) (Sub. No. PC7-114.41)</p>	<p>Amend Policy 14.4.41, as recommended in the section 42A Report (Part 4: paras 12.210 to 12.212), as follows:</p> <p><i>Assist in achieving water quality targets for the Levels Plain High Nitrogen Concentration Area by requiring, before 1 January 2035, point source discharges of nitrogen from industrial or trade waste disposal activities to reduce nitrogen losses by a minimum of 30%, <u>where achievable</u>, below the rate authorised at 20 July 2019.</i></p>
<p>Individual farming activities – Rule 14.5.14 (Ravensdown Sub. Ref. A41) (Sub. No. PC7-114.42)</p>	<p>Retain the notified rule as recommended in the section 42A Report (Part 4: paras 12.59 to 12.62).</p>

LWRP PC7 Provision	Comment / Requested Amendments
Individual farming activities – Rule 14.5.15 (Ravensdown Sub. Ref. A42) (Sub. No. PC7-114.43)	Given the requested deletion of Table 14(zc), amend the section 42A Report's recommended amended rule (Part 4: paras 12.63 to 12.66 and Part 5: Section 8), as follows: <i>Where any property or farming enterprise includes land within a High Nitrogen Concentration Area, the nitrogen loss reductions in Table 14(zc) requirements only apply to that part of the property within the High Nitrogen Concentration Area.</i>
Individual farming activities – Rules 14.5.16, 14.5.16A and 14.5.16B (Ravensdown Sub. Ref. A43 to A45) (Sub. No. PC7-114.44 to PC7-114.46)	Retain the notified rules as recommended in the section 42A Report (Part 4: paras 12.67 to 12.74).
Individual farming activities – Rule 14.5.17 (Ravensdown Sub. Ref. A46) (Sub. No. PC7-114.47)	Retain the amended rule as recommended in the section 42A Report (Part 4: paras 12.75 to 12.85).
Individual farming activities – Rule 14.5.18 (Ravensdown Sub. Ref. A47) (Sub. No. PC7-114.48)	Retain the amended rule as recommended in the section 42A Report (Part 4: paras 12.86 to 12.93).
Individual farming activities – Rule 14.5.19 (Ravensdown Sub. Ref. A48) (Sub. No. PC7-114.49)	Given the requested deletion of Table 14(zc), amend Condition 8 of the section 42A Report's recommended amended rule (Part 4: paras 12.94 to 12.98 and Part 5: Section 8), as follows: <i>8. For properties within a High Nitrogen Concentration Area, the methods and timeline within the Farm Environment Plan <u>for reducing nitrogen losses to contribute to the achievement of the nitrate-nitrogen, total nitrogen and ammoniacal nitrogen targets specified in Tables 14(d), 14(f) and 14(g) and for further nitrogen loss reductions, by 2030, of 15% from dairy farming activities and 5% from other farming activities achieving the nitrogen loss reductions set out in Table 14(zc);</u> and ...</i>
Individual farming activities – Rule 14.5.20, 14.5.21 and 14.5.22 (Ravensdown Sub. Ref. A49 to A51) (Sub. No. PC7-114.50 to PC7-114.52)	Retain the notified rules as recommended in the section 42A Report (Part 4: paras 12.99 to 12.104).

LWRP PC7 Provision	Comment / Requested Amendments
Irrigation schemes – Rule 14.5.23 (Ravensdown Sub. Ref. A52) (Sub. No. PC7-114.53)	<p>Given the requested deletion of Table 14(zc), amend the section 42A Report’s recommended amended rule (Part 4: Paras 12.213 and 12.219 and Part 5: Section 8), as follows:</p> <p><i>The discharge of nutrients onto or into land in circumstances that may result in a contaminant entering water that would otherwise contravene s15(1) of the RMA, where the applicant is an irrigation scheme or a principal water supplier or the holder of the discharge permit will be an irrigation scheme or a principal water supplier, is a discretionary activity provided the following condition is met:</i></p> <p>1. The staged reductions in nitrogen loss required by Table 14(zc) will be met for any land within a High Nitrogen Concentration Area.</p>
Irrigation schemes – Rule 14.5.23A (Ravensdown Sub. Ref. A53) (Sub. No. PC7-114.54)	Given the requested deletion of Table 14(zc), delete the notified rule, which the section 42A Report recommends is retained (Part 4: Paras 12.213 and 12.219 and Part 5: Section 8).
Incidental nutrient discharges – Rule 14.5.24 and 14.5.24A (Ravensdown Sub. Ref. A54 & A55) (Sub. No. PC7-114.55 & PC7-114.56)	Retain the notified rules as recommended in the section 42A Report (Part 4: paras 12.105 to 12.109).
Stock exclusion from waterbodies – Rule 14.5.25 and 14.5.25A (Ravensdown Sub. Ref. A56 & A57) (Sub. No. PC7-114.57 & PC1-114.58)	Retain the notified rules, as contained in Appendix E of the section 42A Report.
Table 14(zc) – Staged reductions in nitrogen loss for farming activities in High Nitrogen Concentration Area (Ravensdown Sub. Ref. A58) (Sub. No. PC7-114.59)	Delete Table 14(zc) in its entirety.
PROPOSED PLAN CHANGE 7C (WAIMAKARIRI SUB-REGION) (Section 8 of the LWRP)	
Planning Maps – Nitrate Priority Area – New Layer (Ravensdown Sub. Ref. A59) (Sub. No. PC7-114.60)	Retain the notified Nitrate Priority Area, as identified on the planning maps, as recommended in the section 42A Report (Part 5: paras 8.315 to 8.325).

LWRP PC7 Provision	Comment / Requested Amendments
<p>Planning Maps – Nitrate Priority Sub-areas (A to E)</p> <p>(Ravensdown Sub. Ref. A60) (Sub. No. PC7-114.61 and PC7-114-106)</p>	<p>Given the requested deletion of Table 8-9, delete the Nitrate Priority Sub-areas (A to E) as identified on the notified planning maps.</p> <p>It is noted that the section 42A Report (Part 5: paras 8.315 to 8.325) recommends the retention of Nitrate Priority Sub-areas (A to E) as identified on the notified planning maps.</p>
<p>Introduction – Figure – Waimakariri sub-region</p> <p>(Ravensdown Sub. Ref. A61) (Sub. No. PC7-114.62)</p>	<p>Retain the notified replacement figure, as recommended in the section 42A Report (Part 5: Section 2, paras 1.3 to 1.14)</p>
<p>Introduction – Zone Committee and What this Plan does</p> <p>(Ravensdown Sub. Ref. A62 & A63) (Sub. No. PC7-114.63 & PC7-114.64)</p>	<p>Retain the notified descriptions, as recommended in the section 42A Report (Part 5: Section 2, paras 1.3 to 1.14)</p>
<p>Section 8.1A – Waimakariri sub-region definitions</p> <p>(Ravensdown Sub. Ref. A64) (Sub. No. PC7-114.65)</p>	<p>Retain the sub-region specific and amended definitions, as contained in Appendix E of the section 42A Report.</p>
<p>Freshwater Management Units – Policy 8.4.4</p> <p>(Ravensdown Sub. Ref. A65) (Sub. No. PC7-114.66)</p>	<p>Delete the policy as recommended in the section 42A Report (Part 2: paras 6.5 and 6.6 and Part 4: paras 3.3 to 3.5).</p>
<p>Nutrient management – Policy 8.4.25</p> <p>(Ravensdown Sub. Ref. A66) (Sub. No. PC7-114.67)</p>	<p>Given the requested deletion of Table 8-9, amend the section 42A Report’s recommended amendment policy (Part 5: paras 8.184 to 8.196), as follows:</p> <p><i>Nitrate-nitrogen limits for the Waimakariri Sub-region are achieved, and risks of degraded water quality in waterbodies outside the Waimakariri Sub-region are managed by requiring, within the Nitrate Priority Area, reductions in nitrogen loss from farming activities (including farming activities managed by an irrigation scheme or principal water supplier) <u>of a further 15% from dairy farming activities and 5% from other farming activities by 2030, to contribute to the achievement of the nitrate-nitrogen and total nitrogen targets in Tables 8.5, 8-6 and 8-8, in accordance with Table 8-9,</u> provided that any stage of reduction required is greater than 3 kg of nitrogen per hectare per year for dairy, or 1 kg of nitrogen per hectare per year for all other farming activities.</i></p>
<p>Nutrient management – Policy 8.4.26</p> <p>(Ravensdown Sub. Ref. A67) (Sub. No. PC7-114.68)</p>	<p>Given the requested deletion of Table 8-9, amend the section 42A Report’s recommended amended policy (Part 5: paras 8.197 to 8.206), as follows:</p>

LWRP PC7 Provision	Comment / Requested Amendments
	<p><i>Only consider granting an application for resource consent to exceed the Baseline GMP Loss Rate where:</i></p> <ul style="list-style-type: none"> <i>a. the Baseline GMP Loss Rate has been lawfully exceeded prior to 20 July 2019 and the application for resource consent contains evidence that directly and specifically establishes that the exceedance was lawful; and</i> <i>b. the nitrogen loss calculation remains below the lesser of either the Good Management Practice Loss Rate or the nitrogen loss calculation that occurred in the four years prior to 20 July 2019; and</i> <i>c. for properties within the Nitrate Priority Area, the applicant identifies in the Farm Environment Plan, how any <u>further nitrogen loss reductions will be implemented to contribute to the achievement of the nitrate-nitrogen and total nitrogen targets specified in Tables 8-5, 8-6 and 8-8 and, by 2030, for nitrogen losses from dairy farming activities to be reduced by 15% and from all other farming activities by 5% required by Table 8-9 will be achieved</u>, for the duration of the consent.</i>
<p>Nutrient management – Policy 8.4.27 (Ravensdown Sub. Ref. A68) (Sub. No. PC7-114.69 and PC7-114.113)</p>	<p>Amend Policy 8.4.27, as recommended in the section 42A report (Part 5: paras 8.207 to 8.213), as follows:</p> <p><i>Where an application for a land use consent for a farming activity demonstrates the nitrogen loss rate reductions required by Policy 8.4.26(c) are unable may not be able to be achieved by the dates specified in Table 8-9, only consider granting an application for an extension of time to achieve those reductions where:</i></p> <ul style="list-style-type: none"> <i>a. an enduring nitrogen loss rate reduction below the Baseline GMP Loss Rate has already been achieved; and</i> <i>b. mitigations implemented during the nitrogen baseline period are better than Good Management Practice, and it is demonstrated that these have been effective in minimising nitrogen losses.; and</i> <i>c. <u>the capital and operational costs of achieving the nitrogen loss rate reductions and the benefit (in terms of maintaining a farming activity's financial viability) of spreading that investment over time; and</u></i> <i>d. <u>the nature, sequencing, measurability, effectiveness and enforceability of any steps proposed to achieve nitrogen loss rate reductions; and</u></i>

LWRP PC7 Provision	Comment / Requested Amendments
	<u>e. progress made towards achieving nitrate-nitrogen limits and targets in Tables 8-5, 8-6, 8-7 and 8-8.</u>
Nutrient management – Policy 8.4.28 (Ravensdown Sub. Ref. A69) (Sub. No. PC7-114.70)	Retain the amended policy as recommended in the section 42A Report (Part 5: paras 8.348 to 8.357).
Nutrient management – Policy 8.4.28A (Ravensdown Sub. Ref. A70) (Sub. No. PC7-114.71)	Retain the amended policy as recommended in the section 42A Report (Part 5: paras 8.358 to 8.367).
Nutrient management – Policies 8.4.28B and 8.4.28C (Ravensdown Sub. Ref. A71 & A72) (Sub. No. PC7-114.72 & PC7-114.73)	Delete the policy as recommended in the section 42A Report (Part 5: paras 8.124 to 8.221).
Irrigation schemes – Policy 8.4.29 (Ravensdown Sub. Ref. A97 – consequential amendment) (Sub. No. PC7-114.107)	<p>Ravensdown did not submit on this policy. However, as a consequential amendment arising from the requested deletion of Table 8-9, the summary of submission identifies that Ravensdown is a party to this policy.</p> <p>Given the requested deletion of Table 8-9, amend the section 42A Report's recommended amended policy (Part 5: paras 8.222 to 8.230), as follows:</p> <p><i>Facilitate the achievement of water quality limits by requiring:</i></p> <ul style="list-style-type: none"> a. <i>any resource consent application for the discharge of nutrients from farming activities submitted by an irrigation scheme or principal water supplier to:</i> <ul style="list-style-type: none"> i. <i>describe the methods that will be used to implement the Good Management Practices on any land supplied with water from the scheme or principal water supplier; and</i> ii. <i>describe whether the irrigation scheme or principal water supplier intends to manage nutrient losses within their command area on an aggregated basis or on a 'property by property' basis; and</i> iii. <u><i>in the Nitrate Priority Area, describe how any nitrogen loss reductions of a further 15% from dairy farming activities and 5% from other farming activities by 2030, to contribute to the achievement of the nitrate-nitrogen and total nitrogen targets in Tables 8.5, 8-6 and 8-8, required by Table 8-9 will be achieved; and</i></u>

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	<p><i>b. discharge permits granted to irrigation schemes or principal water suppliers to be subject to conditions that restrict the total nitrogen loss to a limit not exceeding:</i></p> <p><i>i. the Baseline GMP Loss Rate (or Equivalent Baseline GMP Loss Rate where any one of the criteria in clauses (a) to (c) of Rule 8.5.23A is met), for land within the Waimakariri Sub-region but outside the Nitrate Priority Area; and</i></p> <p><i>ii. the Baseline GMP Loss Rate (or Equivalent Baseline GMP Loss Rate where any one of the criteria in clauses (a) to (c) of Rule 8.5.23A is met) less any further reductions <u>nitrogen loss reductions required to contribute to the achievement of the nitrate-nitrogen and total nitrogen targets in Tables 8.5, 8-6 and 8-8, consisting of 15% from dairy farming activities and 5% from other farming activities by 2030, required by Table 8-9</u>, for land within the Nitrate Priority Area, except that where the nitrogen loss from the land is authorised by a condition on an existing water permit or discharge permit granted to an irrigation scheme or principal water supplier, and intensification on that land or change of land use occurred prior to 20 July 2019, the new discharge permit is to include a condition that limits the nitrogen loss to a rate that not greater than the aggregated Good Management Practice Loss Rate (or Equivalent Good Management Practice Loss Rate where any one of the criteria in clauses (a) to (c) of Rule 8.5.23A is met) less any further reductions required by Table 8-9 for land within the Nitrate Priority Area.</i></p>
<p>Livestock exclusion from waterbodies – Policies 8.4.30 and 8.4.31</p> <p>(Ravensdown Sub. Ref. A73 & A74) (Sub. No. PC7-114.74 & PC7-114.75)</p>	<p>Delete Policy 8.4.30 and amend Policy 8.4.31 as recommended in the section 42A Report (Part 5: paras 8.371 to 8.419).</p>
<p>Current information, monitoring and review – Policy 8.4.35</p> <p>(Ravensdown Sub. Ref. A75) (Sub. No. PC7-114.76)</p>	<p>Retain the notified policy as recommended in the section 42A Report (Part 5: paras 10.5 to 10.19).</p>
<p>Consent expiry and duration – Policies 8.4.36 and 8.4.37</p> <p>(Ravensdown Sub. Ref. A76 & A77) (Sub. No. PC7-114.77 & PC7-114.78)</p>	<p>Amend the policies as recommended in the section 42A Report (Part 5: paras 10.20 to 10.33).</p>
<p>Rules – Nutrient management – Notes</p>	<p>To be consistent with the amended definition for CVGs, amend this note as follows:</p>

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(Ravensdown Sub. Ref. A78) (Sub. No. PC7-114.79)	<i>Note: Commercial vegetable growing operations activities within the Waimakariri Sub-region are regulated by Regional Rules 5.4.2CA to 5.42CE.</i>
Nutrient management – Rule 8.5.21 (Ravensdown Sub. Ref. A79) (Sub. No. PC7-114.80)	Retain the notified rule as recommended in the section 42A Report (Part 5: paras 8.235 to 8.239).
Nutrient management – Rule 8.5.22 (Ravensdown Sub. Ref. A80) (Sub. No. PC7-114.81)	Given the requested deletion of Table 8-9, amend the notified rule, which the section 42A Report recommends retaining (Part 5: paras 8.240 to 8.243), as follows: <i>Where any property or Farming Enterprise includes land within the Nitrate Priority Area, the nitrogen loss reductions requirements in Table 8-9 only apply to that part of the property within the Nitrate Priority Area.</i>
Nutrient management – Rule 8.5.23 (Ravensdown Sub. Ref. A81) (Sub. No. PC7-114.82)	Given the requested deletion of Table 8-9, delete the notified rule, which the section 42A Report recommends retaining (Part 5: Paras 8.240 to 8.243), as follows: Where any property or Farming Enterprise includes land within more than one Nitrate Priority Sub-area, the required reduction in nitrogen loss for each sub-area is applied only to that part of the property that is within the sub-area.
Nutrient management – Rule 8.5.23A, 8.5.23B and 8.5.23C (Ravensdown Sub. Ref. A82 to A84) (Sub. No. PC7-114.83 to PC7-114.85)	Retain the notified rules as recommended in the section 42A Reports (Part 5: paras 8.244 to 8.253)
Nutrient management – Rule 8.5.24 (Ravensdown Sub. Ref. A85) (Sub. No. PC7-114.86)	Amend Condition 3(a) of notified rule, which the section 42A Report recommends retaining (Part 5: paras 8.254 to 8.262), as follows: <i>a. Any increase ... , provided no more than 50 hectares is <u>authorised to be</u> irrigated in total; and ...</i>
Nutrient management – Rule 8.5.25 (Ravensdown Sub. Ref. A86) (Sub. No. PC7-114.87 and PC1-114-104)	Amend Conditions 2 and 3 of Rule 8.5.25, which the section 42A Report recommends retaining (Part 5: paras 8.368 to 8.370), as follows: 2. The area of the property authorised to be irrigated with water is less than 50 hectares; and 23. Any increase ... , provided no more than 50 hectares are is authorised to be irrigated in total; and 34. The total ...

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<p>Nutrient management – Rule 8.5.26 (Ravensdown Sub. Ref. A87) (Sub. No. PC7-114.88, PC1-114.89 and PC1-114.105)</p>	<p>Given the requested deletion of Table 8-9, amend the notified rule, while the section 42A report recommends retaining (Part 5: Paras 8.263 to 8.265), as follows:</p> <p>...</p> <p><i>The exercise of discretion is restricted to the following matters:</i></p> <p>...</p> <p>7. For land within the Nitrate Priority Management Area, the methods and timeline in the Farm Environment Plan for <u>reducing nitrogen losses to contribute to the achievement of the nitrate-nitrogen and total nitrogen targets specified in Tables 8-5, 8-6 and 8-8 and, by 2030, for nitrogen losses from dairy farming activities to be reduced by 15% and from all other farming activities by 5% achieving the nitrogen loss rate reductions set out in Table 8-9;</u> and</p> <p>8. For land within the Nitrate Priority Area, the extent to which any mitigations better than Good Management Practice implemented during the 2009-13 Baseline period have been taken into account when applying the further reductions in nitrogen loss required by Table 8-9; and</p> <p>...</p>
<p>Nutrient management – Rule 8.5.27 (Ravensdown Sub. Ref. A88) (Sub. No. PC7-114.90)</p>	<p>Retain the notified rule as recommended in the section 42A Report (Part 5: paras 8.266 to 8.269).</p>
<p>Nutrient management – Rule 8.5.28 and 8.5.29 (Ravensdown Sub. Ref. A89 & A90) (Sub. No. PC7-114.91 & PC7-114.92)</p>	<p>Retain the notified rules as recommended in the section 42A Report (Part 5: paras 8.270 to 8.278)</p>
<p>Irrigation schemes – Rule 8.5.30 (Ravensdown Sub. Ref. A91) (Sub. No. PC7-114.93)</p>	<p>Given the requested deletion of Table 8-9, amend the notified rule, which the section 42A Report recommends retaining (Part 5: paras 279 to 285), as follows:</p> <p><i>The discharge of nutrients onto or into land in circumstances that may result in a contaminant entering water that would otherwise contravene s15(1) of the RMA where the applicant is an irrigation scheme or a principal water supplier or the holder of the discharge permit will be an irrigation scheme or a principal water supplier is a discretionary activity provided the following condition is met:</i></p> <p>1. The staged reductions in nitrogen loss required by Table 8-9 will be met for any land within the Nitrate Priority Area.</p>

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	<p>Notification</p> <p><i>Pursuant to section 95A and 95B of the RMA an application for resource consent under this rule will be processed and considered without public or limited notification.</i></p> <p><i>Note: Limited notification to affected order holders in terms of section 95F of the RMA will be necessary, where relevant, under section 95B(3) of the RMA.</i></p>
Irrigation schemes – Rule 8.5.30A (Ravensdown Sub. Ref. A92) (Sub. No. PC7-114.94)	<p>Given the requested deletion of Table 8-9 and Rule 8.5.30, delete the notified rule, which the section 42A Report recommends retaining ((Part 5: paras 279 to 285), as follows:</p> <p>The discharge of nutrients onto or into land in circumstances that may result in a contaminant entering water that would otherwise contravene s15(1) of the RMA where the applicant is an irrigation scheme or a principal water supplier or the holder of the discharge permit will be an irrigation scheme or a principal water supplier that does not comply with condition 1 of Rule 8.5.30 is a noncomplying activity.</p>
Incidental nutrient discharges – Rule 8.5.31 and 8.5.32 (Ravensdown Sub. Ref. A93 & A94) (Sub. No. PC7-114.95 & PC7-114.96)	Retain the notified rules as recommended in the section 42A Report (Part 5: paras 8.286 to 8.290).
Stock exclusion from waterbodies – Rule 8.5.33 and 8.5.34 (Ravensdown Sub. Ref. A95 & A96) (Sub. No. PC7-114.97 & PC7-114.98)	Retain the notified rules as recommended in the section 42A Report (Part 5: paras 8.371 to 8.420).
Table 8.9 – Nitrate Priority Area staged reductions in nitrogen loss for farming activities, farming enterprises and irrigation schemes (Ravensdown Sub. Ref. A97) (Sub. No. PC7-114.99)	Delete Table 8-9 in its entirety.

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<p>General, Section 1.3, Figure 1 and 'Waimakariri River Catchment' definition (Ravensdown Sub. Ref. B01 to B04) (Sub. No's PC2-9.1 to PC2-9.4).</p>	<p>Retain the notified amendments to these provisions, as recommended in the section 42 Report (Part 6: Section 11 of the section 42A Report).</p>
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