



**BAY OF PLENTY
REGIONAL COUNCIL
TOI MOANA**

Submission form

Send your submission to reach us by **4:00 pm** on **Wednesday, 27 April 2016**.

Submission number

Office use only

22 APR 2016

Post: The Chief Executive
Bay of Plenty Regional Council
PO Box 364
Whakatāne 3158

or Fax: 0800 884 882

or email: rules@boprc.govt.nz

Submitter name:

This is a submission on **Proposed Plan Change 10 (Lake Rotorua Nutrient Management) to the BOP Regional Water and Land Plan**.

- 1 I ~~could/could not~~ gain an advantage in trade competition through this submission. *[Delete as required.]*
 - (a) I ~~am/am not~~ directly affected by an effect of the subject matter of the submission that adversely affects the environment, and
 - (b) ~~My submission does/does not~~ relate to trade competition or the effects of trade competition.
[Delete the entire paragraph if you could not gain an advantage in trade competition through this submission.]
- 2 The details of my submission are in the attached table.
- 3 I ~~wish/do not wish~~ to be heard in support of my submission. *[Delete as required]*
- 4 If others make a similar submission, I will consider presenting a joint case with them at a hearing. *[Delete if you would not consider presenting a joint case.]*

[Signature of person making submission or person authorised to sign on behalf of person making submission.]

[NOTE: A signature is not required if you make your submission by electronic means.]

17-4-2016
Date

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Contact person: *[Name and designation if applicable]*

Glenn Stewart

SUBMISSION POINTS:

Page no.	Reference (e.g. Policy, rule, method or objective number)	<u>Support/oppose</u>	Decision sought Say what changes to the plan you would like	Give reasons
	5 Hectare or less will not require a resource consent.	oppose.	This should be based on effective land size and not Property size	see attached document.
	Horse stock rating table	oppose.	This needs to be reassessed - may to hold on horse owners.	No science behind stocking table. see document attached.
			Needs to be put on hold until the science around horses can be proven.	

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File No.		
File Confirmed / Amended		
BOP Regional Council		
Received		22 APR 2016
ID:		
Name	Signed	

5 HA PROPERTY SIZE DOES NOT REQUIRE A RESOURCE CONSENT

Question: WHY HAD THIS BEEN BASED ON A 5 HA PROPERTY SIZE AND NOT THE FAIRER OPTION FOR SMALL BLOCK HOLDERS OF EFFECTIVE LAND SIZE UNDER 5 HA

This is totally unfair to all the land owners and there are many who have been assessed and given less than 5ha of effective land (land they can graze which then determines what their stock allocation is based on)

The below is part of her email (22.02.2016) reply she sent to me outlining the reasons why they made it 5ha of land and not based it on effective land size:

You will recall that initially all properties under 10 hectares were required to comply with the stocking table as part of the nitrogen rules to remain a Permitted Activity (not require resource consent). However, in response to feedback on the draft Rules (in particular from Protect Rotorua) that has now been lifted to properties between 5 and 10 hectares with the exceptions you set out below. The reason that it is 5 hectares property size rather than effective area is purely a legal one. Our legal advice is that Permitted Activity criteria need to be certain so people can determine whether they are affected and this can only be achieved in this case by specifying property size over effective area. We have found it difficult to find a threshold, as no matter where this threshold is set there will be some who are just outside of it.

The above response from Helen is just unbelievable, EBOP have spent quite a considerable amount of money and resources over the last 16 months telling land owners / life style property owners what their so called effective area of land that they can graze will be on their property. This has been drummed into us at your drop in meeting centres and we have been told this effective land area is what our Nitrogen and also what our stock allocation is calculated and based on.

So for the life of me and many many others land owners in the catchment we cannot see why your so called expert legal advice thinks it is so hard to not use 5ha or less effective land as the permitted activity threshold instead of 5ha property size....

Are EBOP now telling the landowners in the catchment that they are not certain that the effective area size that EBOP has given all us landowners and based our stock allocation etc. on is not accurate and just a good guess?

These effective area calculations for each property are set in stone and it is based on EBOP's own calculations on our properties....every lifestyle owner that I know has been given an effective land size and this is what their stock allocation has been based on for their property.

We all know what the effective area size is for our properties because EBOP told us what it is.....so it's not hard for any of us land owners and EBOP to see if our effective land area is under 5ha.

Your legal advice tells you to use the 5ha land size because there will be a few people who sit out this threshold and it may be unfair on them.

Yet this same legal advice does not say....well actually there is a much larger effected group of lifestyle land owners living in the Rotorua catchment who have been assessed by EBOP as having 5ha or less of effective land area on their property and we should absolutely be fair to them and base it on 5ha of effective land area and not 5ha property size.

You know every lifestyle land owners effective area in the Rotorua catchment so to say that you cannot be certain on this 5ha of Effective land area threshold is utter rubbish.

Example:

This is so unfair...you have a situation once again where your neighbours has a property on paper 5ha and under and he does not require a resource consent or stocking limits applied to him. Basically he can do what he wants as far as how many animals he wished to keep....his property has now gone up in value big time.

Next door you have the other neighbour who has 12ha property on paper but EBOP has assessed him as only having 4 ha of effective land that can be grazed...his Nitrogen and stock allocation is based on this so he is restricted either having a few sheep or maybe a few beefies. If they are into equestrian sports he is really bugged because he will only be allowed 3-4 horses. If he wants any more horses for the kids to ride he will require a resource consent and nitrogen management plan.

His whole way of life has been tip upside down, his family can no longer participate in the equestrian sport they enjoy because they cannot keep enough horses on the property. Their property value has been half to the point no will want to buy the property should they wish to sell.....the list just goes on.

If the line in the sand for permitted activity not requiring a resource consent is 5ha land size then it should be the fair and much preferred option and be based on 5ha of effective land size.....5ha is 5ha

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Horse Stocking Table:

For the past 16 months horse owners and small block owners have been asking EBOP for the science- studies- documentation etc behind how they came up with the horse stocking table.

To date, absolutely nothing has been supplied or given to the horse owners in the catchment. The most scientific answer that their staff have given us....there about the same size as a cow so we based it on that!!!

How can they even think to put a horse stocking table together when it is very clear to everyone that absolutely no studies – no science or documentation on what a horse emits in regards to nitrogen has been carried out.

They are basing it all on a cow and overseer.....A cow and a horse could not be more polls apart.

Until EBOP have the science and studies to back this horse stocking table up then horses should be excluded. They cannot implement something and force this totally unfair horse stocking table on owners when it is based 100% on guesswork and assumptions.

Show us the science and the studies that EBOP have carried out on Horses only around Nitrogen....we have been asking for them for the last 16 months