



The Proprietors of
Ngāti Whakaue Tribal Lands



To: Bay of Plenty Regional Council.

Proposed Plan: Proposed Plan Change 10 - Lake Rotorua Nutrient Management

Full Name: Ngati Whakaue Tribal Lands Incorporation

Contact: General Manager, Tina Ngatai

Phone: 07 348 8887 – generalmanager@ngatiwhakaue.iwi.nz

Opening remarks:

Ngati Whakaue Tribal Lands had three farms within the Rotorua Catchment with approximately 2000 hectares in pasture farming sheep and cattle. A 230 ha dairy farm was closed in 2007 in recognition of the need to modify farming practice to help minimise discharge into Lake Rotorua. In addition riparian planting and full fencing of waterways has been undertaken at an estimated cost of >\$500k. The cost to the Iwi has been significant but has been borne because of our commitment to the environment and to Rotorua which has always been a key driver for the tribe.

The majority of the land farmed by Ngati Whakaue Tribal Lands is Maori freehold land and cannot be sold, nor can the tribe move away from this area. Capital gain is therefore not an option for us. The lands must make a return as we have the tribe of Ngati Whakaue, comprising some 8000 registered members, to provide benefits for – creating an economic benefit is important whilst protecting the environment. The other key drivers are Social and Cultural imperatives.

The 'Proposed Plan Change 10 - Lake Rotorua Nutrient Management' is a vehicle that we recognise as valuable for ensuring everyone is responsible and accountable for Nitrate and Phosphorous discharge. However we believe there is further work that must be done to ensure fairness and equitable treatment.

We provide the following specific changes that we have noted to date but reserve the right to note any other matters of concern.

The specific provisions of the Proposed Plan your submission relates to:

Rule No. <i>if known</i>	Commentary	
LR P4	<p>Page 5: LR P4 To implement adaptive management in the management of nitrogen within the Lake Rotorua groundwater catchment through:</p> <p>(i) science reviews set out in Method LR M2 and subsequent consideration by Council of recommendations;</p> <p>Support conditional on LR M2 and M3 comments below</p> <p>(ii) regular reviews of the Regional Policy Statement and Regional Water and Land Plan polices, rules and methods under the Resource Management Act 1991;</p> <p>(iii) five-year individual on-farm Nitrogen Management Plan review</p>	<p>SUPPORT IN PART ONLY</p> <p>OBJECT TO COSTS</p>

	<p>timeframes; and</p> <p>Object to the full cost of the NMP reviews being borne by the landowner</p> <p>(iv) the use of OVERSEER® reference files and proportional requirements to reduce the variability for individual property nitrogen targets.</p>	
LR M2	<p>Page 8: LR M2 Regional Council will review and publish the science that determined the limits set in the RPS and the Regional Water and Land Plan for Lake Rotorua on a five yearly basis. These reviews may include:</p> <p>(a) Review of trends in Lake water quality attributes including nitrogen, phosphorus, Chlorophyll a, algal blooms, clarity, trophic level index² for in-lake, inflows, and outflow where relevant.</p> <p>(b) Review of progress towards achieving the RPS Policy WL 6B(c) 2022 catchment nitrogen load target.</p> <p>(c) Review of the RPS Policy WL 3B(c) catchment nitrogen load, and a nominal phosphorus (external and internal) catchment load of 37 tP/yr³, and any other nitrogen and phosphorus load combinations that catchment modelling shows would meet the Lake Rotorua Trophic Level Index of 4.2. This may necessitate: (i) a review and rerun of the lake model (or any successor model), including its ability to replicate recent years data; (ii) a review and rerun of ROTAN (or any successor model), including nitrogen loss rates, groundwater trends and attenuation rates, including OVERSEER® or similar estimates; (iii) an assessment of the efficacy and risks of alum dosing and an assessment of land-based phosphorus loss mitigation.</p> <p>(d) Review of relevant New Zealand and international lake water quality remediation science. Support for LR M2 (d) conditional on the design and funding of new science (including trials) to answer questions not answered by the review of literature</p> <p>(e) Recommendations. Support for LR M2 conditional on the establishment of a catchment landowner/stakeholder group to oversee the science review process and to have input into the development and implementation of recommendations</p>	SUPPORT IN PART ONLY
LR M3	<p>LR M3 Regional Council will respond to the recommendations that result from Method LR M2 science reviews through a formal and public decision making process. This may include initiation of a plan change and review of resource consent conditions.</p> <p>Support for LR M3 conditional on the inclusion of new science as required under comments for LR M2 (d)</p>	SUPPORT IN PART ONLY
LR six	<p>Page 32: Schedule LR Six – Nitrogen Management Plan requirements (p32)</p> <p>5. A description of how each of the following management objectives, where relevant, will be met.</p> <p>(a) <i>Nitrogen management:</i> To minimise nitrogen losses and achieve the Nitrogen Discharge Allowance allocated to the property/farming enterprise by 2032. The Nitrogen Management Plan must include:</p> <p>(i) A nitrogen budget for the property/farming enterprise that matches the current system or use of the system.</p>	OBJECT

	<p>(ii) A pathway, including a schedule of mitigation actions, that demonstrates managed reduction to achieve the Managed Reduction Targets and the 2032 Nitrogen Discharge Allowance in accordance with LR P8.</p> <p>(iii) The specific data and records that will be kept to measure compliance with specific targets and mitigation actions defined in 5(a)ii.</p> <p>Object to the need to specify a schedule of mitigation options – inconsistent with Adaptive Management LR P3 (p5)</p> <p>(iv) A description of any specific risks related to nitrogen leaching and runoff risks and how these will be addressed.</p>	
LR R2	<p>Page 12: LR R2 Permitted – From 1 July 2017, the use of land for plantation forestry or bush/scrub</p> <p>From 1 July 2017, the use of land for plantation forestry or bush/scrub in the Lake Rotorua groundwater catchment is a permitted activity, subject to the following conditions:</p> <p>(a) The land use remains in plantation forestry with no more than a two year interval between harvesting and replanting or upon harvesting the land is permanently retired; or</p> <p>(b) The land use remains in bush/scrub and is not used for grazing; and</p> <p>(c) There is no transfer of nitrogen loss entitlement either to or from the property/farming enterprise.</p> <p>Object to the restriction of forestry to 2.5kgN/ha/yr. The science is inconclusive on the N requirements for commercial forestry (including tree crops e.g. mānuka). Recommend that commercial forestry be a range from 2.5 to 12.5kgN/ha/yr until leaching levels on soil types and rainfall bands within the catchment is confirmed through N leaching trials. Recommend that the transfer of N from other land use blocks within the property be permitted.</p>	OBJECT
S32	<p><u>Support for more comprehensive s32:</u> We have not checked the quality of s32 analysis supporting the RWLP: it is however our understanding that – at the time the RWLP was notified in 2002 – perhaps eleven submissions were received relating to the TLI objective proposed at that time. In short: the NPS-FW job has not yet been done for Lake Rotorua and Council need to confirm that it will be done as part of the Rotorua Lakes WMA scheduled from 2020.</p>	OBJECT TO S32 WITHOUT FURTHER WORK
PC10	<p><u>Support for inclusion of P in PC10:</u> Currently PC10 is focussed almost exclusively on N and only peripherally on P. It is our very strong recommendation that the recent advances in our knowledge compel an adaptive management approach. Specifically, the scope of PC10 must be broadened to address nutrient reduction pathways for both N and P.</p>	OBJECT TO LACK OF 'P' DETAIL
General comments	<p><u>Object to reliance on Reference file methodology:</u> Council have proposed a "Reference File" methodology in an attempt to get around the reality of ongoing Overseer version changes, without going to the trouble of plan changes. In effect, the proposed reference files are "averages of the average", with inputs stripped back to simplified defaults to streamline administration and to get around "bugs". We observe that – as recently as the day Council approved notification of PC10 – a bug was detected prompting fall-back to yet another "default" setting.</p>	OBJECT
	<p>Proposed Lake Rotorua Nitrogen Management Plan Change 10 - Version 4.0 33</p> <p>(b) Phosphorus management: To identify the environmental risks associated with phosphorus and sediment loss from the subject property, the</p>	OBJECT

	<p>significance of those risks and implementation of industry best practice management to avoid or reduce the risks.</p> <p>Object to the requirement to implement industry best practice for P mitigation without the inclusion of P in the Rules</p>	
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Ngati Whakaue Tribal Lands requests to be heard on the matters outlined in this submission and related to this submission. We are not advantaged by trade competition.

TL Ngatai

General Manager