

# Submission

To the

Chief Executive,

Bay of Plenty Regional Council

PO Box 364

Whakatane 3158

email - [rules@boprc.govt.nz](mailto:rules@boprc.govt.nz)

This is a submission on **Proposed Plan Change 10 (lake Rotorua Nutrient Management) to the Bay of Plenty Regional Water and Land Plan**

Submitter name: Stuart Morrison

Address for service: 705 Oturoa Rd, RD2, Rotorua 3072

Email: [sghmorr@farmside.co.nz](mailto:sghmorr@farmside.co.nz)

Telephone numbers: 073323500 0272756847

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

I am directly affected by an effect of the subject matter of the submission that adversely affects the environment.

The details of my submission are below

I wish to be heard in support of my submission.

## Submission Points

### Introduction

I acknowledge and support submissions from Federated Farmers, Fonterra and DairyNZ, and the Collective.

I have been farming at Oturoa Road for 35 years and have lived at the property in the 1960s,

We have farmed a number of stock classes over the years and are now a dairy and dairy support farm. A quarter of the farm area is in native bush (much of which was voluntarily conserved) and other trees – most of which is now classed as a “Significant Natural Area”.

We have farmed and continue to farm conservatively, with an awareness of our environmental impact. We are currently 10% below our nitrogen benchmark and are continuing to put in place phosphorous mitigation structures and measures.

I have been involved in the policy journey for some years including being part of the Land Use Futures Board and the Stakeholder Advisory Group.

### **Areas of Support**

I support the commitment to the health of the lake and to meeting my part of the 2022 MRT.

I support Council’s frequently expressed intent to avoid input based management in favour of a focus on outputs to measure progress.

I strongly support the commitment to ongoing reviews and adaptive management.

### **Areas of Concern**

The PC10 framework fails to take account of a changed context, particularly in recent years. Major and important changes include: The lake is meeting its TLI target, the science understanding has shifted significantly and the statutory framework has changed. PC10 carries forward a Rules and Incentives package focus on land use change as a primary driver for improving the lake. This needs review. It is now clear from personal comment from engaged scientists that knowing what we know now that we would not end up with the framework of rules we have.

I acknowledge that PC10 gives effect to the RPS target of 435t N load and acknowledge the commitment to review. I accept that any change to the RPS is a separate process. However I submit that the relevance of that target with respect to its influence on the form of the rules should be up for discussion.

The claim made in first sentence p2 PC10 introduction that ‘435 tonnes ...is based on the best science available’ is out of date. It is not supported by recent changes in the lake and in the science understanding that could better inform lake management. Relief sought- update the claim.

Accounting for Overseer changes through the reference file method undermines its value. There are challenges in recalibrating version changes but the method proposed introduces distortions that devalue its ongoing use. Relief sought –improve, giving priority to retaining integrity of use through changes over administrative efficiency.

I strongly oppose the use of Nitrogen Management Plans as a compliance tool in the way being currently implemented. Targeting compliance to inputs is against all discussions and agreements made at stakeholder meetings. Plans by their nature are living documents in farming or any other constantly changing business operating environment. Such plans are necessary and useful as tools for charting alternative courses of action but their use should be as supporting evidence of

intentions for continuing to meet and farm within the set environmental constraints. Outputs, that is nutrient discharges such as determined by Overseer, should be the measure assessed to check compliance of limits set. We and others have challenged the use of Overseer for regulatory purposes over a long period. However I submit that it is more important for good outcomes in progressive environmental management to address or mitigate Overseer deficiencies than to default to use of input data control to apparently increase the chances of enforcing compliance. Further, the requirement to specify actions out to 2032 is completely unrealistic for other than permanent land use change to forestry.

Relief sought – change the relevant policies and rules including LR P8, LR P11, LR R9 and Schedule 6

Many properties below 40 ha were not benchmarked. The proposal to allocate sector averages to these is inequitable. Relief sought – these properties are benchmarked under PC10.

The N target is a tough one. I acknowledge the attempt to apportion public and private costs in the sharing of the reduction with such as the incentive funds commitment of 100t. But, I believe the incentive fund will struggle to reach its target, and the portion allocated to the pastoral sector falls outside the qualifying RPS requirement of being “reasonable, practical and affordable”. Further, there is an element of maintaining this tough stance to make farming so difficult as to force uptake of N purchase by the incentive fund. This stance is unacceptable, unreasonably harsh and unnecessary; and likely to fail because of the general disbelief that Council is going about this the right way.

Economic analysis submitted by DairyNZ shows that for separate actual dairy farms - as each of the proposed reduction targets are reached in the proposed timeframes, the rate of profit loss increases rapidly. With severe effects on profitability incurred in the final tranche to 2032 and beyond.

I oppose controlled activity status at least until 2022 and seek relief to that effect.

The most important part of PC10 for me is the commitment for reviews. The best current science advice is that sustainable loads of N and P are uncertain and need revision. This is especially important given the financial cost and uncertainty to mitigate N as the primary means to achieving the lake TLI target. The review provisions are not sufficiently explicit. Relief sought – State in LR M2 what will be reviewed.

**From:** rules  
**To:** [TAG - Stuart Morrison](#)  
**Subject:** Submission received  
**Date:** Wednesday, 4 May 2016 4:11:00 p.m.

---

Good afternoon Stuart. Thank you for your email.

This is to confirm that the Bay of Plenty Regional Council received your submission on Proposed Plan Change 10 on 27 April 2016. Your submission was received after the closing time of the submission period (4.00pm, 27 April 2016) however the Water Policy Manager, under delegated authority, has decided to accept your submission pursuant to section 37A(1) of the Resource Management Act. It has been noted that you wish to be heard in support of your submission.

Under Clause 7(1) of Schedule 1 of the Resource Management Act 1991, staff will prepare a summary of all submissions and publicly notify its availability. A copy of the public notice will be sent to you. Any person (including you) will then have the opportunity to make a further submission in support of, or in opposition to, any of the original submissions.

If any change is required to your contact details, please let me know.

Regards  
Sue

**Sue Simpson** | Planning Coordinator | Bay of Plenty Regional Council | Tauranga, New Zealand |  
Ph: 0800 884 881 Ext. 8318 | Web: [www.boprc.govt.nz](http://www.boprc.govt.nz)  
*Please consider the environment before printing this email*

---

**From:** Stuart & Heather Morrison [<mailto:sghmorr@farmside.co.nz>]  
**Sent:** Wednesday, 27 April 2016 9:28 p.m.  
**To:** rules  
**Subject:** Submission re-send after mailbox failure 11.05am

---

**This e-mail message has been swept for viruses and none was found.  
Content was not checked**

---