

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Chapter: **Definitions** 1123

Section: **Definitions** 1123

Panel Recommendations

Refer to the body of our report for our overall recommendations on this section.

Submissions

Submission Number:	21: 11	Submission Type:	Support in Part
Submitter:	Brown Owl Organics Incorporated		
Submission Summary:	There is no definition for the word “commercial” in these rules. The word is only used in relation to horticulture, cropping and dairying. There are different levels of “commercial”. There needs to be a way for small producers to be able to operate commercially below defined limits or below a certain defined amount of turnover.		
Decision Sought:	There needs to be a definition of the word “commercial” itself, or of commercial horticulture. We would like to suggest that the definition be as follows: ‘Commercial Horticulture: A profit-making venture with a combined effective area of greater than 4000m ² of nurseries, orchards, vineyards or vegetables grown for human consumption.’		

Panel Recommendations: Accept in Part

Submission Number:	43: 63	Submission Type:	Support in Part
Submitter:	Ravensdown Limited		
Submission Summary:	There is a need to provide a definition of “low intensity farming activities.’		
Decision Sought:	Provide a definition of “low intensity farming activities - words that reflect LRR7 would be appropriate.		

Panel Recommendations: Accept

Submission Number:	43: 92	*Submission Type:	Support in Part
Submitter:	Ravensdown Limited		
Submission Summary:	There is a need to provide a definition of ‘low intensity farming activities’ as this term is used in the rules.’		
Decision Sought:	Add a new definition of ‘low intensity farming’		

Panel Recommendations: Accept

Further Submission(s)

Further Submission No:	15 - 31	Submission Type:	Support
Further Submitter:	Ballance Agri-Nutrients Limited		
Submission Summary:	A definition will allow the rule to be correctly interpreted/implemented.		
Decision Sought:	As above		

Panel Recommendation: Accept

Submission Number:	43: 101	Submission Type:	Support in Part
Submitter:	Ravensdown Limited		
Submission Summary:	There is confusion over a property’s Rule 11 status. Schedule LR One does not adequately or accurately define how the 2032 Nitrogen Discharge Allowance start point is determined. There may be issues over blocks sold and bought which would have implications on the benchmark figure.		
Decision Sought:	If Council retains the approach to the old Rule 11 benchmark provide a definition that defines how the 2032 Nitrogen Discharge Allowance start point is determined.		

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Panel Recommendations: Accept

Submission Number: 49: 34 Submission Type: Support in Part
Submitter: CNI Iwi Land Management Ltd
Submission Summary: Without a definition of intensive land use LR 9 policy is meaningless.
Decision Sought: Define "intensive land use".

Panel Recommendations: Accept

Submission Number: 53: 60 Submission Type: Support
Submitter: Lachlan McKenzie
Submission Summary: Amend for improved clarity and practical application.
Decision Sought: Add new definition: Area: the property on which the farming activity/farming enterprise occurs and includes but is not limited to any land used for grazing, cultivation, cropping, horticulture, effluent disposal, plantation forestry or bush/scrub.

Panel Recommendations: Reject

Submission Number: 56: 27 Submission Type: Support
Submitter: Bay of Plenty Regional Council
Submission Summary: There is no definition of commercial dairying, horticulture or cropping. These are important to ensure correct implementation of Rule 3 and 4.
Decision Sought: Insert definition(s) to increase interpretation of plan.

Panel Recommendations: Accept

Submission Number: 66: 94 Submission Type: Support in Part
Submitter: Lake Rotorua Primary Producers Collective
Submission Summary: Add new definition.
Decision Sought: Farming activities – includes all activities on any land located within the rural zone.

Panel Recommendations: Reject

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Submission Number: 66: 95 Submission Type: Support in Part
 Submitter: Lake Rotorua Primary Producers Collective
 Submission Summary: Add new definition.
 Decision Sought: Property - Property means any contiguous area of land, including land separated by a road or river, held in single or multiple ownership (whether or not held in common ownership), that is utilised as a single operating unit, and may include one or more certificates of title.

Panel Recommendations:	Reject
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Submission Number: 66: 96 Submission Type: Support in Part
 Submitter: Lake Rotorua Primary Producers Collective
 Submission Summary: Add new definition.
 Decision Sought: Area: the property on which the farming activity/farming enterprise occurs and includes but is not limited to any land used for grazing, cultivation, cropping, horticulture, effluent disposal, plantation forestry or bush/scrub.

Panel Recommendations:	Reject
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Submission Number: 66: 115 Submission Type: Oppose in Part
 Submitter: Lake Rotorua Primary Producers Collective
 Submission Summary: Amend for improved clarity and practical application.
 Decision Sought: Add definition: Phosphorous: refers to elemental phosphorus in dissolved, particulate and organic forms.

Panel Recommendations:	Reject
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Submission Number: 70: 50 Submission Type: Oppose in Part
 Submitter: The Fertiliser Association of New Zealand
 Submission Summary: Include definition of 'Rule Implementation Plan' in definitions section.
 Decision Sought: Include definition of 'Rule Implementation Plan' in definitions section.

Panel Recommendations:	Accept
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Further Submission(s)

Further Submission No: 15 - 41 Submission Type: Support
 Further Submitter: Ballance Agri-Nutrients Limited
 Submission Summary: A definition will assist in providing further clarity within method LR M5.
 Decision Sought: As above

Panel Recommendation:	Accept
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Submission Number: 70: 89 Submission Type: Support
 Submitter: The Fertiliser Association of New Zealand
 Submission Summary: FANZ considers that clarification is required of a number of terms used throughout the Proposed Plan Change.
 Decision Sought: Include definitions for low intensity land use activity.

Panel Recommendations:	Accept
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Further Submission(s)

Further Submission No: 6 - 52 Submission Type: Support
Further Submitter: CNI Iwi Land Management Ltd
Submission Summary: For the reasons given in the original submission.
Decision Sought: As above

Panel Recommendation: Accept

Submission Number: 70: 90 Submission Type: Support
Submitter: The Fertiliser Association of New Zealand
Submission Summary: FANZ considers that clarification is required of a number of terms used throughout the Proposed Plan Change.
Decision Sought: Include definitions for Significant Farm System Change.

Panel Recommendations: Accept

Submission Number: 70: 91 Submission Type: Support
Submitter: The Fertiliser Association of New Zealand
Submission Summary: FANZ considers that clarification is required of a number of terms used throughout the Proposed Plan Change.
Decision Sought: Include the following definition: Start Points: The nitrogen loss benchmark for a property as a sum of all block nitrogen loss benchmarks developed in accordance with Schedule LR One.

Panel Recommendations: Accept

Submission Number: 75: 191 Submission Type: Support
Submitter: Federated Farmers of New Zealand
Submission Summary: We seek that farm area is total farm area, not 'effective' area.
Decision Sought: Add definition 'Area: the property on which the farming activity/farming enterprise occurs and includes but is not limited to any land used for grazing, cultivation, cropping, horticulture, effluent disposal, plantation forestry or bush/scrub.'

Panel Recommendations: Reject

Section: Block

1124

Panel Recommendation

We concur with the Regional Council's reporting officers' recommendations in their s42A report.

Submissions

Submission Number: 70: 92 Submission Type: Oppose in Part
Submitter: The Fertiliser Association of New Zealand
Submission Summary: FANZ support consistency of terminology around the country and seek that 'Block' be defined as per the 'Technical Description of OVERSEER® for Regional Councils'.
Decision Sought: Replace with the following definition: The sum of areas of the property/farming enterprise that are managed the same (e.g., irrigated, cropped, effluent applied) and have the same bio-physical attributes (e.g. soil type, topography).

Panel Recommendations: Reject

Further Submission(s)

Further Submission No: 12 - 28 Submission Type: Support

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Further Submitter: Federated Farmers of New Zealand
 Submission Summary: For the reasons given in the original submission.
 Decision Sought: As above

Panel Recommendation:	Reject
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Section: Bush/Scrub	1125
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Panel Recommendation

We concur with the Regional Council's reporting officers' recommendations in their s42A report.

Submissions

Submission Number:	53: 61	Submission Type:	Support in Part
Submitter:	Lachlan McKenzie		
Submission Summary:	Amend for improved clarity and practical application.		
Decision Sought:	Delete "which are not grazed by stock."		

Panel Recommendations:	Reject
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Submission Number:	66: 97	Submission Type:	Oppose in Part
Submitter:	Lake Rotorua Primary Producers Collective		
Submission Summary:	Amend for improved clarity and practical application.		
Decision Sought:	Delete words 'which are not grazed by stock.'		

Panel Recommendations:	Reject
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Submission Number:	75: 192	Submission Type:	Oppose in Part
Submitter:	Federated Farmers of New Zealand		
Submission Summary:	We seek clarification of the inclusion of gorse with bush.		
Decision Sought:	Delete words 'which are not grazed by stock.'		

Panel Recommendations:	Reject
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Section: Dairy	1126
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Panel Recommendation

We concur with the Regional Council's reporting officers' recommendations in their s42A report.

Submissions

Submission Number:	53: 62	Submission Type:	Support in Part
Submitter:	Lachlan McKenzie		
Submission Summary:	Amend for improved clarity and practical application.		
Decision Sought:	Delete word 'effective' and 'plantation forestry and bush/scrub'.		

Panel Recommendations:	Reject
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Submission Number:	66: 98	Submission Type:	Oppose in Part
Submitter:	Lake Rotorua Primary Producers Collective		
Submission Summary:	Amend for improved clarity and practical application.		

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Decision Sought: Amend to read: Dairy: The area on which milking cows are grazed during the milking season and includes the animal effluent disposal area and fodder crop areas but excludes land used as dairy support.

Panel Recommendations: Reject

Submission Number: 75: 193 Submission Type: Oppose in Part

Submitter: Federated Farmers of New Zealand

Submission Summary: We seek that farm area is total farm area, not 'effective' area.

Decision Sought: Delete word 'effective' and 'plantation forestry and bush/scrub.'

Panel Recommendations: Reject

Section: Dairy Support

1127

Panel Recommendation

We concur with the Regional Council's reporting officers' recommendations in their s42A report.

Submissions

Submission Number: 49: 77 Submission Type: Oppose

Submitter: CNI Iwi Land Management Ltd

Submission Summary: Dairy support's NDA is included within the drystock allocation range. But this disguises a massive N leaching range possible with various ways of using dairy support land i.e. fodder crops.

Decision Sought: Revise to narrow down what can be regarded as dairy support.

Panel Recommendations: Reject

Submission Number: 53: 63 Submission Type: Support in Part

Submitter: Lachlan McKenzie

Submission Summary: Amend for improved clarity and practical application.

Decision Sought: Delete 'nitrogen loss allowance is included within the drystock allocation range.'

Panel Recommendations: Reject

Submission Number: 66: 99 Submission Type: Oppose in Part

Submitter: Lake Rotorua Primary Producers Collective

Submission Summary: Amend for improved clarity and practical application.

Decision Sought: Delete text 'nitrogen loss allowance is included within the dry stock allocation range.'

Panel Recommendations: Reject

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Submission Number: 75: 194 Submission Type: Oppose in Part
 Submitter: Federated Farmers of New Zealand
 Submission Summary: Consistent with reasons and relief sought in previous sections. We oppose the use of Reference
 Files. Decision Sought: Delete 'nitrogen loss allowance is included within the drystock allocation range.'

Panel Recommendations: Reject

Section: Drystock 1128

Panel Recommendation

We concur with the Regional Council’s reporting officers’ recommendations in their s42A report.

Submissions

Submission Number: 53: 64 Submission Type: Support in Part
 Submitter: Lachlan McKenzie
 Submission Summary: Amend for improved clarity and practical application.
 Decision Sought: Delete words ' Effective' and 'but excluding plantation forestry and bush/scrub'.

Panel Recommendations: Reject

Submission Number: 66: 100 Submission Type: Oppose in Part
 Submitter: Lake Rotorua Primary Producers Collective
 Submission Summary: Amend for improved clarity and practical application.
 Decision Sought: Amend to read: Dry stock: The area used for non-dairy activity, including grazing of sheep, beef cattle, goats, horses, deer, cropping and dairy support.

Panel Recommendations: Reject

Submission Number: 75: 195 Submission Type: Oppose in Part
 Submitter: Federated Farmers of New Zealand
 Submission Summary: We seek that farm area is total farm area, not 'effective' area. Consistent with reasons and relief sought in previous sections.
 Decision Sought: Delete word 'effective' and 'plantation forestry and bush/scrub.'

Panel Recommendations: Reject

Section: Effective Area 1129

Panel Recommendation

We concur with the Regional Council’s reporting officers’ recommendations in their s42A report and additional evidence presented during the hearing.

Submissions

Submission Number: 53: 65 Submission Type: Support in Part
 Submitter: Lachlan McKenzie
 Submission Summary: Amend for improved clarity and practical application.
 Decision Sought: Delete.

Panel Recommendations: Reject

Submission Number: 56: 25 Submission Type: Support
 Submitter: Bay of Plenty Regional Council

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Submission Summary: Addition of further clarification to definition of "Effective Area" to include reference to Grazed Trees.
Decision Sought: Amend definition of Effective Area as follows: "The part of the property/farming enterprise used for grazing, cultivation, cropping, horticulture, effluent disposal, and includes areas of grazed trees".

Panel Recommendations: Accept

Submission Number: 66: 101 Submission Type: Oppose
Submitter: Lake Rotorua Primary Producers Collective
Submission Summary: Amend for improved clarity and practical application.
Decision Sought: Delete.

Panel Recommendations: Reject

Submission Number: 75: 196 Submission Type: Oppose
Submitter: Federated Farmers of New Zealand
Submission Summary: We seek that farm area is total farm area, not 'effective' area.
Decision Sought: Delete.

Panel Recommendations: Reject

Submission Number: 85: 3 Submission Type: Oppose
Submitter: Waiteti Farms Ltd / Waiteti Whenua Trust
Submission Summary: Effective Area - The plan is proposed to regulate only effective areas however the lands are whole systems where farming is one part that is required to meet more than just an economic outcome.
Decision Sought: Not specified.

Panel Recommendations: Reject

Submission Number: 86: 3 Submission Type: Oppose
Submitter: Whakapoungakau Aggregated Lands
Submission Summary: Effective Area - The plan is proposed to regulate only effective areas however the lands are a whole system. Farming is one part of the system that is required to provide more than just an economic outcome i.e. cultural, environmental, and social.
Decision Sought: Not specified.

Panel Recommendations: Reject

Section: Farming Activity 1130
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Panel Recommendation

We concur with the Regional Council's reporting officers' recommendations in their s42A report.

Submissions

Submission Number: 66: 102 Submission Type: Oppose in Part
Submitter: Lake Rotorua Primary Producers Collective
Submission Summary: Amend for improved clarity and practical application.
Decision Sought: Amend to read '.....cropping and horticulture, including plantation forestry or bush/scrub within the farm area'.

Panel Recommendations: Reject

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Submission Number: 75: 197 Submission Type: Oppose in Part
Submitter: Federated Farmers of New Zealand
Submission Summary: We seek that farm area is total farm area, not 'effective' area, and for consistency with reasons and relief sought in previous sections.
Decision Sought: Delete words 'but not' and add 'within the farm area' at the end of definition.

Panel Recommendations: Reject

Further Submission(s)

Further Submission No: 6 - 53 Submission Type: Oppose
Further Submitter: CNI Iwi Land Management Ltd
Submission Summary: CNILML opposes the change to seek to average the effect of farm activity over the whole property where it includes low leaching components such as forestry, rather than apply to the "effective area". It would mask the high emitting activities which are the purpose and focus of the plan change.
Decision Sought: As above

Panel Recommendation: Accept

Section: Grazed Trees

1131

Panel Recommendation

We concur with the Regional Council's reporting officers' recommendations in their s42A report and additional evidence presented during the hearing.

Submissions

Submission Number 56: 26 Submission Type: Support
Submitter: Bay of Plenty Regional Council
Submission Summary: Correction to terminology used.
Decision Sought: Amend definition of Grazed Trees by deleting "under Rule 11" and inserting "during the 2001-04 Benchmarking period".

Panel Recommendations: Accept

Section: House Block

1132

Panel Recommendation

We concur with the Regional Council's reporting officers' recommendations in their s42A report and additional evidence presented during the hearing.

Submissions

Submission Number: 53: 66 Submission Type: Support in Part
Submitter: Lachlan McKenzie
Submission Summary: Amend for improved clarity and practical application
Decision Sought: Delete.

Panel Recommendations: Reject

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Submission Number: 66: 103 Submission Type: Oppose
Submitter: Lake Rotorua Primary Producers Collective
Submission Summary: Amend for improved clarity and practical application.
Decision Sought: Delete.

Panel Recommendations: Reject

Section: Horticulture

1133

Panel Recommendation

We concur with the Regional Council's reporting officers' recommendations in their s42A report.

Submissions

Submission Number: 53: 67 Submission Type: Support in Part
Submitter: Lachlan McKenzie
Submission Summary: Amend for improved clarity and practical application
Decision Sought: Delete word 'effective'.

Panel Recommendations: Reject

Submission Number: 66: 104 Submission Type: Oppose in Part
Submitter: Lake Rotorua Primary Producers Collective
Submission Summary: Amend for improved clarity and practical application.
Decision Sought: Delete word 'effective'.

Panel Recommendations: Reject

Submission Number: 75: 198 Submission Type: Oppose in Part
Submitter: Federated Farmers of New Zealand
Submission Summary: We seek that farm area is total farm area, not 'effective' area.
Decision Sought: Delete word 'effective'

Panel Recommendations: Reject

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1134

Section: Managed reduction**Panel Recommendation**

We concur with the Regional Council's reporting officers' recommendations in their s42A report.

Submissions

Submission Number:	53: 68	Submission Type:	Support in Part
Submitter:	Lachlan McKenzie		
Submission Summary:	Amend for improved clarity and practical application.		
Decision Sought:	Amend to read: Managed Reduction: The planned progressive reduction of nutrient losses.		

Panel Recommendations: Reject

Submission Number:	66: 105	Submission Type:	Oppose in Part
Submitter:	Lake Rotorua Primary Producers Collective		
Submission Summary:	Amend for improved clarity and practical application.		
Decision Sought:	Amend to read: Managed Reduction: The planned progressive reduction of nutrient losses to reach a Managed Reduction Target.		

Panel Recommendations: Reject

Submission Number:	75: 199	Submission Type:	Oppose in Part
Submitter:	Federated Farmers of New Zealand		
Submission Summary:	Consistent with reasons and relief sought in previous sections.		
Decision Sought:	Amend to read: Managed Reduction: The planned progressive reduction of nutrient to reach a Managed Reduction Target		

Panel Recommendations: Reject

Section: Managed reduction target

1135

Panel Recommendation

We concur with the Regional Council's reporting officers' recommendations in their s42A report and additional evidence presented during the hearing.

Submissions

Submission Number:	53: 69	Submission Type:	Oppose
Submitter:	Lachlan McKenzie		
Submission Summary:	Amend for improved clarity and practical application.		
Decision Sought:	Delete.		

Panel Recommendations: Reject

Submission Number:	66: 106	Submission Type:	Oppose
Submitter:	Lake Rotorua Primary Producers Collective		
Submission Summary:	Amend for improved clarity and practical application.		
Decision Sought:	Delete.		

Panel Recommendations: Reject

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Further Submission(s)

Further Submission No:	6 - 54	Submission Type:	Support in Part
Further Submitter:	CNI Iwi Land Management Ltd		
Submission Summary:	Support clarification but seeks further changes to include land presently in forestry and a definition change to include plantation forest within the definition of rural enterprise.		
Decision Sought:	Amend to read: 'Nitrogen loss capacity that is transferred from a source property/rural enterprise for addition to the managed reduction pathway of a destination property/rural enterprise to enable land use change and meet a Managed Reduction Target.' Include plantation forest within a definition of rural enterprise.		

Panel Recommendation:	Reject
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Submission Number:	75: 201	Submission Type:	Oppose in Part
Submitter:	Federated Farmers of New Zealand		
Submission Summary:	Amend as follows '.....property/farming enterprise to 'enable landuse change' and meet a Managed Reduction Target.'		
Decision Sought:	Amend as follows '.....property/farming enterprise to 'enable landuse change' and meet a Managed Reduction Target.'		

Panel Recommendations: Reject

Section: Nitrogen

1137

Panel Recommendation

We concur with the Regional Council's reporting officers' recommendations in their s42A report.

Submissions

Submission Number:	53: 71	Submission Type:	Support in Part
Submitter:	Lachlan McKenzie		
Submission Summary:	Amend for improved clarity and practical application.		
Decision Sought:	Amend to read: Nitrogen: refers to elemental nitrogen in dissolved, particulate or organic forms.		

Panel Recommendations: Reject

Submission Number:	66: 108	Submission Type:	Oppose in Part
Submitter:	Lake Rotorua Primary Producers Collective		
Submission Summary:	Amend for improved clarity and practical application.		
Decision Sought:	Amend to read: Nitrogen: refers to elemental nitrogen in dissolved, particulate or organic forms.		

Panel Recommendations: Reject

Submission Number:	75: 202	Submission Type:	Oppose in Part
Submitter:	Federated Farmers of New Zealand		
Submission Summary:	Consistent with reasons and relief sought in previous sections.		
Decision Sought:	Amend as follows: Nitrogen: refers to elemental nitrogen in dissolved, particulate or organic forms.		

Panel Recommendations: Reject

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1138

Section: Nitrogen Budget

Panel Recommendation

We concur with the Regional Council's reporting officers' recommendations in their s42A report.

Submissions

Submission Number:	43: 93	Submission Type:	Support in Part
Submitter:	Ravensdown Limited		
Submission Summary:	The definitions should specify that a Nitrogen Budget is typically produced by an OVERSEER® or an alternative approved by the Regional Council, as specified in Schedule LR Six. The proposed definition is vague and could be met, for example, by a rudimentary estimate of crop nutrient removal and fertiliser inputs alone, assessed by many different means.		
Decision Sought:	Amend by adding the following to the definition: "... outputs. Nitrogen Budgets must be prepared using the OVERSEER® Nutrient Budget model (or an alternative model authorised by the Regional council) and must be prepared by a suitably qualified person certified under the Certified Nutrient Management Advisor Programme."		

Panel Recommendations: Reject

Submission Number:	70: 94	Submission Type:	Oppose
Submitter:	The Fertiliser Association of New Zealand		
Submission Summary:	Clarify that a Nitrogen Budget is typically produced by OVERSEER® Nutrient Budgets and or alternatively approved by Regional Council, as specified in Schedule LR Six. The current definition is very vague and could be met by a rudimentary estimate of crop nutrient removal and fertiliser inputs alone.		
Decision Sought:	Amend as follows: '.....and all the outputs. Nitrogen budgets must be prepared using the OVERSEER® Nutrient Budget model (or an alternative model authorised by the Regional Council)'		

Panel Recommendations: Reject

Further Submission(s)

Further Submission No:	15 - 50	Submission Type:	Support
Further Submitter:	Ballance Agri-Nutrients Limited		
Submission Summary:	Supports the definition amendment proposed as it would promote greater consistency and clarity.		
Decision Sought:	As above		

Panel Recommendation: Reject

1139

Section: Nitrogen Discharge Allowance

Panel Recommendation

We concur with the Regional Council's reporting officers' recommendations in their s42A report and additional evidence presented during the hearing.

Submissions

Submission Number:	43: 96	Submission Type:	Oppose
Submitter:	Ravensdown Limited		
Submission Summary:	There needs to be consistency in the use of terms and definitions for clarity. The current definition could be interpreted as saying two different things: Nitrogen Discharge Allowance is a maximum annual nitrogen loss per farm; or that the Nitrogen Discharge Allowance is a maximum nitrogen loss per block.		
Decision Sought:	Delete the definition and replace it with the definition in Schedule LR One: "A property/farming		

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enterprise's Nitrogen Discharge Allowance equals the sum of the allowable nitrogen losses, post 2032 for all of the blocks within the property/farming enterprise (drystock, dairy, bush/scrub, plantation forestry and house block)."

Panel Recommendations: Accept in Part

Submission Number:	49: 78	Submission Type:	Oppose
Submitter:	CNI Iwi Land Management Ltd		
Submission Summary:	Calling an externality that should not be happening an "allowance" sends the wrong signals. Pollution is not allowed, including be section 15 and 17 of the RMA.		
Decision Sought:	Rename as Nitrogen discharge units.		

Panel Recommendations: Accept in Part

Submission Number:	53: 72	Submission Type:	Oppose
Submitter: Submission	Lachlan McKenzie		
Summary: Decision	Amend for improved clarity and practical application.		
Sought:	Delete.		

Panel Recommendations: Reject

Submission Number:	66: 109	Submission Type:	Oppose
Submitter:	Lake Rotorua Primary Producers Collective		
Submission Summary:	Amend for improved clarity and practical application.		
Decision Sought:	Delete.		

Panel Recommendations: Reject

Submission Number:	70: 95	Submission Type:	Oppose
Submitter:	The Fertiliser Association of New Zealand		
Submission Summary:	<p>FANZ seeks consistency of terms and definitions for clarity. The proposed definition could be interpreted as saying two different things NDA is a max annual nitrogen loss per farm or;</p> <ul style="list-style-type: none"> - That NDA is max nitrogen loss per block. - 		
Decision Sought:	<ul style="list-style-type: none"> - Delete and replace with 'A property/farming enterprise's Nitrogen Discharge Allowance equals the sum of the allowable nitrogen losses, post 2032, for all of the blocks within the property/farming enterprise (drystock, dairy, bush/scrub, plantation forestry and house block).' 		

Panel Recommendations	Accept in Part
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Further Submission(s)

Further Submission No:	15 - 51	Submission Type:	Support
Further Submitter:	Ballance Agri-Nutrients Limited		
Submission Summary:	For the reasons given in the original submission.		
Decision Sought:	As above		

Panel Recommendation:	Accept in Part
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Submission Number	75: 203	Submission Type: Oppose
Submitter:	Federated Farmers of New Zealand	
Submission Summary:	Consistent with reasons and relief sought in previous sections.	
Decision Sought:	Delete.	

Panel Recommendations:	Reject
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Section: Nitrogen Loss Entitlement

1140

Panel Recommendation

We concur with the Regional Council's reporting officers' recommendations in their s42A report.

Submissions

Submission Number:	49: 79	Submission Type:	Oppose in Part
Submitter:	CNI Iwi Land Management Ltd		
Submission Summary:	Calling an externality that should not be happening an "entitlement" sends the wrong signals.		
Decision Sought:	Rename throughout the plan as Nitrogen discharge liability units.		

Panel Recommendations:	Accept in Part
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Submission Number:	53: 73	Submission Type:	Oppose
Submitter:	Lachlan McKenzie		
Submission Summary:	Amend for improved clarity and practical application.		
Decision Sought:	Delete.		

Panel Recommendations:	Reject
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Submission Number:	66: 110	Submission Type:	Oppose in Part
Submitter:	Lake Rotorua Primary Producers Collective		
Submission Summary:	Amend for improved clarity and practical application.		
Decision Sought:	Amend to read: Nitrogen loss entitlement: Consent allowing for Managed Reduction Offset.		

Panel Recommendations:	Reject
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Submission Number:	75: 204	Submission Type:	Oppose in Part
Submitter:	Federated Farmers of New Zealand		
Submission Summary:	Consistent with reasons and relief sought in previous sections.		
Decision Sought:	Delete text 'Nitrogen Discharge Allowance' and word 'or'.		

Panel Recommendations:	Reject
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1141

Section: Nitrogen Management Plan

Panel Recommendation

Refer to the body of our report for our recommendation on this section.

Submissions

Submission Number: 43: 94 Submission Type: Support in Part

Submitter: Ravensdown Limited

Submission Summary: The current definition of Nitrogen Management Plan can be replaced with the term 'Nutrient Management Plan'.

Decision Sought: Delete the reference to a 'Nitrogen Management Plan' and replace it with the term 'Nutrient Management Plan'.

Panel Recommendations: Accept

Further Submission(s)

Further Submission No: 15 - 17 Submission Type: Support

Further Submitter: Ballance Agri-Nutrients Limited

Submission Summary: Ballance considers that the use of the term "Nutrient Management Plan" is not consistent with terminology being used in other regions around New Zealand, including but not limited to Canterbury, Waikato and Southland.

The use of "Nutrient Management Plan" rather than "Nitrogen Management Plan" better reflects the intent of the Plan, which isn't limited to managing nitrogen as evidenced by Schedule LR6 within PPC 10.

Decision Sought: As above

Panel Recommendation: Accept

Submission Number: 53: 74 Submission Type: Support in Part

Submitter: Lachlan McKenzie

Submission Summary: Amend for improved clarity and practical application.

Decision Sought: Amend to refer to 'Nutrient Management Plan' and 'nutrient losses'.

Panel Recommendations: Accept in Part

Submission Number: 53: 75 Submission Type: Oppose

Submitter: Lachlan McKenzie

Submission Summary: Amend for improved clarity and practical application.

Decision Sought: Delete words: 'to meet Managed Reduction Targets and the Nitrogen Discharge Allowance, and to manage phosphorus loss. The requirements of a Nitrogen Management Plan are specified in Schedule LR Six.'

Panel Recommendations: Reject

Submission Number: 66: 111 Submission Type: Oppose in Part

Submitter: Lake Rotorua Primary Producers Collective

Submission Summary: Amend for improved clarity and practical application.

Decision Sought: Amend to read: Nutrient Management Plan: A plan prepared for a property or farming enterprise that identifies sources of nutrients associated with the farming activity and that records mitigation actions to reduce nutrient losses.

Panel Recommendations: Reject

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Submission Number: 75: 205 Submission Type: Oppose in Part
Submitter: Federated Farmers of New Zealand
Submission Summary: Consistent with reasons and relief sought in previous sections.
Decision Sought: Amend as follows:
Nutrient Management Plan: A plan prepared for a property or farming enterprise that identifies sources of nutrients associated with the farming activity and that records mitigation actions to reduce nutrient losses
The requirements of a Nutrient Management Plan are specified in Schedule LR Six.

Panel Recommendations: Reject

Section: OVERSEER

1142

Panel Recommendation

We concur with the Regional Council's reporting officers' recommendations in their s42A report.

Submissions

Submission Number: 49: 80 Submission Type: Oppose in Part
Submitter: CNI Iwi Land Management Ltd
Submission Summary: OVERSEER® still needs a lot of verification to make its outputs less variable. To gloss over the variability is to misrepresent and over represent its value as a tool for meeting lake water quality. It also needs substantial verification to be relevant for many Rotorua soil types. The reliance being placed on it in this plan change is too great.
Decision Sought: Revise the definition to say ...commonly referred to as OVERSEER®) is a model under development, with numerous versions, that can produce substantially different information outputs on the same piece of land with the same input data, and that lacks sensitivity to mitigation changes.

Panel Recommendations: Reject

Submission Number: 53: 76 Submission Type: Oppose
Submitter: Lachlan McKenzie
Submission Summary: Amend for improved clarity and practical application.
Decision Sought: Delete words "OVERSEER® calculations are based on a 01 July to 30 June period.'

Panel Recommendations: Reject

Submission Number: 66: 112 Submission Type: Oppose in Part
Submitter: Lake Rotorua Primary Producers Collective
Submission Summary: Amend for improved clarity and practical application.
Decision Sought: Amend to read: OVERSEER® Nutrient Budgets model (commonly referred to as OVERSEER®) is a software application that generates information about the flow of nutrients on and off a farm.

Panel Recommendations: Reject

Submission Number: 75: 206 Submission Type: Oppose in Part
Submitter: Federated Farmers of New Zealand
Submission Summary: Consistent with reasons and relief sought in previous sections. We oppose the use of Reference Files
Decision Sought: Delete text 'OVERSEER® calculations are based on a 01 July to 30 June period.'

Panel Recommendations: Reject

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Section: OVERSEER File

1143

Panel Recommendation

We concur with the Regional Council's reporting officers' recommendations in their s42A report and additional evidence presented during the hearing.

Submissions

Submission Number:	43: 97	Submission Type:	Oppose
Submitter:	Ravensdown Limited		
Submission Summary:	The current definition is the same as the Nitrogen Budget and does not accurately represent what an OVERSEER® File is.		
Decision Sought:	Replace with the following: "An OVERSEER® File represents the record of farm system data which is used to execute the OVERSEER® Nutrient Budgets model for a single analysis of the farm and its management system."		

Panel Recommendations: Accept in Part

Submission Number:	53: 77	Submission Type:	Support in Part
Submitter:	Lachlan McKenzie		
Submission Summary:	Amend for improved clarity and practical application.		
Decision Sought:	Delete word 'Nitrogen' and replace with 'Nutrient'		

Panel Recommendations: Reject

Submission Number:	66: 113	Submission Type:	Oppose in Part
Submitter:	Lake Rotorua Primary Producers Collective		
Submission Summary:	Amend for improved clarity and practical application.		
Decision Sought:	Amend to read: OVERSEER® File: An estimate of the total nutrient balance for a particular property/farming enterprise using OVERSEER® taking into account inputs and outputs.		

Panel Recommendations: Reject

Submission Number:	70: 96	Submission Type:	Oppose
Submitter:	The Fertiliser Association of New Zealand		
Submission Summary:	The current definition is the same as 'Nitrogen Budget'. In the current wording of the definition, 'total nitrogen balance' would be calculated using 'nitrogen inputs and outputs' so it seems superfluous to mention the latter term. The suggested definition is adapted from the OVERSEER® Quick Start Guide August 2014.		
Decision Sought:	Replace definition with the following: An OVERSEER® File represents the record of farm system data which is used to execute the OVERSEER® Nutrient Budgets model for a single analysis of the farm and its management system.		

Panel Recommendations: Accept in Part

Further Submissions

Further Submission No:	15 - 52	Submission Type:	Support
Further Submitter:	Ballance Agri-Nutrients Limited		
Submission Summary:	The current definition of OVERSEER® file is not clear, the proposed amendment is supported.		
Decision Sought:	As above		

Panel Recommendation: Accept in Part

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Submission Number: 75: 207 Submission Type: Oppose in Part
 Submitter: Federated Farmers of New Zealand
 Submission Summary: Consistent with reasons and relief sought in previous sections.
 Decision Sought: Amend as follows:
 OVERSEER® File: An estimate of the total nutrient balance for a particular property/farming enterprise using OVERSEER® taking into account inputs and outputs.

Panel Recommendations: Reject

Section: Plantation Forestry

1144

Panel Recommendation

We concur with the Regional Council's reporting officers' recommendations in their s42A report.

Submissions

Submission Number: 3: 3 Submission Type: Oppose
 Submitter: Kaingaroa Timberlands Partnership
 Submission Summary: Forestry is not just areas of planted trees, there are large areas of roading, skid sites and non-planted areas. The rules are also about the discharge of phosphorous. Therefore forestry earthworks should be part of the definition. Non planted areas may revert to indigenous vegetation bit they will not necessarily be areas that are legally reserves. Non-planted areas and management of such areas are important for cultural areas and for the biodiversity of a forest and also an importance part of international third party certification processes.
 Decision Sought: Include all those aspects of forestry such as earthworks, tracks and non-planted areas rather than restricting the definition to planted areas only.

Panel Recommendations: Accept in Part

Further Submission(s)

Further Submission No: 6 - 55 Submission Type: Support
 Further Submitter: CNI Iwi Land Management Ltd

Submission Summary: For the reasons given in the original submission.

Decision Sought: As above

Panel Recommendation: Accept in Part

Submission Number: 53: 78 Submission Type: Oppose
 Submitter: Submission Lachlan McKenzie
 Summary: Decision Amend for improved clarity and practical application.
 Sought: Delete words 'which are not grazed by stock.'

Panel Recommendations: Reject

Submission Number: 66: 114 Submission Type: Oppose in Part
 Submitter: Submission Lake Rotorua Primary Producers Collective
 Summary: Decision Amend for improved clarity and practical application.
 Sought: Delete text ' which are not grazed by stock.'

Panel Recommendations: Reject

Submission Number: 75: 208 Submission Type: Oppose in Part
 Submitter: Federated Farmers of New Zealand

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Submission Summary: Consistent with reasons and relief sought in previous sections.

Decision Sought: Delete text 'which are not grazed by stock.' We recommend consideration be given to providing for 'agro-forestry'.

Panel Recommendations: Reject

Section: Permanently Retired

1145

Panel Recommendation

We concur with the Regional Council's reporting officers' recommendations in their s42A report.

Submissions

Submission Number: 3: 2 Submission Type: Oppose

Submitter: Kaingaroa Timberlands Partnership

Submission Summary: In forestry there will be areas that are not replanted but such areas are not legally secured. They may be areas that are part of the management of a forest, that is they may be pulled across at time of harvest, used for sediment control devices, new tracks, permanent skid sites, and infrastructure areas. So they form part of the normal management practices but are not legally reserved retired areas.

Decision Sought: Delete the reference to 'that is legally secured'. Add 'that it is not grazed'.

Panel Recommendations: Reject

Further Submission(s)

Further Submission No: 6 - 56 Submission Type: Support

Further Submitter: CNI Iwi Land Management Ltd

Submission Summary: For the reasons given in the original submission.

Decision Sought: As above

Panel Recommendation: Reject

Section: Property/farming enterprise

1146

Panel Recommendation

We concur with the Regional Council's reporting officers' recommendations in their s42A report and additional evidence presented during the hearing.

Submissions

Submission Number: 43: 95 Submission Type: Support in Part

Submitter: Ravensdown Limited

Submission Summary: The definition of property/farming enterprise to include that they are managed for the purposes of nutrient management.

Decision Sought: Amend to read: "tenure that is managed for the purposes of nutrient management."

Panel Recommendations: Reject

Submission Number: 49: 81 Submission Type: Support in Part

Submitter: CNI Iwi Land Management Ltd

Submission Summary: Clarify that this also applies to forestry land.

Decision Sought: Clarify that this also applies to forestry land.

Panel Recommendations: Reject

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Submission Number: 66: 116 Submission Type: Oppose in Part
Submitter: Lake Rotorua Primary Producers Collective
Submission Summary: Amend for improved clarity and practical application.
Decision Sought: Amend to read: Farming enterprise: means an aggregation of parcels of land held in single or multiple ownership (whether or not held in common ownership) that constitutes a single operating unit for the purpose of a single farming unit. For the purposes of these provisions, property/farming enterprise only relates to rural land within the Lake Rotorua groundwater catchment.

Panel Recommendations: Reject

Submission Number: 75: 79 Submission Type: Oppose
Submitter: Lachlan McKenzie
Submission Summary: Amend for improved clarity and practical application.
Decision Sought: Delete and replace with: 'Farming enterprise: means an aggregation of parcels of land held in single or multiple ownership (whether or not held in common ownership) that constitutes a single operating unit for the purpose of nutrient management.'

Panel Recommendations: Reject

Submission Number: 75: 209 Submission Type: Oppose in Part
Submitter: Federated Farmers of New Zealand
Submission Summary: Consistent with reasons and relief sought in previous sections.
Decision Sought: Amend as follows: Farming enterprise: means an aggregation of parcels of land held in single or multiple ownership (whether or not held in common ownership) that constitutes a single operating unit for the purpose of farm management. For the purposes of these provisions, property/farming enterprise only relates to rural land within the Lake Rotorua groundwater catchment.

Panel Recommendations: Reject

Section: Reference files

1147

Panel Recommendation

We concur with the Regional Council's reporting officers' recommendations in their s42A report and additional evidence presented during the hearing.

Submissions

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Submission Number: 43: 98 Submission Type: Support in Part
Submitter: Ravensdown Limited
Submission Summary: Ravensdown supports consistency of terminology. The suggested definition is adapted from Step 1 in Schedule LR Five – Use of OVERSEER® and Reference Files.
Decision Sought: Replace the definition with the following:
“Reference files are OVERSEER® files that have been created for hypothetical dairy and drystock properties that:
• Have geophysical characteristics that are representative of the catchment (soil, slope and rainfall) which are used to represent the permitted activity nitrogen loss for the sector for the average property at 2032.”

Panel Recommendations: Accept in part

Further Submission(s)

Further Submission No: 6 - 57 Submission Type: Support
Further Submitter: CNI Iwi Land Management Ltd
Submission Summary: For the reasons given in the original submission.
Decision Sought: As above

Panel Recommendation: Accept in part

Submission Number: 49: 82 Submission Type: Oppose
Submitter: CNI Iwi Land Management Ltd
Submission Summary: OVERSEER® is an unstable representation of the biophysical factors and farming systems thus the definition should not imply that it is an accurate representation. OVERSEER® still needs a lot of verification to make its outputs less variable. This definition attempts to manage that by using a particular version as the reference point. To do so makes for a very complicated relationship between the reference version and subsequent versions which may change that expected discharge amount by up to 300%, and change the distribution of that difference among land uses. This means there is no certainty for land users as to what reduction they need to make.
Decision Sought: Delete and replace with: The OVERSEER® version files that any subsequent version/release or upgrades to OVERSEER® are referenced back to. For Lake Rotorua it is 5.4.1.

Panel Recommendations: Reject

Submission Number: 53: 80 Submission Type: Oppose
Submitter: Lachlan McKenzie
Submission Summary: Amend for improved clarity and practical application.
Decision Sought: Delete.

Panel Recommendations: Reject

Submission Number: 66: 117 Submission Type: Oppose
Submitter: Lake Rotorua Primary Producers Collective
Submission Summary: Amend for improved clarity and practical application.
Decision Sought: Delete.

Panel Recommendations: Reject

Submission Number: 70: 97 Submission Type: Oppose in Part
Submitter: The Fertiliser Association of New Zealand

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Submission Summary: FANZ supports consistency of terminology around the country. The suggested definition is adapted from the description in Schedule LR R5 (use of reference files), and footnote 2 in "Methodology for creation of NDA reference files and stocking rate table".

Decision Sought: Replace definition with the following: Reference files are OVERSEER® files that have been created for hypothetical dairy and drystock properties that have geophysical characteristics that are representative of the catchment (soil, slope, and rainfall), and which are used to represent the permitted activity nitrogen loss for the sector for the average properties at 2032.

Panel Recommendations: Accept in part

Further Submission(s)

Further Submission No:	15 - 53	Submission Type:	Support
Further Submitter:	Ballance Agri-Nutrients Limited		
Submission Summary:	For the reasons given in the original submission. Ballance understands that the requested definition of "reference files" has been adapted from the Rotorua Lakes District Council website, and is thus a commonly used term.		
Decision Sought:			

Panel Recommendation: Accept in part

Submission Number:	75: 210	Submission Type:	Oppose
Submitter:	Federated Farmers of New Zealand		
Submission Summary:	We oppose the use of Reference Files; this is an unacceptable 'dumbing down' of the use of OVERSEER® at both farm scale and catchment scale.		
Decision Sought:	Delete.		

Panel Recommendations: Reject

Section: Rural	1148
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Panel Recommendation

We concur with the Regional Council's reporting officers' recommendations in their s42A report.

Submissions

Submission Number:	53: 81	Submission Type:	Support in Part
Submitter:	Lachlan McKenzie		
Submission Summary:	Amend for improved clarity and practical application.		
Decision Sought:	Add 'excluding land outside BoPRC boundaries' to the end of the definition.		

Panel Recommendations: Reject

Submission Number:	66: 118	Submission Type:	Oppose in Part
Submitter:	Lake Rotorua Primary Producers Collective		
Submission Summary:	Amend for improved clarity and practical application.		
Decision Sought:	Amend to read: Rural: In relation to land and properties/farming enterprises within the Lake Rotorua groundwater catchment means land identified on Map LR 1 excluding land outside BoPRC boundaries.		

Panel Recommendations: Reject

Submission Number:	75: 211	Submission Type:	Oppose in Part
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Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Submitter: Federated Farmers of New Zealand
 Submission Summary: Consistent with reasons and relief sought in previous sections.
 Decision Sought: Add following text to the end of the definition 'excluding land outside BoPRC boundaries'.

Panel Recommendations: Reject

Section: Suitably qualified and experienced person	1149
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Panel Recommendation

We concur with the Regional Council's reporting officers' recommendations in their s42A report and additional evidence presented during the hearing.

Submissions

Submission Number:	12: 14	Submission Type:	Oppose
Submitter:	Astrid Coker		
Submission Summary:	Oppose the requirement for a suitable qualified person.		
Decision Sought:	Remove the requirement for farmers to hire a suitably qualified person for administrative purposes of OVERSEER®.		

Panel Recommendations: Reject

Submission Number:	43: 99	Submission Type:	Oppose in Part
Submitter:	Ravensdown Limited		
Submission Summary:	The first bullet point should be deleted as procedures should be specified in the rules and methods (procedural protocols do not make a person suitably qualified and experienced).		
Decision Sought:	Replace the first bullet point with the following: "Is a Certified Nutrient Management Adviser, certified under the Nutrient Management Adviser Certification Programme and...";		

Panel Recommendations: Reject

Submission Number:	43: 100	Submission Type:	Support in Part
Submitter:	Ravensdown Limited		
Submission Summary:	The reference to intermediate and advanced sustainable Nutrient Management Course should be deleted. They are a component of Certification under the CNMA programme.		
Decision Sought:	Delete reference to intermediate and advanced Sustainable Nutrient Management Course in bullet point two.		

Panel Recommendations: Reject

Submission Number:	53: 82	Submission Type:	Support in Part
Submitter:	Lachlan McKenzie		
Submission Summary:	Amend for improved clarity and practical application.		
Decision Sought:	Amend to: 'A person who: • Implements OVERSEER® input best practice • has completed both the "Intermediate" and the "Advanced" courses in "Sustainable Nutrient Management in New Zealand Agriculture" conducted by Massey University and has at least five years' work experience in a land use/farm advisory role; or'		

Panel Recommendations: Reject

Submission Number:	66: 26	Submission Type:	Oppose
Submitter:	Lake Rotorua Primary Producers Collective		
Submission Summary:	That Council change the definition of 'Suitably qualified and experienced person' to read a person who		

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Implements OVERSEER® input best practice, has completed both the intermediate & advanced courses in 'sustainable nutrient management in NZ conducted by Massey University and has at least five year's work experience in land use or farm advisory.

Decision Sought: That Council change the definition of 'Suitably qualified and experienced person' to read a person who implements OVERSEER® input best practice, has completed both the intermediate & advanced courses in 'sustainable nutrient management in NZ conducted by Massey University and has at least five year's work experience in land use or farm advisory.

Panel Recommendations: Reject

Submission Number: 66: 119 Submission Type: Oppose in Part

Submitter: Lake Rotorua Primary Producers Collective

Submission Summary: Amend for improved clarity and practical application.

Decision Sought: Amend to read: Suitably qualified and experienced person: A person who:

- Implements OVERSEER® input best practice
- has completed both the "Intermediate" and the "Advanced" courses in "Sustainable Nutrient Management in New Zealand Agriculture" conducted by Massey University and has at least five years' work experience in a land use/farm advisory role.

Panel Recommendations: Reject

Submission Number: 70: 98 Submission Type: Oppose in Part

Submitter: The Fertiliser Association of New Zealand

Submission Summary: FANZ seeks that the first bullet point is deleted as procedures should be specified in the rules and methods.

Decision Sought: Replace the first bullet point with the following: 'Certified Nutrient Management Adviser, certified under the Nutrient Management Adviser Certification Programme Ltd and...'

Panel Recommendations: Reject

Submission Number: 70: 99 Submission Type: Oppose in Part

Submitter: The Fertiliser Association of New Zealand

Submission Summary: FANZ seeks that reference to intermediate and advanced sustainable Nutrient Management Course is deleted. They are a component of Certification under the CNMA programme.

Decision Sought: Delete reference to intermediate and advanced Sustainable Nutrient Management Course in bullet point two.

Panel Recommendations: Reject

Submission Number: 75: 212 Submission Type: Oppose in Part

Submitter: Federated Farmers of New Zealand

Submission Summary: Consistent with reasons and relief sought in previous sections.

Decision Sought: Amend to:
Suitably qualified and experienced person: A person who:

- Implements OVERSEER® input best practice
- Has completed both the "Intermediate" and the "Advanced" courses in "Sustainable Nutrient Management in New Zealand Agriculture" conducted by Massey University and has at least five years' work experience in a land use/farm advisory role; or

Panel Recommendations: Reject

Further Submission(s)

Further Submission No: 6 - 58 Submission Type: Oppose

Further Submitter: CNI Iwi Land Management Ltd

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Submission Summary: CNILML opposes the submission's proposed changes to suitably qualified and experienced person, as they would reduce the consistency with which Rotorua assessments would be done.

Decision Sought: As above

Panel Recommendation: Accept

Chapter: Schedule LR One – Methodologies

1150

Section: Schedule LR One - Methodologies

1150

Panel Recommendation

Refer to the body of our report for our recommendations on this section

Submissions

Submission Number: 28: 1 Submission Type: Oppose

Submitter: Kevin Davenport

Submission Summary: I do not support the nitrogen discharge allowance that will be forced onto land owners.

Decision Sought: I would like to see group discussions or farm workshop sessions on best farming practices held. I would like to see BOP Council working with landowners in smaller groups of the different catchment areas within the Rotorua Basin to help them understand the implications of their Farming practices on their specific area. They all have different soil types, micro climates, land contour and proximity's to streams feeding the Lake.

Panel Recommendations: Reject

Submission Number: 33: 1 Submission Type: Oppose

Submitter: Utuhina Valley Farm

Submission Summary: I oppose applying nitrogen baselines as currently calculated and the timelines proposed to achieve them and how the nitrogen discharge limit is calculated and applied to my property.

Decision Sought: I seek that the Council:
 -extend the years over which the calculation of nitrogen baselines are derived to a rolling average over a four year period and provide the maximum discharge from those years as the baseline.
 - take a whole farm approach to reducing discharges into the lake so that all farm mitigations are accounted for.
 - provide flexibility in the plan to allow for ongoing development and flexibility in farm management above the sector average
 - use OVERSEER® as a decision support tool.
 - provide for further transition times before the allocation framework applies to allow for increased understanding of the relative contributions and potential loads – amend the property allocation to reflect this.

Panel Recommendations: Reject

Submission Number: 36: 2 Submission Type: Oppose

Submitter: Tracey Friend and Myles McNaught

Submission Summary: We have issues with the impact of the present majorly lowered nitrogen leaching levels being proposed. The proposed levels mean that we personally would have to drop our production/stock rates to a level that will make our farm uneconomic.

Decision Sought: We would like to see some more science being done before such a huge change is made. The economic and social consequences will be much larger than anyone has thought through.

Panel Recommendations: Reject

Submission Number: 40: 1 Submission Type: Oppose

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Submitter: Maraeroa Oturoa 2B Trust

Submission Summary: The Trust opposes the use of 2001-04 benchmark as the starting point for nutrient allocation in this process. The current land use is significantly different from the benchmark years. To use the benchmark figure as a starting point for nitrogen allocation is unfair and puts these landowners at a disadvantage. The ability to intensify in earlier years was not possible.

Decision Sought: The Trust requests an alternative allocation methodology to be used, not based on their benchmark. An alternative methodology should support long-term landowners in the catchment and not put them in a position that disadvantages them.
Review nitrogen allocations so that the baseline better reflects the ultimate potential of the farm not just the current situation.
Provide flexibility to allow for on-going development for the Trust to fully establish an economic unit (whilst fully establishing appropriate mitigation policies / practices).

Panel Recommendations: Reject

Further Submission(s)

Further Submission No: 6 – 59 Submission Type: Support

Further Submitter: CNI Iwi Land Management Ltd

Submission Summary: For the reasons given in the original submission.

Decision Sought: As above

Panel Recommendation: Reject

Submission Number: 53: 58 Submission Type: Support

Submitter: Lachlan McKenzie

Submission Summary: Add new schedule to support administration of the rules.

Decision Sought: Add Schedule AA - Nutrient Benchmark as outlined in the hard copy submission.

Panel Recommendations: Reject

Submission Number: 53: 59 Submission Type: Support

Submitter: Lachlan McKenzie

Submission Summary: Add new schedule to support administration of the rules.

Decision Sought: Add schedule as follows: Schedule BB Managed Nutrient Reduction Targets as outlined in the hardcopy submission.

Panel Recommendations: Reject

Submission Number: 53: 83 Submission Type: Oppose

Submitter: Lachlan McKenzie

Submission Summary: Too many uncertainties currently associated with both the loads and the targets.

Decision Sought: Delete schedule LR One, develop straightforward methodology for determining benchmarks for properties that don't currently have them.

Panel Recommendations: Reject

Submission Number: 55: 4 Submission Type: Oppose

Submitter: NZ Deer Farmer's Association

Submission Summary: Land owners who have applied best land use practice are significantly penalised by the proposed nutrient allocation system. Drystock farms tend to have much larger areas dedicated to 'environmental services' than dairy farms. Willingness to undertake further works to protect significant natural areas such as bush remnants or wetlands is likely to be compromised.

Decision Sought: The Bay of Plenty Deer Farmers branch supports an accord in place of a rules based system. Working together to find on farm solutions and sharing knowledge through education and land environment plans

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

developed with the support of industry and regional council would be a far more valuable approach.

Panel Recommendations: Reject

Submission Number:	56: 28	Submission Type:	Support
Submitter:	Bay of Plenty Regional Council		
Submission Summary:	The transition of benchmark information through OVERSEER® and into % of reference files should be made more explicit. This is also covered within Schedule LR Five and will provide consistency.		
Decision Sought:	Add text to last sentence above Table LR 5 (page 22) as follows: "For Benchmarked properties - the Benchmark, land use and effective area are defined by, and are what existed in, the 2001-04 period. For non-Benchmarked properties the Derived Benchmark is defined by the 2001-04 Benchmark averages, and the land use and effective area are what existed in the 2002/03 period. Any lawful change is taken into account. All Benchmark information is converted to OVERSEER® 6.2.0 for the purpose of calculating Nitrogen Discharge Allowances."		

Panel Recommendations: Accept

Submission Number:	66: 93	Submission Type:	Oppose
Submitter:	Lake Rotorua Primary Producers Collective		
Submission Summary:	Add new Schedule to support administration of the rules.		
Decision Sought:	Add Schedule AA - Nutrient Benchmark as outlined in the submission hardcopy.		

Panel Recommendations: Reject

Submission Number:	66: 120	Submission Type:	Oppose
Submitter:	Lake Rotorua Primary Producers Collective		
Submission Summary:	Oppose - too many uncertainties currently associated with both the loads and the targets.		
Decision Sought:	Delete schedule LR One, develop straightforward methodology for determining benchmarks for properties that don't currently have.		

Panel Recommendations: Reject

Submission Number:	75: 190	Submission Type:	Support
Submitter:	Federated Farmers of New Zealand		
Submission Summary:	Add new schedule to support administration of the amendments we propose to the rules.		
Decision Sought:	Add Schedule AA - Nutrient Benchmark as outlined in the hardcopy of the submission.		

Panel Recommendations: Reject

Submission Number:	75: 213	Submission Type:	Oppose
Submitter:	Federated Farmers of New Zealand		
Submission Summary:	There are multiple uncertainties currently associated with both the loads and the targets. Pending the 2016 Rotan review and the 2017 science review, this would be the appropriate time to further discuss the details of these formula. Further attention to developing this methodology would properly support the Rotorua Lakes WMA scheduled from 2020-2023.		
Decision Sought:	Delete schedule LR One. Develop straightforward methodology for determining benchmarks for properties that don't currently have them based on the existing Rule 11 protocol.		

Panel Recommendations: Reject

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1151

Section: Start Points and Nitrogen Discharge Allowances

Panel Recommendation

Refer to the body of our report for our recommendations on this section.

Submissions

Submission Number: 1: 3 Submission Type: Oppose
 Submitter: Lindsay Hugh and Alison Lyndsay Moore
 Submission Summary: The starting point in determining nitrogen use controlled should be land classification by its characteristics and how it drains i.e. by surface runoff or soakage, where the water goes and to what extent it filters on the way. Gradient is a necessary focus to the increased slope giving rise to a higher proportion of run off. We submit that current land use is irrelevant to classification but may be relevant to permitted time within which to adjust to the standard for that class of land.
 Decision Sought: Amend to include classifying land according to its characteristics and proportionate nutrient loss which reaches the lake within 200 years.

Panel Recommendations: Reject

Submission Number: 5: 11 Submission Type: Oppose
 Submitter: Robin Boom
 Submission Summary: Historical benchmarking gives an unfair advantage to polluting dairy farms. Grandparenting will naturally benefit dairy farmers who have not used environmentally sustainable practice.
 Decision Sought: Biological farming practice should be adopted which encourage natural legume based farming as opposed to high input farming practices Drystock farmers can finally improve their farms natural productivity through better submissions and improving soil fertility through potential to increase natural legume based pasture productivity by 30-40% through application of lime, phosphate, potassium, sulphur and trace elements to bring these levels close to biological optimum.

To expect drystock farmers to go down to 10 kg/N loss/ha because one farmer is at this low level is inequitable and unfair. A good benchmark would be at least 30, possibility 35 kg N/ha.

Panel Recommendations: Reject

Submission Number: 18: 1 Submission Type: Oppose
 Submitter: Dibley Holdings/Awaglen Trusts Partnership
 Submission Summary: Our new NDA is on the 50's but changes every week. The NDA would mean cutting our cow numbers from 600 to 400 with loads of new compliance costs. The new rules are ridiculous are not sustainable.
 Decision Sought: Not specified.

Panel Recommendations: Reject

Submission Number: 30: 6 Submission Type: Support in Part
 Submitter: Fish & Game New Zealand (Eastern Region Fish and Game Council)
 Submission Summary: For land use operations that do not fit into the prescribed categories a fair and equitable range of nitrogen limitations must be allocated. Professional assessment and advice must be provided.
 Decision Sought: Not specified.

Panel Recommendations: Accept

Submission Number: 31: 1 Submission Type: Oppose
 Submitter: Patricia Hosking

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Submission Summary: I oppose how the nitrogen discharge limit is calculated and applied to my property. My property currently has 20% of the total area permanently retired and unusable so it carries 20% less stock than if all land was in pasture. My NDA does not recognise land in retirement. Limiting Nitrogen discharge now based on the level of the staged sustainable development of the farm will significantly inhibit the ability to continue to undertake staged development and to provide flexibility in land use and stock class.

Decision Sought: Provide for further transition times before the allocation framework applies to allow for increased understanding of the relative contributions and potential loads – amend the property allocation to reflect this.
Review nitrogen allocation and flexibility to lower N discharge properties to better reflect their ultimate productive potential not limited by their current land use.
Take a whole farm approach to reducing discharges into the lake so that all farm mitigations – past current and future are accounted for in determining flexibility of land use.
Only use OVERSEER® as a decision support tool to allow Council and farmers to understand compliance with discharge limits.

Panel Recommendations: Reject

Submission Number: 32: 5 **Submission Type:** Oppose

Submitter: Kaitao Rotohokahoka 2D Trust

Submission Summary: The Trust opposes the use of 2001–04 benchmark as the starting point for nutrient allocation. The current land use is significantly different from the benchmark years.

Decision Sought: The Trust requests an alternative allocation methodology to be used, not based on their benchmark in order to remain economically and environmentally viable.

Panel Recommendations: Reject

Submission Number: 33: 10 **Submission Type:** Oppose in Part

Submitter: Utuhina Valley Farm

Submission Summary: There is no obvious reference as to where the credits will be apportioned when a portion of a title is converted from pastoral to residential housing.

Decision Sought: Not specified.

Panel Recommendations: Accept in Part

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Submission Number: 36: 7 Submission Type: Oppose
 Submitter: Tracey Friend and Myles McNaught
 Submission Summary: The historic benchmarking and the proposed new system reward the historic polluters. We have significant portions of our land fenced off and retired. Yet we will still have to drop our present stock rating by over 30%.
 Decision Sought: We would like to see some more science being done before such a huge change is made. The economic and social consequences will be much larger than anyone has thought through.

Panel Recommendations:	Reject
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Submission Number: 43: 102 Submission Type: Oppose in Part
 Submitter: Ravensdown Limited
 Submission Summary: The benchmarking approach is confusing and unhelpful. It is not clear how a benchmark under the previous Rule 11 was developed and therefore the relevance as a starting point questionable and may be meaningless. Council should take a revised approach to benchmarking for the next 5 years as opposed to an historical benchmark based on questionable modelling.
 Decision Sought: Either:
 i. Delete the old Rule 11 benchmark and revise its approach to benchmarking developed in Schedule LR One by:
 • Measuring the actual nutrient losses from a farm system for the next 5 years;
 • Determining a benchmark and the percentage reduction required from actual results; or
 ii. If Council retains the current approach, to better define the start point determination, using the old benchmarking process/results.
 A suggested definition would be: "The nitrogen loss benchmark for a block and for a property as a sum of all block nitrogen loss benchmarks developed in accordance with Schedule LR One."

Panel Recommendations:	Accept in Part
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Further Submission(s)

Further Submission No: 6 - 60 Submission Type: Oppose
 Further Submitter: CNI Iwi Land Management Ltd
 Submission Summary: Oppose in part. CNILML supports changing the approach to benchmarking for the reasons given in the original submission. However CNILML does not support the revised approaches to benchmarking recommended by Ravensdown.
 Decision Sought: As above

Panel Recommendation:	Accept in Part
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Further Submission No: 12 - 50 Submission Type: Support in Part
 Further Submitter: Federated Farmers of New Zealand
 Submission Summary: Support that the rules regime is overly complex and confusing. Oppose the suggestion for a new approach for benchmarking for existing farms; this would only make the situation more complex and confusing.
 Decision Sought: As above

Panel Recommendation:	Accept in Part
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Submission Number: 45: 2 Submission Type: Oppose
 Submitter: Wendy and John Roe
 Submission Summary: I do not support the nitrogen discharge allowance process and the requirement that land owners reduce nitrogen loss by way of regulation.
 Decision Sought: Not specified.

Panel Recommendations:	Reject
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Submission Number: 49: 4 Submission Type: Oppose

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Submitter: CNI Iwi Land Management Ltd

Submission Summary: Rule 11 was developed from 2000 – 2004. This all occurred prior to CNI lands being returned, and thus prior to the ability for CNIHL and CNIILML to act on behalf of their beneficiaries. Maori land owners consulted at the time were interested in the effects on their land blocks, but not on CNI land. No flags were raised on the issue of the “underutilised” CNI land being locked out of best and highest use.

The CNIILML strongly opposes this approach to allocate nitrogen. Although the initial allocation is a ‘sector average range’ approach, it is fundamentally Grandparenting. CNI strongly opposes the use of grandparenting as an allocation mechanism. An initial allocation approach based on ‘Grandparenting’ is not fair or equitable, and contradicts the effects-based philosophy of the RMA. The inherent inequity for the allocation is due to deriving NDA from Rule 11 benchmarks.

Decision Sought: Revise the approach to allocation, to zero-base the discussion, rather than building policy and a rule set on the inequitable foundation put in place by Rule 11.

Panel Recommendations:	Reject
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Submission Number:	58: 26	Submission Type:	Oppose
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Submitter: Max Douglas

Submission Summary: Rule 11 is not the starting point for the process that developed these proposed rules and sector based allocations are not a part of the integrated framework. The decision to use Rule 11 as the baseline was a decision because the availability of data, not because it’s considered a representative period. Rule 11 assigns a zero above rainfall to conservation land. This is unfair and the development of these rules is an opportunity to undo that unfairness, conservation land has not been causing the problem, but is locked out of all future development without compensation for lost opportunity.

Decision Sought: Pastoral treated as a single sector with a single NDA, with a temporary (20 year) consideration given for high N leaching platforms. e.g. dairy farming.
After 20 years, a shift to a more balanced split between pastoral and conservation.

Panel Recommendations:	Reject
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Submission Number:	61: 3	Submission Type:	Oppose
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Submitter: Beef + Lamb New Zealand

Submission Summary: The plan is too structured around providing for Nitrogen Discharge Allowances and incorporates an inappropriate and inconsistent use of OVERSEER[®]. There is too much uncertainty in applying NDAs at a property level at this time. NDAs should be delayed until current and proposed science and modelling reviews are completed.

Decision Sought: At least delay application of NDAs until current and 2017 science and modelling reviews are completed. Once these are completed targets and catchment load reductions should be reviewed.

Panel Recommendations:	Reject
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Submission Number:	62: 5	Submission Type:	Oppose
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Submitter: Sharon Morrell

Submission Summary: If properties have been legally required to have had a benchmark established, but have not done so, it seems to reward bad behaviour to give them the average without attempting to examine their system during the benchmark years of 2001 - 2004.

Decision Sought: Properties/farms that were not previously benchmarked should not be allocated the sector average. Either allocate them the bottom of their range, or closer to what they should be allocated (if this can be established).

Panel Recommendations:	Accept
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Submission Number:	66: 24	Submission Type:	Oppose
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Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Submitter: Lake Rotorua Primary Producers Collective

Submission Summary: There have been many streams and 'at risk' areas of land retired, fenced and planted at farmers own cost. There has also been land retired for ecological reasons from which there will never be an income stream. As retiring land is very clearly a public good and a gain to the lake it should be incentivised. Under the proposed Rules these land owners will be heavily penalised while land owners who have no retired areas benefit from a higher nitrogen discharge allowance.

Decision Sought: The Collective requests acknowledgement of the effects in the quality of the lake's water from the environment work completed on pastoral land before the benchmark years of 2001-2004.

Panel Recommendations: Reject

Further Submission(s)

Further Submission No:	12 - 29	Submission Type:	Support
Further Submitter:	Federated Farmers of New Zealand		
Submission Summary:	For the reasons given in the original submission.		
Decision Sought:	Include in scope of Method LR M2 Science Review		

Panel Recommendation: Reject

Submission Number:	80: 5	Submission Type:	Oppose
Submitter:	Te Paiaka Lands Trust		
Submission Summary:	We oppose applying nitrogen baselines as currently calculated and the timelines proposed to achieve them. The current plan unnecessarily and unfairly restricts our ability to farm by basing allocation on my current land use not my ability to manage effects.		
Decision Sought:	Take a whole farm approach to reducing discharges into the lake so that all farm mitigations – past current and future are accounted for in determining flexibility of land use.		

Panel Recommendations: Reject

Submission Number:	80: 11	Submission Type:	Oppose
Submitter:	Te Paiaka Lands Trust		
Submission Summary:	The current plan unnecessarily and unfairly restricts our ability to farm by basing allocation on my current land use not my ability to manage effects or whether the land use is suitable for the productive capacity of the land. Limiting Nitrogen discharge now based on the level of the staged sustainable development of the farm will significantly inhibit the ability to continue to undertake staged development and to provide flexibility in land use and stock class mix in a sheep and beef farming system. The current proposed plan change will restrict our ability to realise the long term land management plan for their properties.		
Decision Sought:	Review nitrogen allocation and flexibility to lower N discharge properties to better reflect their ultimate productive potential not limited by their current land use.		

Panel Recommendations: Reject

Submission Number:	82: 13	Submission Type:	Oppose
Submitter:	Stuart Morrison		
Submission Summary:	Many properties below 40 ha were not benchmarked. The proposal to allocate sector averages to these is inequitable.		
Decision Sought:	These properties are benchmarked under PC10.		

Panel Recommendations: Reject

Submission Number:	89: 3	Submission Type:	Oppose
Submitter:	Philip Frost		

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Submission Summary: Native Bush reserve should be encouraged - it is good for the world environment which we need to be considering not just our own backyard.

Decision Sought: Native Bush Reserve should be an asset giving more credits not less.

Panel Recommendations: Reject

Section: Table LR5

1152

Panel Recommendation

Refer to the body of our report for our recommendations on this section.

Submissions

Submission Number: 71: 1 Submission Type: Oppose

Submitter: Warren Parker

Submission Summary: The layout of the material and method of presenting the nutrient discharge allowances (NDAs) as per Schedule 1 is not intuitive.

Decision Sought: Provide table of NDAs in kg/ha/yr and language landowners can readily understand/relate to.

Panel Recommendations: Reject

Section: Table LR5 Row 2

1153

Panel Recommendation

See the section on Table LR5 above.

Submissions

Submission Number: 49: 83 Submission Type: Oppose

Submitter: CNI Iwi Land Management Ltd

Submission Summary: This plan change should have zero-based the start points for the setting on initial allocations, as Rule 11 relied on a process that was inequitable, uncertain, inefficient in its use of land and unlawful in regard to recent Treaty of Waitangi rulings.

Decision Sought: Delete rule 11 status.

Panel Recommendations: Reject

Further Submission(s)

Further Submission No: 14 - 37 Submission Type: Support

Further Submitter: Hancock Forest Management (NZ) Ltd

Submission Summary: Opposes the use of current land use and leaching rates as the basis for deriving the benchmark for allocation of future land use options. Hancock Forest Management strongly opposes a grand parenting approach to solving water quality pollution problems.

Decision Sought: As above

Panel Recommendation: Reject

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

1154

Section: Table LR5 Row 3

Panel Recommendation

See the section on Table LR5 above.

Submissions

Submission Number:	56: 34	Submission Type:	Support
Submitter:	Bay of Plenty Regional Council		
Submission Summary:	Clarification is needed that the process of deriving benchmarks relates to a timeframe, land use and effective area. This is the basis for the allocation position agreed through the Lake Rotorua Stakeholders Advisory Group process.		
Decision Sought:	Amend last row of table to "Derived Benchmark. This will be created through the application of OVERSEER® to the actual land use and effective area in place during the 36 month period ending on 01 January 2016.		

Panel Recommendations: Accept

1155

Section: Table LR5 Row 3 Cell 1

Panel Recommendation

See the section on Table LR5 above.

Submissions

Submission Number:	56: 29	Submission Type:	Support
Submitter:	Bay of Plenty Regional Council		
Submission Summary:	Clarification is needed that the benchmarks relate to a timeframe, a land use and effective area. This is the basis for the allocation position agreed through the Lake Rotorua Stakeholders Advisory Group process.		
Decision Sought:	Amend "Actual Benchmark" to "Actual Benchmark (from Benchmarked land use and effective area)" where original phrase appears in Table LR 5.		

Panel Recommendations: Accept

1156

Section: Table LR5 Row 3 Cell 2

Panel Recommendation

See the section on Table LR5 above.

Submissions

Submission Number:	56: 32	Submission Type:	Support
Submitter:	Bay of Plenty Regional Council		
Submission Summary:	Clarification is needed that the process of deriving benchmarks relates to a timeframe, land use and effective area. This is the basis for the allocation position agreed through the Lake Rotorua Stakeholders Advisory Group process.		
Decision Sought:	Amend to "Derived Benchmark (function of 2001-04 sector Benchmark average, and 2002-03 land use and effective area unless evidence of substantial change)" where original phrase appears in Table LR 5.		

Panel Recommendations: Accept in part

Submission Number:	70: 100	Submission Type:	Not Applicable
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Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Submitter: The Fertiliser Association of New Zealand

Submission Summary: FANZ suggests inserting brackets before 'Function' and after 'change' to indicate that the phrase is a definition/explanation of Derived Benchmark.

Decision Sought: Insert brackets as shown: Derived Benchmark. (Function of 2002-03 land use and 2001-04 sector average unless evidence of substantial change).
Provide guidance on what constitutes 'substantial change'.

Panel Recommendations: Accept in Part

Section: Table LR5 Row 3 Cell 3

1157

Panel Recommendation

See the section on Table LR5 above.

Submissions

Submission Number: 56: 30 Submission Type: Support

Submitter: Bay of Plenty Regional Council

Submission Summary: Clarification is needed that the benchmarks relate to a timeframe, a land use and effective area. This is the basis for the allocation position agreed through the Lake Rotorua Stakeholders Advisory Group process.

Decision Sought: Amend "Actual Benchmark" to "Actual Benchmark (from Benchmarked land use and effective area)" where original phrase appears in Table LR 5.

Panel Recommendations: Accept

Section: Table LR5 Row 3 Cell 4

1158

Panel Recommendation

See the section on Table LR5 above.

Submissions

Submission Number: 56: 33 Submission Type: Support

Submitter: Bay of Plenty Regional Council

Submission Summary: Clarification is needed that the process of deriving benchmarks relates to a timeframe, land use and effective area. This is the basis for the allocation position agreed through the Lake Rotorua Stakeholders Advisory Group process.

Decision Sought: Amend to "Derived Benchmark (function of 2001-04 sector Benchmark average, and 2002-03 land use and effective area unless evidence of substantial change)" where original phrase appears in Table LR 5.

Panel Recommendations: Accept

Submission Number: 70: 101 Submission Type: Oppose in Part

Submitter: The Fertiliser Association of New Zealand

Submission Summary: FANZ suggests inserting brackets before 'Function' and after 'change' to indicate that the phrase is a definition/explanation of Derived Benchmark.

Decision Sought: Insert brackets as shown: Derived Benchmark. (Function of 2002-03 land use and 2001-04 sector average unless evidence of substantial change).
Provide guidance on what constitutes 'substantial change'.

Panel Recommendations: Accept in Part

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

1159

Section: Table LR5 Row 3 Cell 5

Panel Recommendation

See the section on Table LR5 above.

Submissions

Submission Number:	56: 31	Submission Type:	Support
Submitter:	Bay of Plenty Regional Council		
Submission Summary:	Clarification is needed that the benchmarks relate to a timeframe, a land use and effective area. This is the basis for the allocation position agreed through the Lake Rotorua Stakeholders Advisory Group process.		
Decision Sought:	Amend "Actual Benchmark" to "Actual Benchmark (from Benchmarked land use and effective area)" where original phrase appears in Table LR 5.		

Panel Recommendations: Accept

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

1160

Section: Table LR5 Row 3 Cell 6

Panel Recommendation

See the section on Table LR5 above.

Submissions

Submission Number:	70: 102	Submission Type:	Oppose in Part
Submitter:	The Fertiliser Association of New Zealand		
Submission Summary:	FANZ suggests inserting brackets before 'Function' and after 'change' to indicate that the phrase is a definition/explanation of Derived Benchmark.		
Decision Sought:	Insert brackets as shown: Derived Benchmark. (Function of 2002-03 land use and 2001-04 sector average unless evidence of substantial change). Provide guidance on what constitutes 'substantial change'.		

Panel Recommendations: Accept in part

1161

Section: Table LR5 Row 4

Panel Recommendation

See the section on Table LR5 above.

Submissions

Submission Number:	70: 103	Submission Type:	Support in Part
Submitter:	The Fertiliser Association of New Zealand		
Submission Summary:	The process for arriving at 'Derived Benchmarks' should be more clearly represented. For properties not benchmarked under Rule 11, Table LR 5 provides annual average nitrogen loss benchmarks. Properties outside Rule 11 may not have annual average nitrogen loss benchmark values. Any nitrogen loss limit developed at the time of notification should be based on annual average nitrogen loss. It still remains unclear how the 'Derived Benchmark' is generated. The process for estimating and then combining the 2002-03 land use and 2001-04 sector average should be referenced and explained.		
Decision Sought:	Include a clear process for arriving at Derived Benchmarks. The Rule 11 Benchmark should be recalculated, using the Rule 11 benchmark land use and the current version of OVERSEER®.		

Panel Recommendations: Reject

Further Submission(s)

Further Submission No:	15 – 54	Submission Type:	Support
Further Submitter:	Ballance Agri-Nutrients Limited		
Submission Summary:	There needs to be more clarity provided both in Schedule One and within PPC 10 as a while so that the provisions are easily understood and can be implemented appropriately.		
Decision Sought:	As above		

Panel Recommendation: Reject

Submission Number:	70: 104	Submission Type:	Support in Part
Submitter:	The Fertiliser Association of New Zealand		
Submission Summary:	The rules and provisions in the Proposed Plan Change are not clear that the Rule 11 Benchmark should be recalculated, using the Rule 11 benchmark land use and the current version of OVERSEER®. This should be made clear in the rules and/or in Schedule LR One.		
Decision Sought:	The Rule 11 Benchmark should be recalculated, using the Rule 11 benchmark land use and the current version of OVERSEER®.		

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Panel Recommendations: Reject

Further Submission(s)

Further Submission No: 15 – 55 Submission Type: Support
 Further Submitter: Ballance Agri-Nutrients Limited
 Submission Summary: Ballance supports the need to recalculate the Rule 11 benchmark using the latest version of OVERSEER® in order to generate nitrogen discharge allowance and managed reduction targets for Schedule One that use the best available science.
 Decision Sought: As above

Panel Recommendation: Reject

Section: Nitrogen Discharge Allocation Methodology

1162

Panel Recommendation

Refer to the body of our report for our recommendation on this section.

Submissions

Submission Number: 1: 1 Submission Type: Oppose
 Submitter: Lindsay Hugh and Alison Lyndsay Moore
 Submission Summary: The approach denies recognition of land potential and flexibility to adapt to better uses. It gives an unfair advantage to dairy farmers who converted to that use or extended and/or intensified it knowing the issues concerning Lake Rotorua and the need to limit nutrient inflows. The regional council approach destroys the ability of the community to fully utilise land potential and tends to lock in a land use which causes environmental problems.
 Furthermore the approach rewards dairy farmers at the expense of others landowners who have not converted to dairy farming. Land in forestry should not be penalised.
 Decision Sought: Amend to reflect concerns raised.

Panel Recommendations: Reject

Submission Number: 19: 3 Submission Type: Oppose in Part
 Submitter: Dixon Reeves
 Submission Summary: Farmers develop farms as economic farm surplus allows – this means that limiting Nitrogen discharge now based on the level of the staged sustainable development of the farm will significantly inhibit the ability to continue to undertake staged development and to provide flexibility in land use.
 Decision Sought: I seek that the Council take a whole farm approach to reducing discharges into the lake so that all farm mitigations – past current and future are accounted for in determining flexibility of land use.
 I seek that the Council extend the years over which the calculation of nitrogen baselines are derived to a rolling average over a four year period and provide the maximum discharge from those years as the baseline.
 I seek that the Council provide for further transition times to allow for increased understanding of the relative contributions and potential loads – amend the property allocation to reflect this.

Panel Recommendations: Reject

Submission Number: 20: 11 Submission Type: Oppose
 Submitter: Peter McLean and Michelle Rennie
 Submission Summary: There must be recognition for previous retiring of land, the NDA proves no benefit for this and containment of N runoff.
 Decision Sought: Not specified.

Panel Recommendations: Reject

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Submission Number: 22: 1 Submission Type: Oppose

Submitter: Nick Adams

Submission Summary: I oppose the use of grand parenting. Benchmarking rewards the polluters and undervalues the positive effects of those that have undertaken previous mitigation measures. Those not previously benchmarked will automatically get an NDA almost twice of what I am expecting. Benchmarking clearly contradicts point (a) of Policy WL5B which says equity and fairness must be considered.

Decision Sought: Not specified.

Panel Recommendations: Reject

Further Submission(s)

Further Submission No: 6 - 62 Submission Type: Support

Further Submitter: CNI Iwi Land Management Ltd

Submission Summary: For the reasons given in the original submission. CNILML opposes the methodology proposed in Schedule 1, the use of grand parenting, including by sector averaging. The methodology encourages gaming and discourages good practice.

Decision Sought: As above

Panel Recommendation: Reject

Submission Number: 23: 7 Submission Type: Oppose in Part

Submitter: Roger and Norreen Martin

Submission Summary: The lack of recognition of good farming and environmental issues and the type of farming must be taken into consideration. I do not support the nitrogen discharge allowance process and the requirements that land owners reduce nutrient loss by way of regulation.

Decision Sought: A suggested 5 yearly review of the plan be implemented to assess the rules

Panel Recommendations: Accept in Part

Submission Number: 27: 2 Submission Type: Oppose

Submitter: Gro2 Ltd

Submission Summary: We get no recognition of flood protection and nutrient reduction that was done in the 1980's and 90's.

Decision Sought: Work with farmers to make improvements we can do now, detention dams arrest nutrient, prevent erosion, eliminate flooding and stop soil reaching the lake.

Panel Recommendations: Reject

Further Submission(s)

Further Submission No: 7 - 13 Submission Type: Support

Further Submitter: Alistair and Sarah Coatsworth

Submission Summary: For the reasons given in the original submission.

Decision Sought: As above

Panel Recommendation: Reject

Further Submission No: 8 - 15 Submission Type: Support

Further Submitter: Lake Rotorua Primary Producers Collective

Submission Summary: For the reasons given in the original submission.

Decision Sought: As above

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Panel Recommendation:	Reject
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Submission Number:	29: 2	Submission Type:	Support in Part
Submitter:	WB Shaw and SM Beadel		
Submission Summary:	There is possibly potential for 'good' landowners, who have already voluntarily adopted minimum nutrient use practices, to be 'penalised' by the new rules.		
Decision Sought:	Not specified.		

Panel Recommendations:	Reject
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Submission Number:	30: 10	Submission Type:	Support in Part
Submitter:	Fish & Game New Zealand (Eastern Region Fish and Game Council)		
Submission Summary:	Land holders should not be penalised twice in that have already retired sensitive land areas.		
Decision Sought:	Mitigating circumstances should be recognised when setting individual nutrient discharge allowances.		

Panel Recommendations:	Accept in part
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Further Submission(s)

Further Submission No:	8 - 59	Submission Type:	Support
Further Submitter:	Lake Rotorua Primary Producers Collective		
Submission Summary:	For the reasons given in the original submission.		
Decision Sought:	As above		

Panel Recommendation:	Reject
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Submission Number:	31: 2	Submission Type:	Oppose
Submitter:	Patricia Hosking		
Submission Summary:	I oppose applying nitrogen baselines as currently calculated and the timelines proposed.		
Decision Sought:	Provide flexibility in the plan to allow for ongoing development and flexibility in farm management above the sector average. Provide for further transition times before the allocation framework applies to allow for increased understanding of the relative contributions and potential loads – amend the property allocation to reflect this. Extend the years over which the calculation of nitrogen baselines are derived to a rolling average over a four year period and provide the maximum discharge from those years as the baseline. Review nitrogen allocation and flexibility to lower N discharge properties to better reflect their ultimate productive potential not limited by their current land use.		

Panel Recommendations:	Reject
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Submission Number:	32: 19	Submission Type:	Oppose
Submitter:	Kaitao Rotohokahoka 2D Trust		
Submission Summary:	Applying Nitrogen Baselines as currently calculated and the proposed timelines for achieving them will place our Trust and its future owners in a position of considerable disadvantage. Our currently calculated N Baseline is at the lower end of the scale given that during the assessment period the property was grossly underdeveloped. We support the overall concept but do not feel the process will lead to a fair and equitable outcome.		
Decision Sought:	Extend the years over which the calculation of nitrogen baselines are derived and work on the maximum discharge from any one of those years as the baseline. Review nitrogen allocations so that the baseline better reflects the ultimate potential of the farm not just the current situation.		

Panel Recommendations:	Reject
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Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Submission Number: 44: 2 Submission Type: Oppose
 Submitter: Andrea Hammond
 Submission Summary: There is no practical way for Nitrogen leached from individual blocks of land to be measured and therefore this cannot be enforced.
 Decision Sought: Not specified.

Panel Recommendations: Reject

Submission Number: 49: 10 Submission Type: Oppose
 Submitter: CNI Iwi Land Management Ltd
 Submission Summary: A 'Grandparenting' approach limits the ability of other responsible landowners in the catchment, who have historically minimised their nitrogen emissions from using and developing their land in a manner that enables them to provide for their wellbeing. It is inequitable. The approach prevents a change in land use. It places the cost of future compliance on those responsible landowners that have historically mitigated the effects, whilst enabling those polluting to continue to pollute.
 Decision Sought: Revise the fundamental approach to allocation set out in the policies and rules, so it uses the fundamental approach of matching land use to natural capital rather than the proposed regime, which is based on averaged sector contributions.
 Identify in the plan the route to making this transition from present use to natural capital.

Panel Recommendations: Reject

Further Submission(s)

Further Submission No: 8 - 51 Submission Type: Oppose
 Further Submitter: Lake Rotorua Primary Producers Collective
 Submission Summary: LUC or Natural Capital was found at StAG to be completely unsuitable to the particular circumstances pertaining to this region.
 It is untenable to support LUC once the reality of it in Rotorua is understood and if land in Rotorua were designated along these lines it would be a full-scale attack on existing land uses and property rights.
 LUC is not appropriate for Rotorua as a method to reallocate land use but could be a way forward in the future for directing any future development of land in the catchment.
 Decision Sought: Not specified.

Panel Recommendation: Accept

Submission Number: 50: 3 Submission Type: Oppose
 Submitter: Oturoa Properties Ltd
 Submission Summary: We have been one of the leaders in the reduction of our leaching figures, yet we have received no credit for this and have actually been penalised with a lower figure as opposed to a farmer who has done absolutely nothing. This is not right and not fair.
 Decision Sought: Not specified.

Panel Recommendations: Reject

Submission Number: 58: 4 Submission Type: Oppose in Part

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Panel Recommendation:	Reject
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Submission Number:	61: 5	Submission Type:	Oppose
Submitter:	Beef + Lamb New Zealand		
Submission Summary:	There is too much uncertainty in the current and proposed use of OVERSEER® within the plan both for modelling and understanding compliance with the NDAs.		
Decision Sought:	If NDAs and benchmarks are retained then the calculation of benchmarks for Nitrogen loss and proposed NDAs should be changed to be more consistent with best practice use of OVERSEER® as a long term averaging model. Require a reduced reporting period to a 3 – 5 yea cycle for properties that are below target Nitrogen Discharge Allowance where these exist.		

Panel Recommendations:	Reject
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Submission Number:	61: 6	Submission Type:	Oppose
Submitter:	Beef + Lamb New Zealand		
Submission Summary:	<p>B+LNZ has developed a set of 14 principles for the allocation of nutrients. The plan should not be inconsistent with these principles.</p> <p>Principle 1 - Like land should be treated the same</p> <p>Principle 2- Those undertaking activities that have caused water quality problems should be required to improve their management to meet water quality limits.</p> <p>Principle 3 - Flexibility of land use must be maintained</p> <p>Principle 4- The allocation system should be technically feasible, simple to operate and understandable</p> <p>Principle 5- The natural capital of soils should be the primary consideration when establishing an allocation mechanism for nutrient loss</p> <p>Principle 6 - Allocation approaches should provide for adaptive management and new information</p> <p>Principle 7 - Appropriate timeframes must be set to allow for transition from current state to one where allocation of nutrients applies</p> <p>Principle 8 - Long term investment certainty is a critical feature of a viable nutrient management system</p> <p>Principle 9 - Improvement in water quality must remain the primary objective of adopting any nutrient allocation regime</p> <p>Principle 10 - In under-allocated catchments, where property based nutrient allocation has not been adopted in setting water quality limits, the system for allocating nutrients must be determined well before the limit is reached, be clear and easy to understand, and designed to avoid over-allocation</p> <p>Principle 11 - In designing the allocation system the benefits of a nutrient transfer system within the catchment or water management unit should be considered</p> <p>Principle 12 - Regulation, monitoring, auditing and reporting of nutrients within an allocation regime needs to relate to the degree of environmental impact and pressure</p> <p>Principle 13 - As a minimum expectation, in all catchments, all land users should be at or moving towards (industry defined) Good Management Practice (GMP), recognising that GMP is constantly evolving and continuous improvement is inherent in GMP</p> <p>Principle 14 - Nutrient allocation must be informed by sound science</p>		
Decision Sought:	Any Nutrient Allocation framework or NDA applied at a property level adopted by council or included within this plan change should be consistent with the B+LNZ principles of nutrient allocation.		

Panel Recommendations:	Reject
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Further Submission(s)

Further Submission No:	6 - 61	Submission Type:	Support
Further Submitter:	CNI Iwi Land Management Ltd		
Submission Summary:	For the reasons given in the original submission CNILML supports an allocation system that takes account of the land resource, and requires a proportional response to diffuse discharges and their externalities, rather than one being determined by current use. Any nutrient allocation framework applied at a property level should be consistent with the Beef and Lamb NZ principles of nutrient allocation.		
Decision Sought:	As above		

Panel Recommendation:	Reject
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Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Submission Number:	66: 30	Submission Type:	Support in Part
Submitter:	Lake Rotorua Primary Producers Collective		
Submission Summary:	Agreed principles, values and good scientific analysis must drive any allocation of nutrients within the catchment. Investigation of all allocation options has resulted in the Stakeholder group recommending that 'Sector Averaging' is the most appropriate option for this lake catchment.		
Decision Sought:	The Collective endorses this allocation method but only until 2022 when further policy will be informed by the science review to be started in 2017.		

Panel Recommendations: Accept in Part

Submission Number: 73: 2		Submission Type: Oppose	
Submitter:	P F Olsen Ltd		
Submission Summary:	PF Olsen Ltd reiterates its opposition to the grandparenting of other landuses pollution rights. Grandparenting represents a subsidy in perpetuity for those parties whose land based endeavours are creating the most pollution. It represents a direct tax on current forest growers because their land values will decline.		
	If a sector is unable to operate permanently without a Nitrogen cross subsidy from other land based sectors then that sector is fundamentally unsustainable and unsuitable. Permanent Grandparenting is at odds with the fourth report of the Land and Water Forum.		
Decision Sought:	Beyond 2032, N discharge totals from pastoral sources must be less than the targets set in the notified plan change with the surplus being allocated back to those currently under commercial forest cover.		
	As a minimum, a further 2 Kg reduction across the pastoral sector would enable the existing plantation growing industry to achieve a discharge allocation of around 6 kg/ha/yr. With dairying and dairy support well above that level it would seem appropriate that they bear the greater share of that reallocation.		
	The reallocation to forestry should be useable and or tradeable. It is accepted that new forest planted should not receive an added allocation.		

Panel Recommendations: Reject

Further Submission(s)

Further Submission No:	6 - 64	Submission Type:	Support
Further Submitter:	CNI Iwi Land Management Ltd		
Submission Summary:	For the reasons given in the original submission.		
Decision Sought:	As above		

Panel Recommendation: Reject

Submission Number:	74: 3	Submission Type:	Oppose
Submitter:	Deer Industry New Zealand		
Submission Summary:	<ul style="list-style-type: none"> - Landowners who have applied best land use practice in the past are significantly penalised by the proposed nutrient allocation system. - Drystock farms tend to have much larger areas dedicated to 'environmental services' than dairy farms. These areas are not given any credit in the proposed allocation system. - Willingness to undertake further works to protect significant natural areas such as bush remnants is likely to be compromised. 		
Decision Sought:	Not specified.		

Panel Recommendations: Reject

Submission Number:	74: 10	Submission Type:	Oppose
Submitter:	Deer Industry New Zealand		
Submission Summary:	DINZ opposes the principle of grandparenting which essentially rewards existing businesses that have high nitrogen losses and restricts activities of businesses that have lower losses. DINZ does not support an allocation system that grossly favours one sector over another.		

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Decision Sought: Not specified.

Panel Recommendations: Reject

Submission Number: 80: 1 Submission Type: Oppose

Submitter: Te Paiaka Lands Trust

Submission Summary: We oppose how the nitrogen discharge limit is calculated and applied to my property.

Decision Sought: - Provide for further transition times before the allocation framework applies to allow for increased understanding of the relative contributions and potential loads – amend the property allocation to reflect this.
- Extend the years over which the calculation of nitrogen baselines are derived to a rolling average over a four year period and provide the maximum discharge from those years as the baseline.

Panel Recommendations: Reject

Submission Number: 83: 12 Submission Type: Oppose

Submitter: Bushlands Estate Limited and Adolle Farms Limited

Submission Summary: I do not support the nitrogen discharge allowance process and the requirement that land owners reduce nutrient loss by way of regulation, there is so much uncertainty about the efficacy or necessity of those rules.

Decision Sought: Not specified.

Panel Recommendations: Reject

Section: Table LR 6: Allocation Parameters and Figures

1163

Panel Recommendation

Refer to the body of our report for our recommendation on this section.

Submissions

Submission Number: 56: 36 Submission Type: Support

Submitter: Bay of Plenty Regional Council

Submission Summary: The transition of benchmark information through OVERSEER® and into % of reference files should be made more explicit. It is covered within Schedule LR Five but can usefully be clarified.

Decision Sought: Delete Table LR 6 Note a). Re-label note b) as note a). Insert new sentence between last two paragraphs of "Nitrogen discharge allowance methodology" (page 23) as follows: "Nitrogen Discharge Allowances are calculated in kg/N/ha/yr using OVERSEER® 6.2.0 and are then expressed as a percentage of the relevant reference file."

Panel Recommendations: Accept in part

Submission Number: 71: 2 Submission Type: Oppose

Submitter: Warren Parker

Submission Summary: The layout of the material and method of presenting the nutrient discharge allowances (NDAs) as per Schedule 1 is not intuitive.

Decision Sought: Provide table of NDAs in kg/ha/yr and language landowners can readily understand/relate to.

Panel Recommendations: Reject

Submission Number: 14: 14 Submission Type: Support

Submitter: Warren Webber

Submission Summary: Economic modelling confirmed that sector allocation with ranges was the least financially disruptive.

Decision Sought: No changes requested.

Panel Recommendations: The Panel does not consider that this is a submission point.

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Section: Table note (a)

1164

Panel Recommendation

We concur with the Regional Council's reporting officers' recommendations in their s42A report and additional evidence, noting that a consequential change is recommended to note (b).

Submissions

Submission Number:	56: 35	Submission Type:	Support
Submitter:	Bay of Plenty Regional Council		
Submission Summary:	The transition of benchmark information through OVERSEER® and into % of reference files should be made more explicit. It is covered within Schedule LR Five but can usefully be clarified.		
Decision Sought:	Delete Table LR 6 Note a). Re-label note b) as note a). Insert new sentence between last two paragraphs of "Nitrogen discharge allowance methodology" (page 23) as follows: "Nitrogen Discharge Allowances are calculated in kg/N/ha/yr using OVERSEER® 6.2.0 and are then expressed as a percentage of the relevant reference file."		

Panel Recommendations: Accept in part

Section: Managed Reduction Targets

1165

Panel Recommendation

We concur with the Regional Council's reporting officers' recommendations in their s42A report and additional evidence presented during the hearing.

Submissions

Submission Number:	53: 84	Submission Type:	Oppose
Submitter:	Lachlan McKenzie		
Submission Summary:	Too many uncertainties in the loads and targets.		
Decision Sought:	Delete Table LR 7.		

Panel Recommendations: Reject

Submission Number:	66: 7	Submission Type:	Oppose
Submitter:	Lake Rotorua Primary Producers Collective		
Submission Summary:	The Collective support the concept of Managed Reduction targets, but do not agree with the target numbers, which will be subject to changes from recommendations from the 2017 science review and ROTAN review. It is the mechanism of measurement & enforcement of the managed reduction targets that we wish Council to change.		
Decision Sought:	We request that they are not subject to conditional consent but are part of a permitted activity.		

Panel Recommendations: Reject

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Submission Number: 66: 31 Submission Type: Support in Part
 Submitter: Lake Rotorua Primary Producers Collective
 Submission Summary: The Collective supports the concept of Managed reduction but expect the figures to alter following the Rotan & science reviews. We would also like to remind Council agreement was for proportional reduction of the catchment figure, not individual farm figures. Agreement was also only for 2022 not 2027.
 Decision Sought: Council change the mechanism of measurement & enforcement of the managed reduction target.

Panel Recommendations: Reject

Submission Number: 71: 3 Submission Type: Oppose
 Submitter: Warren Parker
 Submission Summary: The layout of the material and method of presenting the nutrient discharge allowances (NDAs) as per Schedule 1 is not intuitive.
 Decision Sought: Provide table of NDAs in kg/ha/yr and language landowners can readily understand/relate to.

Panel Recommendations: Reject

Section: Table LR 7(a): Reduction Targets 1166

Panel Recommendation
 See Section on Table LR 7 above.

Submissions

Submission Number: 59: 3 Submission Type: Oppose
 Submitter: Northdale Holdings Ltd
 Submission Summary: 70% of the requirements (nitrogen) must be achieved by 2022, why?
 Decision Sought: Not specified.

Panel Recommendations: Reject

Submission Number: 14: 6 Submission Type: Support
 Submitter: Warren Webber
 Submission Summary: The Oturoa Agreement (Feb 2013) resolved RPS appeals by Fed Farmers and the Collective and agreed target dates to achieve sustainable catchment loads; 70% by 2022; 100% by 2032.
 Decision Sought: Support - No changes requested.

Panel Recommendations: Accept

Submission Number: 64: 26 Submission Type: Support
 Submitter: DairyNZ and Fonterra Co-operative Group Limited
 Submission Summary: This table specifies managed reduction targets for 2022, 2027 and 2032 whereas the PNDA files being provided to farmers provide the targets as 2017-2022, 2022-2027, 2027-2032 and >2032. This is causing confusion.
 Decision Sought: Suggest a consistent description of the targets between the plan and farm PNDA documents.

Panel Recommendations: Reject

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

1168

Section: Table LR 7(b): Reduction Targets**Panel Recommendation**

See Section on Table LR 7 above.

Submissions

Submission Number: 14: 7 Submission Type: Support
Submitter: Warren Webber
Submission Summary: The Oturoa Agreement (Feb 2013) resolved RPS appeals by Fed Farmers and the Collective and agreed target dates to achieve sustainable catchment loads; 70% by 2022; 100% by 2032.
Decision Sought: Support - No changes requested.

Panel Recommendations: Accept

1168

Section: Additional matters**Panel Recommendation**

We concur with the Regional Council's reporting officers' recommendations in their s42A report and additional evidence presented during the hearing.

Submissions

Submission Number: 22: 2 Submission Type: Oppose
Submitter: Nick Adams
Submission Summary: I support the consideration of previous on-farm nitrogen loss mitigations in the calculation of properties NDA in exceptional circumstances.
Decision Sought: I would like to see recognition of this mitigation reflected in the calculation of my NDA.

Panel Recommendations: Reject

Submission Number: 49: 84 Submission Type: Oppose
Submitter: CNI Iwi Land Management Ltd
Submission Summary: Include a further additional matter that covers what happens if the OVERSEER® version shows a very different reduction either generally or for a particular sector is required.
Decision Sought: Include a further additional matter that covers what happens if the OVERSEER® version shows a very different reduction either generally or for a particular sector is required.

Panel Recommendations: Reject

Submission Number: 56: 37 Submission Type: Support
Submitter: Bay of Plenty Regional Council
Submission Summary: For clarification the non-benchmarked grazed trees allocation should be added.
Decision Sought: Add sentence to 2nd bullet point under "Additional matters" as follows: "Non-Benchmarked grazed trees will be allocated the Benchmarking grazed trees average discharge rate."

Panel Recommendations: Accept

Submission Number: 71: 4 Submission Type: Oppose in Part
Submitter: Warren Parker
Submission Summary: The proposal makes no reference to the future economic value of nutrients and thus overlooks the upside opportunity of allocating nutrients differently in the future. It is not clear from the material provided that returns that could be generated in the future from each incremental unit of nutrient/water quality attribute have been estimated.

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Decision Sought: The future economic contribution of NDAs should be considered.

Panel Recommendations: Reject

Submission Number: 71: 6 Submission Type: Oppose

Submitter: Warren Parker

Submission Summary: Grandparenting of allowances, a higher discharge land use enterprise, together with the potential to monetise NDAs at some future point in time is effectively a wealth transfer to those who cause the problem.

Decision Sought: Plantation forestry should be allocated a higher NDA - up to 5kg N/ha/year to enable the replacement of lost nutrients and boost forest productivity.

Panel Recommendations: Reject

Further Submission(s)

Further Submission No: 6 - 65 Submission Type: Support

Further Submitter: CNI Iwi Land Management Ltd

Submission Summary: For the reasons given in the original submission.

Decision Sought: As above

Panel Recommendation: Reject

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Chapter: Schedule LR Two - Stocking rates

1169

Section: Schedule LR Two - Stocking rates

1169

Panel Recommendations

We concur with the Regional Council's reporting officers' recommendations in their s42A report and additional evidence presented during the hearing.

Submissions

Submission Number: 1: 8 Submission Type: Oppose
 Submitter: Lindsay Hugh and Alison Lyndsay Moore
 Submission Summary: The schedule fails to recognise the extensive differences between different species and breeds or the same class of stock. The treating of stags and hinds as equal needs correcting.
 Decision Sought: Amend to reflect concerns raised.

Panel Recommendations: Accept in Part

Submission Number: 6: 2 Submission Type: Oppose
 Submitter: Robert Mackay
 Submission Summary: At the proposed stocking rates control of weeds is going to become more difficult. There is also the question of the economics of maintaining properties with the lower returns. It has been suggested that surplus can be made into hay/silage, but with all property being required to reduce stock numbers, no one will need it. Shipping out of the area is not normally economic.
 Decision Sought: More flexibility and an increase in stocking rate allowed under the rules without the need for a resource consent.

Panel Recommendations: Accept in Part

Submission Number: 28: 6 Submission Type: Oppose
 Submitter: Kevin Davenport
 Submission Summary: I believe the side effects of de-stocking farms will create a bigger set of issues and costs that can't be met by the Land owner.
 Decision Sought: I would like to see BOP Council working with landowners in smaller groups of the different catchment areas within the Rotorua Basin to help them understand the implications of their Farming practices on their specific area. They all have different soil types, micro climates, land contour and proximity's to streams feeding the Lake. I would like to see group discussions or farm workshop sessions on best farming practices held.

Panel Recommendations: Reject

Submission Number: 43: 103 Submission Type: Support in Part
 Submitter: Ravensdown Limited
 Submission Summary: While Ravensdown is opposed to input limits based on stocking rate it recognises the benefits of using a simple look-up table as a surrogate for nitrogen loss outputs for application of permitted activity for low intensity properties less than 10ha.
 Decision Sought: Amend Schedule LR Two to:
 - Provide the nitrogen loss value which provides for permitted activity land use under Rule LR R4;
 - Make it clear the Stocking Rate limits are default representations of the nitrogen loss value for permitted activity on farms/ farming enterprises between 5 and 10 hectares in effective area;
 - Make it clear they are introduced for efficiencies in administration and capability to manage small properties, where detailed modelling of farm system losses is not warranted;

Panel Recommendations: Reject

Submission Number: 43: 104 Submission Type: Support in Part
 Submitter: Ravensdown Limited

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Submission Summary: The stocking rate should be a default option for the specified nitrogen loss value for low intensity land use activity.

Decision Sought: Amend the title of Schedule LR Two to make it clear the stocking rates are a default nitrogen loss representation.

Panel Recommendations: Reject

Submission Number: 44: 1 Submission Type: Oppose Submitter: Andrea Hammond

Submission Summary: A major issue which seems to have been largely overlooked with regard to stock numbers if they are reduced to the numbers proposed, there won't be enough to eat the grass that grows – this will lead to the growth of more weed species.
The number of stock on a property at any one time is NOT evidence of nitrogen output, and is thus unmeasurable and unenforceable.

Decision Sought: Not specified.

Panel Recommendations: Reject

Submission Number: 46: 1 Submission Type: Oppose

Submitter: Evan Parnwell

Submission Summary: We have a small lifestyle block under 5ha. You have a chart which appears to define the type and quantity allowed. If this chart affects us than I can't accept it.

Decision Sought: Not specified.

Panel Recommendations: Reject

Submission Number: 58: 15 Submission Type: Oppose in Part

Submitter: Max Douglas

Submission Summary: The stocking table can underestimate the stocking as a margin of error factor that is reduced when by a (OVERSEER[®]) calibration, i.e. most calibrations should result in a scaling factor > 1.0.

Decision Sought: -Using a standard stocking table with a site specific scaling factor is a simpler approach.

Panel Recommendations: Reject

Submission Number: 70: 105 Submission Type: Support in Part

Submitter: The Fertiliser Association of New Zealand

Submission Summary: Amend Schedule LR Two to provide the nitrogen loss value which provides for permitted activity land use under Rule LR R4, and make it clear the Stocking Rate limits are default representations of the nitrogen loss value. Make it clear they are introduced for efficiencies in administration. Amend the title of Schedule LR Two to make it clear the stocking rates are a Default nitrogen loss representation.

Decision Sought: The stocking rate should be a default option for the specified nitrogen loss value for low intensity land use activities.

Panel Recommendations: Reject

Submission Number: 84: 8 Submission Type: Oppose

Submitter: Protect Rotorua

Submission Summary: The nitrogen loss rates estimated in the stocking table are wrong. According to the stocking table the property could farm 922 under one year old hinds and remain under the 10kgN/ha/yr limit. However based on OVERSEER[®] readings calculated a property supporting this amount of deer would only generate a nitrogen loss rate of 38 kgN/ha/yr for the property.

Decision Sought: Not specified.

Panel Recommendations: Reject

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Section: Horses	1170
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Panel Recommendation

See Section on Schedule LR Two above.

Submissions

Submission Number:	5: 1	Submission Type:	Oppose in Part
Submitter:	Robin Boom		
Submission Summary:	Many recreational and working horses are fed additional feeds such as grains, chaff, hay etc. which are naturally lower in protein (N) and higher in structural carbohydrates and starch therefore the N content in their urine will be lower. Also horse paddocks are rarely high protein ryegrass/clover pastures but are often weedy and poor fertility so the N content of such pastures will be lower.		
Decision Sought:	Horses should be able to be stocked higher (up to 3/ha) based on feed inputs.		

Panel Recommendations: Reject

Submission Number:	8: 2	Submission Type:	Oppose
Submitter:	Grant Stewart		
Submission Summary:	It is very clear that no studies, no science of documentation, on what a horse emits in regards to nitrogen has been carried out.		
Decision Sought:	Until EBOP have the science and studies to back up the horse stocking rate table then horses should be excluded.		

Panel Recommendations: Reject

Submission Number:	60: 1	Submission Type:	Oppose
Submitter:	Lyn Brown		
Submission Summary:	Rotorua has a proud history in agriculture and much of that comes from the medium sized farms which make up areas like Paradise Valley. The proposed restrictions on stock numbers will totally ruin my Equestrian business. The number of horses I will be allowed is not realistic at all.		
Decision Sought:	I can support a slight reduction over time but not the extent that is being proposed.		

Panel Recommendations: Reject

Section: Dairy	1171
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Panel Recommendation

See Section on Schedule LR Two above.

Submissions

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Submission Number: 5: 4 Submission Type: Oppose
Submitter: Robin Boom
Submission Summary: Cow urine content can vary depending on N content and type of N feed. The problem of N in cow urine is exacerbated by use of artificial N inputs. Applying no fertiliser N and relying on natural legume produced N in a natural biological farming system will mean more cows can be run per Ha. As OVERSEER[®] improves and takes on board these options then N losses from farms will naturally drop.
Decision Sought: Dairy cows and other cattle should have their limit raised by at least 40% with cows going from 1.5/ha to 2.5/ha and all other cattle classes similarly. Remember that this is an upper limits and may not be suitable for all.

Panel Recommendations: Reject

Section: Drystock

1172

Panel Recommendation

See Section on Schedule LR Two above.

Submissions

Submission Number: 7: 3 Submission Type: Oppose
Submitter: John de Jong
Submission Summary: I am a small land owner of 13ha and lease a further 4 properties. I understand that myself and the land owners of these blocks will require consents after 2022 under LRR8. To be profitable I need to run 2.5 yearling bulls per hectare. The proposed changes to restrict the amount of livestock on these properties would make it uneconomical to farm.
Decision Sought: Not specified.

Panel Recommendations: Reject

Section: Sheep

1173

Panel Recommendation

See Section on Schedule LR Two above.

Submissions

Submission Number: 5: 7 Submission Type: Support
Submitter: Robin Boom
Submission Summary: These numbers seem fair.
Decision Sought: Support – no changes requested.

Panel Recommendations: Accept

Section: Goats

1174

Panel Recommendation

See Section on Schedule LR Two above.

Submissions

Submission Number: 5: 6 Submission Type: Oppose

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Submitter: Robin Boom

Submission Summary: Angora Goats body weight is lower than the average ewe and considered only a 0.6 stock unit (ewe equivalent). Goats prefer more woody stalky type plants, seedheads and weeds as opposed to fresh green legume based pastures. Their stocking rates should be higher.

Decision Sought: Goat numbers should be able to be 40% higher than sheep numbers due to lower N content in urine.

Panel Recommendations: Reject

Section: Deer 1175

Panel Recommendation

See Section on Schedule LR Two above.

Submissions

Submission Number: 5: 8 Submission Type: Support

Submitter: Robin Boom

Submission Summary: These numbers seem fair.

Decision Sought: Support – no change requested.

Panel Recommendations: Accept in part

Submission Number: 55: 3 Submission Type: Oppose

Submitter: NZ Deer Farmer's Association

Submission Summary: Deer and sheep have similar urine patch / nitrate leaching effects and that this is significantly less than cattle and even more significantly less than dairy cows. The potential of farming deer is to be compromised to allow continuance of activity with farming an animal (the dairy cow) that is clearly recognised as a gross exacerbator of the nitrate loss issue.

Decision Sought: Not specified.

Panel Recommendations: Reject

Submission Number: 74: 2 Submission Type: Oppose

Submitter: Deer Industry New Zealand

Submission Summary: Deer and sheep have similar urine patch / nitrate leaching effects and that this is significantly less than cattle and even more than dairy cows. We are appalled that the potential of farming deer is to be compromised to allow continuance of activity with farming (the dairy cow).

Decision Sought: Not specified.

Panel Recommendations: Reject

Chapter: Schedule LR Three - Information requirements 1176

Section: Schedule LR Three - Information requirements 1176

Panel Recommendation

We concur with the Regional Council's reporting officers' recommendations in their s42A report.

Submissions

Submission Number: 43: 105 Submission Type: Support in Part

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Submitter: Ravensdown Limited
Submission Summary: It is recognised that good information is needed to provide for an effective output based Nutrient Management Plan and for the generation of OVERSEER® files.
Decision Sought: Retain a clear format for information requirements to be collected to manage nutrient losses effectively. Be clear that the use of farm data to place limits on farm system inputs is not intended.

Panel Recommendations: Accept in Part

Submission Number: 49: 86 Submission Type: Oppose in Part
Submitter: CNI Iwi Land Management Ltd
Submission Summary: If it is not a stocking rate on effective area, then there is the potential for land users to average out a highly leaching activity over a bigger area.
Decision Sought: Relate items (d)-(g) to the relevant subset of area of the property.

Panel Recommendations: Accept

Submission Number: 66: 123 Submission Type: Oppose in Part
Submitter: Lake Rotorua Primary Producers Collective
Submission Summary: Amend consequential to our recommended relief on the rules.
Decision Sought: Amend title to read: Schedule LR Three – Information requirements for Permitted Rules.

Panel Recommendations: Reject

Submission Number: 70: 106 Submission Type: Support
Submitter: The Fertiliser Association of New Zealand
Submission Summary: It is recognised that good information is also needed to provide for effective output based nutrient management plans and for the generation of OVERSEER® files.
Decision Sought: Retain a clear format for information requirements.

Panel Recommendations: Accept in Part

Submission Number: 75: 214 Submission Type: Oppose in Part
Submitter: Federated Farmers of New Zealand
Submission Summary: Amend consequential to our recommended relief on the rules.
Decision Sought: Delete reference to LR R5 and LR R6.

Panel Recommendations: Reject

Submission Number: 79: 4 Submission Type: Oppose
Submitter: Paul Barton
Submission Summary: To condition farmers based upon stocking units for nitrogen is not sustainable as blue green algae will fix nitrogen with the background levels of Phosphorus if nitrogen level fall in incoming water.
Decision Sought: Not specified.

Panel Recommendations: Reject

Section: Schedule LR Three (b)

1177

Panel Recommendation

See section on Schedule LR3 above.

Submissions

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Submission Number: 66: 121 Submission Type: Oppose in Part
 Submitter: Lake Rotorua Primary Producers Collective
 Submission Summary: Amend consequential to our recommended relief on the rules.
 Decision Sought: Amend to read: (b) Farm identifier as provided by the Regional Council.

Panel Recommendations: Reject

Section: Schedule LR Three (d) 1178

Panel Recommendation

See section on Schedule LR3 above.

Submissions

Submission Number: 49: 85 Submission Type: Oppose in Part
 Submitter: CNI Iwi Land Management Ltd
 Submission Summary: If it is not a stocking rate on effective area, then there is the potential for land users to average out a highly leaching activity over a bigger area.
 Decision Sought: Reword (d) as 'Stocking rate (numbers classes and ages) including a breakdown by month and the effective area these are run'

Panel Recommendations: Accept

Submission Number: 66: 122 Submission Type: Oppose
 Submitter: Lake Rotorua Primary Producers Collective
 Submission Summary: Amend consequential to our recommended relief on the rules.
 Decision Sought: Amend to read: (d) Stocking rate (numbers, classes and ages) as at 1st June, 1st December, 1st March.

Panel Recommendations: Reject

Section: Schedule LR Three (f) 1179

Panel Recommendation

See section on Schedule LR3 above.

Submissions

Submission Number: 56: 38 Submission Type: Support
 Submitter: Bay of Plenty Regional Council
 Submission Summary: In terms of the information being asked for in Schedule LR Three: (f) does not have destination of crop which can be exported. (g) supplementary feed is not necessarily imported. These are important considerations when assessing farming operations.
 Decision Sought: Amend text for (f) as follows: "(f) Type, area, planting dates and use of crops (i.e. exported or on farm use)." and "(g) Type and quantity and source of supplementary feed."

Panel Recommendations: Accept

Section: Schedule LR Three (g) 1180

Panel Recommendation

See section on Schedule LR3 above.

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Submissions

Submission Number: 56: 39 Submission Type: Support
Submitter: Bay of Plenty Regional Council
Submission Summary: In terms of the information being asked for in Schedule LR Three: (f) does not have destination of crop which can be exported. (g) supplementary feed is not necessarily imported. These are important considerations when assessing farming operations.
Decision Sought: Amend text for (g) as follows: "(f) Type, area, and planting dates and use of for crops (i.e. exported or on farm use)." and "(g) Type and quantity and source of supplementary feed."

Panel	Recommendations: Accept
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Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

CNI Iwi Land Management Ltd Submission Type: Support
 Submission Summary: For the reasons given in the original submission CNILML supports using OVERSEER[®] as a decision support tool, not as the total determinant for nitrogen loss.
 Decision Sought: As above

Panel Recommendation:	Reject
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Submission Number: 19: 2 Submission Type: Oppose
 Submitter: Dixon Reeves
 Submission Summary: I seek that the Council only use OVERSEER[®] as a decision support tool to allow Council and farmers to understand compliance with discharge.
 Decision Sought: I seek that the Council only use OVERSEER[®] as a decision support tool to allow Council and farmers to understand compliance with discharge.

Panel Recommendations:	Reject
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Submission Number: 20: 3 Submission Type: Oppose
 Submitter: Peter McLean and Michelle Rennie
 Submission Summary: The OVERSEER[®] model is flawed, with previously a plus or minus 20% variance. Decision Sought: Not specified.

Panel Recommendations:	Reject
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Submission Number: 21: 4 Submission Type: Oppose
 Submitter: Brown Owl Organics Incorporated
 Submission Summary: There needs to be flexibility for other tools to be used, especially where farming activities are very small-scale. One of the factors for consideration is the compliance cost of suitably qualified consultants running OVERSEER[®] files.
 Decision Sought: Not specified.

Panel Recommendations:	Reject
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Submission Number: 22: 3 Submission Type: Oppose
 Submitter: Nick Adams
 Submission Summary: I support the use of OVERSEER[®] but as a partnership with famers. Property owners need engagement with the one useful tool there is in assessing their impact on the environment. I have been using OVERSEER[®] since it was developed, however I cannot use OVERSEER[®] myself when running scenarios in relation to PC10. Why?
 Decision Sought: Not specified.

Panel Recommendations:	Reject
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Submission Number: 28: 5 Submission Type: Oppose
 Submitter: Kevin Davenport
 Submission Summary: I do not believe 1 Computer programme (OVERSEER[®]) can dictate the varied farming practices for what individuals can and cannot do in the catchment.
 Decision Sought: I would like to see BOP Council working with landowners in smaller groups of the different catchment areas within the Rotorua Basin to help them understand the implications of their Farming practices on their specific area.

Panel Recommendations:	Reject
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Submission Number: 31: 8 Submission Type: Oppose

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Panel Recommendations: Accept in Part			
Submission Number:	43: 113	Submission Type:	Support in Part
Submitter:	Ravensdown Limited		
Submission Summary:	Ensure all references to the undertaking of an OVERSEER [®] nutrient budget clarifies that the nutrient budget must be prepared in accordance with the current version of the OVERSEER [®] Best Practice Data Input Standards		
Decision Sought:	There needs to be clarity provided in the plan that ensures a nutrient budget must be prepared in accordance with the current version of the OVERSEER [®] Best Practice Data Input Standards.		
Panel Recommendations: Accept in Part			
Submission Number:	43: 115	Submission Type:	Oppose
Submitter:	Ravensdown Limited		
Submission Summary:	Ravensdown is concerned how OVERSEER [®] reference files are used within PC10. As well as potential ownership of the files and privacy issues, Ravensdown is concerned that the reference files will changes with versions of OVERSEER [®] and as land use changes.		
Decision Sought:	Ravensdown would prefer to keep OVERSEER [®] reference files outside of the plan provisions, as Environment Canterbury has recently done.		
Panel Recommendations: Accept in Part			
Submission Number:	44: 3	Submission Type:	Oppose
Submitter:	Andrea Hammond		
Submission Summary:	There is no practical way for Nitrogen leached from individual blocks of land to be measured and therefore this cannot be enforced.		
Decision Sought:	Not specified.		
Panel Recommendations: Reject			
Submission Number:	49: 17	Submission Type:	Oppose
Submitter:	CNI Iwi Land Management Ltd		
Submission Summary:	OVERSEER [®] is not designed for, or capable of, being used with the level of specificity this policy requires. OVERSEER [®] is neither accurate nor precise for identifying the amount of N leaching from a given set of farm inputs and processes. A measurement device is both accurate and precise, with measurements all close to and tightly clustered around the true value. Precision includes Repeatability, Reproducibility; neither are evident in OVERSEER [®] yet. The leaching figures for version 6.2.0 are approximately half those for version 6.2.1. And there are relativity differences between land uses. With a variance of over 100% it is not credible to use a system that allocates to the decimal place per hectare.		
Decision Sought:	Replace the whole approach to determining nitrogen attribution so that it does not rely on OVERSEER [®] for this exercise. Replace with an approach that does not reward the high polluters with large capacity to continue polluting and does not penalise low polluters.		
Panel Recommendations: Reject			
Submission Number:	50: 5	Submission Type:	Oppose
Submitter:	Oturoa Properties Ltd		
Submission Summary:	Each upgrade gap widens between current and 2032 target. With each upgrade previous version is obsolete and the farm data has to be re-run (extra cost).		
Decision Sought:	Not specified.		
Panel Recommendations: Reject			

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Decision Sought: To simplify compliance and allow for adoption of new technology, the compliance 'ruler' has to be the OVERSEER® model figures.

Panel Recommendations: Reject

Submission Number: 66: 28 Submission Type: Oppose

Submitter: Lake Rotorua Primary Producers Collective

Submission Summary: Farmers need training in OVERSEER®, the only tool Industry has accepted as suitable for planning. Understanding how OVERSEER® is used and the protocols that go with it is paramount in finding appropriate on farm mitigation solutions.

Decision Sought: That Council support farmer education in the OVERSEER® model.

Panel Recommendations: Accept in Part

Submission Number: 66: 29 Submission Type: Oppose

Submitter: Lake Rotorua Primary Producers Collective

Submission Summary: Lake Rotorua catchment must have more OVERSEER® input data calibrated to local conditions, this improved data will not be available for inclusion in OVERSEER® for at least 5 years but once qualified can be incorporated into OVERSEER® and revised farm plans very quickly if they sit outside a micro managed compliance scheme.

Decision Sought: Any approach should be undertaken based on OVERSEER® prepared in accordance with national best practice data input standards to ensure consistency of approach.

Panel Recommendations: Reject

Submission Number: 66: 35 Submission Type: Oppose

Submitter: Lake Rotorua Primary Producers Collective

Submission Summary: OVERSEER® version 5.4 was used to estimate nitrogen loads for both farm and catchment. All the other nutrient figures from catchment and farms are now calculated with the protocols of version 6.2. The accuracy of the figures has become quite distorted.

Decision Sought: Council acknowledge the significant shifts in load estimates from OVERSEER® version 5.4 to version 6.2 alongside catchment attenuation; that Rotan estimates of catchment loads are currently being revised; and that this revision will necessitate review of the RPS load numbers and load reduction targets.

Panel Recommendations: Reject

Submission Number: 66: 124 Submission Type: Oppose

Submitter: Lake Rotorua Primary Producers Collective

Submission Summary: Oppose - completely undermines the value of OVERSEER®.

Decision Sought: Delete schedule LR Five.

Panel Recommendations: Reject

Submission Number: 71: 8 Submission Type: Oppose in Part

Submitter: Warren Parker

Submission Summary: OVERSEER® evolution has been from pastoral farming. It is important to ensure OVERSEER®'s treatment of plantation forestry incorporates the latest science of nutrient cycles and flows. It is essential that the latest science on nutrient cycles, stocks and flows is integrated into OVERSEER® calculations.

Decision Sought: OVERSEER® development should review/utilise information in Scion's plantation forestry nutrient balance model.

Panel Recommendations: Accept in Part

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Further Submission(s)

Further Submission No: 6 – 67 Submission Type: Support

Further Submitter: CNI Iwi Land Management Ltd

Submission Summary: For the reasons given in the original submission.

Decision Sought: As above

Panel Recommendation: Accept in Part

Submission Number: 75: 5 Submission Type: Oppose

Submitter: Federated Farmers of New Zealand

Submission Summary: We have relied on OVERSEER[®] version 5.4 to estimate nitrogen loads both historic and recent, and at both farm-scale and catchment scale. The Rotan load estimates published in 2011 achieved an acceptable match with measured stream concentrations if zero attenuation was assumed. It is now clear that N losses from land were under-estimated, as were sub-catchment attenuation factors.

Decision Sought: Unless and until such time as the RPS N target is re-assessed using OVERSEER[®] 6.2, PC10 cannot rely on farm numbers in version 6.2.

We request that Council acknowledge the significant shifts in load estimates from OVERSEER[®] version 5.4 to version 6.2 alongside recognition of catchment attenuation; that Rotan estimates of catchment loads are currently being revised; and that this revision will necessitate review of the RPS load numbers and load reduction targets.

Panel Recommendations: Reject

Submission Number: 75: 215 Submission Type: Oppose

Submitter: Federated Farmers of New Zealand

Submission Summary: We oppose use of the Reference file methodology for reasons outlined in our submission.

Decision Sought: Delete.

Panel Recommendations: Reject

Submission Number: 78: 11 Submission Type: Oppose

Submitter: Tony and Joanna Carr

Submission Summary: That the OVERSEER[®] model is the farm decision support tool in determining nutrients for both planning and compliance.

Decision Sought: That the OVERSEER[®] model is the farm decision support tool in determining nutrients for both planning and compliance.

Panel Recommendations: Reject

Submission Number: 84: 7 Submission Type: Oppose

Submitter: Protect Rotorua

Submission Summary: There are a range of concerns about the evidence which the rules are currently based. Concerns include:
 -The veracity of the ROTAN model
 -The reliance On OVERSEER[®] – Protect Rotorua is concerned that the rules will amended in light of an update to OVERSEER[®], which will result in further stress for landowners.
 -The validity of OVERSEER[®] given the variability of its nitrogen calculations following each update.
 -Whether adequate allowance has been made for attenuation in OVERSEER[®].
 The different versions of OVERSEER[®] have produced significantly different data with respect to the nitrogen assessment of properties in the Lake Rotorua catchment, and thus the amount of nitrogen reduction required. The change in OVERSEER[®] has also impacted on the consultation material provided by the Regional Council.

Decision Sought: Not specified.

Panel Recommendations: Reject

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Submission Number: 89: 1 Submission Type: Oppose
Submitter: Philip Frost
Submission Summary: OVERSEER® makes too many assumptions i.e. Makes our blueberry orchard into an apple orchard.
Decision Sought: Not specified

Panel Recommendations: Reject

Section: Introduction

1182

Panel Recommendation

Refer to the section on Schedule LR Five above.

Submissions

Submission Number: 43: 107 Submission Type: Oppose in Part
Submitter: Ravensdown Limited
Submission Summary: Ravensdown opposes the use of annual nutrient budgets from OVERSEER® and considers OVERSEER® calculations should sit outside the Plan, within a reference document.
Decision Sought: Delete the requirement for “annual” OVERSEER® nutrient budget files to be submitted as part of a consent or permitted activity conditions. Nutrient Budgets should be valid for three years at least, unless there is a significant farm system change.

Panel Recommendations: Accept in Part

Submission Number: 49: 87 Submission Type: Oppose in Part
Submitter: CNI Iwi Land Management Ltd
Submission Summary: Revise Bullet 1 to read: Improvement to the model algorithms to improve the accuracy of the input/output relationship and the user interface.
Decision Sought: Revise Bullet 1 to read: Improvement to the model algorithms to improve the accuracy of the input/output relationship and the user interface.

Panel Recommendations: Reject

Submission Number: 66: 40 Submission Type: Oppose
Submitter: Lake Rotorua Primary Producers Collective
Submission Summary: Collective request that rolling averages across 5 years should be applied to all data. This is the industry standard. It allows trends to show more accurately.
Decision Sought: Collective request that rolling averages across 5 years should be applied to all data. This is the industry standard. It allows trends to show more accurately.

Panel Recommendations: Reject

Further Submission(s)

Further Submission No: 12 - 30 Submission Type: Support

**Plan Change 10 Lake Rotorua Nutrient Management
Panel Recommendations on Provisions with Submissions
and Further Submissions – Part 3**

Further Submitter: Federated Farmers of New Zealand
Submission Summary: For the reasons given in the original submission.
Decision Sought: As above

Panel Recommendation:	Reject
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Submission Number: 70: 108 Submission Type: Oppose in Part
Submitter: The Fertiliser Association of New Zealand
Submission Summary: The use of annual nutrient budgets from OVERSEER[®] is opposed. Nutrient budgets should last for three years at least, unless there is a significant farm system change.
Decision Sought: Delete the requirement for “annual” OVERSEER[®] nutrient budget files to be submitted as part of a consent or permitted activity conditions.

Panel Recommendations:	Accept in Part
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Further Submission(s)

Further Submission No: 12 - 31 Submission Type: Support
Further Submitter: Federated Farmers of New Zealand
Submission Summary: OVERSEER[®] outputs should be interpreted as five year rolling averages.
Decision Sought: OVERSEER[®] outputs should be interpreted as five year rolling averages

Panel Recommendation:	Reject
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Further Submission No: 15 - 56 Submission Type: Support
Further Submitter: Ballance Agri-Nutrients Limited
Submission Summary: As a long term annual average model nutrient budgets should be able to last for three years at least, unless there is a significant farm system change, thus the requirement to provide them annually is too onerous.
Decision Sought: As above

Panel Recommendation:	Accept in Part
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Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

1183

Section: Use of Reference Files: Step 1

Panel Recommendation

Refer to the section on Schedule LR Five above.

Submissions

Submission Number: 24: 9 Submission Type: Oppose
 Submitter: JT & SA Butterworth
 Submission Summary: Our farm was unintentionally late in forwarding our OVERSEER® files to the BOPRC. When we requested our provisional NDA from the BOPRC we were sent a letter stating the PNDA for our property. It was a sector average which was allocated due to our figures not being made available. This could have a significant impact not only on our property but the dairy catchment as a whole.
 Decision Sought: We strongly recommend that all property owners are treated fairly and equally.

Panel Recommendations: Reject

Submission Number: 37: 8 Submission Type: Oppose
 Submitter: Ngati Whakaue Tribal Lands Incorporation
 Submission Summary: 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 fallback to yet another 'default' setting.
 Decision Sought: Not specified.

Panel Recommendations: Reject

Further Submission(s)

Further Submission No: 7 - 24 Submission Type: Support
 Further Submitter: Alistair and Sarah Coatsworth
 Submission Summary: For the reasons given in the original submission. Reference files have been created outside of the OVERSEER® program by BOP Regional Council and their independent contractors. This process has not been proven or used anywhere else. It has been designed to save time and money for Council but this calculation updates a property bench mark which is a very significant point every time OVERSEER® goes through a version change. Every Kg of Nitrogen per hectare means a lot to land owners.
 Decision Sought: As above

Panel Recommendation: Reject

Further Submission No: 8 - 25 Submission Type: Support
 Further Submitter: Lake Rotorua Primary Producers Collective
 Submission Summary: For the reasons given in the original submission. Reference files have been created outside of the OVERSEER® program by BOP Regional Council and their independent contractors. This process has not been proven or used anywhere else. It has been designed to save time and money for Council but this calculation updates a property bench mark which is a very significant point every time OVERSEER® goes through a version change. Every Kg of Nitrogen per hectare means a lot to land owners.
 Decision Sought: As above

Panel Recommendation: Reject

Submission Number: 49: 88 Submission Type: Oppose in Part
 Submitter: CNI Iwi Land Management Ltd
 Submission Summary: OVERSEER® has only been verified for silt loam soils which have a much lower leaching profile than many found in the Rotorua Lakes. To be appropriate for Rotorua the friable pumice soils should be used

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

as the reference soils. This has to be verified by lysimeter testing, not by extrapolation. Versions earlier than 6.2.1 significantly overestimate the attenuation capacity of soils.

Decision Sought: Require that OVERSEER® reference files:

1. are from version 6.2.1 or later, and
2. that the soil type is stated for the hypothetical farms, and
3. that the soil type used for these references files is the most common one for that land use type in the Rotorua catchment, and
4. have been actually calibrated in real conditions (i.e. lysimeter tests have been done to verify the accuracy) for Rotorua climatic conditions.

Panel Recommendations: Reject

Submission Number:	62: 2	Submission Type:	Support in Part
Submitter:	Sharon Morrell		
Submission Summary:	Setting up a reference file system that can create technical non-compliance indicates that it is not fit for purpose. I support the intent of the reference file - this seems useful if it can be done in a more representative/equitable way.		
Decision Sought:	Rework the dairy reference file to be more representative of actual current farm systems so that relative changes in OVERSEER® will carry through to the percentage of reference file each farm is allocated. The reference file system should be designed in such a way that, in the first instance, when it is applied LR P3 (c) is adhered to. This has not been achieved, it must be re-examined and made fit for purpose.		

Panel Recommendations: Accept in Part

Submission Number:	64: 5	Submission Type:	Oppose
Submitter:	DairyNZ and Fonterra Co-operative Group Limited		
Submission Summary:	<p>We hold several concerns with respect to how the initial reference files have been set up, particularly in terms of the farm system they represent and the implications of this for underestimating the true level of mitigation that may be required. These files deliberately avoid the inclusion of some farm system components that have historically delivered the greatest variance in nitrogen leaching estimates, for example cropping and irrigation. As a result there are several discrepancies between the reference farms and current farm systems in the catchment. The consequence of this is that changes in OVERSEER® version number may lead to an inaccurate recalculation and in turn an underestimation of the Nitrogen Discharge Allowance reduction targets.</p> <p>While the reference files may represent a perceived average future situation, they do not reflect current farming practice. This also means that some farms could technically become non-compliant following changes in OVERSEER® version number.</p>		
Decision Sought:	<p>- The Reference Files, including how dairy farm systems are represented and the impact of the observed differences with actual farm systems when applied to recalculate Nitrogen Discharge Allowance targets following changes on OVERSEER®, are reviewed to provide certainty that the proposed methodology is robust and fit for purpose. This review should take place after the next OVERSEER® version is released (expected May 2016) and before the Plan becomes operative.</p> <p>- Schedule LR Five is amended to incorporate any changes.</p>		

Panel Recommendations: Accept in Part

Submission Number:	64: 6	Submission Type:	Oppose
Submitter:	DairyNZ and Fonterra Co-operative Group Limited		
Submission Summary:	<p>We hold concerns with respect to how the initial reference files have been set up in terms of the farm system they represent and the implications of this for underestimating the true level of mitigation that may be required. There are several discrepancies between the reference farms and current farm systems in the catchment. The consequence of this is that changes in OVERSEER® version number may lead to an inaccurate recalculation and in turn an underestimation of the Nitrogen Discharge Allowance reduction targets.</p> <p>While the reference files may represent a perceived average future situation, they do not reflect current farming practice. This also means that some farms could technically become non-compliant following changes in OVERSEER® version number.</p>		

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Decision Sought: Subsequent review of the Reference Files and associated methodology for recalculating the Nitrogen Discharge Allowance levels are carried following further significant changes in OVERSEER®, to ensure similar issues which may arise are identified and can be dealt with quickly.

Panel Recommendations: Accept in Part

Submission Number: 64: 7 Submission Type: Oppose

Submitter: DairyNZ and Fonterra Co-operative Group Limited

Submission Summary: We hold concerns with respect to how the initial reference files have been set up, in terms of the farm system they represent and the implications of this for underestimating the true level of mitigation that may be required. There are several discrepancies between the reference farms and current farm systems in the catchment. The consequence of this is that changes in OVERSEER® version number may lead to an inaccurate recalculation and in turn an underestimation of the Nitrogen Discharge Allowance reduction targets.

While the reference files may represent a perceived average future situation, they do not reflect current farming practice. This also means that some farms could technically become non-compliant following changes in OVERSEER® version number.

Decision Sought: Where possible actual farm systems should be applied in the reference file methodology.

Panel Recommendations: Accept in Part

Submission Number: 64: 8 Submission Type: Oppose

Submitter: DairyNZ and Fonterra Co-operative Group Limited

Submission Summary: We hold concerns with respect to how the initial reference files have been set up, in terms of the farm system they represent and the implications of this for underestimating the true level of mitigation that may be required. There are several discrepancies between the reference farms and current farm systems in the catchment. The consequence of this is that changes in OVERSEER® version number may lead to an inaccurate recalculation and in turn an underestimation of the Nitrogen Discharge Allowance reduction targets.

While the reference files may represent a perceived average future situation, they do not reflect current farming practice. This also means that some farms could technically become non-compliant following changes in OVERSEER® version number.

Decision Sought: A fair alternative rules framework should be developed to manage situations where current farm systems are still not represented by the Reference Files.

Panel Recommendations: Accept in Part

Submission Number: 66: 36 Submission Type: Oppose

Submitter: Lake Rotorua Primary Producers Collective

Submission Summary: Council have created an averaging modelling system to save time and administration. This has been done by BOP Regional Council alone and not by the owners or managers of OVERSEER®. Another new OVERSEER® version has been released 6.2.2, the reference file was up dated then all farm files converted through the reference system. Some farms were then shown to be technically non-compliant even though they had changed nothing on the farm. The problem was found in the reference model in that the model did not cover all farm systems. Reference files undermine the value and virtues of OVERSEER® as a farm decision support tool, and as a tool for tracking progress across the catchment.

Decision Sought: Council discontinue using reference files and use the industry accepted & approved OVERSEER® model for all farm nutrient calculations.

Panel Recommendations: Reject

Submission Number: 78: 2 Submission Type: Oppose

Submitter: Tony and Joanna Carr

Submission Summary: Reference files undermine the value and virtues of OVERSEER® as a farm decision support tool, and as a tool for tracking progress across the catchment. Farms are all individual and should not be subject to an averaging process.

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Decision Sought: That Industry report on sector progress on a rolling 5 year average. Do not use Reference Files as a process for updating individual farms OVERSEER® each time there is a new version released.

Panel Recommendations: Reject

Submission Number: 82: 6 Submission Type: Oppose

Submitter: Stuart Morrison

Submission Summary: Accounting for OVERSEER® changes through the reference file method undermines its value. The method proposed introduces distortions that devalue its ongoing use.

Decision Sought: Improve, giving priority to retaining integrity of use through changes over administrative efficiency.

Panel Recommendations: Reject

Section: Use of Reference Files: Step 2

1184

Panel Recommendation

Refer to the section on Schedule LR Five above.

Submissions

Submission Number: 49: 89 Submission Type: Oppose

Submitter: CNI Iwi Land Management Ltd

Submission Summary: Versions earlier than 6.2.1 significantly overestimate the attenuation capacity of soils.

Decision Sought: Replace OVERSEER® 6.2.0 with 6.2.1 or later.

Panel Recommendations: Reject

Section: Use of Reference Files: Step 2A (5)

1185

Panel Recommendation

Refer to the section on Schedule LR Five above.

Submissions

Submission Number: 49: 90 Submission Type: Oppose

Submitter: CNI Iwi Land Management Ltd

Submission Summary: There are many places that errors would compound in this process described in A5. A model has been pushed well beyond where it is competent to perform.

Decision Sought: This way of expressing a required loss as

1. a percentage of a reference file,
2. which underestimates actual loss (v6.2.0),
3. uses a wrong soil type (silt loam) and
4. is a farm type average based on a hypothetical farm is incredibly complicated, as well as being uncertain.

Panel Recommendations: Reject

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Section: Use of Reference Files: Step 2A (6)

1186

Panel Recommendation

Refer to the section on Schedule LR Five above.

Submissions

Submission Number: 92: 6 Submission Type: Support in Part

Submitter: Bay of Plenty Regional Council

Submission Summary: The notified plan change uses incorrect referencing to rules in the Plan Change.

Decision Sought: Change number references from Part A.6

To read 'The relevant land uses and areas, Nitrogen Discharge Allowance and Managed Reduction Targets as percentages of reference files will be included within consent conditions (LR R8(a), LR R9(a), LR R10(b), consistent with Table LR 8 below'.

Panel Recommendations: Accept

Further Submission(s)

Further Submission No: 6 - 75 Submission Type: Support

Further Submitter: CNI Iwi Land Management Ltd

Submission Summary: For the reasons given in the original submission.

Decision Sought: As above

Panel Recommendation: Accept

Section: Use of Reference Files: Step 2B (7)

1187

Panel Recommendation

Refer to the section on Schedule LR Five above.

Submissions

Submission Number: 49: 91 Submission Type: Oppose

Submitter: CNI Iwi Land Management Ltd

Submission Summary: Revise to simplify the relationship between the reference file and the subsequent files, having made sure the reference files are entirely relevant to the Lake Rotorua circumstances.

Decision Sought: Revise to simplify the relationship between the reference file and the subsequent files, having made sure the reference files are entirely relevant to the Lake Rotorua circumstances.

Panel Recommendations: Reject

Section: Table LR8 A hypothetical property with multiple land uses

1188

Panel Recommendation

We concur with the Regional Council's reporting officer's recommendations as contained in their s42A report.

Submissions

Submission Number: 49: 92 Submission Type: Oppose

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Submitter: CNI Iwi Land Management Ltd

Submission Summary: Plantation forestry has a start point and reference file number of 2.5, making it lower than unproductive land (bush and scrub). The rule framework does not allow plantation forestry to leach any more nitrogen than its start point, so it is entirely boxed into a corner. It's not even possible to revert to native forest. This is unfair, inequitable, unreasonable and contrary to the direction of the Waitangi Tribunal.

Decision Sought: Revise the plantation forestry start point to be the all-in average, of 32 NDA rather than the present 2.5 NDA which locks it into no use flexibility at all.

Panel Recommendations: Reject

Submission Number: 66: 125

Submission Type: Oppose

Submitter: Lake Rotorua Primary Producers Collective

Submission Summary: This table records OVERSEER® 6.2 figures but they have already been superseded and bear no relevance to the PNDA provided to land owners now.

Decision Sought: Delete - This table records OVERSEER® 6.2 figures but they have already been superseded and bear no relevance to the PNDA provided to land owners now.

Pan Recommendations: Accept

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Chapter: Schedule LR Six - Nitrogen Management Plan requirements

1189

Section: Schedule LR Six - Nitrogen Management Plan requirements

1189

Panel Recommendation

Refer to the body of our report for our recommendation on this section.

Submissions

Submission Number:	16: 7	Submission Type:	Not Applicable
Submitter:	Neil Heather		
Submission Summary:	That Council confirm its rejection of prescriptive input-based management and remove all references in the rules to prescriptive management of farm plans.		
Decision Sought:	That Council confirm its rejection of prescriptive input-based management and remove all references in the rules to prescriptive management of farm plans.		

Panel Recommendations: Reject

Submission Number:	16: 15	Submission Type:	Oppose
Submitter:	Neil Heather		
Submission Summary:	I do not support the requirements for land owners to complete farm management plans that will be part of a compliance process.		
Decision Sought:	Not specified.		

Panel Recommendations: Reject

Submission Number	23.6	Submission Type: Oppose
Submitter:	Roger and Norreen Martin	
Submission Summary:	I do not support the requirement for land owners to completed farm management plans. It was never intended that farm plans would become part of the consent process.	
Decision Sought:	Not specified.	

Panel Recommendations: Reject

Submission Number:	24: 4	Submission Type:	Oppose
Submitter:	JT & SA Butterworth		
Submission Summary:	We are in favour of farm management plans but they should only be a tool to help a farmer plan and measure different mitigation solutions. They must not be part of any regulatory process nor the compliance regime. A farm management plan needs to be a living document that is visited regulatory with our advisors. All that is required for assessment of the output of nutrients from a property is the OVERSEER [®] nutrient budget which we complete on an annual basis with our Ballance fertiliser representative.		
Decision Sought:	Farm management plans must not be part of any regulatory process nor the compliance regime.		

Panel Recommendations: Reject

Submission Number:	28: 4	Submission Type:	Oppose
Submitter:	Kevin Davenport		
Submission Summary:	I do not support the need for landowners to under-go Farm management plans.		
Decision Sought:	I would like to see group discussions or farm workshop sessions on best farming practices held. I would like to see BOP Council working with landowners in smaller groups of the different catchment areas within the Rotorua Basin to help them understand the implications of their Farming practices on their specific area.		

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Panel Recommendations: Reject

Submission Number:	39: 8	Submission Type:	Oppose
Submitter:	Eileen Campbell		
Submission Summary:	I do not support the requirement of land owners to complete farm management plans that will be part of a compliance process. It is impossible to develop a plan committing one's self to actions up to 15 years in the future.		
Decision Sought:	Not specified.		

Panel Recommendations: Reject

Submission Number:	43: 108	Submission Type:	Support in Part
Submitter:	Ravensdown Limited		
Submission Summary:	Ravensdown prefers the term 'Nutrient Management Plan' which better reflects the intent of the mechanism, and the wider management of nutrients (including phosphorus) as included in Schedule LR Six.		
Decision Sought:	Ravensdown seeks for Council to adopt the term 'Nutrient Management Plan' rather than 'Nitrogen Management Plan'.		

Panel Recommendations: Accept

Further Submission(s)

Further Submission No:	15 - 18	Submission Type:	Support
Further Submitter:	Ballance Agri-Nutrients Limited		
Submission Summary:	For the reasons given in the original submission. Ballance considers that the use of the term "Nutrient Management Plan" is consistent with terminology being used in other regions around New Zealand, including but not limited to Canterbury, Waikato and Southland.		
Decision Sought:	As above		

Panel Recommendation: Accept

Submission Number:	45: 6	Submission Type:	Oppose
Submitter:	Wendy and John Roe		
Submission Summary:	I do not support the requirement for land owners to complete farm management plans that will be part of a compliance process. It is impossible to develop a plan committing ourselves to actions up to 15 years in the future.		
Decision Sought:	Not specified.		

Panel Recommendations: Reject

Submission Number:	48: 22	Submission Type:	Oppose
Submitter:	Parekarangi Trust		
Submission Summary:	Each version of OVERSEER® released can result in major differences to output with the same input.		
Decision Sought:	Allow science more time to develop robust models that are capable of high degree of predictive ability.		

Panel Recommendations: Reject

Submission Number:	49: 93	Submission Type:	Support
Submitter:	CNI Iwi Land Management Ltd		
Submission Summary:	Support Paragraph 3.		
Decision Sought:	Retain.		

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Panel Recommendations: Accept			
Submission Number:	53: 87	Submission Type:	Oppose
Submitter:	Lachlan McKenzie		
Submission Summary:	This amounts to prescriptive input based management which is unacceptable for the reasons set out in the PC10 s32 report.		
Decision Sought:	Delete Schedule LR Six.		
Panel Recommendations: Reject			
Submission Number:	61: 7	Submission Type:	Oppose
Submitter:	Beef + Lamb New Zealand		
Submission Summary:	Council's current approach to on farm management through potentially prescriptive farm plans is counterintuitive to achieving action at a sub catchment level, through coordinated, well supported and prioritised actions. Acknowledgement needs to be given to a whole farm approach to managing the potential impacts on water quality, not just limited to Nitrogen.		
Decision Sought:	In aiming to meet the 2022 Managed Reduction Target that a whole farm approach to managing the risks to water quality be adopted.		
Panel Recommendations: Reject			
Submission Number:	62: 4	Submission Type:	Oppose
Submitter:	Sharon Morrell		
Submission Summary:	Not having to adhere to specific management practices will allow farmers to apply some flexibility in response to market and weather conditions - this is vital to the resilience and longevity of their farm businesses. With a nitrogen loss as the compliance measure, farmers can act efficiently and while still achieving the outcomes desired.		
Decision Sought:	The management plan should give an indication to the RC that the farmer has thought through and can apply what they need to do to achieve a managed reduction target, however actual non-compliance should only be assessed on the basis of their farm system's nitrogen discharge as modelled in OVERSEER®. If RC feels they have deviated too greatly from their management plan this could trigger an assessment via OVERSEER®. I am strongly opposed to translating an output target into input targets as it eliminates vital flexibility and innovative thought and action.		
Panel Recommendations: Reject			
Submission Number:	64: 10	Submission Type:	Oppose
Submitter:	DairyNZ and Fonterra Co-operative Group Limited		
Submission Summary:	The Nitrogen Management Plan (NMP) Requirements, contained in Schedule LR Six, would result in the introduction of an input management regime that will significantly reduce their ability to manage their farm systems in a flexible manner. These new plan requirements could dilute farm owner control and transfer management accountability to professional advisors reducing incentives for innovation. There were concerns regarding the accuracy, relevance and feasibility of including mitigation options up to 2032.		
Decision Sought:	Schedule 6 should be modified so that it has a stronger focus on managing outcomes rather than inputs.		
Panel Recommendations: Accept in Part			
Submission Number:	64: 11	Submission Type:	Oppose
Submitter:	DairyNZ and Fonterra Co-operative Group Limited		
Submission Summary:	There is no guidance on how related audit and reporting requirements will work in practice.		
Decision Sought:	Additional information regarding the audit and reporting requirements that will support the effective implementation of Nitrogen Management Plans should be provided as soon as possible.		
Panel Recommendations: Accept in part			

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Submission Number: 66: 8 Submission Type: Oppose
 Submitter: Lake Rotorua Primary Producers Collective
 Submission Summary: Land owners complete a farm nutrient plan that is informed through engagement with their sub catchment group & in consultation with Industry support (e.g. Beef & lamb's Land information plans and DNZ's/Fonterra sustainable milk plans) or their own farm advisor or Council Land Management Officer.
 Decision Sought: That Industry report on sector progress on a rolling 5 year average.

Panel Recommendations: Reject

Further Submission(s)

Further Submission No: 12 - 32 Submission Type: Support
 Further Submitter: Federated Farmers of New Zealand
 Submission Summary: For the reasons given in the original submission.
 Decision Sought: As above

Panel Recommendation: Reject

Submission Number: 66: 9 Submission Type: Oppose
 Submitter: Lake Rotorua Primary Producers Collective
 Submission Summary: The Collective is supportive of measures to improve environmental performance within a holistic farm planning framework. Farm management plans should be a tool to help a farmer plan and measure different mitigation solutions. They must not be part of any regulatory process nor the compliance regime. A farm management plan needs to be a living document that is visited regularly with our advisors. All that is required for assessment of the output of nutrients from a property is the OVERSEER[®] nutrient budget most farmers complete with their preferred fertiliser company or farm advisor.
 Decision Sought: That farm plans sit outside all regulatory measures and are used as a living planning tool.

Panel Recommendations: Reject

Further Submission(s)

Further Submission No: 12 - 33 Submission Type: Support
 Further Submitter: Federated Farmers of New Zealand
 Submission Summary: For the reasons given in the original submission.
 Decision Sought: As above

Panel Recommendation: Reject

Submission Number: 66: 126 Submission Type: Oppose
 Submitter: Lake Rotorua Primary Producers Collective
 Submission Summary: This amounts to prescriptive input based management which is unacceptable for the reasons set out in the PC10 s32 report. A greater emphasis on managing outcomes rather than inputs. Additional information outlining the Council's proposed auditing regime, particularly where plans are prepared as part of an industry environmental management program.
 Decision Sought: Delete Schedule LR Six. Include reference to industry environmental plans and / or the use of annual OVERSEER[®] Nutrient Management reports that record and calculate a property nutrient loss to be averaged over a 5 year period.

Panel Recommendations: Reject

Further Submission(s)

Further Submission No: 12 - 34 Submission Type: Support
 Further Submitter: Federated Farmers of New Zealand
 Submission Summary: For the reasons given in the original submission.

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Decision Sought: As above

Panel Recommendation:	Reject
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Submission Number:	67: 6	Submission Type:	Oppose
Submitter:	Karl Weaver		
Submission Summary:	I do not support the Policies, Method or Rules of Plan Change 10. I do not support nitrogen discharge allowance process and the requirement that landowners reduce nutrient loss by way of regulation. I do not support the requirement for landowners to complete farm management plans that will be part of a compliance process. It is impossible to develop a plan committing oneself to actions up to 15 years in the future.		
Decision Sought:	Not specified.		

Panel Recommendations:	Reject
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Submission Number:	70: 109	Submission Type:	Oppose in Part
Submitter:	The Fertiliser Association of New Zealand		
Submission Summary:	FANZ supports the use of the term, 'Nutrient Management Plan' rather than 'Nitrogen Management Plan'.		
Decision Sought:	Reword the first paragraphs of Schedule LR Six as per below: "A Nutrient Management Plan....." 'The ' Nutrient Management Plan.....'. 1. A Nutrient Management Plan prepared.... 2. A Nutrient Management Plan..... A. Nutrient Management Plans prepared... Nutrient Management Plans will contain as a minimum: ...		

Panel Recommendations:	Accept
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Further Submission(s)

Further Submission No:	15 - 57	Submission Type:	Support
Further Submitter:	Ballance Agri-Nutrients Limited		
Submission Summary:	Terminology used in the Plan Change should be consistent with the terms used in other regions around New Zealand.		
Decision Sought:	As above		

Panel Recommendation:	Accept
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Submission Number:	75: 216	Submission Type:	Oppose in Part
Submitter:	Federated Farmers of New Zealand		
Submission Summary:	We strongly endorse Council concerns with prescriptive input based management for the reasons set out in the PC10 s32 report. Amendments proposed to give better effect to a flexible, output based management framework with reduced transaction costs.		
Decision Sought:	Delete text 'The aim of the Nitrogen Management Plan is to manage nutrient reduction so the property/farming enterprise meets the Nitrogen Discharge Allowance by 2032'.		

Panel Recommendations:	Reject
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Submission Number:	75: 217	Submission Type:	Oppose in Part
Submitter:	Federated Farmers of New Zealand		
Submission Summary:	We strongly endorse Council concerns with prescriptive input based management for the reasons set out in the PC10 s32 report. Amendments proposed to give better effect to a flexible, output based management framework with reduced transaction costs		

**Plan Change 10 Lake Rotorua Nutrient Management
Panel Recommendations on Provisions with Submissions
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Decision Sought: Amend to read '.....and identify all reasonable, practicable and affordable nitrogen.....'

Panel Recommendations: Reject

Submission Number: 78: 3 Submission Type: Oppose

Submitter: Tony and Joanna Carr

Submission Summary: We support that all farmers should engage in this process, but with their industry representative body. To have them attached to consents takes away all possible innovation that adaptive farm management allows.

Decision Sought: Farm Nutrient Plans must sit outside the regulatory process.

Panel Recommendations: Reject

Submission Number: 82: 12 Submission Type: Oppose

Submitter: Stuart Morrison

Submission Summary: I strongly oppose the use of Nitrogen Management Plans as a compliance tool. Targeting compliance to inputs is against all discussions and agreements made at stakeholder meetings. Plans by their nature are living documents. 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.

Decision Sought: Change the relevant policies and rules including LR P8, LR P11, LR R9 and Schedule 6.

Panel Recommendations: Reject

Submission Number: 83: 9 Submission Type: Oppose

Submitter: Bushlands Estate Limited and Adolle Farms Limited

Submission Summary: I do not support the requirement for land owners to complete farm management plans that will be part of a compliance process. At StAG the framework was designed to avoid this, but following the end of StAG the rules have diverted into this pathway. It is impossible to develop a plan committing myself to actions up to 16 years in the future.

Decision Sought: Not specified.

Panel Recommendations: Reject

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

1190

Section: Schedule LR Six 2B

Panel Recommendation

Refer to the Section on Schedule LR Six above.

Submissions

Submission Number:	43: 109	Submission Type:	Support in Part
Submitter:	Ravensdown Limited		
Submission Summary:	Clarity is required regarding what constitutes a 'significant farm system change'.		
Decision Sought:	Define the term 'significant farm change' to provide certainty. It is suggested that the terms 'significant farm change' from section 7(ii) and 'substantial change' from Table LR 5 in Schedule LR One be combined into one definition and explained qualitatively and/or quantitatively.		

Panel Recommendations: Accept in Part

1191

Section: Content 3

Panel Recommendation

Refer to the Section on Schedule LR Six above.

Submissions

Submission Number:	75: 218	Submission Type:	Oppose in Part
Submitter:	Federated Farmers of New Zealand		
Submission Summary:	We strongly endorse Council concerns with prescriptive input based management for the reasons set out in the PC10 s32 report. Amendments proposed to give better effect to a flexible, output based management framework with reduced transaction costs.		
Decision Sought:	Amend to read 'The start point on which nitrogen loss allocation is based, relevant Managed Reduction Targets.'		

Panel Recommendations: Reject

1192

Section: Content 5

Panel Recommendation

Refer to the Section on Schedule LR Six above.

Submissions

Submission Number:	64: 12	Submission Type:	Oppose
Submitter:	DairyNZ and Fonterra Co-operative Group Limited		
Submission Summary:	The requirements of the Nitrogen Management Plan includes the need for detail on effluent management (5.c). This information is already described as part of a farm's dairy effluent consent. We do not see value in duplicating this information here unless it is Councils intent to manage the effluent consent through a single Farm Nutrient Management Plan document.		
Decision Sought:	Schedule 6 (5) should be modified to exclude information on effluent management.		

Panel Recommendations: Reject

1193

Section: Content 5(a)

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Panel Recommendation

Refer to the Section on Schedule LR Six above.

Submissions

Submission Number: 37: 4 Submission Type: Oppose
Submitter: Ngati Whakaue Tribal Lands Incorporation
Submission Summary: Object to the need to specify a schedule of mitigation options – inconsistent with Adaptive Management LR P3 (p5).
Decision Sought: Not specified.

Panel Recommendations: Reject

Submission Number: 64: 27 Submission Type: Support in Part
Submitter: DairyNZ and Fonterra Co-operative Group Limited
Submission Summary: We support only if after the 2017 Science review there is community agreement that the 2032 NDA targets still represent the most cost effective and efficient way of meeting the desired long-term outcomes for the Lake.
Decision Sought: Alter 2032 to be 2022.

Panel Recommendations: Reject

Submission Number: 75: 219 Submission Type: Oppose in Part
Submitter: Federated Farmers of New Zealand
Submission Summary: We strongly endorse Council concerns with prescriptive input based management for the reasons set out in the PC10 s32 report. Amendments proposed to give better effect to a flexible, output based management framework with reduced transaction costs.
Decision Sought: Amend to read '(a) Nitrogen management: The Nitrogen Management Plan must include.

Panel Recommendations: Reject

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

1193

Section: Content 5(a)(iii)

Panel Recommendation

Refer to the Section on Schedule LR Six above.

Submissions

Submission Number: 70:79 Submission Type: Oppose

Submitter: The Fertiliser Association of New Zealand

Submission Summary: Many farms may find it difficult to meet the conditions for controlled activities because Schedule LR Six (5)(a)(ii). The discharge of nutrients from many farms is at risk of requiring consent as a non-complying activity because the pathway and mitigations to achieve the Managed Reductions and 2032 Nitrogen Discharge Allowance are not likely to be available from the outset. It is not clear how the Proposed Plan Change will provide for adaptive management principles and for gradual land use change if during the first stage reduction period, non-complying activity status applies from the outset. Whilst Managed Reduction Targets and Nitrogen Discharge Allowances will need to be reviewed every 5 years, this should not necessarily require consents with a 5 year duration. It could be achieved by way of reviewing the relevant conditions of a 20 year consent.

Decision Sought: Not specified.

Panel Recommendations: Reject

Submission Number: 70: 110 Submission Type: Oppose in Part

Submitter: The Fertiliser Association of New Zealand

Submission Summary: Rules LR8 – LR R10 and Schedule LR Six (5)(a)(ii) require, from the outset, a pathway to meet the Managed Reduction Targets and 2032 Nitrogen Discharge Allowances. If farms cannot provide this pathway from the outset, they will not be able to meet the controlled activity conditions and become non-complying.

Decision Sought: Make it clear that the pathway to achieving nitrogen loss targets should be presented sequentially i.e. during each stage. Amend 5 (a) (ii) A pathway, including a schedule of mitigation actions that demonstrates managed reduction to achieve the next nitrogen loss target of the Managed Reduction Targets or the 2032 Nitrogen Discharge Allowance in accordance with LR P8.

Panel Recommendations: Accept in Part

Further Submission(s)

Further Submission No: 15 - 58 Submission Type: Support

Further Submitter: Balance Agri-Nutrients Limited

Submission Summary: For the reasons given in the original submission. The inclusion of a definition for "significant farm system change" will assist in clarifying the requirements and implications of the Schedule.

Decision Sought: As above

Panel Recommendation: Accept in Part

Submission Number: 75: 220 Submission Type: Oppose in Part

Submitter: Federated Farmers of New Zealand

Submission Summary: We strongly endorse Council concerns with prescriptive input based management for the reasons set out in the PC10 s32 report. Amendments proposed to give better effect to a flexible, output based management framework with reduced transaction costs.

Decision Sought: Amend to read: (ii) A pathway, including a schedule of mitigation actions, that demonstrates managed reduction to achieve the Managed Reduction Targets.

Panel Recommendations: Reject

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

1194

Section: Content 5(b)**Panel Recommendation**

Refer to the Section on Schedule LR Six above.

Submissions

Submission Number: 37: 9 Submission Type: Oppose
Submitter: Ngati Whakaue Tribal Lands Incorporation
Submission Summary: Object to the requirement to implement industry best practice for P mitigation without the inclusion of P in the Rules.
Decision Sought: Not specified.

Panel Recommendations: Reject

1195

Section: Content 5(c)**Panel Recommendation**

Refer to the Section on Schedule LR Six above.

Submissions

Submission Number: 49: 94 Submission Type: Support in Part
Submitter: CNI Iwi Land Management Ltd
Submission Summary: Effluent systems are compliant with consent conditions gives no guidance to consent officers writing consent conditions about the nature or purpose of those conditions'
Decision Sought: State the requirements of effluent systems e.g. that all ponds are sealed.

Panel Recommendations: Reject

Submission Number: 62: 3 Submission Type: Oppose
Submitter: Sharon Morrell
Submission Summary: Doubling up on requirements indicates too much red tape.
Decision Sought: Remove the clause about effluent management needing to be in the management plan - this is already catered for in each dairy farmer's effluent discharge consent.

Panel Recommendations: Reject

Further Submission(s)

Further Submission No: 7 - 31 Submission Type: Support
Further Submitter: Alistair and Sarah Coatsworth
Submission Summary: For the reasons given in the original submission.
Decision Sought: As above

Panel Recommendation: Reject

Further Submission No: 8 - 35 Submission Type: Support
Further Submitter: Lake Rotorua Primary Producers Collective
Submission Summary: For the reasons given in the original submission.

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Decision Sought: As above

Panel Recommendation: Reject

Submission Number: 75: 221 Submission Type: Oppose
Submitter: Federated Farmers of New Zealand
Submission Summary: We strongly endorse Council concerns with prescriptive input based management for the reasons set out in the PC10 s32 report.
Decision Sought: Delete; Amendments are proposed within the hardcopy submission to give better effect to a flexible, output based management framework with reduced transaction costs.

Panel Recommendations: Reject

Section: Content 5(f)

1196

Panel Recommendation

Refer to the Section on Schedule LR Six above.

Submissions

Submission Number: 12: 15 Submission Type: Oppose
Submitter: Astrid Coker
Submission Summary: On blocks with small paddocks heavy spreaders cause damage to soil through compaction. There are issues with possible inexperienced drivers as well as requirements under the Health and Safety Act.
Decision Sought: Self-monitoring of fertiliser distribution and quantity/ha without the requirement for compulsory application by accredited commercial spreader.

Panel Recommendations: Reject

Chapter: Schedule LR Seven - Transfer of NDA or Managed Reduction Offset

1197

Section: Schedule LR Seven - Transfer of NDA or Managed Reduction Offset

1197

Panel Recommendation

We concur with the Regional Council's reporting officers' recommendations in their s42A report and additional evidence presented during the hearing.

Submissions

Submission Number: 49: 95 Submission Type: Oppose
Submitter: CNI Iwi Land Management Ltd
Submission Summary: The rules makes it a permitted activity for the higher leaching land uses to trade among themselves, but it excludes the lowest leaching activities from any such trade. This is inefficient in terms of potential economic outcomes, inequitable, unfair and unreasonable'
Decision Sought: Revise to allow plantation forestry to participate in nitrogen discharge unit trades.

Panel Recommendations: Reject

Submission Number: 66: 127 Submission Type: Support in Part
Submitter: Lake Rotorua Primary Producers Collective
Submission Summary: It is important to provide flexibility mechanisms. In international experience, water quality trading markets are usually based on a wider range of participants to give market depth; and operate either as cap-and-trade markets and/or with baseline-and-credit participants.

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Decision Sought: Retain offsets to enable flexibility; more discussion needed on length of time. Give further consideration to including a wider range of non-farming participants; and to exploring other possible transfer/trading mechanisms. Delete section on NDA transfers from Schedule 7.

Panel Recommendations: Reject

Submission Number: 75: 222 Submission Type: Support in Part

Submitter: Federated Farmers of New Zealand

Submission Summary: We support the importance of flexibility mechanisms, both short-term and long-term. A key focus for the Incentives Board is the period to 2022.

Decision Sought: We recommend further exploration of flexibility mechanisms. We have earlier recommended that consideration be given to reviewing the Incentives funding criteria. We request that Council give further consideration to including a wider range of non-farming participants; and to exploring baseline-and-credit market mechanisms alongside offset mechanisms.

Panel Recommendations: Reject

Section: Transfer of Nitrogen Discharge allowance 1198

Panel Recommendation

We concur with the Regional Council's reporting officers' recommendations in their s42A report and additional evidence presented during the hearing.

Submissions

Submission Number: 43: 110 Submission Type: Oppose in Part

Submitter: Ravensdown Limited

Submission Summary: The phrase 'Evidence will be required of the legal basis of managed Nitrogen Discharge Allowance' requires an explanation to assist the plan users to understand what is expected. It is not clear what this means and how such information is to be provided.

Decision Sought: The phrase 'Evidence will be required of the legal basis of managed Nitrogen Discharge Allowance' requires an explanation.

Panel Recommendations: Accept

Submission Number: 53: 88 Submission Type: Oppose

Submitter: Lachlan McKenzie

Submission Summary: Too many uncertainties associated with targets/loads/NDAS. Retain offsets to enable flexibility; more discussion needed on length of time.

Decision Sought: Delete NDA transfers, retain managed reduction offsets.

Panel Recommendations: Reject

Submission Number: 70: 112 Submission Type: Oppose in Part

Submitter: The Fertiliser Association of New Zealand

Submission Summary: Explanation of the phrase 'Evidence will be required of the legal basis of managed Nitrogen Discharge Allowance transfer' is required. It is not clear what this means.

Decision Sought: Include an explanation of the phrase 'Evidence will be required of the legal basis'.

Panel Recommendations: Accept

Section: Transfer of Managed Reduction Offset 1199

Panel Recommendation

We concur with the Regional Council's reporting officers' recommendations in their s42A report and additional evidence presented during the hearing.

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Submissions

Submission Number: 43: 112 Submission Type: Oppose in Part
 Submitter: Ravensdown Limited
 Submission Summary: The transfer of Managed Reduction Offsets can be used to meet a Managed Reduction Target, but are limited to 5 years and therefore cannot be used to meet the Nitrogen Discharge Allowance.
 Decision Sought: If the offsets are appropriate for the Managed Reduction Targets, provision for permanent offset should be made to support a meeting the Nitrogen Discharge Allowance.

Panel Recommendations: Accept

Submission Number: 66: 128 Submission Type: Oppose in Part
 Submitter: Lake Rotorua Primary Producers Collective
 Submission Summary: It is important to provide flexibility mechanisms. In international experience, water quality trading markets are usually based on a wider range of participants to give market depth; and operate either as cap-and-trade markets and/or with baseline-and-credit participants.
 Decision Sought: Delete text from last bullet point 'only last for a maximum of 5 years'.

Panel Recommendations: Reject

Submission Number: 70: 111 Submission Type: Oppose in Part
 Submitter: The Fertiliser Association of New Zealand
 Submission Summary: Under 'Transfer of Managed Reduction Offsets' the transfer of Managed Reduction Offsets can be used to meet a Managed Reduction Target, but are limited to 5 years and therefore cannot be used to meet the Nitrogen Discharge Allowance.
 Decision Sought: Make provision for permanent offsetting.

Panel Recommendations: Accept

Submission Number: 82: 20 Submission Type: Support

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Submitter: Stuart Morrison
 Submission Summary: I support the commitment to the health of the lake and to meeting my part of the 2022 MRT.
 Decision Sought: Not specified.

Panel Recommendations: Accept

Chapter: Section 32 Report 1200

Section: Section 32 Report 1200

Panel Recommendation

Refer to the body of our report for our discussion on the adequacy of the s32A evaluation report and our section 32AA evaluation of our recommended changes in response to submission points.

Submissions

Submission Number: 7: 4 Submission Type: Oppose
 Submitter: John de Jong
 Submission Summary: I have received extensive information from the BOP regional Council however I am yet to receive on feasibility study on the economic benefits or consequences for the region. I would take great interest in seeing the feasibility study.
 Decision Sought: I would take great interest in seeing the feasibility study.

Panel Recommendations: Reject

Submission Number: 11: 4 Submission Type: Support
 Submitter: Ian McLean
 Submission Summary: It has been suggested that economic considerations relating to the Rotorua District as a whole should be added to the criteria under the proposed rules. I oppose such a suggestion. If economic objectives are added it means that achieving environmental objectives will be more expensive. The cost to the district as a whole is slight. Well over 90% of the dairy farms in the district are outside of the Lake Rotorua Catchment and hence are unaffected by the rules.
 Decision Sought: I support the proposed changes and seek their formal approval by the Council.

Panel Recommendations: Accept

Submission Number: 11: 5 Submission Type: Support
 Submitter: Ian McLean
 Submission Summary: The cost to dairy farmers is very substantial. The amount of funding available to assist farmers to make changes is well short of the cost to them. I strongly oppose economic criteria which would have the effects of transferring some of the funding available to farmers to ratepayers of the district as a whole. As a ratepayer I want the funds available to go to farmers as planned and do not wish to share in them.
 Decision Sought: I support the proposed changes and seek their formal approval by the Council.

Panel Recommendations: Accept

Submission Number: 13: 2 Submission Type: Support in Part
 Submitter: Alister Snodgrass
 Submission Summary: Continue monitoring of the economic impacts on the rural community. Also the social and health impact on our farmers.
 Decision Sought: Continue monitoring of the economic impacts on the rural community. Also the social and health impact on our farmers.

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Panel Recommendations: Accept

Submission Number:	16: 14	Submission Type:	Not Applicable
Submitter:	Neil Heather		
Submission Summary:	That the Council gives equal weighting to the four principles for the Resource Management Act – Those being social, cultural, economic and environmental which to date has not transpired.		
Decision Sought:	That the Council gives equal weighting to the four principles for the Resource Management Act – Those being social, cultural, economic and environmental which to date has not transpired.		

Panel Recommendations: Reject

Submission Number:	17: 4	Submission Type:	Oppose
Submitter:	D & A Trust		
Submission Summary:	The section 32 analysis provided is completely lacking any informed analysis of the impact on capital value and is flawed in its analysis of the benefits offered to forestry. It also appears to have a pre-determined outcome and thus fails the objectivity test. The s32 analysis has not been completed to the standard required to determine whether rules or other measures are the best means to achieve the targets set for the lake. In particular the cost to individual land owners has not been adequately modelled. The s32 also is reliant on a number of assumptions with no evidence to support where these assumptions have come from e.g. Page 70. The report also has a section relating to Land Purchase by Council. It is our submission that this is a completely flawed analysis and appears to have a pre-determine outcome. The s32 report comments that all the additional forest planted will improve opportunities for recreation and tourism. With the exception of Whaka and Skyline, private forest is not generally available to the public.		
Decision Sought:	An independent, peer reviewed and objective s32 report be prepared that does not have pre-determined outcomes.		

Panel Recommendations: Reject

Further Submission(s)

Further Submission No:	6 - 70	Submission Type:	Support
Further Submitter:	CNI Iwi Land Management Ltd		
Submission Summary:	For the reasons given in the original submission.		
Decision Sought:	As above		

Panel Recommendation: Reject

Further Submission No:	7 - 2	Submission Type:	Support
Further Submitter:	Alistair and Sarah Coatsworth		
Submission Summary:	For the reasons given in the original submission.		
Decision Sought:	As above		

Panel Recommendation: Reject

Further Submission No:	8 - 2	Submission Type:	Support
Further Submitter:	Lake Rotorua Primary Producers Collective		
Submission Summary:	For the reasons given in the original submission.		
Decision Sought:	As above		

Panel Recommendation: Reject

Submission Number:	17: 11	Submission Type:	Oppose
Submitter:	D & A Trust		

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Submission Summary: When challenged what long term meant the scientists believe alum dosing can be safely used for 2 or 3 decades based on current knowledge. This timeframe allows the community to better understand the key drivers and potential mitigation that allow a clean lake without destruction of value within the basin.

Decision Sought: Not specified.

Panel Recommendations: Reject

Further Submission(s)

Further Submission No:	8 - 7	Submission Type:	Support
Further Submitter:	Lake Rotorua Primary Producers Collective		
Submission Summary:	The Collective supports the continued use of Alum dosing for the waters of Lake Rotorua based on current knowledge.		
Decision Sought:	As above		

Panel Recommendation: Reject

Submission Number:	17: 13	Submission Type:	Oppose
Submitter:	D & A Trust		
Submission Summary:	There does not appear to be sound science supporting the level of attenuation allowed for. As this is potentially a very significant component of the nitrogen getting the level of attenuation correct is essential.		

Decision Sought: Not specified.

Panel Recommendations: Reject

Submission Number:	17: 14	Submission Type:	Oppose in Part
Submitter:	D & A Trust		
Submission Summary:	A TLI has been set at 4.2 but there appears to be little scientific evidence to support this level. As a result of Alum dosing this level has been reached. At a science presentation the researcher noted that the TLI of 4.2 had never been reached. We should not be endangering the entire economy on the basis of a TLI that is not scientifically valid.		
Decision Sought:	A sound review of the 4.2 TLI is undertaken and a realistic and achievable target is set.		

Panel Recommendations: Reject

Submission Number:	20: 12	Submission Type:	Oppose
Submitter:	Peter McLean and Michelle Rennie		
Submission Summary:	The sustainable load to Lake Rotorua was first estimated in the early 1980's and has not been verified by actual scientific testing since.		
Decision Sought:	I request the recalculation of the sustainable load target to Lake Rotorua using robust, evidence based biodiverse system that encompasses both N and P.		

Panel Recommendations: Reject

Submission Number:	24: 12	Submission Type:	Oppose
Submitter:	JT & SA Butterworth		
Submission Summary:	The farmer solutions project report estimates the cost to pastoral farmers of the new rules to be over \$88 million not taking into account the loss of capital and not factoring in debt or interest. This cannot be ignored in a community that has already had little growth. Council recently reviewed an economic report looking at the effect of the proposed rules on different farming systems. The summary stated that impacts on half the farms is likely to be devastating yet Council still proceeds with the current Rules.		
Decision Sought:	That council parks PC10 and works with the catchment farmers in prioritising sub-catchments assisting sub-catchment communities in developing sub-catchment action plans to prioritise critical source areas and cost effective interventions for reducing high nutrient base flow and flood flow loads to the lake; and		

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that these interventions would appropriately being considered by the incentives fund.

Panel Recommendations: Reject

Further Submission(s)

Further Submission No:	7 - 8	Submission Type:	Support
Further Submitter:	Alistair and Sarah Coatsworth		
Submission Summary:	For the reasons given in the original submission. Council need to take account of the reports it has commissioned even when they don't like what they say. The estimated \$88 million cost to the community has never been discussed in the public arena. Council has chosen to ignore these comments in a professional report to pursue this Rules based approach.		
Decision Sought:	As above		

Panel Recommendation: Reject

Further Submission No:	8 - 8	Submission Type:	Support
Further Submitter:	Lake Rotorua Primary Producers Collective		
Submission Summary:	For the reasons given in the original submission. Council need to take account of the reports it has commissioned even when they don't like what they say. The estimated \$88 million cost to the community has never been discussed in the public arena. Council has chosen to ignore these comments in a professional report to pursue this Rules based approach.		
Decision Sought:	As above		

Panel Recommendation: Reject

Submission Number:	24: 15	Submission Type:	Oppose
Submitter:	JT & SA Butterworth		
Submission Summary:	The rule process has focused only on long-term management of nitrogen with little attention paid to phosphorus. The members of the Collective have strongly advocated the most effective approach is to tackle phosphorus in the short term with a longer-term commitment to reducing nitrogen loads. We feel we are being led to believe the option of continued alum dosing is not available, when there is no current science that shows any ill effects. At present, community knowledge about how alum dosing works is non-existent.		
Decision Sought:	Significant resources need to be invested in research to determine the true effect of this process (alum dosing).		

Panel Recommendations: Reject

Further Submission(s)

Further Submission No:	7 - 9	Submission Type:	Support
Further Submitter:	Alistair and Sarah Coatsworth		
Submission Summary:	For the reasons given in the original submission. A longer term commitment of 60 years is suggested for reducing nitrogen and research into the effects of alum both within NZ and overseas is recommended.		
Decision Sought:	As above		

Panel Recommendation: Reject

Further Submission No:	8 - 10	Submission Type:	Support
Further Submitter:	Lake Rotorua Primary Producers Collective		
Submission Summary:	For the reasons given in the original submission. A longer term commitment of 60 years is suggested for reducing nitrogen and research into the effects of alum both within NZ and overseas is recommended. It is used to treat drinking water in many countries, even Auckland, New Zealand.		
Decision Sought:	As above		

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Panel Recommendation: Reject

Submission Number:	24: 16	Submission Type:	Oppose
Submitter:	JT & SA Butterworth		
Submission Summary:	Government regulations require that the Councils must look at the economic, cultural and social impacts on a community when major changes are proposed. You have not taken this into account. The Council needs to be flexible, practical and humane.		
Decision Sought:	Work with us to find different management solution and give us a chance to put these into practice for the benefit of the local farming community.		

Panel Recommendations: Reject

Submission Number:	26: 8	Submission Type:	Oppose
Submitter:	Rotorua Lakes Council		
Submission Summary:	The economic impact considered in the PC 10 Section 32 evaluation considered a whole of district, region and country impact but not the very significant and direct economic impact on the rural and rural-supply communities in the Rotorua district. It acknowledged the high social impact and stress on these communities but PC 10 accepts these as a necessary cost to achieving the objectives.		
Decision Sought:	RLC seeks the inclusion in PC 10 to the Regional Plan of appropriate objective(s), policies and methods to address its submission.		

Panel Recommendations: Accept in part
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Submission Number:	26: 9	Submission Type:	Oppose
Submitter:	Rotorua Lakes Council		
Submission Summary:	The significant impact on multiple-owned Maori land blocks (particularly those blocks which are under-developed) has not been sufficiently addressed or provided for within PC 10.		
Decision Sought:	RLC seeks the inclusion in PC 10 to the Regional Plan of appropriate objective(s), policies and methods to address its submission.		

Panel Recommendations: Accept

Submission Number:	27: 4	Submission Type:	Oppose
Submitter:	Gro2 Ltd		
Submission Summary:	BOPRC has provided no evidence to support their theory that the ground water is contaminated. That is not science that is politics. We have been told from the start that there is no attenuation. Recent information informs us that all soils have attenuation, the minimum being 25% and the maximum being 75%. Environment Waikato allows for 50% attenuation. All of a sudden we have 30% attenuation. What if the real attenuation is 85% or 75%.		
Decision Sought:	What is needed is independent, peer reviewed science.		

Panel Recommendations: Reject

Further Submission(s)

Further Submission No:	7 - 11	Submission Type:	Support
Further Submitter:	Alistair and Sarah Coatsworth		
Submission Summary:	For the reasons given in the original submission. BOPRC have presented no evidence that current farming systems are contributing nutrients to groundwater. All targets for the lake were calculated on the assumption that there was no attenuation. This has been proven to be oh so wrong. It is also a work in progress and there has been no truth testing of any science assumptions within the catchment so all calculations are best guesses. How will Council defend compliance notices for such figures?		
Decision Sought:	As above		

Panel Recommendation: Reject

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Further Submission No: 8 - 12 Submission Type: Support
 Further Submitter: Lake Rotorua Primary Producers Collective
 Submission Summary: All targets for the lake were calculated on the assumption that there was no attenuation. This has been proven to be wrong. It is also a work in progress and there has been no truth testing of any science assumptions within the catchment so all calculations are best guesses. How will Council defend compliance notices for such figures?
 Decision Sought: As above

Panel Recommendation:	Reject
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Submission Number: 27: 5 Submission Type: Oppose
 Submitter: Gro2 Ltd
 Submission Summary: We have been told that the target to achieve a TLI of 4.2 is a sustainable load of 435t of N. The TLI has already been achieved with a load of 658 ton of N. The tolerance for nitrogen has been set low.
 Decision Sought: What is needed is independent, peer reviewed science.

Panel Recommendations:	Reject
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Further Submission(s)

Further Submission No: 7 - 15 Submission Type: Support
 Further Submitter: Alistair and Sarah Coatsworth
 Submission Summary: For the reasons given in the original submission.
 Decision Sought: As above

Panel Recommendation:	Reject
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Further Submission No: 8 - 17 Submission Type: Support
 Further Submitter: Lake Rotorua Primary Producers Collective
 Submission Summary: For the reasons given in the original submission.
 Decision Sought: As above

Panel Recommendation:	Reject
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Submission Number: 27: 7 Submission Type: Oppose
 Submitter: Gro2 Ltd
 Submission Summary: The lake is telling everyone that it is phosphate limiting. Phosphate can be controlled. There are tools in the toolbox to work with phosphate, with nitrogen there will be tools in the future but right now there are none.
 Decision Sought: What is needed is independent, peer reviewed science.

Panel Recommendations:	Reject
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Further Submission(s)

Further Submission No: 7 - 17 Submission Type: Support
 Further Submitter: Alistair and Sarah Coatsworth
 Submission Summary: For the reasons given in the original submission.
 Decision Sought: As above

Panel Recommendation:	Reject
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Further Submission No:	8 - 18	Submission Type:	Support
Further Submitter:	Lake Rotorua Primary Producers Collective		
Submission Summary:	For the reasons given in the original submission.		
Decision Sought:	As above		

Panel Recommendation:	Reject
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Submission Number:	30: 9	Submission Type:	Support in Part
Submitter:	Fish & Game New Zealand (Eastern Region Fish and Game Council)		
Submission Summary:	Fish and Game take on board the expert advice provided by the Regional Council. Fish and Game seek a fair and equitable nutrient reduction approach that will reduce nutrient inputs while permitting farming activities to remain financially and environmentally viable.		
Decision Sought:	Not specified.		

Panel Recommendations:	Accept in part
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Further Submission(s)

Further Submission No:	8 - 58	Submission Type:	Support
Further Submitter:	Lake Rotorua Primary Producers Collective		
Submission Summary:	For the reasons given in the original submission.		
Decision Sought:	As above		

Panel Recommendation:	Accept
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Further Submission No:	2 – 39	Submission Type:	Support
Further Submitter:	Federated Farmers of New Zealand		
Submission Summary:	For the reasons given in the original submission. - Acknowledgement of progress made across sectors (which should include drystock). - Acknowledgement of the difference in slope, soil type and productivity across the catchment. - Acknowledgement of the agricultural assistance and advice from BOPRC. - Endorsement of buying back sensitive land parcels for retirement. - Recommending a fair and equitable nutrient reduction approach.		
Decision Sought:	Resourcing and coordination of sub-catchment action plans, aligned to a wider scope for the Incentives Fund		

Panel Recommendation:	Reject
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Submission Number: 33: 6 Submission Type: Oppose
 Submitter: Utuhina Valley Farm
 Submission Summary: Recent science suggests that phosphorous should be included as part of the Nutrient reduction plan. More science needs to be done in this area.
 Decision Sought: Not specified.

Panel Recommendations: Accept in part

Submission Number: 35: 1 Submission Type: Oppose
 Submitter: Rotorua Chamber of Commerce
 Submission Summary: The Rotorua Chamber of Commerce agrees that the outcome of providing clean water in our lakes is a must. We are concerned of the effects that these rules could have on our business economy.
 Decision Sought: We urge BoPRC to consider options that will deliver a win/win situation. We ask BoPRC to form meaningful partnerships between the business community, RLC and Iwi.

Panel Recommendations: Accept in part

Further Submission(s)

Further Submission No: :8 – 57 Submission Type: Support
 Further Submitter: Lake Rotorua Primary Producers Collective
 Submission Summary: Urge BOPRC to consider win-win options through meaningful partnerships, for example resourcing and coordination of sub-catchment action plans, aligned to a wider scope of the Incentive Fund
 Decision Sought: As above

Panel Recommendation: Reject

Further Submission No: 12 - 35 Submission Type: Support
 Further Submitter: Federated Farmers of New Zealand
 Submission Summary: For the reasons given in the original submission.
 Decision Sought: Resourcing and coordination of sub-catchment action plans, aligned to a wider scope for the Incentives Fund.

Panel Recommendation: Reject

Submission Number: 37: 6 Submission Type: Oppose
 Submitter: Ngati Whakaue Tribal Lands Incorporation
 Submission Summary: 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.
 Decision Sought: Object to S32 without further work.

Panel Recommendations: Reject

Further Submission(s)

Further Submission No: 7 - 28 Submission Type: Support
 Further Submitter: Alistair and Sarah Coatsworth
 Submission Summary: For the reasons given in the original submission. It is essential that the whole community living in Rotorua today have the opportunity to state what their values and objectives are for their community.
 Decision Sought: As above

Panel Recommendation: Reject

Further Submission No: 8 - 31 Submission Type: Support
 Further Submitter: Lake Rotorua Primary Producers Collective

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Submission Summary: For the reasons given in the original submission. It is essential that the whole community living in Rotorua today have the opportunity to state what their values and objectives are for their community and for their lands and water.

Decision Sought: As above

Panel Recommendation:	Reject
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Submission Number: 39: 1 Submission Type: Oppose

Submitter: Eileen Campbell

Submission Summary: I am opposed to plan change 10. The whole of the Rotorua community will feel the effect of the proposed rules but this is not well known. The information keeps changing, everything appears to be unproven.

We are told 435t on N is a sustainable load for the TLI target of 4.2 but this target has been reached with the current N load. Independent peer reviewed science is needed and a recalculation of the sustainable load target.

Decision Sought: Independent peer reviewed science is needed and a recalculation of the sustainable load target.

Panel Recommendations:	Reject
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Submission Number: 48: 29 Submission Type: Oppose

Submitter: Parekarangi Trust

Submission Summary: Plan change 10, the RPS and all other previous documents including the Lakes Rotorua and Rotoiti action plan produced by BoPRC have categorically failed to address the economic and cultural wellbeing of the community. There is no consideration to the cultural wellbeing of the community other than water quality.

Decision Sought: Not specified.

Panel Recommendations:	Reject
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Further Submission(s)

Further Submission No: 7 - 4 Submission Type: Support

Further Submitter: Alistair and Sarah Coatsworth

Submission Summary: For the reasons given in the original submission. There has been no analysis of the effects of the rules on individual farm business nor acknowledgement of existing investments. Decisions report on the RPS recorded that cost-benefit analysis was at a 'conceptual' level and that PC10 s32 report records that it is intended as a 'record of the policy journey' not a rigorous cost-benefit analysis.

Decision Sought: As above

Panel Recommendation:	Reject
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Further Submission No: 8 - 4 Submission Type: Support

Further Submitter: Lake Rotorua Primary Producers Collective

Submission Summary: For the reasons given in the original submission. There has been no analysis of the effects of the rules on individual farm business nor acknowledgement of existing investments. The Decisions report on the RPS recorded that the cost-benefit analysis was at a 'conceptual' level. The PC10 s32 report records that it is intended as a 'record of the policy journey' not a rigorous cost-benefit analysis of options.

Decision Sought: As above

Panel Recommendation:	Reject
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Submission Number: 49: 2 Submission Type: Oppose

Submitter: CNI Iwi Land Management Ltd

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Submission Summary: Appendix 4 to the section 32 report evaluates the economic benefits of the proposed regime but has no sensitivity analysis on changes to milk solid price or IRR.

Decision Sought: Revise the approach to allocation, replace it with one that uses the approach of matching land use to natural capital.
Identify in the plan the route to making this transition from present use to natural capital.

Panel Recommendations: Reject

Further Submission(s)

Further Submission No: 8 - 48 Submission Type: Oppose

Further Submitter: Lake Rotorua Primary Producers Collective

Submission Summary: LUC or Natural Capital was found at StAG to be completely unsuitable to the particular circumstances pertaining to this region.
It is untenable to support LUC once the reality of it in Rotorua is understood and if land in Rotorua were designated along these lines it would be a full-scale attack on existing land uses and property rights.
LUC is not appropriate for Rotorua as a method to reallocate land use but could be a way forward in the future for directing any future development of land in the catchment.

Decision Sought: As above

Panel Recommendation: Accept

Submission Number: 49: 5 Submission Type: Oppose

Submitter: CNI Iwi Land Management Ltd

Submission Summary: A review of the intent of Rule 11 and how efficient and effective it has been highlighted it creates inequity in the primary production development potential that is available for undeveloped or under-developed land compared with established intensively farmed properties.
To address the inequities created by Rule 11 re-visit the aspect of Rule 11 which ties permitted land use to recent productive use. This plan change does not address that fundamental inequity initiated by Rule 11.

Decision Sought: Revise the approach to allocation, to zero-base the discussion, rather than building policy and a rule set on the inequitable foundation put in place by Rule 11.

Panel Recommendations: Reject

Submission Number: 49: 6 Submission Type: Oppose

Submitter: CNI Iwi Land Management Ltd

Submission Summary: It is also not clear in the Section 32 report how Part 2 matters and s8 were fully considered, and thus the recent rulings in the Waitangi Tribunal (2012) that economically, Maori have the right to the development of their interests. The present rule regime reconfirms and locks in the existing land uses resource grab in the form of pollution "rights", in a manner contrary to recent Waitangi Tribunal rulings.

The section 32 report considers the effect of the rules on underdeveloped Maori Land (only the in the context of Te Ture Whenua Land, not settlement returned land). It does not do a zero-based effects assessment. It only does a comparative assessment on the previous Rule 11 regime.
It notes that there are opportunities to explore innovative land use on Maori land, supported by the gorse conversion and incentives programme.

It is not clear how this applies to CNI's holdings, as plantation forestry has the lowest possible leaching capability of 2.5kg/Ha N. And the rule structure would make any upwards change from this a non-complying activity.

Decision Sought: Revise the approach to allocation, to zero-base the discussion, rather than building policy and a rule set on the inequitable foundation put in place by Rule 11.

Panel Recommendations: Reject

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Submission Number: 49: 98 Submission Type: Oppose

Submitter: CNI Iwi Land Management Ltd

Submission Summary: Tax/charge was covered very sketchily. The only analysis being two reports, one from 1999, the other a 2011 OECD report.

Decision Sought: Revise the approach to allocation and replace it with one that uses the approach of matching land use to natural capital.

Panel Recommendations: Reject

Further Submission(s)

Further Submission No: 8 – 54 Submission Type: Oppose

Further Submitter: Lake Rotorua Primary Producers Collective

Submission Summary: LUC or Natural Capital was found at StAG to be completely unsuitable to the particular circumstances pertaining to this region. It is untenable to support LUC once the reality of it in Rotorua is understood and if land in Rotorua were designated along these lines it would be a full-scale attack on existing land uses and property rights. LUC is not appropriate for Rotorua as a method to reallocate land use but could be a way forward in the future for directing any future development of land in the catchment.

Decision Sought: As above

Panel Recommendation: Accept

Submission Number: 49: 99

Submission Type: Oppose

Submitter: CNI Iwi Land Management Ltd

Submission Summary: Section 11.7 of the section 32 report identifies several alternative options that were discarded after little consideration.

Decision Sought: Revise the approach to allocation and replace it with one that uses the approach of matching land use to natural capital.

Panel Recommendations: Reject

Further Submission(s)

Further Submission No: 8 – 55 Submission Type: Oppose

Further Submitter: Lake Rotorua Primary Producers Collective

Submission Summary: LUC or Natural Capital was found at StAG to be completely unsuitable to the particular circumstances pertaining to this region. It is untenable to support LUC once the reality of it in Rotorua is understood and if land in Rotorua were designated along these lines it would be a full-scale attack on existing land uses and property rights. LUC is not appropriate for Rotorua as a method to reallocate land use but could be a way forward in the future for directing any future development of land in the catchment.

Decision Sought: As above

Panel Recommendation: Accept

Submission Number: 53: 2

Submission Type: Oppose

Submitter: Lachlan McKenzie

Submission Summary: The lake stratifies during warm still weather. At each stratification event there is potential for the bottom waters to become anaerobic. Each time the waters become anaerobic there are chemical reactions with the sediment that releases both Nitrogen and Phosphorus into the bottom waters. When the lake waters mix again these nutrients become available for algae growth. But the process of de-oxygenation is manageable. There are also numerous examples of lakes where oxygenation of deep cooler waters has made significant improvements in water quality.

Decision Sought: That a fully independent analysis to be done on feasibility and effectiveness of the range of oxygenation methods before any further land use rules are implemented.

Panel Recommendations: Reject

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Submission Number:	53: 3	Submission Type: Oppose
Submitter:	Lachlan McKenzie	
Submission Summary:	It has been stated by Professor David Hamilton and other scientists that the Phosphorus concentration in the lake water is low because of Alum dosing but it has to be noted that the trend started in 2003 several years before Alum dosing was initiated. "The limiting nutrient is usually Phosphorus. (Smith 1983). Therefore, the first and most important step toward improving lake water quality and managing cyanobacterial blooms is elimination of external nutrient loading from the catchments up stream and controlling the internal phosphorus turnover.	
Decision Sought:	That the 2017 science review be started. That the terms of reference be open for true consultation with affected stakeholders and consensus be reached by affected parties before appointing reviewers. The results of this review will direct Council in changes to the RWLP and RPS.	

Panel Recommendations:	Reject
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Submission Number:	53: 4	Submission Type: Oppose
Submitter:	Lachlan McKenzie	
Submission Summary:	The proposed rules in PC10 are designed to force land use change from highly productive food production to low N loss land use. The most common recommendation for such land use is pine trees. But current research show that the phosphorus loss per ha over the first five years' post-harvest of pines equates to a life cycle P-loss that is greater than a well-managed pasture. If there are significant areas planted in pines but there will be no reduction in P loss from this area. There are significant risks to such a strategy.	
Decision Sought:	<ul style="list-style-type: none"> - To carry out both these reviews before implementing any land use/change rules. - An independent science analyses be carried out to understand the implications of Phosphorus Vs Nitrogen limited lake and communicate to affected stakeholders. - An independent review of the implications to the lake of significant land use change to pine trees having regard to N:P ratio. 	

Panel Recommendations:	Reject
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Further Submission(s)

Further Submission No:	7 - 26	Submission Type:	Support
Further Submitter:	Alistair and Sarah Coatsworth		
Submission Summary:	Forestry will deliver huge quantities of P to the lake at harvest and up until canopy cover is established (5 years or more) that will significantly alter the N:P ratio and in fact encourage algae growth in the lake waters. You could end up having to dose the lake with Nitrogen.		
Decision Sought:	As above		

Panel Recommendation:	Reject
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Further Submission No:	8 - 30	Submission Type:	Support
Further Submitter:	Lake Rotorua Primary Producers Collective		
Submission Summary:	Forestry will deliver huge quantities of P to the lake at harvest and up until canopy cover is established (5 years or more) that will significantly alter the N:P ratio and in fact encourage algae growth in the lake waters.		
Decision Sought:	As above		

Panel Recommendation:	Reject
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Submission Number:	53: 6	Submission Type: Oppose
Submitter:	Lachlan McKenzie	
Submission Summary:	The biggest single source of P is the internal load. As there are cost effective and efficient methods available to reduce the internal loads of P and N it is important that they are investigated and reported to stakeholders openly and transparently.	
Decision Sought:	Carry out a full section 32 of RMA analysis of the effectiveness and efficiency of all the options to reduce Phosphorus Vs Nitrogen loading in the lake before implementing land use change rules.	

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Panel Recommendations: Reject

Further Submission(s)

Further Submission No:	5 - 4	Submission Type:	Support in Part
Further Submitter:	Astrid Coker		
Submission Summary:	The internal cycling and deposits of N and P are fuelling the algal blooms and perpetuation of organic matter within the lake bed.		
Decision Sought:	A thorough and transparent evaluation of alternative methodologies and options to find the most cost effective solution for handling the sediment and internal load of N and P.		

Panel Recommendation: Reject

Submission Number: 53: 7	Submission Type: Oppose
Submitter:	Lachlan McKenzie

Submission Summary: There are significant losses of N out of soil water. Attenuation can vary from 29% up to 75%. Subsequent versions of OVERSEER® (Version 6.2) have indicated almost twice as much N leaving the farming area but loads to the lake are of the same magnitude therefore there is attenuation. There is scope to improve attenuation (denitrification) so the amount of N reaching receiving waters can be significantly reduced without having to change land use. Work also shows that different catchments will have different loadings to the lake from the same or similar land activities.

Decision Sought: That the implementation of the proposed rules be deferred until a review of all options to enhance catchment Nitrogen attenuation, what areas and sub-catchments are more responsive to such actions (these results can feed into s32). Each sub catchment needs its own catchment action plan drawn up and managed by stakeholders within the catchment.

Panel Recommendations: Reject

Submission Number: 53: 8	Submission Type: Oppose
Submitter:	Lachlan McKenzie

Submission Summary: The economic reports did not include the effect of debt on individual families. The models worked at the Effective Farm Surplus (EFS) level. The Doole report included Nitrogen trading as a means of continuing to farm yet the rules forbid trading until after at least 2022.

The effect of only looking at EFS is to significantly reduce the perceived impact to our community. My analysis of significantly reducing N losses on our pastoral systems is that there is an ever increasing reduction in profit. The synthetic farm models going into the Doole Parsons report and hence the ME report underestimate the real impact on individual farms.

Decision Sought: That a true economic impact analysis of the proposed rules be carried out using real farmer's data, farm systems, incorporating debt servicing and personal drawings. That the economic report analyses and explains the marginal changes to profit from each level of reduction in Nitrogen using real individual farm systems from the catchment. Not average models.

Panel Recommendations: Reject

Submission Number: 53: 9	Submission Type: Oppose
Submitter:	Lachlan McKenzie

Submission Summary: The rules focus on N reduction with the focus on changing land use. There has been limited open and constructive dialogue about options. Ideas that need to be looked at constructively include; Nutrient harvesting, to oxygenate bottom lake waters, Siphon to take water outflow from lake water below thermocline during summer, Detention bunds and Enhanced wetlands. These suggestions reduce both N and P loads in the lake and are likely more efficient and effective than land use change.

Decision Sought: That a full list of catchment mitigation options with a cost and efficiency analyses be published. That an independent review be undertaken of the effectiveness and efficiency of all mitigation options along the source-transport-sink pathway. These reports be fully disclosed to affected stakeholders to empower them to make the right decisions at each sub catchment level.

Panel Recommendations: Reject

Further Submission(s)

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Further Submission No: 6 - 69 Submission Type: Support
Further Submitter: CNI Iwi Land Management Ltd
Submission Summary: For the reasons given in the original submission.
Decision Sought: As above

Panel Recommendation:	Reject
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Further Submission No: 8 - 60 Submission Type: Support
Further Submitter: Lake Rotorua Primary Producers Collective
Submission Summary: For the reasons given in the original submission and that the reports be fully disclosed to the Rotorua Community.
Decision Sought: As above

Panel Recommendation:	Reject
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Submission Number: 54: 1 Submission Type: Oppose in Part

Submitter: The Maori Trustee

Submission Summary: The Maori Trustee have had an opportunity to work with the Regional Council and representatives of the Te Arawa Primary Sector group in respect of commissioning a report on the impacts of the Plan Change on underutilised Maori Freehold land. The findings of this report were not available to the drafters of the Plan Change.

Decision Sought: This is new information that the Maori Trustee considers should be factored into the Plan Change. Ensure that it does not impede or negate future use and development of underutilised Maori Freehold land within the catchment, consistent with Government policy as being introduced by Te Ture Whenua Maori Bill reforms currently before Parliament for considerations; and seeks either:
(i) an exemption to the Plan Change rules for owners of underutilised Maori Freehold land (for example, by way of voluntary participation); and/or
(ii) the establishment of a specific fund to assist owners of underutilised Maori Freehold land to purchase nitrogen discharge allowance credits to enable land intensification and development for underutilised Maori Freehold land in the future.

Panel Recommendations:	Reject in part
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Further Submission(s)

Further Submission No: 6 - 71 Submission Type: Support
Further Submitter: CNI Iwi Land Management Ltd
Submission Summary: For the reasons given in the original submission.
Decision Sought: As above

Panel Recommendation:	Reject in part
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Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Submission Number:	54: 2	Submission Type:	Oppose
Submitter:	The Maori Trustee		
Submission Summary:	<p>The Provisional Report includes a useful analytical tool for analysing the impacts of the Rules. The Maori Trustee has considered the Provisional Report and is disappointed that the findings indicate that the Plan Change will:</p> <ul style="list-style-type: none"> -effectively penalise owners of Maori land for their historically low contribution -unfairly favour landowners that have had the advantage of developing and utilising their land to its full economic potential; -be prohibitive to Maori owners to change land use or intensify current land use. -impede/negate future use and development of underutilised Maori land within the catchment, contrary to Government policy as being introduced -will necessarily force Maori land currently under lease to continue to be leased. <p>The Maori Trustee is concerned that the Plan Change will encourage Maori landowners to convert land to land use that is less than its highest and best use on the basis of the fiscal impacts the Plan Change will have on conversion rates.</p>		
Decision Sought:	<p>This is new information that the Maori Trustee considers should be factored into the Plan Change. Ensure that it does not impede or negate future use and development of underutilised Maori Freehold land within the catchment, consistent with Government policy as being introduced by Te Ture Whenua Maori Bill reforms currently before Parliament for considerations; and*</p> <p>Seeks either:</p> <ul style="list-style-type: none"> (i) an exemption to the Plan Change rules for owners of underutilised Maori Freehold land (for example, by way of voluntary participation); and/or (ii) the establishment of a specific fund to assist owners of underutilised Maori Freehold land to purchase nitrogen discharge allowance credits to enable land intensification and development for underutilised Maori Freehold land in the future. 		

Panel Recommendations: Reject in part

Further Submission(s)

Further Submission No:	6 – 68	Submission Type:	Support
Further Submitter:	CNI Iwi Land Management Ltd		
Submission Summary:	For the reasons given in the original submission.		
Decision Sought:	As above		

Panel Recommendation: Reject in part

Submission Number:	55: 5	Submission Type:	Oppose
Submitter:	NZ Deer Farmer's Association		
Submission Summary:	Little has been done in the process to develop ideas for growth or share knowledge of farms that have successfully made positive changes to farm management systems.		
Decision Sought:	Not specified.		

Panel Recommendations: Reject

Submission Number:	58: 33	Submission Type:	Oppose
Submitter:	Max Douglas		
Submission Summary:	The proposed rules and options I've presented need more work done to consider them.		
Decision Sought:	Debt Level: where a property passes due diligence checks and falls into a category (or range of categories) that indicate debt levels are high, do they need special consideration? In the case where they are new to the catchment they haven't contributed to the pollution for as long, but they are likely the most effected by reductions in profit - is that really fair?		

Panel Recommendations: Reject

Submission Number:	58: 34	Submission Type:	Oppose in Part
Submitter:	Max Douglas		
Submission Summary:	The proposed rules and options I've presented need more work done to consider them.		

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Decision Sought: Maori Land: In some of the proposed changes I have put forward, there are models for non-zero NDA to conservation land. The idea behind the numbers given is that there is a family unit behind that land. In the models that give a diminishing NDA based on the size of the block, this would disadvantage large blocks owned by iwi representing many family units. The numbers should change for these blocks. But how?

Panel Recommendations: Reject

Submission Number: 59: 4 Submission Type: Oppose

Submitter: Northdale Holdings Ltd

Submission Summary: The removal of alum dosing must be renewed and it should be a long-term solution but controlled. It has improved the lakes TLI.

Decision Sought: The removal of alum dosing must be renewed.

Panel Recommendations: Reject

Submission Number: 66: 2 Submission Type: Oppose

Submitter: Lake Rotorua Primary Producers Collective

Submission Summary: The Collective request full disclosure of the analysis of all other options beside that of the rules framework that have been explored to enable a reduction in nutrients to the lake. If this has not been done then we request that it be part of the science review in 2017. The effects of the rules will be irreversible for much of the land around Rotorua so when it transpires that the figures were wrong or there was another way to restore the lake that had less social & economic consequences, it would be dishonourable for Councillors to have not considered all the options, prior to the rules being implemented.

Decision Sought: That a comparative feasibility and effectiveness analysis of all nutrient mitigation tools & process's available internationally and domestically be published.

Panel Recommendations: Reject

Further Submission(s)

Further Submission No: 12 - 36 Submission Type: Support

Further Submitter: Federated Farmers of New Zealand

Submission Summary: A more comprehensive analysis of options and timeframes to account for inter-generational change is required.

Decision Sought: As above

Panel Recommendation: Reject

Submission Number: 66: 4 Submission Type: Oppose

Submitter: Lake Rotorua Primary Producers Collective

Submission Summary: It is really important that the principles of the Council's own Policy statement are taken into account and are applied when considering the impacts of the rules and the flow-on effects to the wider community. The Collective suggests that restoration of Lake Rotorua is a whole-of-community challenge. The RPS is clear that if the lake requires further nutrient reductions to remedy the legacy issues so that the lake can meet the community values and objectives then this carries public benefit and should be funded accordingly.

Decision Sought: That all the principals, policy's and methods of the RPS are applied in assessing the economic impacts on individuals and community of the integrated framework.

Panel Recommendations: Accept in part

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Submission Number: 66: 14 Submission Type: Oppose

Submitter: Lake Rotorua Primary Producers Collective

Submission Summary: The time frame that has been set (15 years) to restore the lake is not fair or equitable to current land owners nor does it take account of the intergenerational principal given that the current water quality issues were mostly created by decisions of past community leaders. It is interesting to note that the Waikato Regional Council has decided to allow 80 years for restoration of the Waikato catchment as they feel it took that long to degrade it.

Decision Sought: That the principle of shared intergenerational equity be paramount in considering the impact of PC 10 policies and rules on the Rotorua community within the time lines established by the RPS that Council chose to use.

Panel Recommendations: Reject

Further Submission(s)

Further Submission No: 12 - 37 Submission Type: Support

Further Submitter: Federated Farmers of New Zealand

Submission Summary: For the reasons given in the original submission.

Decision Sought: As above

Panel Recommendation: Reject

Submission Number: 66: 15 Submission Type: Oppose

Submitter: Lake Rotorua Primary Producers Collective

Submission Summary: It has been stated that there is no attenuation of Nitrogen between the root zone and the lake, and development of PC10 has been carried out on this assumption. OVERSEER® version 6.2 has proved this assumption to be wrong. During development of PC10 it has been assumed that the only way to achieve the N load target was to control Nitrogen at source. We can now expand the catchment tool kit to include enhancing attenuation of N along the transport pathways to the lake.

Decision Sought: That Council acknowledge that effects of new understandings on attenuation now allow for consideration of further management of nutrients along the transport pathways to the lake.

Panel Recommendations: Reject

Submission Number: 66: 16 Submission Type: Oppose

Submitter: Lake Rotorua Primary Producers Collective

Submission Summary: Rutherford's Rotan review in 2003 found an increasing trend in baseflow nitrate concentration in eight of the nine major streams from 1968-2002 and suggested that nitrate generated from land clearance 30-70 years ago might be finding its way into streams from deep ground water. It is on the basis of this report and others that the Collective supports the establishment of sub-catchment community groups that are charged with establishing the four aspects he recommends.

Decision Sought: That the gaps in science economics and land use knowledge flagged by contractors commissioned to write reports tabled to Council are identified & collated.

Panel Recommendations: Reject

Submission Number: 66: 20 Submission Type: Oppose

Submitter: Lake Rotorua Primary Producers Collective

Submission Summary: We note that the Decisions Report on the RPS recorded that the cost-benefit analysis was at a "conceptual" level; and that the PC10 S32 report records that it is intended as a "record of the policy journey" and not as a rigorous cost-benefit analysis of options. The section 32 only gave a summary. We are concerned that the full social, cultural, economic and risk effects of the proposed rules have not been investigated or quantified nor advised to the community that will be the most affected.

Decision Sought: We ask how this position is consistent with the policies & rules that Council has notified in PC 10? It is our view that the science review or a more complete section 32 should also include an appropriate focus on the economics as well as physical sciences and that this is used to inform policy.

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Panel Recommendations: Reject

Submission Number:	66: 21	Submission Type:	Oppose
Submitter:	Lake Rotorua Primary Producers Collective		
Submission Summary:	The community want to know what potential impact lower property valuations and lower productivity will have on their community. The farmer solutions project report estimates the cost to pastoral farmers of the new rules to be over \$88 million not taking account of loss of capital & not factoring in debt and interest. This fact cannot be ignored.		
Decision Sought:	Quantify the economic cost to small business the community and individual farmers . The economic impacts on individual properties should be fully understood as per section 85 of the RMA.		

Panel Recommendations: Reject

Submission Number:	66: 23	Submission Type:	Oppose
Submitter:	Lake Rotorua Primary Producers Collective		
Submission Summary:	The economic analyses shows that there is not a straight line relationship between N loss reduction and profit and the correlation varies on every farm. Of the farms modelled what is consistent is that there is an ever increasing rate of profit loss per percentage of Nitrogen reduction.		
Decision Sought:	That the economic impacts of individual properties is fully understood as per s85 of RMA before implementation of PC10.		

Panel Recommendations: Reject

Submission Number:	66: 37	Submission Type:	Oppose
Submitter:	Lake Rotorua Primary Producers Collective		
Submission Summary:	Council have often stated that agricultural land use has intensified over recent decades. They have not offered any proof to substantiate this claim.		
Decision Sought:	Council produce a comparative analysis of change in land uses from 1990 until current day for the Lake Rotorua Catchment that shows the difference in land use and stock numbers to inform the land use load to the lake.		

Panel Recommendations: Reject

Further Submission(s)

Further Submission No:	12 – 38	Submission Type:	Support
Further Submitter:	Federated Farmers of New Zealand		
Submission Summary:	<p>It is our understanding that in the 20 years from 1994-2013, the catchment has experienced a significant net loss in stock numbers, in total a decrease of over 500,000 or 30% including:</p> <ul style="list-style-type: none"> - beef cattle down 72,000; dairy cattle up 22,000 - beef calves down 22,000; dairy cows up 10,000 - deer down 43,000 - pigs down 12,000 - horses down 600 - sheep down 300,000; lambs down 160,000 <p>It is also our understanding that in the period 1990-2012, 1600ha of productive grassland were lost from the catchment, mostly to forestry.</p>		
Decision Sought:	Not specified.		

Panel Recommendation: Reject

Submission Number:	66: 39	Submission Type:	Oppose
Submitter:	Lake Rotorua Primary Producers Collective		
Submission Summary:	Rutherford's Rotan review in 2003 found an increasing trend in baseflow nitrate concentration in eight of the nine major streams from 1968-2002 and suggested that nitrate generated from land clearance 30-70 years ago might be finding its way into streams from deep ground water. It is on the basis of this report		

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

and others that the Collective supports the establishment of sub-catchment community groups.

Decision Sought: There are gaps in the understanding of how groundwater behaves. BOPRC needs to clearly communicate what the science gaps are and what the strategy is for addressing them.

Panel Recommendations: Reject

Submission Number: 70: 1 Submission Type: Oppose

Submitter: The Fertiliser Association of New Zealand

Submission Summary: The Section 32 report does not provide an examination of the proposal in terms of its appropriateness in achieving the purpose of the RMA, and the policies and methods have not been examined for their efficiency, effectiveness, and risk. This has made it difficult to understand Council's reasoning behind the wording of the policies, methods, and rules.

The potential and subsequent consequences of a large number of farms not being able to comply from the outset, with the proposed permitted activity or controlled activity conditions has not been considered.

Decision Sought: Not specified.

Panel Recommendations: Reject

Further Submission(s)

Further Submission No: 7 - 3 Submission Type: Support

Further Submitter: Alistair and Sarah Coatsworth

Submission Summary: For the reasons given in the original submission.

Decision Sought: As above

Panel Recommendation: Reject

Further Submission No: 8 - 3 Submission Type: Support

Further Submitter: Lake Rotorua Primary Producers Collective

Submission Summary: For the reasons given in the original submission.

Decision Sought: As above

Panel Recommendation: Reject

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Submission Number: 72: 2 Submission Type: Oppose

Submitter: Rotorua District Residents and Ratepayers

Submission Summary: Policy and practices should be informed by best current science and the TORs which need to have high legitimacy with stakeholders, a comprehensive evaluation of policy options and consequences is both wise and required, the development of S&LCMGs will deliver both remediation and capacity building.

Decision Sought: Suspend implementation of PC10 subject to an independent science review, commissioned economic, social, cultural and environmental impact assessment, including a Section 32 RMA impact assessment, empower Stream and Land Care Management Groups (S&LCMGs) with science about 'hot spots'.

Panel Recommendations: Reject

Further Submission(s)

Further Submission No: 12 - 43 Submission Type: Support

Further Submitter: Federated Farmers of New Zealand

Submission Summary: For the reasons given in the original submission.

Decision Sought: As above

Panel Recommendation: Reject

Submission Number: 74: 4 Submission Type: Oppose

Submitter: Deer Industry New Zealand

Submission Summary: The new rules proposal suggests a 20% reduction for drystock and a 30% reduction for dairy. This 20% / 30% differential between sectors does not reflect the actual economic difficulty faced by the different sectors to meet this target.

Decision Sought: We suggest a robust study of the economic impacts of any proposal so everyone fully understands how this will affect the whole Rotorua community.

Panel Recommendations: Reject

Submission Number: 74: 7 Submission Type: Oppose

Submitter: Deer Industry New Zealand

Submission Summary: Little has been done in the process to develop ideas for growth.

Decision Sought: A study of what we produce and what we consume in the catchment could reveal opportunity.

Panel Recommendations: Reject

Submission Number: 74: 8 Submission Type: Oppose in Part

Submitter: Deer Industry New Zealand

Submission Summary: DINZ notes that the Perrin Ag Consultants report only considers a deer breeding/finishing farm system and recommends further analyses on another deer farm system.

Decision Sought: Further analyses on another deer farm system is completed.

Panel Recommendations: Reject

Submission Number: 75: 13 Submission Type: Oppose

Submitter: Federated Farmers of New Zealand

Submission Summary: To date, the economic analyses commissioned have focused on macro-economic impacts. Assessing the micro-economic effects on specific properties requires firstly, a reliable and agreed benchmark; everyone has a reliable and agreed target; and that everyone is able to second-guess the costs and management implications of achieving the 2032 target.

Decision Sought: It is time to stop and "join the dots" before re-charting our way forward.

Panel Recommendations: Reject

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Submission Number:	75: 34	Submission Type:	Oppose
Submitter:	Federated Farmers of New Zealand		
Submission Summary:	<p>The s32 report contains material errors and omissions.</p> <p>1.1 “The purpose is to reduce N losses from rural land to meet the N limit set by the RPS”</p> <ul style="list-style-type: none"> - The purpose is to meet the RWLP TLI objective - We direct Council to LTAG minutes of 26/11/2014 clarifying that TLIs are negotiable as part of RWLP reviews - The RPS is a superior document; nevertheless the N target is subordinate to the RWLP objective and is in fact designed to support it. 		
Decision Sought:	<p>These errors and omissions need to be tabled for explicit discussion as part of this PC10 process. We request Councils clarification as to whether the RPS N target means a “limit” set in accordance with the NPS-FW 2014.</p>		

Panel Recommendations: Reject

Submission Number:	75: 35	Submission Type:	Oppose
Submitter:	Federated Farmers of New Zealand		
Submission Summary:	<p>The s32 report is important context and material to relief sought. It contains material errors and omissions.</p> <p>1.2 “The why has already been worked through at the RPS level. Therefore the s32 focusses on the how”</p>		
Decision Sought:	<p>These errors and omissions need to be tabled for explicit discussion as part of this PC10 process.</p> <ul style="list-style-type: none"> - We request Councils clarification as to whether this gives effect to the RWLP requirements in respect of plan reviews - We request Councils clarification as to whether this gives effect to NPS-FW 2014. 		

Panel Recommendations: Reject

Submission Number:	75: 36	Submission Type:	Oppose in Part
Submitter:	Federated Farmers of New Zealand		
Submission Summary:	1.3 ‘Key Background reports’		
Decision Sought:	<p>We recommend the following be added:</p> <ul style="list-style-type: none"> - MfE 2003 “Review of short-term management options” - MDL 2004 “Government Funding of lakes Restoration” - NIWA 2008 ‘Storm Nutrient loads’ - Beca 2011 ‘Intervention Packages’ - ESR 2012 “Analysis of water quality trends” - ERI 2015 “Phosphorous loads to Lake Rotorua” 		

Panel Recommendations: Reject

Submission Number:	75: 37	Submission Type:	Oppose in Part
Submitter:	Federated Farmers of New Zealand		
Submission Summary:	4.1 “The best available science indicates that the sustainable limit for N is 435t/yr and the current amount of N is around 755t” At best this statement is out of date.		
Decision Sought:	Recommend the issue statement be updated prior to the hearing.		

Panel Recommendations: Reject

Submission Number:	75: 38	Submission Type:	Oppose in Part
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Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Panel Recommendations: Reject

Submission Number: 75: 45 Submission Type: Support in Part

Submitter: Federated Farmers of New Zealand

Submission Summary: 10.2.4 "Some options were eliminated as not suitable. A key consideration was retaining flexibility for farmers to manage the adjustment to a low N leaching farming system, without the Council telling farmers how to farm. There was also a desire to encourage innovation within the pastoral sector"
- We strongly endorse this point.

Decision Sought: We request Councils clarification of the extent to which this position is consistent with the PC10 rules as notified.

Panel Recommendations: Reject

Submission Number: 75: 46 Submission Type: Oppose in Part

Submitter: Federated Farmers of New Zealand

Submission Summary: 10.5.2 "Properties not demonstrating managed reduction will be non-complying. This activity class was recently tested in the Environment Court where the judge supported it".

Decision Sought: We request the reference for that case.

Panel Recommendations: Reject

Submission Number: 75: 47 Submission Type: Oppose in Part

Submitter: Federated Farmers of New Zealand

Submission Summary: 11.1 "The N limit was first identified in 1986, and has been re-assessed and confirmed three times".

Decision Sought: We request a link to the 1986 paper. We request that Council direct us to the specific reports and specific sections in those reports, where the N target was re-assessed and re-confirmed.

Panel Recommendations: Reject

Submission Number: 75: 48 Submission Type: Oppose in Part

Submitter: Federated Farmers of New Zealand

Submission Summary: 11.2.1 "The sooner changes are made, the sooner the results will be seen".

Decision Sought: We request Councils clarification of timelines to achieve "the results" (how soon is soon).

Panel Recommendations: Reject

Submission Number: 75: 49 Submission Type: Oppose in Part

Submitter: Federated Farmers of New Zealand

Submission Summary: 11.2.1 "The timeframe of 15 years proposed in the rules is a relatively long period of time to address a current issue".

Decision Sought: We request that Council provide documentation of the decision-making which rejected recommendations for inter-generational change over 25-50 years, in favour of 15 years.

Panel Recommendations: Reject

Submission Number: 75: 50 Submission Type: Oppose

Submitter: Federated Farmers of New Zealand

Submission Summary: 11.7.1 "Prescriptive input-based regulation: this option would not be effective in achieving the environmental target with certainty, and would not incentivise efficient resource use".

Decision Sought: We request Councils clarification of the extent to which this position is consistent with the PC10 rules as notified.

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Panel Recommendations: Reject

Submission Number:	75: 51	Submission Type:	Oppose in Part
Submitter:	Federated Farmers of New Zealand		
Submission Summary:	11.7.5 "Reliance on industry best practice: it is likely that this option would generate the best level of industry and farmer buy-in".		
Decision Sought:	We recommend Council relook at this statement – it should give significant pause for thought that it has been too lightly dismissed.		

Panel Recommendations: Reject

Submission Number:	75: 52	Submission Type:	Oppose in Part
Submitter:	Federated Farmers of New Zealand		
Submission Summary:	11.7.5; "Investigations found that 'GMP will not achieve reductions in catchments which are significantly over-allocated, such as Lake Rotorua" - Allocation status can only be determined with reference to NPS limits. - We agree that in catchments with significant legacy issues – such as Lake Rotorua – collective investments are required to put right the effects of earlier collective decisions. This is in fact our understanding of the rationale for the Funding Deed.		
Decision Sought:	We request Council's clarification of whether the RPS N target is a limit which gives effect to the NPS-FW 2014.		

Panel Recommendations: Reject

Submission Number:	75: 53	Submission Type:	Oppose in Part
Submitter:	Federated Farmers of New Zealand		
Submission Summary:	Appendix 4: "The health and mauri of the people and of the water is a compulsory value in the NPS-FW 2014"		
Decision Sought:	We request Councils clarification as to whether PC10 gives effect to those compulsory values in accordance with Policies CA1-4.		

Panel Recommendations: Reject

Submission Number:	75: 54	Submission Type:	Oppose in Part
Submitter:	Federated Farmers of New Zealand		
Submission Summary:	Appendix 4: "the rules will have varying impacts – those people whose livelihoods are tied to their properties may be most impacted. The impacts on profit are distributed unevenly across sectors, land uses and geophysical zones. Reduced profitability may make it difficult for farmers to service debt, and decreased land values associated with N restrictions may mean that for some farmers, debt will exceed equity".		
Decision Sought:	We request Councils clarification of the extent to which these findings have been tested against RMA s85 tests against the unreasonable imposition of restrictions on private property.		

Panel Recommendations: Reject

Submission Number:	75: 55	Submission Type:	Oppose in Part
Submitter:	Federated Farmers of New Zealand		
Submission Summary:	Appendix 4; "As milk solids prices fall, the lost income from reducing N becomes less".		
Decision Sought:	We seek Councils clarification of the extent to which this comment was material to decision-making.		

Panel Recommendations: Reject

Submission Number:	75: 56	Submission Type:	Oppose in Part
Submitter:	Federated Farmers of New Zealand		

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Submission Summary: Appendix 4: "Reducing N discharges will generally be easier and cheaper where it can be achieved by farm management changes rather than land use change".

Decision Sought: We request specific cost-benefit analysis prior to hearings on PC10.

Panel Recommendations: Reject

Submission Number: 75: 57 Submission Type: Oppose in Part

Submitter: Federated Farmers of New Zealand

Submission Summary: Appendix 10; 'Implementation Costs – processing returns, checking OVERSEER® files, quality control on nitrogen management plans, monitoring and compliance"
- Total implementation costs are just under \$700,000
- 80% is for administration (5.5 positions)
- 20% is for action on the ground (2.4 land management officers)

Decision Sought: We recommend Council reverse the resourcing proportions.
We recommend Council invest a proportion in independent coordinators to facilitate the development of sub-catchment Action Plans, based on the successful Project Rerewhakaaitu model.

Panel Recommendations: Reject

Further Submission(s)

Further Submission No: 11 - 3 Submission Type: Support

Further Submitter: Deer Industry New Zealand

Submission Summary: For the reasons given in the original submission. The submitter implicitly recognises established good management practices, thereby acknowledging existing efforts by farmers. This is a better base from which to increase efforts to minimise off-farm environmental impacts. DINZ considers the submitters' requests are consistent with an over-arching Accord approach.

Decision Sought: As above

Panel Recommendation: Reject

Submission Number: 75: 58 Submission Type: Oppose in Part

Submitter: Federated Farmers of New Zealand

Submission Summary: Appendix 11; 'Response to feedback on the Draft s32".

Decision Sought: We request Councils clarification as to why the feedback provided jointly by Federated Farmers and the Primary Producers Collective on 7 August 2015 was not included.

Panel Recommendations: Reject

Submission Number: 78: 9 Submission Type: Oppose in Part

Submitter: Tony and Joanna Carr

Submission Summary: That the principals, policies and methods of the RPS are applied in assessing the economic impacts on individuals and community of the integrated framework.

Decision Sought: That the principals, policies and methods of the RPS are applied in assessing the economic impacts on individuals and community of the integrated framework.

Panel Recommendations: Reject

Submission Number: 81: 7 Submission Type: Oppose

Submitter: Jamie and Chris Paterson

Submission Summary: That the principals, policy's and methods of the RPS are applied in assessing the economic impacts on individuals and community of the integrated framework.

Decision Sought: That the principals, policy's and methods of the RPS are applied in assessing the economic impacts on individuals and community of the integrated framework.

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Panel Recommendations: Reject

Submission Number:	83: 1	Submission Type: Oppose
Submitter:	Bushlands Estate Limited and Adolle Farms Limited	
Submission Summary:	We oppose these rules as we do not believe that they will also ensure that the prosperous farming community which exists today will endure, and so we have grave concerns for the social, cultural and economic future of Rotorua if the rules are to proceed as they stand. The economic impact of these rules make it clear that some individual farmers will be destroyed and will be paying the price for a legacy of pollution into Lake Rotorua.	
Decision Sought:	Not specified.	

Panel Recommendations: Reject

Submission Number:	83: 2	Submission Type: Oppose
Submitter:	Bushlands Estate Limited and Adolle Farms Limited	
Submission Summary:	Council have chosen to notify the rules as they stand, even though the lake is already at the target level required & there are legitimate concerns around the evidence, the science, the accuracy & enforcement of these rules.	
Decision Sought:	Not specified.	

Panel Recommendations: Reject

Submission Number:	84: 9	Submission Type: Oppose
Submitter:	Protect Rotorua	
Submission Summary:	The economic report appears to exclude relevant economic data from the region. Protect Rotorua is concerned that the report is incomplete and misrepresents the economic impact of the Draft Rules. Data regarding deer farms in the catchment has not been included in the economic modelling. It is critical that the regional council remedies the mistakes in the report.	
Decision Sought:	Not specified.	

Panel Recommendations: Reject

Chapter: Consequential Changes to the RWLP

1204

Section: Consequential Changes to the RWLP

1204

Panel Recommendation

Refer to the body of our report for our recommendation on this section.

Submissions

Submission Number:	47: 6	Submission Type: Support in Part
Submitter:	Z Energy Limited, BP Oil NZ Ltd, Mobil Oil NZ Ltd	
Submission Summary:	Amendments are required throughout the document to ensure that provisions continue to apply to activities in urban areas of the Lake Rotorua groundwater catchment which are not captured by PC10.	
Decision Sought:	Redraft the amendments in the 'Consequential changes resulting from Proposed Plan Change 10 (Lake Rotorua Nutrient Management) to the Operative Bay of Plenty Regional Water and Land Plan' to recognise that the PC10 provisions only apply to particular rural areas within the Lake Rotorua groundwater catchment and to ensure that appropriate provisions are retained for activities within the Lake Rotorua groundwater catchment not captured by the provisions of PC10. Adopt any other such relief, including additions, deletions or consequential amendments necessary to give effect to these submissions as a result of the matters raised.	

Panel Recommendations: Accept

Plan Change 10 Lake Rotorua Nutrient Management Panel Recommendations on Provisions with Submissions and Further Submissions – Part 3

Section: Page 203 9.4 Discharges of Nitrogen or Phosphorus

1202

Panel Recommendation

Refer to the body of our report for our recommendation on this section.

Panel Reason

Submissions

Submission Number:	47: 4	Submission Type:	Support in Part
Submitter:	Z Energy Limited, BP Oil NZ Ltd, Mobil Oil NZ Ltd		
Submission Summary:	It is understood that the provisions of PC10 are not intended to capture activities in urban areas. Consequential amendments proposed by Council are not appropriate as the changes do not recognise the limited application of the PC10 provisions. Any exclusions relating to the PC10 provisions should be specific to the mapped rural zones.		
Decision Sought:	Amend paragraph 9.4 '.....excluding identified rural areas of the Lake Rotorua groundwater catchment as shown on Map LR1 addressed. The Lake Rotorua groundwater catchment is now covered as a result of a Plan Change 10, in Part II LR and Part III LR of this Regional Plan. 2 References to Lake Rotorua, where no longer relevant have been struck as follows Lake Rotorua Adopt any other such relief, including additions, deletions or consequential amendments necessary to give effect to these submissions as a result of the matters raised.		

Panel Recommendations: Accept

Section: Page 204 Table 36 - Rules in Rotorua Lakes

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Panel Recommendation

Refer to the body of our report for our recommendation on this section.

Submissions

Submission Number:	47: 5	Submission Type:	Support in Part
Submitter:	Z Energy Limited, BP Oil NZ Ltd, Mobil Oil NZ Ltd		
Submission Summary:	It is understood that the provisions of PC10 are not intended to capture activities in urban areas.		
Decision Sought:	The title of Table 36 which should be amended as follows: Table 36 – Rules in Rotorua Lakes (excluding identified rural areas of the Lake Rotorua groundwater catchment as shown on Map LR1). Adopt any other such relief, including additions, deletions or consequential amendments necessary to give effect to these submissions as a result of the matters raised.		

Panel Recommendations: Accept