

**Submission on the
Proposed Marlborough Environment Plan**

Submissions close 1 September 2016

1. Submitter Details

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Signature:

Date: 1 September 2016

2. Trade Competition

We could not gain an advantage in trade competition in making this submission.

3. Council Hearing

We wish to be heard in support of our submission.

We would not consider preparing a joint case with others who have made a similar submission.

The Specific parts of the Proposed Plan (Volume, Chapter and Provision No.) the submission relates to.	Submission	Decision sought from the Council
Volume 1 Use of Natural and Physical Resources Page 4-2 Objective 4.1 – Marlborough’s primary production sector and tourism sector continue to be successful and thrive whilst ensuring the sustainability of natural resources.	Support. FANZ supports the intent of the Objective.	Retain Objective 4.1 as notified
Volume 1 Use of Natural and Physical Resources Page 4-3	Oppose	Delete Policy 4.1.1

Policy 4.1.1 – Recognise the rights of resource users by only intervening in the use of land to protect the environment and wider public interests in the environment.	FANZ supports the intent of the Policy but given the rules in the Plan and that this is generally most Council's position, considers that it should be deleted.	
Volume 1 Use of Natural and Physical Resources Page 4-3 Policy 4.1.2 – Enable sustainable use of natural resources in the Marlborough environment.	Support. FANZ supports the intent of the Policy.	Retain Policy 4.1.2 as notified.
Volume 1 Use of Natural and Physical Resources Page 4-3 Policy 4.1.3 – Maintain and enhance the quality of natural resources.	Support in part. FANZ supports the intent of the Policy, however it is not possible to maintain and enhance.	Amend Policy 4.1.3 as follows: <u>Maintain and/or enhance, where degraded by human activity,</u> the quality of natural resources.
Volume 1 Use of the Rural Environment Page 14-2 Objective 14.1 – Rural environments are maintained as a resource for primary production activities, enabling these activities to continue contributing to economic wellbeing whilst ensuring the adverse effects of these activities are appropriately managed.	Support. FANZ supports the intent of the Objective.	Retain Objective 14.1 as notified.
Volume 1 Use of the Rural Environment Page 14-3 Policy 14.1.1 – Enable the efficient use and development of rural environments for primary production.	Support. FANZ supports the intent of the Policy.	Retain Policy 14.1.1 as notified.
Volume 1 Use of the Rural Environment Page 14-3	Support in part. FANZ supports the intent of the Policy as long as any controls/rules are reasonable and do not undermine the ability of primary production	Amend Policy 14.1.4 as follows: Manage primary production activities to ensure they are carried out sustainably through the implementation of policies and

<p>Policy 14.1.4 – Manage primary production activities to ensure they are carried out sustainably through the implementation of policies and methods (including rules establishing standards for permitted activities) to address potential adverse effects on:</p> <p>(a) the life supporting capacity of soils, water, air and ecosystems;</p> <p>(b) natural character of rivers, wetlands and lakes;</p> <p>(c) water quality and water availability;</p> <p>(d) areas with landscape significance;</p> <p>(e) areas with significant indigenous vegetation and significant habitats of indigenous fauna;</p> <p>(f) the values of the coastal environment as set out in Issue 13A of Chapter 13 - Use of the Coastal Environment; or</p> <p>(g) the safe and efficient operation of the land transport network and Marlborough’s airports.</p>	<p>activities to operate, however a minor wording amendment is required for clarity.</p>	<p>methods (including rules establishing standards for permitted activities) to <u>that</u> address potential adverse effects on:....</p>
<p>Volume 1 Use of the Rural Environment Page 14-4</p> <p>Policy 14.1.7 – Recognise that primary production activities in rural environments may result in effects including noise, dust, smell and traffic generation, but that these will require mitigation where they have a significant adverse effect on the environment.</p>	<p>Support in part.</p> <p>FANZ supports the intent of the Policy as long as any controls/rules are reasonable and do not undermine the ability of primary production activities to operate.</p> <p>Significant adverse effects will be determined using the criteria in Appendix 4. This Appendix is discussed below.</p> <p>FANZ also seeks a minor amendment to the Policy.</p>	<p>Amend Policy 14.1.7 as follows:</p> <p>Recognise that primary production activities in rural environments may result in effects including noise, dust, smell and traffic generation, but <u>and</u> that these will require mitigation where they have a significant adverse effect on the environment.</p>
<p>Volume 1 Use of the Rural Environment Page 14-5</p> <p>Policy 14.1.9 – Manage the effects of primary production activities to ensure the environmental qualities and amenity values in adjoining</p>	<p>Support in part.</p> <p>FANZ supports the intent of the Policy but considers that the terms ‘unreasonably degraded’ are vague and open to interpretation. The explanation refers to controlling activities at the interface to ‘minimise potential conflicts and</p>	<p>Amend Policy 14.1.9 as follows:</p> <p>Manage the effects of primary production activities to ensure the environmental qualities and amenity values in adjoining residential zones are <u>maintained</u> not <u>unreasonably degraded</u>, bearing in mind their</p>

<p>residential zones are not unreasonably degraded, bearing in mind their location adjacent to a primary production environment.</p>	<p>protect amenity'. This is not necessarily what the Policy would achieve as it appears to provide for the degradation of amenity values in residential areas that adjoin rural zones. FANZ considers that it would provide greater certainty to refer to the 'maintenance' of the environmental qualities and amenity values in adjoining residential zones provided there is a new policy introduced to address the potential for reverse sensitivity.</p>	<p>location adjacent to a primary production environment.</p>
<p>New Policy</p>	<p>FANZ acknowledges that Policy 14.1.9 seeks to manage the effects of activities in close proximity to residential zone boundaries. However, FANZ suggests that there should also be a policy that manages residential development within the rural zone and the potential for reverse sensitivity effects.</p>	<p>Include a new policy as follows: <u>Avoid the establishment of residential activities in close proximity to intensive farming or other rural activities, to manage reverse sensitivity effects that can be created by such activities i.e. noise, odour and dust.</u></p>
<p>Volume 1 Methods of Implementation Page 14-20 14.AER.1 The productive capacity of the rural land resource is retained.</p>	<p>Support. FANZ supports this Anticipated Environmental Result and monitoring effectiveness.</p>	<p>Retain Anticipated Environment Result 14.AER.1 as notified.</p>
<p>Volume 1 Methods of Implementation Page 14-20 14.AER.2 Rural properties retain their productive potential.</p>	<p>Support. FANZ supports this Anticipated environmental result and monitoring effectiveness.</p>	<p>Retain Anticipated environment result 14.AER.2 as notified.</p>
<p>Volume 1 Resource Quality (Water, Air, Soil) Page 15-2 Issue 15A – The discharge of contaminants to water can adversely affect the life supporting</p>	<p>Support. The District appears to have a reasonably high quality of water and given the NPS-FM direction</p>	<p>Retain Issue 15A as notified.</p>

<p>capacity and the community's use of Marlborough's coastal waters, rivers, lakes, wetlands and aquifers.</p>	<p>to improve or maintain, there is potentially less ability to provide for discharges.</p> <p>In particular, FANZ supports the following explanation as it recognises the issues with managing non-point source discharges. <i>'Non-point source discharges are difficult to manage as there is no discrete point to which management can be applied. This situation does not justify inaction, but means that the management of non-point source discharges is challenging and will require innovative approaches. It is important that the MEP provides a framework to deal with the point source and non-point source discharges to maintain and enhance water quality in Marlborough's coastal waters, rivers, lakes, wetlands and aquifers'.</i></p>	
<p>Volume 1 Resource Quality (Water, Air, Soil) Page 15-7</p> <p>Objective 15.1a – Maintain and where necessary enhance water quality in Marlborough's rivers, lakes, wetlands, aquifers and coastal waters, so that:</p> <p>(a) the mauri of wai is protected;</p> <p>(b) water quality at beaches is suitable for contact recreation;</p> <p>(c) people can use the coast, rivers, lakes and wetlands for food gathering, cultural, commercial and other purposes;</p> <p>(d) groundwater quality is suitable for drinking;</p> <p>(e) the quality of surface water utilised for community drinking water supply remains suitable for drinking after existing treatment; and</p> <p>(f) coastal waters support healthy ecosystems.</p>	<p>Support in part.</p> <p>FANZ is concerned that the wording 'where necessary' is not clear and directive. Furthermore, FANZ considers that it would be more appropriate to state that groundwater meets the NZ Drinking Water Standards for New Zealand 2005 (Revised 2008) to make it clear what standard is required to be met.</p>	<p>Amend Objective 15.1a as follows:</p> <p>Maintain and where necessary enhance water quality in Marlborough's rivers, lakes, wetlands, aquifers and coastal waters <u>and enhance where degraded by human activities to the point of being over-allocated</u>, so that:</p> <p>(a) the mauri of wai is protected;</p> <p>(b) water quality at beaches is suitable for contact recreation;</p> <p>(c) people can use the coast, rivers, lakes and wetlands for food gathering, cultural, commercial and other purposes;</p> <p>(d) groundwater quality <u>meets the NZ Drinking Water Standards for New Zealand 2005 (Revised 2008)</u>. is suitable for drinking;</p> <p>(e) the quality of surface water utilised for community drinking water supply remains suitable for drinking after existing treatment; and</p>

<p>Volume 1 Resource Quality (Water, Air, Soil) Page 15-8</p> <p>Objective 15.1b – Maintain or enhance freshwater water quality in each Freshwater Management Unit so that the annual median nitrate concentration is <1 milligram nitrate-nitrogen per litre and the annual 95th percentile concentration is <1.5 milligrams nitrate-nitrogen per litre, as measured by the Council's State of the Environment monitoring programme.</p>	<p>Support in part</p> <p>FANZ acknowledges the fact that the majority of Marlborough's rivers have an attribute state of 'A' for nitrate which equates to that of "<i>High Conservation Value</i>". Given that the NPS-FM does not provide for the degradation of water quality, this means that where this attribute is currently met this must be maintained within the "A" band. FANZ's accepts this is consistent with the National Policy Statement for Freshwater Management.</p> <p>FANZ notes that MDC has chosen to include its FMU objectives in the main body of the Plan rather than identifying freshwater objectives for each FMU. FANZ supports that Objectives, Policies, Rules and Definitions should be consistent regionally, and these are used to achieve the 'freshwater quality objectives' and 'freshwater attributes' which are set for each FMU, as described in the NPSFM. FANZ has previously expressed concern with the Canterbury approach of re-litigating different objectives, policies, rules and even definitions for each FMU and Nutrient Allocation Zones.</p> <p>Objective 15.1b sets the NPSFM "A" level attribute state for eco-system health for rivers as an overall objective for all Freshwater Management Units. FMU's are defined in the NPSFM as "<i>the water body, multiple water bodies or any part of a water body determined by the regional council as the appropriate spatial scale for setting freshwater objectives and limits and for freshwater accounting and management purposes</i>" The Marlborough Environmental Plan</p>	<p>(f) coastal waters support healthy ecosystems.</p> <p>Amend Objective 15.1b as follows:</p> <p>Maintain or enhance the quality of freshwater rivers water quality in each the Freshwater Management Units where the following attribute state is currently met: so that the annual median nitrate concentration is ≤1 milligram nitrate-nitrogen per litre and the annual 95th percentile concentration is ≤1.5 milligrams nitrate-nitrogen per litre, as measured by the Council's State of the Environment monitoring programme.</p> <p>Include a new objective as follows: <u>Maintain or enhance the quality of rivers in the Freshwater Management Units where the following attribute state is currently met: the annual median nitrate-nitrogen concentration is between >1 and <2.4 milligram nitrate-nitrogen per litre and the annual 95th percentile concentration is between >1.5 and <3.5milligrams nitrate per litre, as measured by the Council's State of the Environment monitoring programme.</u></p>
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	<p>defines the FMUs using FMU maps 1-5. In combination FMU maps 1-5 cover all of Marlborough District and so FANZ interprets that Objective 15.1b appears to apply the “A” grade attribute levels to all water bodies, not just rivers, in the Marlborough District.</p> <p>FANZ is concerned that this is not appropriate for water bodies which are lakes or groundwater and also there may be some rivers where the “A” attribute state is not met and FANZ questions the need for all waterbodies to meet the ‘A’ attribute for nitrate-nitrogen. FANZ is concerned that this may adversely impact on the ability of primary production activities to operate or intensify and provide for the community’s social and economic wellbeing. Where current water quality falls in the “B” attribute band, raising the attribute level for rivers in existing production areas to “A” grade which equates to “<i>High Conservation Value</i>” will require a robust cost benefit analysis.</p> <p>FANZ is concerned that for at least some rivers in production areas, a “B” grade attribute should be provided for.</p>	
<p>Volume 1 Resource Quality (Water, Air, Soil) Page 15-8</p> <p>Objective 15.1c – Maintain freshwater water quality in each Freshwater Management Unit so that the annual median ammonia concentration is <0.03 milligrams ammoniacal nitrogen per litre and the annual maximum concentration is <0.05 milligrams ammoniacal nitrogen per litre, as measured by the Council’s State of the Environment monitoring programme.</p>	<p>Support.</p> <p>FANZ acknowledges the fact that all of Marlborough’s lakes and rivers have an attribute state of ‘A’ for ammonia. Given that the NPS-FM does not provide for the degradation of water quality, this means that this must be maintained.</p> <p>However, the Objective should be amended to reflect that this attribute state in the NPS-FM applies to lakes and rivers and, requires an attribute A state to meet an annual median</p>	<p>Amend Objective 15.1c as follows:</p> <p>Maintain freshwater water quality for rivers <u>and lakes</u> in each Freshwater Management Unit so that the annual median ammonia concentration is <0.03 ≤0.03 milligrams ammoniacal nitrogen per litre and the annual maximum concentration is <0.05 ≤0.05 milligrams ammoniacal nitrogen per litre, as measured by the Council’s State of the Environment monitoring programme.</p>

	ammonia concentration of less than or equal to 0.03mg/litre and less than or equal to 0.05 mg/litre as an annual maximum.	
<p>Volume 1 Resource Quality (Water, Air, Soil) Page 15-8</p> <p>Objective 15.1d – Maintain or enhance freshwater water quality in each Freshwater Management Unit so that the annual median <i>E. coli</i> level is <260 per 100 ml, as measured by the Council’s State of the Environment monitoring programme.</p>	<p>Support in part.</p> <p>Objective 15.1d requires freshwater quality in all FMU’s to meet the annual median <i>E.coli</i> level of <260 per 100ml. However Objective 15.1e provides for water quality in waterbodies valued for primary contact recreation so that the 95th percentile <i>E. coli</i> level is <540 per 100 ml. However, as notified the Objectives contradict each other given that the waterbodies valued for primary contact recreation will be located within an FMU.</p> <p>The explanation of Objective 15.1d states that the ‘majority of Marlborough’s rivers that are monitored have an attribute state of “A” for <u>secondary contact</u> recreation’.</p> <p>FANZ understands that Objective 15.1e is intending to manage those rivers valued by the community for swimming, of which the majority have an attribute state of “B” for <u>primary contact</u> recreation. Furthermore, where water quality in the river does not currently meet an attribute state of B and it is reasonable to expect swimming to occur in the river, the aim is to enhance water quality to meet this state.</p> <p>It is also noted that whilst the intent is seemingly to manage for contact recreation, the attribute states to be maintained or enhanced are applied to an entire FMU under Objective 15.1d). Consequently this includes all groundwater and waterbodies that may not be used for contact recreation. Furthermore FANZ would anticipate</p>	<p>Amend Objective 15.1d as follows:</p> <p>Maintain or enhance <u>the quality of</u> freshwater water quality in each <u>waterbodies</u> Freshwater Management Unit <u>where the following attribute state is currently met:</u> so that the annual median <i>E. coli</i> level is ≤260 per 100 ml, as measured by the Council’s State of the Environment monitoring programme.</p> <p>Amend Objective 15.1e as follows: Maintain or enhance <u>the quality of</u> freshwater water quality in waterbodies valued for primary contact recreation <u>Unit where the following attribute state is currently met:</u> so that the 95th percentile <i>E. coli</i> level is >260 to ≤540 per 100 ml, as measured by the Council’s State of the Environment monitoring programme.</p>
<p>Volume 1 Resource Quality (Water, Air, Soil) Page 15-9</p> <p>Objective 15.1e – Maintain or enhance freshwater water quality in waterbodies valued for primary contact recreation so that the 95th percentile <i>E. coli</i> level is <540 per 100 ml, as measured by the Council’s State of the Environment monitoring programme.</p>		

	<p>that <i>E Coli</i> levels should be managed in potable water sources too.</p> <p>FANZ therefore suggests that it would be preferable to identify those waterbodies where it is intended to retain an A attribute state and those where a B attribute state is sought to be achieved or maintained.</p>	
<p>Volume 1 Resource Quality (Water, Air, Soil) Page 15-9</p> <p>Policy 15.1.1 – As a minimum, the quality of freshwater and coastal waters will be managed so that they are suitable for the following purposes: (a) Coastal waters: protection of marine ecosystems; potential for contact recreation and food gathering/marine farming; and for cultural and aesthetic purposes; (b) Rivers and lakes: protection of aquatic ecosystems; potential for contact recreation; community water supply (where water is already taken for this purpose); and for cultural and aesthetic purposes; (c) Groundwater: drinking water supply; and (d) Wetlands: protection of aquatic ecosystems and the potential for food gathering.</p>	<p>The Policy is setting a minimum but it applies to <u>all</u> freshwater.</p> <p>A waterbody does not have to meet the A attribute state as required by the Objectives to be suitable for these purposes. However, many waterbodies may already meet the A state and therefore cannot be degraded. If the waterbody meets the B state, there is the option to maintain or enhance.</p> <p>To be consistent with the Policy, an activity only has to meet the minimum and FANZ suggests that it could provide for variation within an attribute band for waterbodies.</p>	<p>Retain Policy 15.1.1. No specific change sought but comments are noted.</p>
<p>Volume 1 Resource Quality (Water, Air, Soil) Page 15-10</p> <p>Policy 15.1.2 – Apply water quality classifications (and water quality standards) to all surface water, groundwater and coastal water resources, which reflect: (a) the management purposes specified in Policy 15.1.1; and (b) other uses and values supported by the waterbody or coastal waters; or</p>	<p>Support in part. FANZ seeks to amend clause (c) to refer to degradation by human activities to ensure an applicant is not required to try and restore water quality that has been degraded by natural processes.</p> <p>FANZ also expresses concern with the use of the word ‘restored’. FANZ is concerned that this could mean restoring ‘values’ to a pristine condition or state. FANZ seeks that the Policy refers to meeting the FMU objectives.</p>	<p>Amend Policy 15.1.2 as follows:</p> <p>Apply water quality classifications (and water quality standards) to all surface water, groundwater and coastal water resources, which reflect: (c) where water quality has already been degraded <u>by human activities to the point of being over-allocated</u>, the uses and values that are to be restored <u>to meet the FMU Objectives</u>.</p>

<p>(c) where water quality has already been degraded, the uses and values that are to be restored.</p>		
<p>Volume 1 Resource Quality (Water, Air, Soil) Page 15-10</p> <p>Policy 15.1.3 – To investigate the capacity of fresh waterbodies to receive contaminants from all sources, having regard to the management purposes established by Policy 15.1.1 in order to establish cumulative contaminant limits by 2024.</p>	<p>Support. Providing for catchment accounting is consistent with the NPSFM.</p> <p>FANZ supports the intent of the Policy but cannot comment on contaminant limits as that work is yet to be done. FANZ assumes that contaminant limits will be included in the Plan by way of a plan change thus enabling FANZ to provide input at a later date.</p> <p>It is noted the Section 32 Report for Chapter 15 (at page 22) comments in relation to Policies 15.1.4 to 15.1.7: which require actions to meet the Objectives within 10 years <i>“Until a contamination source is identified and a catchment enhancement plan is established and approved, it is difficult to determine cost”</i></p> <p>FANZ considers that a cost: benefit analysis will be required to assess the options for meeting proposed cumulative limits and this must be conducted in concert with establishing limits. While the Sect 32 analysis includes comment on potential for costs to resource users and landowners, and environmental and cultural costs, the assessments of management options must necessarily also consider production opportunity cost and the ability to sustainably manage production land use to provide for the community’s economic, social and cultural wellbeing as well as suitable environmental outcomes.</p>	<p>Retain Policy 15.1.3 as notified but note comments.</p>
<p>Volume 1 Resource Quality (Water, Air, Soil) Page 15-11</p>	<p>Support in part.</p>	<p>Retain 15.M.1 as notified but note comments.</p>

<p>15.M.1 Identification of uses and values supported by freshwater, groundwater or coastal water resources <i>To identify, on an ongoing basis, the uses and values supported by specific rivers, lakes, wetlands, aquifers and coastal waters. These values, including the spiritual and cultural values of Marlborough's tangata whenua iwi, will be identified in the MEP.</i></p>	<p>FANZ questions how this will link to the Plan? Will it require a plan change to introduce new uses and values or will this be a non-statutory document?</p>	
<p>Volume 1 Resource Quality (Water, Air, Soil) Page 15-11</p> <p>15.M.2 Water quality classifications <i>To establish water quality classifications for all waterbodies in the MEP that reflect the uses and values supported by the waterbody or that could be supported by the waterbody if water quality was enhanced. Classifications may include NS, AE, F, FS, CR, SG, A, WS and C. (Refer to Policy 15.1.2 for explanation of the classifications.)</i></p>	<p>Support.</p>	<p>Retain Method 15.M.2 as notified.</p>
<p>Volume 1 Resource Quality (Water, Air, Soil) Page 15-11</p> <p>15.M.3 Investigations <i>To undertake catchment-specific research to establish the capacity of fresh waterbodies to assimilate total contaminant loads from within each catchment. The objectives and management purpose established for the waterbody and the uses and values supported by the waterbody will both assist to determine the sensitivity of the waterbody to increases in contaminant loads. Given their association with rural land uses and Marlborough's history of primary production, research into nutrients is a priority. It may also be necessary to prioritise heavy metals in urban catchments, given the prevalence of such metals in urban stormwater, as well as sediment loads in</i></p>	<p>Support in part.</p> <p>FANZ supports this work as it will provide guidance to applicants in terms of figures rather than just relying on the wording of the policies. It is assumed that this work will require changes to the Plan. However, the Method is quite lengthy and could be amended for clarity.</p>	<p>Amend 15.M.3 Investigations as follows:</p> <p><i>To undertake catchment-specific research to establish the capacity of fresh waterbodies to assimilate total contaminant loads from within each catchment. This will also be informed by the objectives and management purpose established for the waterbody and the uses and values supported by the waterbody. will both assist to determine the sensitivity of the waterbody to increases in contaminant loads. Given their association with rural land uses and Marlborough's history of primary production, rResearch into nutrients is a priority and- it may also be necessary to prioritise heavy metals in urban catchments, given the prevalence of such metals in urban stormwater, as well as sediment loads in</i></p>

<i>rivers flowing into sensitive receiving environments, such as the enclosed coastal waters of the Marlborough Sounds.</i>		<i>rivers flowing into sensitive receiving environments, such as the enclosed coastal waters of the Marlborough Sounds</i>
<p>Volume 1 Resource Quality (Water, Air, Soil) Page 15-11-12</p> <p>Policy 15.1.4 – Take action to enhance water quality in the following rivers to meet Objective 15.1b within ten years of the Marlborough Environment Plan becoming operative: (a) Mill Creek; and (b) Murphys Creek.</p>	<p>Support in part</p> <p>Firstly, FANZ questions what ‘take action’ means.</p> <p>Secondly Objectives 15.1b, d and e apply to freshwater in each FMU not just specific rivers. Alignment is sought between Objectives and Policies in relation to the water bodies listed in Tables 15.1 and 15.2 and Policies 15.1.4 to 15.1.7.</p>	<p>Amend Policy 15.1.4 as follows:</p> <p><u>Where specified water quality attributes are not being met, t</u>Take action to enhance water quality in the following rivers to meet Objective 15.1b within ten years of the Marlborough Environment Plan becoming operative: (a) Mill Creek; and (b) Murphys Creek.</p>
<p>Volume 1 Resource Quality (Water, Air, Soil) Page 15-12</p> <p>Policy 15.1.5 – Take action to enhance water quality in the following rivers to meet Objective 15.1d within ten years of the Marlborough Environment Plan becoming operative: (a) Are Are Creek; (b) Cullens Creek; (c) Doctors Creek; and (d) Kaituna River.</p>	<p>Thirdly, Policy 15.1.7 provides for the enhancement of rivers identified in Tables 15.1 and 15.2. This includes the rivers listed under Policies 15.1.4, 15.1.5 and 15.1.6.</p>	<p>Amend Policy 15.1.5 as follows: <u>Where specified water quality attributes are not being met, t</u>Take action to enhance water quality in the following rivers to meet Objective 15.1d within ten years of the Marlborough Environment Plan becoming operative: (a) Are Are Creek; (b) Cullens Creek; (c) Doctors Creek; and (d) Kaituna River.</p>
<p>Volume 1 Resource Quality (Water, Air, Soil) Page 15-12</p> <p>Policy 15.1.6 – Take action to enhance water quality in the following rivers to meet Objective 15.1e within ten years of the Marlborough Environment Plan becoming operative: (a) Taylor River; (b) Rai River; and (c) Waihopai River.</p>		<p>Amend Policy 15.1.6 as follows: <u>Where specified water quality attributes are not being met, t</u>Take action to enhance water quality in the following rivers to meet Objective 15.1e within ten years of the Marlborough Environment Plan becoming operative: (a) Taylor River; (b) Rai River; and (c) Waihopai River.</p>
<p>Volume 1 Resource Quality (Water, Air, Soil) Page 15-13</p> <p>Policy 15.1.7 – Take action to enhance water quality in the rivers identified in Tables 15.1 and</p>		<p>Amend Policy 15.1.7 as follows:</p>

<p>15.2 so that water quality is suitable for the purposes specified in Policy 15.1.1 within ten years of the Marlborough Environment Plan becoming operative.</p>		<p>Where specified water quality attributes are not being met, tTake action to enhance water quality in the rivers identified in Tables 15.1 and 15.2 (except where specifically identified in Policies 15.1.4, 15.1.5 and 15.1.6) so that water quality is suitable for the purposes specified in Policy 15.1.1 within ten years of the Marlborough Environment Plan becoming operative.</p>
<p>Volume 1 Resource Quality (Water, Air, Soil) Page 15-13</p> <p>15.M.5 Catchment Enhancement Plans <i>Catchment Enhancement Plans will be developed as a priority for rivers that have degraded water quality, as identified in Policies 15.1.4 to 15.1.7. The methods to be used to enhance water quality will be determined following an assessment of the cause and effect of degraded water quality and will be clearly identified within the Plans. It may take time to establish the nature of the cause, which may delay the completion of the Plans. Other methods may be used in the interim to reduce the effects of non-point source discharges on water quality. Each Catchment Enhancement Plan will be developed in consultation with resource users in the catchment and other affected parties.</i></p>	<p>Support in part.</p> <p>FANZ assumes that the Catchment Enhancement Plans will become part of the Plan and be statutory documents.</p> <p>FANZ questions why the water quality in degraded rivers will not be enhanced through the rules in the proposed Plan or through FMU specific provisions. Catchment Enhancement Plans will add another statutory layer that could cause confusion. That said, FANZ would support non-statutory measures to improve water quality.</p> <p>FANZ supports allowance for realistic timeframes, and good liaison with resource users in development of any Catchment Enhancement Plan as well as non-statutory methods.</p>	<p>No changes sought.</p>
<p>Volume 1 Resource Quality (Water, Air, Soil) Page 15-23</p> <p>Policy 15.1.25 – Recognise that, in many situations, non-regulatory methods will be an effective method of managing the adverse effects of non-point source discharges.</p>	<p>Support.</p> <p>FANZ supports the recognition of the difficulty of managing non-point source discharges. In particular, the wording of the explanation: <i>For this reason, the main approach to addressing the adverse effects of non-point source discharges over the life of the MEP will be to work with landowners to improve land use practices to minimise the potential for run-off.</i></p>	<p>Retain Policy 15.1.25 as notified.</p>

	<p>However FANZ notes that rules are proposed and FANZ supports the use of non-regulatory methods where these can be used to achieve the Plan's objectives.</p>	
<p>Volume 1 Resource Quality (Water, Air, Soil) Page 15-23</p> <p>Policy 15.1.26 – Encourage, in close association with rural industry groups, the use of sustainable rural land management practices.</p>	<p>Support.</p> <p>FANZ supports the intent of the Policy.</p>	<p>Retain Policy 15.1.26 as notified.</p>
<p>Volume 1 Resource Quality (Water, Air, Soil) Page 15-23</p> <p>Policy 15.1.27 – Promote the retirement and planting of riparian margins in rural areas to intercept contaminated runoff, especially where water quality is degraded or at risk of degradation.</p>	<p>Support.</p> <p>FANZ supports the intent of the Policy as it promotes rather than requires the retirement and planting of riparian margins</p>	<p>Retain Policy 15.1.27 as notified.</p>
<p>Volume 1 Resource Quality (Water, Air, Soil) Page 15-26</p> <p>Policy 15.1.33 – Require land use consent for the establishment and operation of any new dairy farm.</p>	<p>Oppose.</p> <p>Under the current proposed policies FANZ considers that Policy 15.1.33 is not needed given that Policy 15.1.34 provides clear direction that dairy farms will generally require resource consent. However, FANZ supports an effects based approach where policy and rules address the effects of land use rather than land use type. For example a low intensity dairy farm with known nutrient loss values well within acceptable limits should be permitted activity. An alternative land use activity with high nutrient loss should be controlled to ensure adverse effects are avoided, remedied or mitigated.</p>	<p>Delete Policy 15.1.33.</p>
<p>Volume 1 Resource Quality (Water, Air, Soil) Page 15-26</p>	<p>Support in part.</p>	<p>Amend Policy 15.1.34 as follows:</p>

<p>Policy 15.1.34 – Approve land use consent applications for new dairy farms where the proposed farming would have no more than minor adverse effects on ground or surface water quality or on significant wetlands. A land use consent application must identify the risks of new dairy farming and provide measures to address those risks, including as a minimum:</p> <p>(a) measures (including fences, bridges or culverts) to prevent stock entering onto or passing across the bed of any river or lake, significant wetland, or any drain or the Drainage Channel Network;</p> <p>(b) provision of an appropriate, non-grazed buffer along the margins of any river, lake, significant wetland, drain or the Drainage Channel Network, to intercept the runoff of contaminants from grazed pasture, with reference to the values of fresh waterbodies as identified in Appendix 5;</p> <p>(c) provision for storage of dairy effluent, with all storage ponds sufficiently sized to enable deferral of application to land until soil conditions are such that surface runoff and/or drainage do not occur;</p> <p>(d) demonstration of appropriate separation distances between effluent storage ponds and any surface waterbodies to ensure contamination of water does not occur (including during flood events); and</p> <p>(e) a nutrient management plan that includes nutrient inputs from dairy effluent, animal discharges, fertiliser and any other nutrient input.</p>	<p>FANZ is concerned that the Policy is only directed at new dairy farms. It is noted that intensive farming and intensively farmed livestock are identified in the Plan. All farms should be required to operate at Industry Agreed Good Management Practices. .</p> <p>FANZ opposes the requirement that a new dairy farm , or any other farm activity will only be granted consent if it has no more than minor adverse effects on ground and surface water quality or on significant wetlands.</p> <p>Furthermore, the ‘minor’ test only applies to non-complying activities whereas within the proposed Plan new dairy farms are generally provided for as discretionary activities. That said, any activity that passes the ‘minor’ test gateway can also be consistent with Policy 15.1.34. Consequently, activities only have to effectively meet one gateway test.</p> <p>The Policy identifies a number of measures to address potential risks but Policy 15.1.34 is set out as a rule rather than a policy. FANZ considers that many of the risks could be addressed through a farm management plan. FANZ also suggests that a Nutrient Management Plan should form part of a Farm Management Plan and that there should be an example of an FMP included in the Plan.</p>	<p>Approve land use consent applications for new dairy farms <u>and intensive farms</u> where the proposed farming would have no more than minor adverse effects on <u>can identify potential risks to</u> ground or surface water quality or on significant wetlands. A land use consent application must identify the risks of new dairy farming and provide measures to address those risks, including as a minimum:</p> <p><u>(a) measures (including fences, bridges or culverts) to prevent stock entering onto or passing across the bed of any river or lake, significant wetland, or any drain or the Drainage Channel Network;</u></p> <p><u>(b) provision of an appropriate, non-grazed buffer along the margins of any river, lake, significant wetland, drain or the Drainage Channel Network, to intercept the runoff of contaminants from grazed pasture, with reference to the values of fresh waterbodies as identified in Appendix 5;</u></p> <p><u>(c) provision for storage of dairy effluent, with all storage ponds sufficiently sized to enable deferral of application to land until soil conditions are such that surface runoff and/or drainage do not occur;</u></p> <p><u>(d) demonstration of appropriate separation distances between effluent storage ponds and any surface waterbodies to ensure contamination of water does not occur (including during flood events); and</u></p> <p><u>(e) a nutrient management plan that includes nutrient inputs from dairy effluent, animal discharges, fertiliser and any other nutrient input.</u></p> <p><u>preparing and implementing a Farm Management Plan as set out in Appendix X.</u></p>
<p>Volume 1 Resource Quality (Water, Air, Soil) Page 15-28</p>	<p>Support.</p>	<p>Retain 15.M.23 Advocate as notified.</p>

<p>15.M.23 Advocate Advocate to the manufacturers and suppliers of agrichemicals and fertilisers to strengthen the education and information provision role they play with a view to minimising the likelihood and potential effects of agrichemical and fertiliser application on water quality.</p>	<p>FANZ welcomes engagement with the Council on this matter.</p>	
<p>Volume 1 Resource Quality (Water, Air, Soil) Page 15-27</p> <p>15.M.18 Liaison Work with established rural industry groups to develop and implement sustainable land management programmes. The initial focus will be on viticulture, pastoral farming (especially dairy and intensive beef farming), arable farming and forestry, but may be expanded to other rural activities if the need arises. Rural land uses upstream of or adjacent to rivers that have degraded water quality and rural land uses in groundwater protection areas are a priority for sustainable land management programmes. Work with landowners and community groups to establish and enhance riparian margins and improve water quality.</p>	<p>Support</p> <p>FANZ supports non regulatory methods to work with established rural industry groups and implement sustainable land management programmes.</p>	<p>Retain non regulatory methods to work with established rural industry groups and implement sustainable land management programmes</p>
<p>Volume 1 Resource Quality (Water, Air, Soil) Page 15-28</p> <p>15.M.21 Information Provide information, including guidelines, to landowners, resource users and the public:</p> <ul style="list-style-type: none"> • to generally promote awareness of water quality issues; and • to encourage the adoption of appropriate land management practices to minimise non-point source discharges. 	<p>Support-in-part</p> <p>Providing information and increased awareness and supporting the adoption of appropriate land management practices to minimise <u>any adverse effects</u> of non- point discharges is supported. This includes support for following Industry Agreed Good Management Practices.</p>	<p>Retain but amend 15.M.21 Information as shown:</p> <p>.....</p> <ul style="list-style-type: none"> • to encourage the adoption of appropriate land management practices to minimise <u>any adverse effects</u> of non-point source discharges. <u>This includes promoting industry Codes of Practice and industry guidelines and encouraging the adoption of Industry Agreed Good Management Practices. (Industry Agreed Good</u>

<p>Although the focus of this method will be on rural resource users, the information will also be applicable to residential situations (in both rural and urban environments).</p> <p>Provide information on the benefits of retiring and planting riparian margins. This will include information on the appropriate width of riparian margins and suitable plant species, taking into account the variation in the nature of waterbodies/coastal waters and the adjoining rural land uses. Information on options for formally protecting retired riparian margins can also be provided.</p>		<p><u>Management Practices, Sept 2015 have been developed and documented by the Primary industry sector groups in conjunction with Canterbury Regional Council.)</u></p>
<p>Volume 1 Resource Quality (Water, Air, Soil) Page 15-28</p> <p>15.M.24 Codes of practice and industry guidelines Advocate to rural industry groups that they, locally or nationally, prepare and adopt codes of practice or other guidelines aimed at reducing the effects of non-point source discharges where they do not already exist.</p>	<p>Oppose</p> <p>FANZ considers the rural industry groups have developed and adopted a wide range of industry guidelines, including Codes of Practice and Industry Agreed Good Management Guidelines. The onus does not rest with Marlborough District Council to advocate for rural industry groups to prepare and adopt these, but for the Marlborough District Council to support rural industry groups in promoting their application and use.</p> <p>This can be addressed with suggested amendments to 15.M.21.</p>	<p>Delete 15.M.24 and amend 15. M.21 as shown above, to include support for the Industry Agreed Good Management Practices, Sept 2015, and industry guidelines and Codes of Practice.</p>
<p>Volume 1 Resource Quality (Water, Air, Soil) Page 15-28-9</p> <p>15.M.25 Management plans for dairy farming Water Quality Management Plans can be used as a means of demonstrating on an ongoing basis that any adverse effects on water quality resulting from dairy farming will be avoided, remedied or sufficiently mitigated. They provide the ability to consider all farm management practices with the</p>	<p>Support in part.</p> <p>Again, FANZ is concerned that the Method is only directed at dairy farming. It is noted that intensive farming requires consent but is not subject to any particular method. It is considered that Method 15.M.25 should be broadened to include intensive farming activities.</p>	<p>Amend 15.M.25 as follows:</p> <p><u>Farm</u> Management plans for dairy farming <u>intensively farmed livestock.</u></p> <p>Water Quality <u>Farm</u> Management Plans can be used as a means of demonstrating on an ongoing basis that any adverse effects on water quality resulting from dairy and <u>intensively farmed livestock</u> will be avoided,</p>

<p>potential to adversely affect surface or groundwater quality or wetlands and manage these risks in an integrated way. This also enables the dairy farmer to progressively plan farm upgrades based on priority or in the case of new farms, at the time of establishment. Water Quality Management Plans can be used to support applications for land use consent to convert the use of land to dairying.</p> <p>Nutrient Management Plans will be required as a means to demonstrate how nutrient inputs associated with dairy farming are to be managed to ensure any adverse effects on water quality will be avoided, remedied or mitigated. Nutrient Management Plans should be written documents that incorporate a nutrient budget developed by an accredited nutrient adviser using OVERSEER® or similar. This should describe how the major plant nutrients (nitrogen, phosphorus, sulphur and potassium) and any other nutrients of importance to specialist crops will be managed (including all sources of nutrient - for example, discharges from farm dairy effluent systems, animal discharges and/or atmospheric nitrogen fixation).</p>	<p>FANZ also seeks national consistency where ever possible and that the Plan refer to Farm Management Plans (FMPs) not Water Quality Management Plans (WQMP). FMPs can address all the matters proposed to be included in the WQMP but can also be broader than just managing water quality and are a well-established method of managing farming activities.</p>	<p>remedied or sufficiently mitigated. They provide the ability to consider all farm management practices with the potential to adversely affect surface or groundwater quality or wetlands and manage these risks in an integrated way. This also enables the dairy farmer to progressively plan farm upgrades based on priority or in the case of new farms, at the time of establishment. Water Quality Farm Management Plans can be used to support applications for land use consent to convert the use of land to dairying.</p> <p><u>The Farm Management Plan should include:</u></p> <ul style="list-style-type: none"> • Nutrient Management Plans. These will be required as a means to demonstrate how nutrient inputs associated with dairy <u>and intensively farmed</u> ing <u>livestock</u> are to be managed to ensure any adverse effects on water quality will be avoided, remedied or mitigated. Nutrient Management Plans should be written documents that incorporate a nutrient budget developed by an accredited nutrient adviser <u>a Certified Nutrient Management Advisor</u> using OVERSEER® or similar. This should describe how the major plant nutrients (nitrogen, phosphorus, sulphur and potassium) and any other nutrients of importance to specialist crops will be managed (including all sources of nutrient - for example, discharges from farm dairy effluent systems, animal discharges and/or atmospheric nitrogen fixation).
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<p>Volume 1 Resource Quality (Water, Air, Soil) Page 15-37</p> <p>Issue 15F – Some land use activities or practices have the potential to adversely affect soil quality.</p> <p>Explanation reads:</p> <p>Although fertiliser use has decreased over time in Marlborough, many primary producers still apply it to maintain the nutrient status of the soil and therefore soil productivity. Excessive fertiliser application creates the potential for nutrients such as nitrogen and phosphate to runoff into adjoining rivers and wetlands or leach into underlying groundwater.</p>	<p>Support in part</p> <p>FANZ notes that the explanation to this Issue relates only to water quality (nitrogen and phosphate to runoff into adjoining rivers and wetlands or leach into underlying groundwater) and not to soil quality. Furthermore, the issue of maintaining soil quality is broader than the use of fertilisers. The explanation to the soil quality issues should be replaced in its entirety. Suggested text is adapted from a combination of other examples of explanations on soil quality issues.</p>	<p>Amend Issue 15F Explanation:</p> <p>Although fertiliser use has decreased over time in Marlborough, many primary producers still apply it to maintain the nutrient status of the soil and therefore soil productivity. Excessive fertiliser application creates the potential for nutrients such as nitrogen and phosphate to runoff into adjoining rivers and wetlands or leach into underlying groundwater.</p> <p><u>Healthy productive soils are a finite natural resource and essential for the social, cultural and economic well-being of people and communities. It is important to manage the potential for adverse effects of land uses on soil health and function and practices including vegetation clearance, earthworks and forestry harvesting where they adversely affect soil quality or induce or exacerbate soil erosion.</u></p> <p><u>In addition, accelerated erosion from land use resulting in additional deposition of sediment in rivers and lakes can have a major impact on aquatic ecosystems and in-stream values.</u></p>
<p>Volume 1 Resource Quality (Water, Air, Soil) Page 15-38</p>	<p>Support in part</p> <p>FANZ questions how and to what extent the quality of soil throughout the district can be</p>	<p>Amend Objective 15.4 as follows: Maintain <u>the health and function of and enhance</u> the quality of Marlborough’s soil resource.</p>

Objective 15.4 – Maintain and enhance the quality of Marlborough’s soil resource.	‘enhanced’ and suggests that the Objective should refer to ‘maintain the health and function’ of the soil resource.	
<p>Volume 1 Resource Quality (Water, Air, Soil) Page 15-38-9</p> <p>Policy 15.4.2 – Encourage land management practices that: (a) maintain soil structure by: (i) avoiding or remedying soil compaction; (ii) avoiding the loss of soil organic matter; and (iii) avoiding or remedying the effects of increased sodium levels; (b) maintain nutrients at appropriate levels; and (c) retain topsoil in situ.</p>	<p>Support in part.</p> <p>FANZ supports the intent of the Policy but suggests that the matters addressed in the Policy are generally related to good management practice.</p>	<p>Amend Policy 15.4.2 as follows:</p> <p>Encourage land <u>the use of industry agreed good</u> management practices that: (a) maintain soil structure by: (i) avoiding or remedying soil compaction; (ii) avoiding the loss of soil organic matter; and (iii) avoiding or remedying the effects of increased sodium levels; (b) maintain nutrients at appropriate levels; and (c) retain topsoil in situ.</p>
<p>Volume 1 Resource Quality (Water, Air, Soil) Page 15-41</p> <p>15.M.41 Advocate Communicate to the manufacturers and suppliers of fertilisers the role they have in strengthening education and providing information on nutrient budgeting, with a view to minimising the likelihood and potential effects of excessive fertiliser application on soil and water quality.</p>	<p>Oppose.</p> <p>FANZ considers that 15.M.41 is a repetition of 15.M.23. If it is intended to provide a method to work with land users to maintain soil quality , this is also addressed with similar wording for suggested changes to 15.M.21 or 15.M.24</p>	<p>Delete 15.M.41 Advocate.</p> <p>Or in the alternative delete proposed text and insert new text as follows:</p> <ul style="list-style-type: none"> • <u>to encourage the adoption of appropriate land management practices to minimise any adverse effects of land use activities on soil quality, health and function (including soil erosion). This includes promoting industry Codes of Practice and industry guidelines and encouraging the adoption of Industry Agreed Good Management Practices. (Industry Agreed Good Management Practices, Sept 2015 have been developed and documented by the Primary industry sector groups in conjunction with Canterbury Regional Council.)</u>
Volume 1 Resource Quality (Water, Air, Soil) Page 15-43	Support in part.	Retain Objective 15.5 as notified.

<p>Objective 15.5 – Existing and foreseeable uses of the soil resource are not reduced as a result of soil contamination.</p>	<p>FANZ recognises that soils are an essential natural resource and use of this resource may inevitably include exposure to a wide range of contaminants. However, the Objective allows for some contamination as long as long as soil contaminants are managed to remain within acceptable limits so that the existing and foreseeable uses of soil are not reduced.</p>	
<p>Volume 1 Resource Quality (Water, Air, Soil) Page 15-43</p> <p>Policy 15.5.1 – Primarily rely on regulations promulgated under the Hazardous Substances and New Organisms Act 1996 to ensure hazardous substances are used, stored and transported in an appropriate manner.</p>	<p>Support.</p> <p>FANZ supports the intention to rely on HSNO to manage hazardous substances.</p>	<p>Retain Policy 15.5.1 as notified.</p>
<p>Volume 1 Resource Quality (Water, Air, Soil) Page 15-44</p> <p>Policy 15.5.2 Record known contaminated sites and other sites that may be contaminated due to past land use management practices, and make this information available to the public. Soil contamination creates a risk to human health and can therefore constrain development options on land and properties. It is important that current or potential owners are made aware of any known or potential soil contamination. To assist this process, the Council maintains a “Listed Land Use Register” (the Register), which records known or potentially contaminated sites. Such awareness by the Council does not extend to all historic land use activities and management practices due to the passage of time and incomplete records. Other potentially contaminated sites will be added to the Register as the Council becomes aware of them.</p>	<p>Support</p> <p>A nationally consistent approach which is consistent with the requirements of the RMA and HSNO Act is supported.</p>	<p>Retain Policy 15.5.2</p>

<p>The Ministry for the Environment's Hazardous Activities and Industries List (HAIL) is used as the basis for determining the potential for a piece of land to be contaminated by past land use activities and/or management practices. The information on the Register is made available to the public so that individuals can make informed decisions about the ongoing use of the land or any proposed new use of the land. The Register can also be used as a basis for applying Clause 6(2) of the NESCS. Any site included on the Register can be considered a "piece of land" for the purpose of the NESCS.</p>		
<p>Volume 1 Resource Quality (Water, Air, Soil) Page 15-44</p> <p>Policy 15.5.3 – Screen all sites on the Listed Land Use Register for the risk they pose to human health and/or the surrounding environment. A majority of the sites on the Register are identified as potentially contaminated and are included on the basis of HAIL. However, the risk of human health effects or adverse effects on the environment is unclear. For this reason, the Council will progressively screen those sites on the Register to determine the likely risk that the contaminants pose to human health and/or the surrounding environment. The degree of risk and the reasons will be recorded on the Register.</p>	<p>Support</p> <p>A nationally consistent approach which is consistent with the requirements of the RMA and HSNO Act are supported.</p>	<p>Retain Policy 15.5.3</p>
<p>Volume 1 Resource Quality (Water, Air, Soil) Page 15-44</p> <p>Policy 15.5.4 Investigate sites assessed through Policy 15.5.3 as being of high risk to community health and/or the surrounding environment and, depending on the outcome of those investigations, consider the need for site management.</p>	<p>Support</p> <p>A nationally consistent approach consistent with the requirements of the RMA and HSNO Act are supported.</p>	<p>Retain Policy 15.5.4</p>

<p>Although the NESCS manages the human health effects of contaminated sites in the event of changes in land use, the current policy also recognises that the Council can assist in managing sites that create a high risk to human health or the environment in other circumstances. The Council will progressively investigate sites on the Listed Land Use Register screened as high risk to substantiate (to the extent that it can) the nature and degree of contamination and the potential for adverse effects. The information collected will be shared with landowners and resource users so that there is a clear understanding of the risks to human health and the surrounding environment.</p> <p>In circumstances where the NESCS does not apply, the Council will take a lead role in coordinating any site management, including landowner liaison. This role is important given the potential costs associated with management for landowners and given that the contamination is often a legacy of historic activities undertaken by previous landowners.</p> <p>Management will be specific to the site and will be determined by the following factors:</p> <ul style="list-style-type: none"> (a) the type of contaminants; (b) the degree of contamination; (c) the availability and practicality of appropriate technology for management, including recognition of technical and financial constraints; (d) existing and likely future uses of the site; (e) surrounding land uses; (f) national standards, guidelines, or both; and (g) the potential for adverse environmental and public health effects, including the potential for off-site or downstream effects. 		
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<p>In the worst case scenario, where the nature of the soil contaminants represents a significant hazard, where there are pathways for the contaminants to enter into the surrounding environment and where there are sensitive receptors in that environment, remediation of the site may be required.</p>		
<p>3. Rural Environment Zone</p>		
<p>Volume 2 Rural Environment Zone Page 3-1</p> <p>3.1 Permitted Activities 3.1.1 Farming. 3.1.23 Application of fertiliser or lime into or onto land. 3.1.28 Discharge of dairy farm effluent onto or into land.</p>	<p>Support in part.</p> <p>FANZ supports providing for farming and the application of fertiliser or lime as a permitted activity.</p>	<p>Retain Rules 3.1.1 , 3.1.23 and 3.1.28</p>
<p>Volume 2 Rural Environment Zone Page 3-9</p> <p>Standards that apply to specific permitted activities</p> <p>3.3.1. Farming.</p> <p>3.3.1.1. The farming must not include a dairy farm established after 9 June 2016.</p>	<p>Support in part</p> <p>FANZ is opposed to regulation targeting specific land uses, and prefers to see 'effects' based regulation, but recognises current regulation requires consent for a new dairy farm and this rule represents the status quo until catchment accounting based on the FMU is understood.</p>	<p>Retain Rules 3.3.1.1 as notified but note comments.</p>
<p>Volume 2 Rural Environment Zone Page 3-32 3.6. Discretionary Activities</p>	<p>Oppose.</p> <p>FANZ seeks that the establishment of a new dairy farm should be a Restricted Discretionary Activity. This is an appropriate activity status given that the matters to be considered are well defined and the Council can decline any</p>	<p>3.5 Restricted Discretionary Activities</p> <p>The following activities are Restricted Discretionary Activities <u>3.56.82. Dairy farm established after 9 June 2016 including discharge of dairy effluent.</u></p>

<p>Application must be made for a Discretionary Activity for the following:</p> <p>[R, D]</p> <p>3.6.1. Any activity provided for as a Permitted Activity, Controlled Activity or Restricted Discretionary Activity that does not meet the applicable standards.</p> <p>.....</p> <p>[R]</p> <p>3.6.8. Dairy farm established after 9 June 2016.</p>	<p>application. Matters to be considered include a Farm Management Plan which is considered as good practice and those matters raised in Policy15.1.34 and Rule 3.3.28</p>	<p><u>Council has restricted its discretion to the following matters:</u></p> <p><u>a) The preparation and implementation of a Farm Management Plan as set out in Appendix X.</u></p> <p><u>b) Measures (including fences, bridges or culverts) to prevent stock entering onto or passing across the bed of any river or lake, significant wetland, or any drain or the Drainage Channel Network;</u></p> <p><u>c) provision of an appropriate, non-grazed buffer along the margins of any river, lake, significant wetland, drain or the Drainage Channel Network, to intercept the runoff of contaminants from grazed pasture, with reference to the values of fresh waterbodies as identified in Appendix 5;</u></p> <p><u>d) Manage nutrient discharges demonstrating appropriate controls with a Nutrient Management Plan.</u></p> <p><u>e) There must be an on-site storage system with a minimum of 3 months storage that must be sealed with an impermeable material and certified by a recognised professional.</u></p> <p><u>f) Any discharge of effluent must not:</u></p> <p><u>(i) occur when the soil moisture exceeds field capacity, and</u></p> <p><u>(ii) result in ponding that is detectable beyond 24 hours after the discharge, and</u></p> <p><u>(iii) result in anaerobic soil conditions, and</u></p> <p><u>(iv) be located within:</u></p> <p><u>(a) 20m of a river, lake, Significant Wetland, drainage channel or Drainage Channel Network;</u></p> <p><u>(b) 20m of the boundary of any adjacent land in different ownership;</u></p> <p><u>(c) a Flood Hazard Area.</u></p>
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<p>Volume 2 Rural Environment Zone Page 3-22</p> <p>3.3.23. Application of fertiliser or lime into or onto land. 3.3.23.1. The application of fertiliser must not be applied to a Soil Sensitive Area identified as free-draining soils. 3.3.23.2. Fertiliser must be stored on an impermeable, bunded surface and covered at all times. 3.3.23.3. The application must not result in the fertiliser being deposited in or on a river, lake, Significant Wetland, drainage channel or Drainage Channel Network that contains water.</p>	<p>Support in part.</p> <p>The soil sensitive areas identified as free-draining soils shown on the on-line Overlays maps include some production areas. Therefore it is inappropriate to not enable the use of fertiliser, Rather it is a matter of justification of appropriate rate, type and placement of fertiliser as may be presented in a Farm Management Plan or Nutrient Management Plan.</p> <p>FANZ notes that condition 3.3.23.2 is not about managing the application of fertiliser. It is a matter that is more appropriately managed under the HSNO Act and associated regulations, which provide national consistency and “sets out</p>	<p>Amend 3.3.23 Application of fertiliser or lime into or onto land as follows:</p> <p>3.3.23.1. The application of fertiliser must not be applied to a Soil Sensitive Area identified as free-draining soils, <u>without demonstrating appropriate controls with a Nutrient Management Plan or Farm Management Plan.</u></p> <p>3.3.23.2. Fertiliser <u>storage must comply with the Fertiliser Group Standards:</u></p> <table border="0"> <tr> <td><u>Corrosive</u></td> <td><u>HSR002569</u></td> </tr> <tr> <td><u>Oxidising [5.1.1]</u></td> <td><u>HSR002570</u></td> </tr> <tr> <td><u>Subsidiary Hazard</u></td> <td><u>HSR002571</u></td> </tr> <tr> <td><u>Toxic[6.1C]</u></td> <td><u>HSR002572</u></td> </tr> </table>	<u>Corrosive</u>	<u>HSR002569</u>	<u>Oxidising [5.1.1]</u>	<u>HSR002570</u>	<u>Subsidiary Hazard</u>	<u>HSR002571</u>	<u>Toxic[6.1C]</u>	<u>HSR002572</u>
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<u>Subsidiary Hazard</u>	<u>HSR002571</u>									
<u>Toxic[6.1C]</u>	<u>HSR002572</u>									

<p>3.3.23.4. Total cumulative nitrogen (N) loading on the areal extent of land used for the application must not exceed 200 kg N/ha/year (excluding N from direct animal inputs).</p> <p>3.3.23.5. The application must not occur when the soil moisture exceeds field capacity.</p> <p>3.3.23.6. All reasonable care must be exercised with the application so as to ensure that the fertiliser or lime must not pass beyond the legal boundary of the area of land on which the fertiliser or lime is being applied.</p>	<p><i>conditions that enable a group of hazardous substances to be managed safely”</i></p> <p>Fertiliser stored on farms is generally for a short period prior to application, and banded storage facilities, while appropriate for liquid fertilisers are unnecessary for covered dry, granular fertiliser and impractical for the handling and management of most farm fertilisers, provided Fertiliser Group Standards are complied with. FANZ is also concerned with the use of a blanket limit as an input control under condition 3.3.23.4. It is not an effects based approach. An output (losses) based approach provides for innovation and flexibility in farming systems, while addressing the effects of activities. Whilst FANZ recognises that changing to an output based system would require substantial work and changes to the Plan, it is suggested that the Council collect data on water quality and determine causes of degradation, as well as nutrient losses through the FMP’s before applying controls on nutrient discharges. Where application of nitrogen at greater than 200 kg /ha/yr is warranted, accountability can be provided by the requirement for a Farm or Nutrient Management Plan to demonstrate appropriate use and how potential adverse effects are avoided, remedied or mitigated.</p>	<p><u>Including site and storage conditions for the group standards:</u></p> <p><u>For Oxidising Substances and Organic peroxides (Class 5.1.1 and class5.2) and</u></p> <p><u>For Toxic, Corrosive and Ecotoxic substances.</u></p> <p>must be stored on an impermeable, banded surface and covered at all times.</p> <p>3.3.23.3. The application must not result in the fertiliser being deposited in or on a river, lake, Significant Wetland, drainage channel or Drainage Channel Network that contains water.</p> <p>3.3.23.4. Total cumulative nitrogen (N) loading on the areal extent of land used for the application must not exceed 200 kg N/ha/year (excluding N from direct animal inputs) <u>unless there is provision to manage nutrient discharges demonstrating appropriate controls with a Farm or Nutrient Management Plan to be provided to the Council.</u></p> <p>3.3.23.5. The application must not occur when the soil moisture exceeds field capacity.</p> <p>3.3.23.6. All reasonable care must be exercised with the application so as to ensure that the fertiliser or lime must not pass beyond the legal boundary of the area of land on which the fertiliser or lime is being applied.</p>
<p>Volume 2 Rural Environment Zone Page 3-24</p>	<p>Support in part.</p> <p>FANZ reiterates its concerns with an input based process not being effects based.</p>	<p>For clarity amend Rule 3.3.28 as follows:</p> <p>3.3.28.1. The discharge must not occur into or onto a Soil Sensitive <u>Area without demonstrating appropriate controls with a</u></p>

<p>3.3.28. Discharge of dairy farm effluent into or onto land.</p> <p>3.3.28.1. The discharge must not occur into or onto a Soil Sensitive Area.</p> <p>3.3.28.2. The discharge must not occur within:</p> <p>(a) 50m of a bore unless the bore intercepts the confined layer of Riverlands FMU or the confined layer of the Wairau Aquifer FMU.</p> <p>(b) 20m of a river, lake, Significant Wetland, drainage channel or Drainage Channel Network;</p> <p>(c) 10m of the boundary of any adjacent land in different ownership.</p> <p>3.3.28.3. A high rate discharge system must not be used to discharge onto land with an average slope of 7° or greater, and the slope must not exceed 11.3° (1:5) at any point.</p> <p>3.3.28.4. The discharge must not occur when the soil moisture exceeds field capacity.</p> <p>3.3.28.5. Ponding must not be detectable beyond 24 hours after the discharge.</p> <p>3.3.28.6. The discharge must not result in anaerobic soil conditions.</p> <p>3.3.28.7. The total cumulative nitrogen (N) loading from all discharges on the areal extent of land to be used for the discharge must not exceed 200kg N/hectare/year (excluding N from direct animal inputs).</p> <p>3.3.28.8. For a new dairy farm established after 9 June 2016, there must be an on-site storage system with a minimum of 3 months storage or, if less than 3 months, the storage capacity must be certified by a recognised professional as being sufficient to allow for discharges to be deferred so that standards 3.3.28.4, 3.3.28.5 and 3.3.28.6 are not breached. The certification must be provided to the Council prior to effluent entering the storage system.</p> <p>3.3.28.9. For a new dairy farm established after 9 June 2016, the storage system must be sealed</p>		<p><u>Nutrient Management Plan or Farm Management Plan.</u></p> <p>3.3.28.2. The discharge must not occur within:</p> <p>(a) 50m of a bore unless the bore intercepts the confined layer of Riverlands FMU or the confined layer of the Wairau Aquifer FMU.</p> <p>(b) 20m of a river, lake, Significant Wetland, drainage channel or Drainage Channel Network;</p> <p>(c) 10m of the boundary of any adjacent land in different ownership.</p> <p>3.3.28.3. A high rate discharge system must not be used to discharge onto land with an average slope of 7° or greater, and the slope must not exceed 11.3° (1:5) at any point.</p> <p>3.3.28.4. The discharge must not occur when the soil moisture exceeds field capacity.</p> <p>3.3.28.5. Ponding must not be detectable beyond 24 hours after the discharge.</p> <p>3.3.28.6. The discharge must not result in anaerobic soil conditions.</p> <p>3.3.28.7. The total cumulative nitrogen (N) loading from all discharges on the areal extent of land to be used for the discharge must not exceed 200kg N/hectare/year (excluding N from direct animal inputs) <u>unless there is provision to manage nutrient discharges demonstrating appropriate controls with a Farm or Nutrient Management Plan to be provided to the Council.</u></p> <p>3.3.28.8. For a new dairy farm established after 9 June 2016 <u>and from 9 June 2019, for a dairy farm existing at 9 June 2016, the following standards apply:</u></p> <p><u>3.3.28.8.1</u> there must be an on-site storage system with a minimum of 3 months storage</p>
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<p>with an impermeable material certified by a recognised professional.</p> <p>3.3.28.10. For a new dairy farm established after 9 June 2016, the storage system must not be located within:</p> <p>(a) 20m of a river, lake, Significant Wetland, drainage channel or Drainage Channel Network;</p> <p>(b) 20m of the boundary of any adjacent land in different ownership;</p> <p>(c) a Flood Hazard Area.</p> <p>3.3.28.11. From 9 June 2019, Standards 3.3.28.8, 3.3.28.9 and 3.3.28.10 apply to a dairy farm existing at 9 June 2016 and a new dairy farm established after 9 June 2016.</p>		<p>or, if less than 3 months, the storage capacity must be certified by a recognised professional as being sufficient to allow for discharges to be deferred so that standards 3.3.28.4, 3.3.28.5 and 3.3.28.6 are not breached. The certification must be provided to the Council prior to effluent entering the storage system.</p> <p>3.3.28.9 8.2. For a new dairy farm established after 9 June 2016, the storage system must be sealed with an impermeable material certified by a recognised professional.</p> <p>3.3.28.10 8.3. For a new dairy farm established after 9 June 2016, the storage system must not be located within:</p> <p>(a) 20m of a river, lake, Significant Wetland, drainage channel or Drainage Channel Network;</p> <p>(b) 20m of the boundary of any adjacent land in different ownership;</p> <p>(c) a Flood Hazard Area.</p> <p>3.3.28.11. From 9 June 2019, Standards 3.3.28.8, 3.3.28.9 and 3.3.28.10 apply to a dairy farm existing at 9 June 2016 and a new dairy farm established after 9 June 2016.</p>
<p>Coastal Environment Zone</p>		
<p>Volume 2 Coastal Environment Zone Page 4-1</p> <p>4.1 Permitted Activities 4.1.1 Farming. 4.1.22 Application of fertiliser or lime into or onto land. 4.1.27 Discharge of dairy farm effluent onto or into land.</p>	<p>FANZ supports providing for farming and the application of fertiliser or lime as a permitted activity.</p> <p>FANZ also seeks that the establishment of a new dairy farm should be a Restricted Discretionary Activity. This is an appropriate activity status given that the matters to be considered are well defined and the Council can decline any application.</p>	<p>Retain Rules 4.1.1 and 4.1.22 Amend Rule 4.1.27 as follows: Discharge of dairy farm effluent onto or into land, <u>except for new dairy farms provided for under Rule 4.5.3.</u> Retain Rules 3.3.1.1 as notified.</p> <p>4.5 Restricted Discretionary Activities The following activities are Restricted Discretionary Activities</p>

<p>Volume 2 Coastal Environment Zone Page 4-7</p> <p>4.3 Standards that apply to specific permitted activities 4.3.1. Farming. 4.3.1.1. The farming must not include a dairy farm established after 9 June 2016</p>	<p>Matters to be considered include a Farm Management Plan which is considered as good practice and those matters raised in Policy 15.1.34 and Rule 3.3.28</p>	<p><u>4.5.3. Dairy farm established after 9 June 2016 including discharge of dairy effluent.</u></p> <p><u>Council has restricted its discretion to the following matters:</u></p> <p><u>a) The preparation and implementation of a Farm Management Plan as set out in Appendix X.</u></p> <p><u>b) Measures (including fences, bridges or culverts) to prevent stock entering onto or passing across the bed of any river or lake, significant wetland, or any drain or the Drainage Channel Network;</u></p> <p><u>c) provision of an appropriate, non-grazed buffer along the margins of any river, lake, significant wetland, drain or the Drainage Channel Network, to intercept the runoff of contaminants from grazed pasture, with reference to the values of fresh waterbodies as identified in Appendix 5;</u></p> <p><u>d) Manage nutrient discharges demonstrating appropriate controls with a Nutrient Management Plan.</u></p> <p><u>e) There must be an on-site storage system with a minimum of 3 months storage that must be sealed with an impermeable material and certified by a recognised professional.</u></p> <p><u>f) Any discharge of effluent must not:</u></p>
<p>Volume 2 Coastal Environment Zone Page 4-26</p> <p>4.6. Discretionary Activities Application must be made for a Discretionary Activity for the following: [R, D] 4.6.1. Any activity provided for as a Permitted Activity, Controlled Activity or Restricted Discretionary Activity that does not meet the applicable standards. [R] 4.6.8. Dairy farm established after 9 June 2016.</p>		<p><u>(i) occur when the soil moisture exceeds field capacity, and</u></p> <p><u>(ii) result in ponding that is detectable beyond 24 hours after the discharge, and</u></p> <p><u>(iii) result in anaerobic soil conditions, and</u></p> <p><u>(iv) be located within:</u></p> <p><u>(a) 20m of a river, lake, Significant Wetland, drainage channel or Drainage Channel Network;</u></p>

		<p><u>(b) 20m of the boundary of any adjacent land in different ownership;</u> <u>(c) a Flood Hazard Area.</u> <u>The certification must be provided to the Council prior to effluent entering the storage system.</u> <u>g) Demonstration of appropriate separation distances between effluent storage ponds and any surface waterbodies to ensure contamination of water does not occur (including during flood events).</u></p> <p>4.6. Discretionary Activities Application must be made for a Discretionary Activity for the following: [R, D] 4.6.1. Any activity provided for as a Permitted Activity, Controlled Activity or Restricted Discretionary Activity that does not meet the applicable standards. [R] 4.6.8. Dairy farm established after 9 June 2016</p>								
<p>Volume 2 Coastal Environment Zone Page 4-17</p> <p>4.3.22. Application of fertiliser or lime into or onto land. 4.3.22.1. Fertiliser must be stored on an impermeable, bunded surface and covered at all times. 4.3.22.2. The application must not result in the fertiliser being deposited in or on a river, lake, Significant Wetland or drainage channel that contains water.</p>	<p>Support in part.</p> <p>FANZ notes that condition 4.3.22.1 is not about managing the application of fertiliser. It is a matter that is more appropriately managed under the HSNO Act and associated regulations, which provide national consistency and : “sets out conditions that enable a group of hazardous substances to be managed safely.” Fertiliser stored on farms is generally for a short period prior to application, and bunded storage facilities, while appropriate for pooling substances are unnecessary for covered dry, granular fertiliser and impractical for the</p>	<p>Amend 4.3.22 Application of fertiliser or lime into or onto land as follows:</p> <p>4.3.22.1. Fertiliser storage must comply with the <u>Fertiliser Group Standards:</u></p> <table border="1"> <tr> <td><u>Corrosive</u></td> <td><u>HSR002569</u></td> </tr> <tr> <td><u>Oxidising [5.1.1]</u></td> <td><u>HSR002570</u></td> </tr> <tr> <td><u>Subsidiary Hazard</u></td> <td><u>HSR002571</u></td> </tr> <tr> <td><u>Toxic[6.1C]</u></td> <td><u>HSR002572</u></td> </tr> </table> <p><u>Including site and storage conditions for the group standards:</u></p>	<u>Corrosive</u>	<u>HSR002569</u>	<u>Oxidising [5.1.1]</u>	<u>HSR002570</u>	<u>Subsidiary Hazard</u>	<u>HSR002571</u>	<u>Toxic[6.1C]</u>	<u>HSR002572</u>
<u>Corrosive</u>	<u>HSR002569</u>									
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<u>Subsidiary Hazard</u>	<u>HSR002571</u>									
<u>Toxic[6.1C]</u>	<u>HSR002572</u>									

<p>4.3.22.3. Total cumulative nitrogen (N) loading on the areal extent of land used for the application must not exceed 200 kg N/ha/year (excluding N from direct animal inputs).</p> <p>4.3.22.4. The application must not occur when the soil moisture exceeds field capacity.</p> <p>4.3.22.5. All reasonable care must be exercised with the application so as to ensure that the fertiliser or lime must not pass beyond the legal boundary of the area of land on which the fertiliser or lime is being applied.</p>	<p>handling and management of most farm fertilisers, provided Fertiliser Group Standards are complied with.</p> <p>FANZ is also concerned with the use of a blanket limit as an input control. It is not an effects based approach. An output (losses) based approach provides for innovation and flexibility in farming systems, while addressing the effects of activities.</p> <p>Whilst FANZ recognises that changing to an output based system would require substantial work and changes to the Plan, it is suggested that the Council collect data on water quality and determine causes of degradation, as well as nutrient losses through the FMP's before applying controls on nutrient discharges. Where application of nitrogen at greater than 200 kg /ha/yr is warranted accountability can be provided by the requirement for a Farm or Nutrient Management Plan to demonstrate appropriate use and how potential adverse effects are avoided, remedies or mitigated.</p>	<p><u>For Oxidising Substances and Organic peroxides (Class 5.1.1 and class5.2) and</u></p> <p><u>For Toxic, Corrosive and Ecotoxic substances</u></p> <p>must be stored on an impermeable, bunded surface and covered at all times.</p> <p>4.3.22.2. The application must not result in the fertiliser being deposited in or on a river, lake, Significant Wetland or drainage channel that contains water.</p> <p>4.3.22.3. Total cumulative nitrogen (N) loading on the areal extent of land used for the application must not exceed 200 kg N/ha/year (excluding N from direct animal inputs) <u>unless here is provision to manage nutrient discharges demonstrating appropriate controls with a Farm or Nutrient Management Plan to be provided to the Council.</u></p> <p>4.3.22.4. The application must not occur when the soil moisture exceeds field capacity.</p> <p>4.3.22.5. All reasonable care must be exercised with the application so as to ensure that the fertiliser or lime must not pass beyond the legal boundary of the area of land on which the fertiliser or lime is being applied.</p>
<p>Volume 2 Coastal Environment Zone Page 4-18-19</p> <p>4.3.27. Discharge of dairy farm effluent into or onto land.</p> <p>4.3.27.1. The discharge must not occur within: (a) 50m of a bore;</p>	<p>Support in part.</p> <p>FANZ reiterates its concerns with an input based process and that given Proposed Rule 4.5.3, this rule does not need to refer to new dairy farms.</p>	<p>For clarity amend Rule 4.3.27 as follows:</p> <p>4.3.27.1. The discharge must not occur within: (a) 50m of a bore; (b) 20m of a river, lake, Significant Wetland or drainage channel; (c) 10m of the boundary of any adjacent land in different ownership.</p>

<p>(b) 20m of a river, lake, Significant Wetland or drainage channel; (c) 10m of the boundary of any adjacent land in different ownership. 4.3.27.2. A high rate discharge system must not be used to discharge onto land with an average slope of 7° or greater, and the slope must not exceed 11.3° (1:5) at any point. 4.3.27.3. The discharge must not occur when the soil moisture exceeds field capacity. 4.3.27.4. Ponding must not be detectable beyond 24 hours after the discharge. 4.3.27.5. The discharge must not result in anaerobic soil conditions. 4.3.27.6. The total cumulative nitrogen (N) loading from all discharges on the areal extent of land to be used for the discharge must not exceed 200kg N/hectare/year (excluding N from direct animal inputs). 4.3.27.7. For a new dairy farm established after 9 June 2016, there must be an on-site storage system with a minimum of 3 months storage or, if less than 3 months, the storage capacity must be certified by a recognised professional as being sufficient to allow for discharges to be deferred so that Standards 4.3.27.3, 4.3.27.4 and 4.3.27.5 are not breached. The certification report must be provided to the Council prior to effluent entering the storage system. 4.3.27.8. For a new dairy farm established after 9 June 2016, the storage system must be sealed with an impermeable material certified by a recognised professional. 4.3.27.9. For a new dairy farm established after 9 June 2016, the storage system must not be located within:</p> <p>(a) 20m of a river, lake, Significant Wetland or drainage channel;</p>		<p>4.3.27.2. A high rate discharge system must not be used to discharge onto land with an average slope of 7° or greater, and the slope must not exceed 11.3° (1:5) at any point. 4.3.27.3. The discharge must not occur when the soil moisture exceeds field capacity. 4.3.27.4. Ponding must not be detectable beyond 24 hours after the discharge. 4.3.27.5. The discharge must not result in anaerobic soil conditions. 4.3.27.6. The total cumulative nitrogen (N) loading from all discharges on the areal extent of land to be used for the discharge must not exceed 200kg N/hectare/year (excluding N from direct animal inputs) <u>unless here is provision to manage nutrient discharges demonstrating appropriate controls with a Farm or Nutrient Management Plan to be provided to the Council.</u> 4.3.27.7. For a new dairy farm established after 9 June 2016 <u>and from 9 June 2019, for a dairy farm existing at 9 June 2016, the following standards apply:</u> 4.3.27.7.1 there must be an on-site storage system with a minimum of 3 months storage or, if less than 3 months, the storage capacity must be certified by a recognised professional as being sufficient to allow for discharges to be deferred so that standards 4.3.27.3, 4.3.27.4 and 4.3.27.5 are not breached. The certification must be provided to the Council prior to effluent entering the storage system. 4.3.27.9 <u>7.2.</u> For a new dairy farm established after 9 June 2016, the storage system must be sealed with an impermeable material certified by a recognised professional.</p>
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<p>(b) 20m of the boundary of any adjacent land in different ownership; (c) a Flood Hazard Area.</p> <p>4.3.27.10. From 9 June 2019, Standards 4.3.27.7, 4.3.27.8 and 4.3.27.9 apply to a dairy farm existing at 9 June 2016 and a new dairy farm established after 9 June 2016.</p>		<p>4.3.27.10.7.3. For a new dairy farm established after 9 June 2016, the storage system must not be located within:</p> <p>(a) 20m of a river, lake, Significant Wetland, drainage channel or Drainage Channel Network; (b) 20m of the boundary of any adjacent land in different ownership; (c) a Flood Hazard Area.</p> <p>3.3.28.11. From 9 June 2019, Standards 3.3.28.8, 3.3.28.9 and 3.3.28.10 apply to a dairy farm existing at 9 June 2016 and a new dairy farm established after 9 June 2016.</p>
<p>8. Rural Living Zone</p>		
<p>Volume 2 Rural Living Zone Page 8-1</p> <p>8.1 Permitted Activities 8.1.7 Farming.</p>	<p>Support.</p> <p>The land parcels identified on the on-line Environment Plan maps are relatively few in number and cover a small area. FANZ notes that the application of fertiliser and establishing a dairy farm or pig farm after 9 June 2016 would be a Discretionary Activity in this zone. It is assumed this is because the Rural Living Zone is essentially a residential zone or transitional zone and dairy and pig farming could result in reverse sensitivity effects.</p>	<p>Retain Rules 8.1.7 and 8.3.6 and 8.4.6 as notified.</p>
<p>Volume 2 Rural Living Zone Page 8-6</p> <p>8.3 Standards that apply to specific permitted activities 8.3.6. Farming. 8.3.6.1. The farming must not include a dairy farm or a pig farm established after 9 June 2016</p>		
<p>Volume 2 Rural Living Zone Page 8-11</p> <p>8.4. Discretionary Activities Application must be made for a Discretionary Activity for the following:</p>		

<p>[R, D] 8.4.1. Any activity provided for as a Permitted Activity, Controlled Activity or Restricted Discretionary Activity that does not meet the applicable standards. [R] 8.4.6. Any use of land not provided for as a Permitted Activity or limited as a Prohibited Activity.</p>		
<p>19. Open Space 3 Zone</p>		
<p>Volume 2 Open Space 3 Zone Page 19-1 19.1 Permitted Activities 19.1.10 Farming. 19.1.19 Application of fertiliser or lime into or onto land.</p>	<p>Support. FANZ understands that the Open Space 3 Zone provides for conservation purposes and applies to open space intended to be retained largely in its natural state. To establish a dairy farm or a pig farm and the application of fertiliser that does not meet the permitted activity standards would be Discretionary Activities. FANZ supports this as appropriate in the Open Space 3 Zone.</p>	<p>Retain Rules 19.1.10, 19.1.19, 19.3.8.1, 19.4.1 and 19.4.2 as notified.</p>
<p>Volume 2 Open Space 3 Zone Page 19-8 Standards that apply to specific permitted activities 19.3.8. Farming. 19.3.8.1. The farming must not include a dairy farm or a pig farm established after 9 June 2016.</p>		
<p>Volume 2 Open Space 3 Zone Page 19-13 19.4. Discretionary Activities Application must be made for a Discretionary Activity for the following: [R, D]</p>		

<p>19.4.1. Any activity provided for as a Permitted Activity, Controlled Activity or Restricted Discretionary Activity that does not meet the applicable standards.</p> <p>.....</p> <p>[R]</p> <p>19.4.2. Any use of land not provided for as a Permitted Activity or limited as a Prohibited Activity.</p>										
<p>Volume 2 Open Space 3 Zone Page 19-11</p> <p>19.3.17. Application of fertiliser or lime into or onto land.</p> <p>19.3.17.1. The application of fertiliser must not be applied to a Soil Sensitive Area identified as free-draining soils.</p> <p>19.3.17.2. Fertiliser must be stored on an impermeable, bunded surface and covered at all times.</p> <p>19.3.17.3. The application must not result in the fertiliser being deposited in or on a river, lake, Significant Wetland, drainage channel or Drainage Channel Network that contains water.</p> <p>19.3.17.4. Total cumulative nitrogen (N) loading on the areal extent of land used for the application must not exceed 200 kg N/ha/year (excluding N from direct animal inputs).</p> <p>19.3.17.5. The application must not occur when the soil moisture exceeds field capacity.</p> <p>19.3.17.6. All reasonable care must be exercised with the application so as to ensure that the fertiliser or lime must not pass beyond the legal boundary of the area of land on which the fertiliser or lime is being applied.</p>	<p>Support in part.</p> <p>FANZ notes that condition 19.3.17.2 is not about managing the application of fertiliser. It is a matter that is more appropriately managed under the HSNO Act and associated regulations, which provide national consistency and “sets out conditions that enable a group of hazardous substances to be managed safely”</p> <p>Fertiliser stored on farms is generally for a short period prior to application, and bunded storage facilities, while appropriate for pooling substances are unnecessary for covered dry, granular fertiliser and impractical for the handling and management of most farm fertilisers, provided Fertiliser Group Standards are complied with.</p> <p>FANZ is also concerned with the use of a blanket limit an input control. . It is not an effects based approach. An output based approach provides for innovation and flexibility in farming systems, while addressing the effects of activities.</p> <p>Whilst FANZ recognises that changing to an output based system would require substantial work and changes to the Plan, it is suggested that the Council collect data on water quality and</p>	<p>Amend 19.3.17 Application of fertiliser or lime into or onto land as follows:</p> <p>19.3.17.1. The application of fertiliser must not be applied to a Soil Sensitive Area identified as free-draining soils, <u>without demonstrating appropriate controls with a Nutrient Management Plan</u></p> <p>19.3.17.2. Fertiliser <u>storage must comply with the Fertiliser Group Standards:</u></p> <table border="1" data-bbox="1489 810 1926 938"> <tr> <td>Corrosive</td> <td>HSR002569</td> </tr> <tr> <td>Oxidising [5.1.1]</td> <td>HSR002570</td> </tr> <tr> <td>Subsidiary Hazard</td> <td>HSR002571</td> </tr> <tr> <td>Toxic[6.1C]</td> <td>HSR002572</td> </tr> </table> <p><u>Including site and storage conditions for the group standards:</u></p> <p><u>For Oxidising Substances and Organic peroxides (Class 5.1.1 and class5.2) and</u></p> <p><u>For Toxic, Corrosive and Ecotoxic substances.</u></p> <p>must be stored on an impermeable, bunded surface and covered at all times.</p> <p>19.3.17.3. The application must not result in the fertiliser being deposited in or on a river, lake, Significant Wetland, drainage channel</p>	Corrosive	HSR002569	Oxidising [5.1.1]	HSR002570	Subsidiary Hazard	HSR002571	Toxic[6.1C]	HSR002572
Corrosive	HSR002569									
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Subsidiary Hazard	HSR002571									
Toxic[6.1C]	HSR002572									

	determine causes of degradation, as well as nutrient losses through the FMP's before applying controls on nutrient losses.	<p>or Drainage Channel Network that contains water.</p> <p>19.3.17.4. Total cumulative nitrogen (N) loading on the areal extent of land used for the application must not exceed 200 kg N/ha/year (excluding N from direct animal inputs) <u>unless here is provision to manage nutrient discharges demonstrating appropriate controls with a Farm or Nutrient Management Plan to be provided to the Council.</u></p> <p>19.3.17.5. The application must not occur when the soil moisture exceeds field capacity.</p> <p>19.3.17.6. All reasonable care must be exercised with the application so as to ensure that the fertiliser or lime must not pass beyond the legal boundary of the area of land on which the fertiliser or lime is being applied.</p>
25. Definitions		
Volume 2 Definitions	New	<p>FANZ seeks that a definition of Certified Nutrient Management Adviser be included in the Plan.</p> <p><u>Certified Nutrient Management Adviser means a Nutrient Management Advisor certified under the Nutrient Manager Adviser Certification Programme Ltd.</u></p>
Volume 2 Definitions Page 25-8 Farming means a land based activity, having as its primary purpose the commercial production and sale of any livestock or vegetative matter. Farming does not include intensive farming, forestry, and in the	Support.	Retain the definition of 'farming' as notified.

<p>case of vegetative matter, does not include the processing of farm produce beyond cutting, cleaning, grading, chilling, freezing, packaging and storage of produce grown on the farming unit.</p>		
<p>Volume 2 Definitions Page 25-1</p> <p>FMU means Freshwater Management Unit.</p> <p>Freshwater Management Unit (FMU) as mapped on the Freshwater Management Unit Maps 1 to 5.</p>	<p>Oppose.</p> <p>FANZ seeks that there is one definition of FMU set by the NPSFM, and the term should be more clearly defined.</p>	<p>FMU means Freshwater Management Unit.</p> <p>Freshwater Management Unit (FMU) as mapped on the Freshwater Management Unit Maps 1 to 5.</p> <p>Freshwater Management Unit (FMU) A Freshwater Management Unit can be a water body, multiple water bodies or any part of a water body that is an appropriate spatial scale for setting freshwater objectives and limits and for freshwater accounting and management purposes.</p> <p>FMU's are mapped on the Freshwater Management Unit Maps 1 to 5.</p>
<p>Volume 2 Definitions</p>	<p>New</p>	<p>FANZ seeks that a definition of Good Management Practice is included in the Plan.</p> <p><u>Good Management Practice Practices, procedures or use of tools which are effective at achieving the desired performance while providing for environmental responsibility. Good management practice evolves through time and results in continuous improvement as new information, technology and awareness of particular issues are developed and disseminate. For example the Industry Agreed Good Management Practices prepared by the Canterbury Regional Council: http://ecan.govt.nz/GET-INVOLVED/MGMPROJECT/Pages/matrix-good-management.aspx.</u></p>

<p>Appendix 4 Criteria for Determining Significant Adverse Effects</p> <p>The criteria below assists in determining whether a subdivision, use or development proposal will have significant adverse effects. The criteria shall be applied by the decision maker on resource consents or plan changes.</p> <ol style="list-style-type: none"> 1. Character and degree of modification, damage, loss or destruction; 2. Duration and frequency of effect (for example long-term or recurring effects); 3. Magnitude or scale of effect (for example number of sites affected, spatial distribution, landscape context); 4. Irreversibility of effect (for example loss of unique or rare features, limited opportunity for remediation, the costs and technical feasibility of remediation or mitigation); 5. Resilience of heritage value or place to change (for example ability of feature to assimilate change, vulnerability of feature to external effects). 	<p>Oppose.</p> <p>In FANZ's opinion these are matters that would be considered when assessing any application. It does not provide for a determination of significance.</p> <p>FANZ seeks that Appendix 4 is deleted.</p>	<p>Delete Appendix 4</p>
<p>New appendix</p>	<p>Include an example of a Farm Management Plan as an appendix to the Plan.</p>	<p>See attached.</p>

Appendix X – Farm Management Plan Requirements

Part A – Farm Management Plans

A Farm Management Plan can be based on either of:

1. The material set out in Part B below;

OR

2. Industry prepared Farm Management Plan templates and guidance material that:

(a) Include the following minimum components:

(i) The matters set out in 1, 2, and 3 of Part B below;

(ii) Contains a methodology that will enable development of a plan that will identify actual and potential environmental effects and risks specific to the property, addresses those effects and risks and has a high likelihood of appropriately avoiding, remedying or mitigating those effects;

(iii) Performance measures that are capable of being audited; and

(b) Has been approved as meeting the criteria in (a) and being acceptable to the Marlborough District Council by the Chief Executive of the Marlborough District Council.

Part B – Farm Management Plan Default Content

The plan requirements will apply to:

1. a plan prepared for an individual property or farm enterprise; or
2. a plan prepared for an individual property which is part of a collective of properties, including an irrigation scheme, principal water supplier, or an Industry Certification Scheme.

The plan shall contain as a minimum:

1. Property or farm enterprise details

(a) Physical address

(b) Description of the ownership and name of a contact person

(c) Legal description of the land and farm identifier

2. A map(s) or aerial photograph at a scale that clearly shows:

(a) The boundaries of the property or land areas comprising the farm enterprise.

(b) The boundaries of the main land management units on the property or within the farm enterprise.

(c) The location of permanent or intermittent rivers, streams, lakes, drains, ponds or wetlands.

(d) The location of riparian vegetation and fences adjacent to water bodies.

(e) The location on all waterways where stock access or crossing occurs.

(f) The location of any areas within or adjoining the property that are identified in a District Plan as “significant indigenous biodiversity”.

3. A list of all Marlborough District Council resource consents held for the property or farm enterprise.

4. An assessment of the adverse environmental effects and risks associated with the farming activities and how the identified effects and risks will be managed, including irrigation, application of nutrients, effluent application, stock exclusion from waterways, offal pits and farm rubbish pits.

5. A description of how each of the following objectives will, where relevant, be met.

- (a) Nutrient management: To provide for sustainable production while minimising nutrient losses to water
- (b) Irrigation management: To operate irrigation systems efficiently and ensuring that the actual use of water is monitored and is efficient.
- (c) Soils management: To maintain or improve the physical and biological condition of soils in order to minimise the movement of sediment, phosphorus and other contaminants to waterways.
- (d) Collected animal effluent management: To manage the risks associated with the operation of effluent systems to ensure effluent systems are compliant 365 days of the year.
- (e) Livestock management: To manage wetlands and water bodies so that stock are excluded as far as practicable from water, to avoid damage to the bed and margins of a waterbody, and to avoid the direct input of nutrients, sediment, and microbial pathogens.
- (f) Offal pits: To manage the numbers and locations of pits to minimise risks to health and water quality.

The plan shall include for each objective in 5 above;

- (a) detail commensurate with the scale of the environmental effects and risks;
- (b) defined measurable targets that clearly set a pathway and timeframe for achievement
- (c) a description of the good management practices together with actions required
- (d) the records required to be kept for measuring performance and achievement of the target.

Part C – Farming Information

Information to inform development of the Farm Management Plan includes, the following:

1. Information detailing:

- (a) The site area to which the farming activity relates;
- (b) Monthly stocking rates (numbers, types and classes) including breakdown by stock class;
- (c) Annual yield of arable or horticultural produce;
- (d) A description of the farm management practices used on each block including:
 - (i) Ground cover – pasture, crops, fodder crops, non-grazed areas (including forestry, riparian and tree areas) and any crop rotation;
 - (ii) Stock management – lambing/calving/fawning dates and percentages, any purchases and sales and associated dates, types and age of stock;
 - (iii) Fertiliser application – types and quantities per hectare for each identified block, taking into account any crop rotation;
 - (iv) Quantities of introduced or exported feed;

- (e) Farm animal effluent, pig farm effluent, feed pad and stand-off pad effluent management including:
 - (i) Area of land used for effluent application;
 - (ii) Annual nitrogen loading rate and nitrogen load rate per application;
 - (iii) Instantaneous application rate;
- (f) Irrigation – areas, rates, monthly volumes and system type.

The information is to be collated for the period 1 July to 30 June.