

SUBMISSION ON
VARIATION 1 TO THE PROPOSED WAIKATO REGIONAL PLAN
CHANGE 1 – WAIKATO AND WAIPA RIVER CATCHMENTS

TO: Waikato Regional Council
401 Grey Street
Private Bag 3038
Waikato Mail Centre
HAMILTON 3240
Via email: healthyivers@waikatoregion.govt.nz

SUBMITTER: Ravensdown Limited (**Ravensdown**)
292 Main South Road
PO Box 1059
CHRISTCHURCH 8140
Contact: Anna Wilkes
Environmental Policy Specialist
Mobile: 021 229 0439
Email: anna.wilkes@ravensdown.co.nz

ADDRESS FOR SERVICE: Planz Consultants Limited (**Planz**)
PO Box 1945
CHRISTCHURCH 8140
Contact: Carmen Taylor
Consultant Planner
Mobile: 021 312 781
Email: carmen@planzconsultants.co.nz

1. INTRODUCTION

Ravensdown Limited – Overview and Interests in the Waikato Region

- 1.1 Ravensdown Limited's (**Ravensdown**) submission, dated 8 March 2017, on the Proposed Waikato Regional Plan Change 1 – Waikato and Waipa River Catchments (**PPC1**) outlined an overview of Ravensdown and its interests in the Waikato region. For this reason, this information is not repeated within this submission, although an overview is provided.
- 1.2 Ravensdown, in deciding whether to participate in regional planning processes, considers whether the plan, or in this instance a proposed variation to a proposed plan change, will achieve the purpose of the Resource Management Act 1991 (**RMA**) while also evaluating whether the planning provisions will unduly constrain its own activities (i.e., manufacturing, store sites and quarries) and/or the users of their products.
- 1.3 In this context, the nature of Ravensdown's interests in the Waikato region, include the operation of two limeworks (Supreme Lime, Hangitaki and Te Pahu Manufacturing, Karamu) and eight stores scattered throughout the region. These sites service the fertiliser and agrichemical needs of Ravensdown's shareholders in the region.
- 1.4 Given the nature of Ravensdown's activities in the region, Ravensdown seeks to ensure that Variation 1 to PPC1 (**Variation 1**) promotes the sustainable management of natural and physical resources, in this instance, the water resources within the northeastern portion of the region. This includes the ability to use and develop resources, as well as protecting resources from inappropriate use and development, while ensuring that adverse effects of rural land use activities on water quality are avoided, remedied or mitigated.
- 1.5 In this context, for the same reasons as outlined in the Ravensdown's submission on PPC1, the provisions of Variation 1 are also of interest to Ravensdown. Therefore, in preparing this submission, Ravensdown has focussed on the changes to PPC1 arising from Variation 1 and the implications of those proposed changes in the context of matters raised in the PPC1 submission.

Overview of Submission

- 1.6 As with PPC1, Ravensdown's submission generally supports the intent of Variation 1 (and PPC1) which aims to meet the requirements of the Healthy Rivers Vision and Strategy in relation to the water resources in the northeastern portion of the region.
- 1.7 However, through this submission, Ravensdown also seeks amendments that provide for the continued use and development of the regional rural land resources in a manner that continues to provide for the sustainable management of natural and physical resources, including ensuring that adverse effects on the quality of the region's water resources are avoided, remedied or mitigated.
- 1.8 Ravensdown's submission on Variation 1 is structured as follows:
 - (a) General comments, including the areas of support and an area of concern, are discussed in **Section 2**;
 - (b) Specific submission points on Variation 1 provisions are contained in the table provided in **Attachment A**, along with identification of the nature of Ravensdown's PPC1

submission, where it is considered pertinent to do so, in relation to the PPC1 provision as a whole; and

- (c) A conclusion, including the overarching reasons for the submission, is provided in **Section 3**.

2. GENERAL COMMENTS ON VARIATION 1

Areas of Support

- 2.1 Ravensdown supports the intent of Variation 1 to provide for the continued use and development of rural land, subject to a management framework, in order to ensure that the surface water quality of the northeastern portion of the Waikato River is safeguarded. The overall approach of Variation 1 is supported, subject to amendments to address the matters raised in this submission.
- 2.2 In relation to Variation 1, Ravensdown supports:
 - (a) Proposed Objective 6 which aims to reduce contaminant loads entering Whangamarino Wetland, an internationally significant bog ecosystem;
 - (b) The policy framework contained in Policies 8 and 15 and the approach outlined in Method 3.11.4.4, subject to amendments for the purposes of clarity, in terms of the resource management approach to be implemented to achieve the goal of Objective 6; and
 - (c) The timeframe extensions to reflect the extended timeframe that now applies to PPC1.

General Area of Concern - National Availability of Experts

- 2.3 Since preparing its PPC1 submission, Ravensdown has become aware of concerns within the industry about the potential that there will be not be enough expert resources available to meet the certification requirements and deliver on OVERSEER modelling for nutrient budgets and Farm Environment Plan (**FEP**) development. The constraints on resources are compounded by similar timeframes and requirements arising out of various regional plans coming into effect throughout New Zealand.
- 2.4 While this potential issue may have implications for the effective implementation of Variation 1 and PPC1, Ravensdown has not requested further timeframe extensions in this Variation 1 submission. This is because Ravensdown considers that it is important that the PPC1 policy driver to restore and protect surface water quality in the region both in the short-term and long-term (80-years), in general accordance with the methods outlined in PPC1, are achieved.
- 2.5 However, as a general submission point, Ravensdown have taken this opportunity to identify the potential national constraints on the availability of technical personnel available to deliver on the some of the requirements of PPC1.

3. CONCLUSION

- 3.1 Ravensdown generally supports Variation 1 to PPC1, subject to the amendments requested within the submission points contained in **Attachment A**. In relation to the provisions that

Ravensdown has raised concerns about within its submission points, those provisions require amendment because, without amendment, those provisions:

- (a) will not promote sustainable management of resources and will not achieve the purpose of the RMA;
- (b) are contrary to Part 2 and other provisions of the RMA;
- (c) will not enable the social and economic well-being of the community of the Waikato region;
- (d) will not meet the reasonably foreseeable needs of future generations;
- (e) will not achieve integrated management of the effects of the use, development or protection of the land and water resources of the Waikato and Waipa River catchments;
- (f) will not enable the efficient use and development of Ravensdown's assets and operations, and of those resources which are dependent on, or benefit from, Ravensdown's assets and operations; and
- (g) do not represent the most appropriate means of exercising Council's functions, having regard to the efficiency and effectiveness of the provisions relative to other means.

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

3.3 Ravensdown wishes **to be heard** in support of this submission.

3.4 If others are making a similar submission, Ravensdown will consider presenting a joint case with them at the hearing.

Date: 14 May 2018



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Carmen Taylor

Consultant Planner

Authorised to sign this submission on behalf of Ravensdown Limited

ATTACHMENT A – RAVENSDOWN LIMITED’S SUBMISSIONS ON VARIATION 1 TO THE PROPOSED WAIKATO REGIONAL PLAN CHANGE 1 – WAIKATO AND WAIPA RIVER CATCHMENTS

Please note, the first page reference provided in the following table is that provided in the table in Variation 1 and the second reference, contained in brackets, is the page that the provision is on in “*Supporting Document Incorporating Variation 1 Amendments to Proposed Waikato Regional Plan Change 1 – Waikato and Waipa River Catchments*”.

SUB. REF.	PLAN PROVISION	PAGE	SUPPORT / OPPOSE	COMMENTS	RELIEF SOUGHT
Part A - Section 3.11.2 – Objectives/Nga Whaingā					
1	Objective 6 - Whangamarino Wetland	28 (32)	Support	Whangamarino Wetland, as stated in the reasons for adopting the objective, is a bog ecosystem recognised as a RAMSAR site of international significance where water quality is declining. This objective seeks to reduce contaminant loads entering the wetland so that in the long term the wetland can be restored. Given the significance of the wetland, this is an appropriate resource management approach.	Retain Objective 6 as notified.
Part A - Section 3.11.3 – Policies/Nga Kaupapa					
2	Policy 8 - Prioritised Implementation	32 (36)	Support in part	Variation 1 proposes including part (c), whereby the Whangamarino Wetland is specifically identified as a priority sub-catchment for the management of land and water resources. Accordingly, Table 3.11-2 identifies the ‘Whangamarino at Jeffries Rd Br’ (Sub-catchment No. 8) as ‘Priority 1’. Given the aim of Objective 6, the inclusion of the wetland in this policy is considered appropriate. In relation to the policy as a whole, Ravensdown’s PPC1 submission supported the policy in part and requested amendments to clarify and focus the policy. The matters raised in Ravensdown’s PPC1 submission continue to apply to Policy 8 as a whole.	Retain Policy 8(c) as notified, while amending Policy 8 in accordance with Ravensdown’s PPC1 submission.

SUB. REF.	PLAN PROVISION	PAGE	SUPPORT / OPPOSE	COMMENTS	RELIEF SOUGHT
3	Policy 15 - Whangamarino Wetland	34 (38)	Support in part	<p>This policy, as drafted, aims to protect and restore the wetland by reducing contaminant discharges into sub-catchments that flow into the wetland so as to reduce and minimise further bog ecosystem loss, increase mahinga kai availability and to support the implementation of a future catchment plan. Broadly speaking, this policy, in terms of establishing the approach to achieving Objective 6 is supported.</p> <p>However, Ravensdown wish to address two matters within this submission.</p> <p>Firstly, Ravensdown considers that the restoration of wetland, as stated in Objective 6, rather than protection (i.e., in its current state) is the aim of the policy framework that applies to the wetland.</p> <p>Secondly, the policy refers to reducing discharges in the sub-catchments that flow into the wetland. Based on Ravensdown assessment of PPC1, these sub-catchments are not clearly identified within PPC1 (via maps and/or words) and therefore the implications and requirements on resource users are not clearly identified. Ravensdown considers that the focus of this policy, in accordance with Objective 6, should be directly on the wetland.</p>	<p>Amend Policy 15 as follows:</p> <p><i>“Protect and make progress towards restoration of Restore Whangamarino Wetland by reducing the discharge of nitrogen, phosphorus, sediment and microbial pathogens in the sub-catchments that flow into the wetland to: ...</i></p>
Part A - Section 3.11.4 – Implementation methods/Nga tikanga whakarinana					
4	Method 3.11.4.4 – Lakes and Whangamarino Wetland	36 (40)	Support	<p>The proposed amendments to this method identify that Catchment Management Plans are to be developed and implemented for Lake Waikare (Sub-catchment No. 12) and Whangamarino Wetland as a priority. In relation to the wetland, this method is consistent with the policy framework proposed in</p>	<p>Retain Method 3.11.4.4(c) as notified, while:</p> <ul style="list-style-type: none"> • Clarifying within PPC1 the reason for the inclusion of Lake Waikare within this policy; and • Amending Method 3.11.4.4 in accordance with Ravensdown’s PPC1 submission.

SUB. REF.	PLAN PROVISION	PAGE	SUPPORT / OPPOSE	COMMENTS	RELIEF SOUGHT
				<p>Variation 1. However, it is noted that this is the first occasion that Lake Waikare is specifically referred to.</p> <p>In relation to the method as a whole, Ravensdown's PPC1 submission supported the method in part, but requested a definition for Catchment Plans so as to add clarity to the method. The matters raised in Ravensdown's PPC1 submission continue to apply to Method 3.11.4.4 as a whole.</p>	
Part A - Section 3.11.5 – Rules/Nga Ture					
5	Rule 3.11.5.2 – Permitted Activity Rule – Other farming activities	40 (45)	Support	<p>For farming properties greater than 4.1ha that are permitted under this rule, the timeframe for provision of additional information to be provided to Council, which are registered with Council in accordance with Schedule A, has been extended to 30 November 2020 (previously 31 March 2019) in Condition 5. From this date forward the required information must be provided to Council annually. It is understood that this timeframe extension reflects the extended timeframes for deciding on PPC1 as a result of Variation 1. This timeframe extension is therefore logical.</p> <p>In relation to the rule as whole, Ravensdown's PPC1 submission supported the rule in part and sought a number of amendments to the rule, although not to the original Condition 5 timeframe.</p>	Retain the amended timeframe to Condition 5 of Rule 3.11.5.2 as notified, while amending Rule 3.11.5.2 in accordance with Ravensdown's PPC1 submission.
6	Rule 3.11.5.3 – Permitted Activity Rule – Farming activities with a Farm Management Plan under a	41 (46)	Support in part	<p>Variation 1 seeks to extend the timeframes, specified in Condition 5 of this rule, for the provision of Farm Environment Plans (FEP) in response to the extended timeframes for deciding on PPC1. FEP under this permitted activity rule are now required by 1 March 2022 for Priority 1 sub-catchments and 1 March 2025 for Priority 2 sub-catchments. The timeframe for</p>	Retain the amended timeframes contained in Condition 5 of Rule 3.11.5.3 as notified, while amending Rule 3.11.5.3 in accordance with Ravensdown's PPC1 submission.

SUB. REF.	PLAN PROVISION	PAGE	SUPPORT / OPPOSE	COMMENTS	RELIEF SOUGHT
	Certified Industry Scheme			<p>Priority 3 sub-catchments remains unchanged at 1 July 2026. The timeframe extensions to reflect the extended timeframes for deciding on PPC1, given the time delay associated with Variation 1, is logical.</p> <p>In relation to the rule as whole, Ravensdown's PPC1 submission supported and opposed the rule in part and sought a number of amendments to the rule, although not to the original Condition 5 timeframes.</p>	
7	Rule 3.11.5.4 – Controlled Activity Rule – Farming activities with a Farm Environment Plan not under a Certified Industry Scheme	42 & 43 (47 & 48)	Support in part	<p>Similar to the other timeframe amendments, Variation 1 proposes extending the timeframes referred to in Conditions 1 and 2, and the associated matters of control, of this rule. The proposed timeframe extension is logical given the delay with PPC as a result of Variation 1.</p> <p>In relation to the rule as a whole, Ravensdown's PPC1 submission supported the rule in part and sought a number of amendments to the rule, but not to the timeframes specified in Conditions 1 and 2.</p>	<p>Retain the amended timeframes contained in Conditions 1 and 2 of Rule 3.11.5.4, and the associated matters of control, as notified.</p> <p>Also, amend Rule 3.11.5.4 in accordance with Ravensdown's PPC1 submission.</p>
8	Rule 3.11.5.5 – Controlled Activity Rule – Existing commercial vegetation production	44 (50)	Support in part	<p>Similar to the other timeframe amendments, Variation 1 proposes extending the timeframe from which commercial vegetation production would become a controlled activity (rather than permitted). This timeframe extension is logical given the delay with PPC1 as a result of Variation 1.</p> <p>In relation to the rule as a whole, Ravensdown's PPC1 submission supported and opposed the rule in part and sought a number of amendments to the rule, but not to the timeframe which is the subject of Variation 1.</p>	<p>Retain the amended timeframe triggering controlled activity status under Rule 3.11.5.5 as notified, while amending Rule 3.11.5.5 in accordance with Ravensdown's PPC1 submission.</p>

SUB. REF.	PLAN PROVISION	PAGE	SUPPORT / OPPOSE	COMMENTS	RELIEF SOUGHT
Part A - Schedules					
9	Schedule A – Registration with Waikato Regional Council	46 (53)	Support	Variation 1 amends the period of registration for rural properties greater than 2ha to between 1 May 2020 and 30 November 2020 (from 1 September 2018 to 31 March 2019). This timeframe extension reflects the extended timeframes for deciding on PPC1 as a result of Variation 1 and therefore, as noted above in relation to Sub. Ref. 5 , the proposed amended timeframe is logical.	Retain the amended timeframes contained in part (1) of Schedule A as notified.
10	Schedule B – Nitrogen Reference Point	47 (54)	Support in part	<p>Similar to the other timeframe amendments, Variation 1 proposes extending the timeframes in part (e) for provision of the Nitrogen Reference Point and associated data to Council from 1 May 2020 to 30 November 2020 (from 1 September 2018 to 31 March 2020). As noted above in Sub. Ref. 5 (and other submission points), the extension is logical given the delay with PPC1 as a result of Variation 1.</p> <p>In relation to the schedule as a whole, Ravensdown’s PPC1 submission supported and opposed Schedule B in part and sought a number of amendments to the rule, but not to part (e) of the schedule.</p>	Retain the amended timeframe specified in part (e) of Schedule B as notified, while amending Schedule B in accordance with Ravensdown’s PPC1 submission.
Part C - Glossary of Terms					
11	75 th percentile nitrogen leaching values	79 (87)	Support in part	<p>Variation 1 also proposes extending the timeframe referred to in this definition to 30 November 2020 (from 31 March 2019). The timeframe extension is logical given the delay with PPC1 as a result of Variation 1.</p> <p>Ravensdown’s PPC1 submission supported the definition in part and sought a number of amendments but not to the timeframe.</p>	Retain the amended timeframe specified in this definition as notified, while amending the definition in accordance with Ravensdown’s PPC1 submission.