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Report To: Lake Rotorua Stakeholder Advisory Group

Meeting Date: 21 July 2015

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Draft Rules Package

Executive Summary

This report presents a summary of the Draft Rules Package. The full package of draft rules is attached to the agenda. The various rule components discussed by the Lake Rotorua Stakeholder Advisory Group are included within the Draft Rules.

Feedback from StAG on the current Council staff position is useful to test the thinking and to ensure the rule framework is robust.

1 Recommendations

That the Lake Rotorua Stakeholder Advisory Group:

- 1 Receives the report, *Draft Rules Package*.**
- 2 Provides feedback on the Draft Rules**

2 Introduction

The drafting of the Lake Rotorua Nutrient rules is nearing completion. The package of draft rules presented here are based on analysis, consultation and, importantly, a number of discussions and presentations to Lake Rotorua Stakeholder Advisory Group (StAG).

The majority of the rule components have been to StAG over the past year or so – and have also been reported through to Council. However the draft rules can now be considered as a package – in essence what the rules will look like.

Feedback is useful to be able to make any necessary changes as a result of feedback and to be able to better inform the Regional Direction and Development Committee.

3 **Summary of Lake Rotorua Nutrient Rules**

The following provides a relatively detailed summary of the draft rules package.

Permitted Activities:

- Plantation forest and native bush
- Low intensive land use for properties less than 10 ha will be permitted – defined by stocking rate table thresholds
- 2022: Larger properties that can demonstrate low N leaching via an annual OVERSEER file
- Rules will apply to rural area

Controlled activities:

- The requirement for obtaining consent is staged:
 - Consent by 2017: properties over 40 hectares
 - Consent by 2022: properties less than 40 hectares
 - Consent by 2022: properties not previously covered by Rule 11
- Any property that needs a consent by 2022 will have annual information reporting requirements in the interim (to gather required data)
- Properties needing consent will receive a Nitrogen Discharge Allowance
 - Allocation of nitrogen to properties based on sector allocation with ranges – based on OVERSEER 6.2.0
 - Reference files used to maintain proportionality of the target into the future
 - NDA allocation is based on blocks (sum of blocks = property)
- Nitrogen Management Plan must be prepared for the property (5-year timeframes)
 - Must show the pathway of mitigation actions from the benchmark to the 2032 NDA
 - There will be intermediary planning targets (2022, 2027) to ensure managed reduction down to 2032
 - Reviewed every five years or if substantial change
 - Advice and support funding available

Non-complying:

- Land use activity that does not meet conditions for permitted and controlled

4 **Other relevant matters**

This section identifies a number of important rule components that provide the framework for the rules.

- The plan change does not include new objectives but relies on the objectives within the Regional Policy Statement and Regional Water and Land Plan
- Science reviews are specifically built in to rules framework
- OVERSEER is being used as the management tool
- Movement of NDAs between properties is allowed (such as trading) – but must be authorised by Council
- Consequential amendment to Rule 11: Lake Rotorua will be largely removed from Rule 11 except the control of point source discharges will be retained and property N limits will be added as a consideration for consent under Rule 11F.
- A Nutrient Data Management System is being developed to manage information. This will be linked into Council's overall data management system.

- Phosphorus management is recognised as being achieved alongside nitrogen reductions.

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