

Further Submissions

Proposed Plan Change 9 (TANK)

INDEX

Submitter #	Individual or Organization
10	David Renouf
29	Hawke's Bay Winegrowers' Association Inc
50	Olrig Limited
57	Melanie Nuku
66	Ngaruroro Irrigation Society Inc.
82	Lowe Corporation Limited
85	Manganoe Farm
119	Hawke's Bay Drinking Water Governance Joint Committee
120	Ngati Kahungunu Iwi Inc.
123	Department of Conservation
126	Maungaharuru -Tangitū Trust
132	Te Taiwhenua o Heretaunga and Te Rūnanganui o Heretaunga
146	New Zealand Defence Force
165	Aotearoa New Zealand Fine Wines Estates LP
180	Horticulture New Zealand
194	Pernod Ricard Winemakers New Zealand Limited
195	Federated Farmers of New Zealand
197	Beef and Lamb New Zealand
201	Heretaunga Tamatea Settlement Trust
203	Oil Companies
207	Hastings District Council
201	Royal Forest and Bird Protection Society of New Zealand Inc.
233	Hawke's Bay District Health Board
303	Bridge Pa Vineyards Limited

RECEIVED
25 NOV 2020

Submission on Proposed Plan Change 9: Hawke's Bay Regional Resource Management Plan

PLEASE NOTE: your submission will become part of a public record of Council documents. This will mean your name, address and contact details will be searchable by other persons.

Name: (required) David W. Renouf

Organisation/Iwi/Hapu:

Postal address: (required) 603 A Ballantyne Street, Hastings 4120

Email address: N.A.

Phone number: 8783239

Contact person and address if different to above:

Trade Competition

Pursuant to Schedule 1 of the Resource Management Act 1991, a person who could gain an advantage in trade competition through the submission may make a submission only if directly affected by an effect of the proposed policy statement or plan that:

- a) adversely affects the environment; and
- b) does not relate to trade competition or the effects of trade competition.

Please tick the sentence that applies to you:

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

If you have ticked this box please select one of the following:

- I am directly affected by an effect of the subject matter of the submission
- I am not directly affected by an effect of the subject matter of the submission.

Do you wish to be heard in support of your submission? Yes / ~~No~~

If others make a similar submission, would you consider presenting a joint case with them at a hearing? Yes / No

Signature: Dw. Renouf Date: 21st November 2020

NB: Space for writing submissions is overleaf.

Send written submissions to:

Hawke's Bay Regional Council
Private Bag 6006
NAPIER

or fax to:
(06) 835-3601

or email to:
eTANK@hbrc.govt.nz

Deadline for Submissions:

5pm Fri 25 November 2020

No submissions will be accepted after this deadline. The deadline will not be further extended.

OFFICE USE ONLY

SUBMISSION ID#

10

Date Received:

25 Nov

Database Entry Date:

7/12/2020

Database Entry Operator:

Ellen

Submission Details

Please attach more pages if necessary. If you do not wish to use this form, please ensure that the same information required by this form is covered in your submission. Further information on how to make a submission and the submission process is available on the Regional Council website.

Plan provision (eg. objective, policy or rule number) 6.10.3 Stormwater Rule TANK 19
PC-9 under conditions/Standards/Terms (b)

I Support Oppose Amend

I seek the following decision from the Regional Council: [Please give precise details to ensure your views are accurately represented in submission summary documents to be prepared by the council as part of the submission and hearing process]

FS10.23

Oppose deleting of 'reference to planned reticulation'

in 6.10.3 Stormwater Rule TANK 19
under conditions/Standards/Terms (b)

As stated 129.22 Ceri Edmonds HBRC 6.10.3 Stormwater Amend TANK 19'

Reason for decision requested:

Prevents the chance of having the risk removed from the impact of road runoff contaminates in unconfined aquifers and SP2 areas.

REMINDER: SUBMISSIONS MUST REACH COUNCIL BY 5PM ON 25 NOVEMBER 2020

FURTHER SUBMISSION

Name: Hawke's Bay Winegrowers' Association Incorporated

Address for service: Hawke's Bay Winegrowers' Association Inc.
C/- Xan Harding
2091 Maraekakaho Road
RD 1
Hastings 4171
Phone: (06) 874 9316
Mob: (027) 612 7927
E-mail: xan.harding@xtra.co.nz

This is a further submission on Hawke's Bay Regional Council TANK Plan Change (PC9).

1. Who we are:

Hawke's Bay Winegrowers' Association Inc. (HBWG)

HBWG is the industry representative body for grapegrowers and winemakers in Hawke's Bay. All growers and wineries receive automatic membership through payment of industry levies. HBWG is affiliated to and receives most of its funding from New Zealand Winegrowers and has a local membership of 183 growers and wineries.

HBWG has been an active participant in regional planning processes over a number of years, including the Ngaruroro Water Conservation Order, Tuki Tuki Plan Change 6 working group, TANK, HBRC Hort Sector Group, HDC Primary Producers' Round Table and including submissions on the Ngaruroro WCO, Tuki Tuki Plan Change 6, Plan Change 7, HDC & NCC District Plans and the Heretaunga Plains Urban Development Strategy.

2. General Comments by way of assistance to the Hearings Commissioners and other Submitters:

As detailed in our original submission, HBWG supports the overall intent of PC9, as a collaborative community approach to implementing the National Policy Statement - Freshwater Management 2014, (Amended 2017) (NPS-FM).

HBWG considers that weight should be given to such consensus positions as were arrived at through the TANK process, as they are currently the best available reflection of the balancing of community values (including tangata whenua values) and reflect the conscious construction of an integrated planning solution intended to drive improvements to freshwater quality over time.

HBWG acknowledges that mana whenua, whilst highly engaged and well-represented throughout the TANK process (and then beyond that, via statutory consultation and representation via the Regional Planning Committee), held and continue to hold views, values, beliefs and aspirations for water governance in Hawke's Bay that have not been given full regard to.

HBWG is concerned that some of the changes introduced to PC9 after completion of the TANK community process and some changes sought by submitters would undermine the community collaborative approach needed for successful implementation of the Plan.

HBWG recognises that the TANK process has taken place over a long timeframe, against a backdrop of constantly evolving regulation (4 different versions of the NPS-FM), culminating in the elevation of 'Te Mana o te Wai' as a fundamental concept that must be 'given effect to' in the NPS-FM 2020.

HBWG is committed to playing its part in ensuring that Te Mana o te Wai is given effect to in Hawke's Bay in the timeframe required by the NPS-FM 2020 (ie. by 31/12/2024) but recognises that in catchments that are considered fully- or over-allocated, "over-allocation is a values-laden concept" and such a process almost inevitably "would require water allocations to be relinquished or taken from consent holders" (Taylor, 2020, pp. 4,5). For this reason, together with its growing understanding of mana whenua's values, views, beliefs and aspirations, HBWG considers that full expression of a Te Mana o te Wai framework in Hawke's Bay will take quite some time and will also be dependent on national developments (eg. a new national allocations framework, settlement of the WAI 2358 claim and potentially compensation for affected consent holders) outside the control of the PC9 process.

HBWG is extremely conscious of the cost in time, money and emotion for all parties concerned in environment planning processes in Hawke's Bay and is keen to pursue an efficient pathway in giving effect to the NPS-FM 2020. HBWG considers that this is most likely to be achieved via settling on an enduring framework within PC9, within which parameters such as flows, allocations, offsets and levies can be modified over time, to eventually give full expression to Te Mana o te Wai and community aspirations.

3. Detailed Response:

Submitter 132 Marei Apatu	Original submission statement (from HBRC summary)	HBWG Support/ Oppose	Relief sought and reasons
132.1	Amend so that the priority setting in PC9 rules, schedules and decision-making processes, to reflect the upholding of Te Mana o te Wai, and the health and well-being of water bodies as a first priority ¹ , the health and well-being of people and communities (including Maori communities), as a second priority, with all other considerations coming after these.	Support in part	<p>Relief sought: Allow the submission in terms of the structural approach of PC9. Disallow in terms of consequential limit setting parameters sought by the applicant that depart materially from the notified plan.</p> <p>Reasons: HBWG supports giving effect to Te Mana o te Wai in a phased process that allows for both community input on parameter settings and for progress on settlement of national Treaty of Waitangi claims relating to Māori interest in water and any new national allocations framework.</p>
132.13	Delete all proposed provisions that enable or that are associated with flow enhancement (except existing consented flow enhancement activities, and enhancement of the Paritua Stream), stream augmentation, groundwater enhancement schemes, and prescribe construction of dams larger than 250,000 m3 as non-complying activities.	Oppose	<p>Relief sought: Decline the submission, except to the extent of allowing the referenced activities for the Paritua Stream.</p> <p>Reasons: HBWG supports the use of flow enhancement as a pragmatic approach to optimising water quality & quantity in the highly modified and highly populated areas within the TANK catchments.</p>
132.16	Provide for pro-rata reductions in both volumes and rates of abstraction for surface water and groundwater, to bring total a/locations and rates within more sustainable limits.	Oppose	<p>Relief sought: Decline the submission.</p> <p>Reasons: HBWG's member would be disproportionately affected by pro-rata reductions, as their starting volume allocations per hectare are around 1/3rd that of all other major irrigated crops in Hawke's Bay. Pro-rata reductions in instantaneous rates of abstraction for groundwater are generally an inappropriate management response as rate of abstraction is usually governed by the technical specifications of irrigation systems and changes in instantaneous rates of abstraction at most only have very localised effects on the groundwater systems.</p>

132.22	Set and apply a limit for land uses involving the use, application or discharge of fertilisers, soil conditioners, composted materials and animal effluent within sensitive catchments so that total nitrogen applications do not exceed 80 kgs/ha/year total.	Oppose	Relief sought: Decline the submission. Reasons: HBWG considers that the output- & effects-based national approach of controlling diffuse discharges by way of modelled losses should be the preferred approach, for national consistency.
132.40	Enable a gradual reduction in allocations from the Ngaruroro River to 700,000 m3 per week total, and a cumulative allocation rate of 1,581 lps (inclusive of rates of take and surface water depletion rates from Ngaruroro tributaries) from the date PC9 becomes operative - as regulated from Fernhill Bridge.	Oppose	Relief sought: Decline the submission. Reasons: HBWG considers that the changes sought by the submitter, particularly when viewed in conjunction with their stance on water storage and augmentation/offset/flow maintenance, bear no realistic relationship to socially achievable patterns of water use in Hawke's Bay during the expected life of PC9 and are not supported or justified by HBRC hydrological science.
132.41	Provide for staged increases to the minimum flow for the Ngaruroro up to 4200 litres per second by 01 July 2029	Oppose	Relief sought: Decline the submission. Reasons: HBWG considers that the changes sought by the submitter, particularly when viewed in conjunction with their stance on water storage and augmentation/offset/flow maintenance, bear no realistic relationship to socially achievable patterns of water use in Hawke's Bay during the expected life of PC9 and are not supported or justified by HBRC hydrological science.
132.42	Amend to: •Reduce allocations from the Tutaekuri River to 626,572 m3 per week •increase the minimum flow to 2500 lps at Puketapu Bridge from PC9 operative date. •Aim for target minimum flow of 3,300 lps for the Tutaekuri River by 01 June 2029 •Reduce total allocation rate from the Tutaekuri (inclusive of takes from its tributaries - Mangaone, Mangatutu, Waikonini and Otakarara) to 1036 lps total	Oppose	Relief sought: Decline the submission. Reasons: HBWG considers that the changes sought by the submitter, particularly when viewed in conjunction with their stance on water storage and augmentation/offset/flow maintenance, bear no realistic relationship to socially achievable patterns of water use in Hawke's Bay during the expected life of PC9 and are not supported or justified by HBRC hydrological science.
132.43	Prescribe and introduce an 'irrigation season'	Oppose	Relief sought: Decline the submission.

	from 01 November to 30 April each year for surface water and surface water depleting groundwater abstractions		Reasons: HBWG's members farming on light soils often need to irrigate in October in a dry Spring.
132.44	Introduce elevated minimum flow limits and targets that ultimately result in 90% habitat protection/provision for trout/torrentfish during the irrigation season by June 2029	Oppose	Relief sought: Decline the submission. Reasons: HBWG considers that the changes sought by the submitter, particularly when viewed in conjunction with their stance on water storage and augmentation/offset/flow maintenance, bear no realistic relationship to socially achievable patterns of water use in Hawke's Bay during the expected life of PC9 and are not supported or justified by HBRC hydrological science.
132.47	Restrict high flow abstractions to 15 May - 15 October in any year	Oppose	Relief sought: Decline the submission. Reasons: HBWG considers that a calendar-based approach to high-flow abstraction is unnecessarily arbitrary and that water harvesting controls are better based on instream flows.
132.49	Require renewal of existing consents to take surface water upon current consent expiry, or when PC9 becomes operative, whichever occurs first.	Oppose in part	Relief sought: Decline the submission. Reasons: HBWG considers that the requirement to renew all existing surfacewater take consents when PC9 becomes operative would amount to an unnecessary duplication of the effects assessments embodied in the decisions in the Plan.
132.50	Rule TANK 9 - 13 - Require applications for existing and new consents to take water for irrigation, to be assessed as discretionary activities, tangata whenua parties to be notified, and impose a ten year duration limit.	Oppose in part	Relief sought: Decline the submission. Reasons: HBWG considers that a ten year consent duration does not give sufficient certainty for investment and that Restricted Discretionary status for replacement consents is generally appropriate.
132.52	Prohibit water takes outside of the allocation volume limits and cumulative rate limits, apart from emergency uses.	Oppose in part	Relief sought: Decline the submission. Reasons: HBWG considers that an efficient and integrated PC9 needs to provide for the ability to utilise storage, offset and augmentation (via proper consenting and consultation

			processes) to meet Hawke's Bay community needs. This requires definitions of allocation limits and cumulative rates of take which accommodate increases in the headline numbers, provided the net effects are accounted for.
132.53	Set total allocation volume limits from the Heretaunga Plains Aquifer System as regulated through the RRMP at 70 million m3 per year.	Oppose	Relief sought: Decline the submission. Reasons: HBRC modelling supports 90 million m3 per year as the appropriate interim allocation
132.57	Count surface-water depletion effects above 0.5 fps or greater in surface water a/locations.	Oppose in part	Relief sought: Decline the submission. Reasons: HBWG does not object to modelled surfacewater depletion effects of groundwater pumping being calculated and used as part of an integrated Plan but considers that inclusion of the combined pumping effects of all consents with effects over 0.5fps in a surfacewater limit, particularly when viewed in conjunction with their stance on water storage and augmentation/offset/flow maintenance, is not realistically socially achievable in Hawke's Bay during the expected life of PC9 and is not supported or justified by HBRC hydrological science.
132.67	Remove all references to and criteria relating to "efficient well [bore]" from applying in TANK catchments	Oppose	Relief sought: Decline the submission. Reasons: HBWG appreciates the frustrations of the submitter and its members who have been affected by lowering groundwater levels, which at times can result in loss of access to water, particularly where surface pumps have been installed. However, HBWG does not agree with the submitter's apparent views that such problems can be resolved simply by reducing localised or regional groundwater abstractions to point where historical groundwater levels return, within the life of PC9.
132.103	Require properties within TANK catchments, including sensitive catchments (Other than in the Heretaunga Plains unconfined aquifer area, where FEPs are required for intensive vegetable production on areas of 2 hectares or greater), that are 4 hectares or larger, to	Oppose in part	Relief sought: Decline those parts of the submission that do not allow for industry programmes to be recognised as qualifying as an alternative to FEPs. Allow for a higher 10ha threshold for FEPs for low intensity activities such as grapegrowing.

	develop and implement FEPs, and regulate productive land use where there are identified water quality issues or water quality objectives are not being met (i.e., targets apply).		Reasons: Most of HBWG's members are part of the independently audited Sustainable Winegrowing NZ scheme, for which HBWG's parent body NZ Winegrowers is seeking national FEP freshwater farm plan equivalency under the new Part 9A of the RMA 1991. Such equivalency should be recognised by PC9. Some farming activities such as grapegrowing have a much lower impact on freshwater quality than others, so a graduated area-based trigger for FEP or equivalent is an appropriate risk-based management approach.
132.112	Where Overseer or another HBRC approved system is used to assess/calculate nitrogen losses or nutrient leaching amounts, ensure the associated schedules and other plan provisions (including methods) clearly link the land use activities and LUC leaching rates to achievement of groundwater quality and surface water quality objectives, limits and targets.	Oppose in part	Relief sought: Decline those parts of the submission relating to LUC. Reasons: HBWG does not consider LUC to be an appropriate tool for controlling diffuse discharges, given the inherently flawed assumption that correlates well with land use versatility and productivity in intensive agriculture & especially in viticulture.
132.113	Remove any threshold allowance for or increase from nitrogen leaching calculations and LUC classes, from being applicable for TANK catchment rules.		Relief sought: Decline the submission. Reasons: HBWG members farming versatile soils would be disproportionately affected by controls preventing any increase in existing nitrogen leaching, as grapes have the lowest nitrogen footprint of any major crop in Hawke's Bay.
132.115	Impose a management/monitoring/mitigation charge of 0.50 cents per kg for any N leaching above a 12 kg/ha/yr threshold for land use activities where nitrogen is applied directly to land	Support in part	Relief sought: Consider approving a regional nitrogen charge to contribute to management/monitoring/mitigation, including mana whenua's costs as kaitiaki. Reasons: HBWG supports, in principle, effects-based resource charges as an efficient market-based mechanism to assist funding of catchment work and to incentivise best farming practice. HBWG acknowledges the technical difficulties in model-based charging for N leaching and would prefer a national solution over a regional solution.
132.117	For the Ngaruroro River, impose the following restrictions for high flow allocations:a) Restrict	Oppose	Relief sought: Decline the submission.

	high flow abstraction to flows above 24,000 litres per second, as measured at the Fernhill Bridge.b) Provide a total instantaneous rate of take limit for high flow takes.c) Limit the total amount of high flow take to 5 Million m3 per year, and to the periods 15 May to 15 October in any year. d) Provide for additional flow for the river on a 1:1 ratio for high flow takes as identified in the MWH report, May 2010.e) Do not allow high flow takes that are outside of allocation limits for any purpose.		Reasons: HBWG prefers the high-flow harvesting settings in the notified version of PC9 but is open to further consideration around flow sharing rules.
132.127	Require a financial contribution from all those who use Heretaunga Plains Aquifer System water for irrigation, of 10 cents per cubic metre to help pay for meetings, research, flow mitigations, oxygenation schemes and infrastructure, additional pumping capex and opex, and aquatic ecosystem enhancement, as well as any trials and experiments associated with these.	Support in part	Relief sought: Consider approving a regional water charge to contribute to management/monitoring/mitigation, including mana whenua's costs as kaitiaki. Reasons: HBWG supports, in principle, effects-based resource charges as an efficient market-based mechanism to assist funding of catchment work and to incentivise best irrigation practice. HBWG considers further work is required to assess an appropriate rate and would prefer a national solution over a regional solution. HBWG considers that any such charge should apply to all abstraction, from wherever, by whomever but is open to consideration of differential charges for different uses.
132.128	Apply a total instantaneous rate of take limit in litres per second for water abstraction from the Heretaunga Plains Aquifer System during the irrigation season that does not exceed 12,500 lps and a substantially reduced allocation rate (and volume limit) for the other six months of the year.	Oppose	Relief sought: Decline the submission. Reasons: HBWG considers that the changes sought by the submitter, particularly when viewed in conjunction with their stance on water storage and augmentation/offset/flow maintenance, bear no realistic relationship to socially achievable patterns of water use in Hawke's Bay during the expected life of PC9 and are not supported or justified by HBRC hydrological science.
132.129	Include effects on Mauri, and on groundwater dependent ecosystems, in consent application criteria, consent renewal processes, and	Oppose in part	Relief sought: Decline those parts of the submission that carry the presumption that individual consent holders will ordinarily be required to make an individual assessment of effects for the

	decision-making		<p>matters.</p> <p>Reasons: HBWG prefers that, in the interests of efficiency and recognising the limitations and constraints on ordinary consent holders, the requirement to individually assess such effects is practically impossible without technical assistance and is best assessed in the aggregate (through combined consent assessments) in the normal course.</p>
132.149	Require all abstraction for irrigation to cease when flows recede below minimum flows.	Oppose	<p>Relief sought: Decline the submission.</p> <p>Oppose Reasons: HBWG considers that the proposal fails to recognise the hydrological reality of time lags (often considerable weeks and even months) between groundwater pumping and subsequent effects on instream flows.</p>
132.150	Apply minimum flows for major rivers and their main tributaries for the period 01 May to 30 Oct that equates to 2x MALF.	Oppose	<p>Relief sought: Decline the submission.</p> <p>Oppose Reasons: HBWG considers that the proposal fails to recognise the effect on existing irrigators who may need to irrigate in October in a dry Spring and would be faced with the requirement to retrofit high-flow storage in order to stay viable.</p>
132.154	Provide for a new flow monitoring site at Raukawa Road for the Paritua and a minimum flow here of 120 lps.	Oppose in part	<p>Relief sought: Decline those parts of the submission that may impact on existing groundwater abstraction.</p> <p>Oppose Reasons: HBWG understands that the concerns of the submitter relate to the impact of groundwater abstraction on flows in the Paritua/Karewarewa. However, HBWG understands that hydrological studies evidence a lack of connectivity between groundwater & the surfacewater in that area and that the main cause of flow loss in the stream is due to human-induced stream bed leakage unrelated to irrigation.</p>
132.158	Ensure that a precautionary approach is given to the renewal of resource consents to abstract water, and Te Mana o Te Wai and Te Mana o Te Taiao are given appropriate priority when renewing or	Oppose	<p>Relief sought: Decline those parts of the submission that may impact on existing groundwater abstraction.</p> <p>Oppose Reasons: HBWG is committed to playing its part in ensuring that Te Mana o te Wai is given effect to in Hawke's</p>

	reviewing resource consents. Enable this to occur in a timely fashion through PC9.		<p>Bay in the timeframe required by the NPS-FM 2020 but recognises that in catchments that are considered fully- or over-allocated, “over-allocation is a values-laden concept” and such a process inevitably “would require water allocations to be relinquished or taken from consent holders” (Taylor, 2020, pp. 4,5). For this reason, together with its growing understanding of mana whenua’s values, views, beliefs and aspirations, HBWG considers that full expression of a Te Mana o te Wai framework in Hawke’s Bay will take quite some time and will also be dependent on national developments (eg. a new national allocations framework, settlement of the WAI 2358 claim) outside the control of the PC9 process.</p> <p>HBWG is extremely conscious of the cost in time, money and emotion for all parties concerned in environment planning processes in Hawke’s Bay and is keen to pursue an efficient pathway to giving effect to the NPS-FM 2020. HBWG considers that this is most likely to be achieved via settling on an enduring framework within PC9, within which parameters such as flows, allocations, offsets and levies can be modified over time, to eventually give full expression to Te Mana o te Wai and community aspirations.</p>
132.193	Prevent use and encouragement of "adaptive management" practices in objectives, policies and methods in PC9, as it is a faulty methodology within an RMA, 1991 planning construct and does not always support sustainable management.	Oppose	<p>Relief sought: Decline the submission.</p> <p>Oppose Reasons: HBWG considers that adaptive management represents best practice in catchment management and has an appropriate role in PC9, in balance with detailed rules.</p>

HBWG wishes to present our views at a public meeting.

HBWG would consider presenting a joint case with others making a similar submission to HBWG.

HBWG wishes to attend any pre-hearing meeting that may be convened.

DATED at Hastings this 8th day of December 2020



Xan Harding

Director, Hawke's Bay Winegrowers' Association Inc.

References

Taylor, L. B., Fenemor, A., Mihinui, R., Sayers, T.A., Porou, T., Hikuroa, D., Harcourt, N., White, P., O'Connor, M. (2020). Ngā Puna Aroha: towards an indigenous-centred freshwater allocation framework for Aotearoa New Zealand. *Australasian Journal of Water Resources*, 1-13.

Further Submission on Proposed Plan Change 9: Hawke's Bay Regional Resource Management Plan

PLEASE NOTE: your submission will become part of a public record of Council documents. This will mean your name, address and contact details will be searchable by other persons.

Name: (required) ALASTAIR + JO LAWRENCE
 Organisation: OLRIG LIMITED
 Postal address: (required) 1233 KERERU RD.
MARAEEKAKAHO, HASTINGS 4171
 Email address: antipodesventures@outlook.co.nz
 Phone number: +6421716354
 Contact person and address if different to above:

Please tick the sentence that applies to you:

I am a person representing a relevant aspect of the public interest.

Please specify the grounds for saying that you come within this category:

OLRIG IS A MIXED ACTIVITY PASTORAL FARM
IT WILL BE IMPACTED BY THE PROPOSED PLAN
CHANGE.

I am a person who has an interest in the proposal that is greater than the interest the general public has.

Please specify the grounds for saying that you come within this category:

.....

Do you wish to be heard in support of your submission?

Yes / No

If others make a similar submission, would you consider presenting a joint case with them at a hearing?

Yes / No

Signature: [Signature] Date: 9/12/20

NB: Space for writing submissions is overleaf.

Send written submissions to:

Hawke's Bay Regional Council
Private Bag 6006
NAPIER

or fax to:
(06) 835-3601

or email to:
eTANK@hbrc.govt.nz

Deadline for Submissions:

**5pm Wednesday 9 December
2020**

No submissions will be accepted after this deadline. The deadline will not be further extended.

OFFICE USE ONLY

SUBMISSION ID#

[Empty box for Submission ID#]

Date Received:

[Empty box for Date Received]

Database Entry Date:

[Empty box for Database Entry Date]

Database Entry Operator:

[Empty box for Database Entry Operator]



Submission Details

Please attach more pages if necessary. If you do not wish to use this form, please ensure that the same information required by this form is covered in your submission. Further information on how to make a further submission and the submission process is available on the Regional Council website.

I support oppose the submission of:

Name of original submitter: Federated Farmers

Address of original submitter: P.O. Box 715 Wellington 6140

Submission number of original submission:

The particular parts of the submission I support oppose are:

Use of Freshwater Submissions 27-38
Schedule 32 submissions
Schedule 31 and Point 25 (Objective TANK 16) submissions

The reasons for my support opposition are:

[Clearly indicate whether you support or oppose the specific provisions or wish to have them amended along with reasons]

1. Freshwater Submissions 27-38

Judgements about capacity and therefore consent over or under-allocations are based on assumptions from a series of historical modelling exercises. In some cases these are highly theoretical. Given the significance of the decisions being based on these model outputs, further work is necessary to validate these conclusions.

2. Schedule 32. The high flow allocation for tributaries of the Ngaruroro should not be based on a theoretical calculation of the proportion to which a sub-tributary (i.e. Okanawa) contributes to a tributary (i.e. Mangatahi) and the proportion of that tributary to the Ngaruroro River. This is highly theoretical and cannot be an accurate measure of High Flows. It should be based on measuring FR3 in the sub-tributary itself (i.e. Okanawa) ~~then~~ ~~app~~ That will be 100%

I seek that the whole or part of the submission be allowed disallowed

[Please give precise details to ensure your views are accurately represented]

accurate. When applied across all tributaries or sub tributaries, this measure must be the most reliable and accurate method of ensuring sustainable median flows into the Ngaruroro and a proper basis for high flow allocation.

3. Schedule 31 ~~is~~ Minimum essential takes for human and animal welfare is a basic measure of survival for a rural community. TP 9 needs in Pt 25 (Obj; Tank 16) needs re-visiting!

REMINDER: SUBMISSIONS MUST REACH COUNCIL BY 5PM ON 9 DECEMBER 2020

A copy of your submission must be served on the original submitter within 5 working days after it is served to the council.

Water concern



Melanie Nuku <melanienuku@gmail.com>
To: eTank

Reply Reply All Forward

Wed 9/12/2020 4:43 pm

Follow up

You replied to this message on 15/12/2020 11:54 am.

Kia ora

I have written my submission, therefore I would like to support HTST. Te taiwhenua. Te Punikokiri, and all other Maori entities. That are upholding our mana whenua.

Nga mihi
Melanie Nuku

Further Submission on Proposed Plan Change 9: Hawke's Bay Regional Resource Management Plan

PLEASE NOTE: your submission will become part of a public record of Council documents. This will mean your name, address and contact details will be searchable by other persons.

Name: *(required)*. Dr Anthony Davoren

Organisation: Ngaruroro Irrigation Society Incorporated

Postal address: *(required)* .PO Box 3132, Christchurch 8140

Email address: tony@swims.co.nz

Phone number: 027 433 6552

Contact person and address if different to above:

Please tick the sentence that applies to you:

I am a person representing a relevant aspect of the public interest.
Please specify the grounds for saying that you come within this category:

I am a person who has an interest in the proposal that is greater than the interest the general public has.

Please specify the grounds for saying that you come within this category:

Ngaruroro Irrigation Society Incorporated represents surface water users who take water for irrigation purposes. Their businesses rely on access to this water. They therefore have a greater interest than the general public. Original submitter number 66

Do you wish to be heard in support of your submission?

Yes / No

If others make a similar submission, would you consider presenting a joint case with them at a hearing?

Yes / No

Signature:



Date: 9/12/2020

NB: Space for writing submissions is overleaf.

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NAPIER

or fax to:
(06) 835-3601

or email to:
eTANK@hbrc.govt.nz

Deadline for Submissions:

5pm Wednesday 9 December
2020

No submissions will be accepted after this deadline. The deadline will not be further extended.

OFFICE USE ONLY

SUBMISSION ID#

Date Received:

Database Entry Date:

Database Entry Operator:

Submission Details

Please attach more pages if necessary. If you do not wish to use this form, please ensure that the same information required by this form is covered in your submission. Further information on how to make a further submission and the submission process is available on the Regional Council website.

I oppose the submission of:

Name of original submitter: Royal Forest and Bird Protection Society of New Zealand (RF&B)

Address of original submitter: PO Box 631, Wellington, New Zealand, 6140

Submission number of original submissions: 210

The particular parts of the submission I oppose are:

Part 5 Over allocation

Point 45 General Water Allocation Policies

Point 46-47 Water Use and Allocation – Efficiency

Point 48 Water Use Change/Transfer

Point 49 Water Allocation - Permit Duration

Point 51 Water Allocation – Priority

Schedule 31

Schedule 32

The reasons for my opposition are: *[Clearly indicate whether you support or oppose the specific provisions or wish to have them amended along with reasons]*

Part 5 seeks the following: “Relief sought for Over Allocation”

- a. Provide clear policy direction to phase out over allocation within 5 years
- b. Remove any provisions for ‘stream flow augmentation/maintenance/enhancement’
- c. Any other amendments sought in our submission below”

This is opposed, over allocation can not be phased out in 5 years without a significant increase in resourcing for the consent reviews required. Removing augmentation, maintenance and enhancement removes an option that could assist the water users in managing their short-term affect. This does need more investigation but should not be blindly removed as an option as it may be the best option available in the future.

Point 45 “general allocation policies” seeks to remove the clause for some users to not need to install telemetry but also seeks to be consistent with the NPS-FM 2020. As part of the NPS-FM 2020, the Resource Management (Measurement and Reporting of Water Takes) Regulations contain a similar clause which was written with the same intent. We oppose the request for the removal as it is already consistent with national regulations.

Point 46-47 “Water Use and Allocation – Efficiency”. RF&B submission states this does not address efficiency. This is incorrect and does address industry accepted and nationally recognized efficiency requirements.

Point 48 “Water Use Change/Transfer”. RF&B seeks to stop transfers of water between sites.

We oppose the submission. The transfer is not about increasing irrigation area but about allowing a user to move to another site. There are many reasons you may want to move to another site; for example, cropping rotations may have a crop that does not need water whereas another site may have a crop that needs water but not have its own allocation. Flexibility is key to ensure Hawkes Bay’s class one soils are protected to ensure they are food producing soils through crop rotations.

Point 49: “Water Allocation - Permit Duration”. RF&B submission states that 15-year consent durations are too long and seeks to remove this from the plan and shorten the duration.

We oppose the submission because irrigation infrastructure is a costly investment. Installation of more efficient systems and implementation of better management tools to ensure the best use of the resource requires (significant) investment. This investment is hard to justify with a short duration of consent and uncertainty of the allocation when the consent is renewed.

Point 51 Water Allocation – Priority- the RF&B submission seeks to remove water for the survival of horticultural crops.

We oppose the submission because to lose root stock is akin to “disposing of capital stock in a drought” and the removal, replacement and re-growth to a productive state is a significant undertaking. In a drought year this could have significant impact on not only the grower but the Hawkes Bay workforce leading to poor social outcomes. Under the NPS-FM 2020 there is a requirement to ensure water is available for “the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.”

Schedule 31 RF&B opposes the low flow limits proposed and seeks to raise the minimum flow from 2400l/sec, to 3600l/sec and then 4400l/sec. Business built around security of supply at 2400l/sec would be catastrophically impacted – amply demonstrated in the Ngaruroro WCO hearing submitter evidence. Furthermore, data presented by HBRC shows that turning off irrigation takes does not stop the decline in flow. This is a natural process - when catchment summer rainfall is below average there is insufficient runoff to maintain the river flow in summer. Under the NPS-FM 2020 there is still a requirement to ensure water is available for “the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future” and, raising the minimum flow will impact that ability.

Schedule 32- the RF&B submission states “It is unclear how the allocation limits proposed give effect to the NPS-FM, protect Te Mana o te Wai and ecosystem health, and meets Schedule 26 targets”. For example, “the high flow allocation for the Tūtaekurī at Puketapu is a significant proportion of the flow (31%) at 8,000 l/s.”.

We oppose this and note that this is **not** what schedule 32 states. The high flow allocation limit is 2500l/sec once the river is above 8000l/sec which is the “flow trigger” and the full 2500L/s cannot be taken until the flow exceeds 10,500L/s. The submitter claims otherwise.

I seek that the whole or part of the submission be disallowed

[Please give precise details to ensure your views are accurately represented]

We seek that the entire submission is disallowed.

I oppose the submission of:

Name of original submitter: Hawkes Bay Fish and Game Council (HBFGC)

Address of original submitter: 22 Burness Road, Jervoistown, Napier, New Zealand, 4112

Submission number of original submissions: 58

The particular parts of the submission I oppose are:

Policy 36/37

Policy 52

Policy 56

Tank 17

The reasons for my opposition are:

[Clearly indicate whether you support or oppose the specific provisions or wish to have them amended along with reasons]

Policy 36-37: to cut the allocation back further from 90Mm³ per annum to 70Mm³ per annum would detrimentally impact existing users of water. This would have significantly affected the rural and urban economy and, the well-being and employment security for the population.

Policy 52: HBFGC believe efficiency targets will result in more area irrigated with the same amount (volume) rather than the current area irrigated with less.

This is opposed because the RMA is "effects based". If the water take has been shown (as part of the consenting process) to have an effect that is "less than minor" and the use is within allocation limits, there is no grounds for the submission.

Policy 56: HBFGC oppose enhancing security of supply.

This is a short sighted view. Flow enhancement for security of supply (and maintaining the flow above 2400L/s) would have prevented and alleviated the low flow consequences of 2019-20 and other seasons. Furthermore, opposing flow enhancement does not allow for the region to begin planning for climate change.

Tank 17: HBFGC wish to add more rivers and streams to the dam prohibition rules.

This is opposed because on-stream storage needs to remain an option to ensure the best storage option outcomes for flow enhancement and/or security of supply can be put in place. Adding more streams would limit options to be considered.

The particular parts of the submission I support are:

Policy 31

Policy 47

The reasons for my support are:

[Clearly indicate whether you support or oppose the specific provisions or wish to have them amended along with reasons]

HBFGC have requested in policy 31 that the NPS-FM 2020 is included; specifically, Te Mana o Te Wai. This is a requirement and should be a *fate compli*.

Policy 41 HBFGC request the reliability of supply be reduced from to 90% from 95%. This would be nationally consistent.

I seek that part of the submission be disallowed

[Please give precise details to ensure your views are accurately represented]

The submission should not be disallowed in entirety. We support the position to bring in the NPS-FM 2020 if it feasible to do so now and also to bring the reliability to 90% from 95%. However, we do also oppose the other points raised therefore we seek those parts are disallowed.

I support the submission of:

Name of original submitter: Horticulture New Zealand (HortNZ)

Address of original submitter: View Consultants Ltd PO Box 239 NAPIER 4140

Submission number of original submissions: 180

The particular parts of the submission I support are:

The submission is supported in entirety however, we give special consideration and mention to:

Objective 17

Objective 19

Removal of the word “actual” from the term “Actual and Reasonable” (TANK Rules 9 and 10 as well as related policy)

The reasons for my support are:

[Clearly indicate whether you support or oppose the specific provisions or wish to have them amended along with reasons]

Objective 17 HortNZ submission states: “It is not clear whether the list is in any order of priority order. If it is, then HortNZ opposes the prioritisation of a) over matters b), c) and d). In any event, whether or not the list sets an order of priority needs to be clarified.”

We support their request for clarification if this is in order of priority or not. If it is, we support their opposition to the order.

Objective 19 HortNZ submission states: “As already set out in this submission, given that water harvesting and storage (based on this current draft of the plan change) provides the only means of accessing ‘new’ water, HortNZ cannot emphasise enough how critical water harvesting and storage is to ensure the foreseeable water needs of even current, let alone future, generations, and that the total allocation set out in Schedule 32 can be taken, as well as the potential for additional water to be harvested investigated also. HortNZ submits that there should be prioritisation introduced to this objective, and water harvesting, and storage should be recognised as being the most important means of securing water for future generations. HortNZ agrees that reductions in water use, and thus steps towards achieving greater water security will be achieved through the matters identified in a), b) and c), however ‘gains’ are unlikely to be significant, as many horticultural growers are already achieving (or are beyond) good management practice with respect to their water use efficiency, with the technology that is currently available. Technology will continue to develop over time, and all water users should be required to operate in accordance with good management practice, however, this will take some time. HortNZ also understands that there remains considerable uncertainty about whether ‘aquifer recharge’ is a viable means of securing the current and foreseeable water needs of future generations, and therefore seeks that it is deleted from this objective.”

We support this position in entirety. There are many submissions that say that harvesting and storage is against the RMA and the NPS-FM. To the contrary. If well designed and managed, storage can enhance our waterways as well as improve security of supply. Climate change will result in some land use change, the rivers need water to ensure they can support aquatic ecosystems as well as human life. The NPS-FM outline a hierarchy of importance and still includes “the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.”

The removal of the word “actual” from the term “Actual and Reasonable” is supported as our submission discusses the problems with using “actual” use data. We agree that historic use data is unreliable and for some users is non-existent. We believe allocations should be granted on a “reasonable” basis.

I seek that the whole or part of the submission be allowed

[Please give precise details to ensure your views are accurately represented]

We seek the entire submission be allowed.

REMINDER: SUBMISSIONS MUST REACH COUNCIL BY 5PM ON 9 DECEMBER 2020

A copy of your submission must be served on the original submitter within 5 working days after it is served to the council.

**FURTHER SUBMISSION ON PROPOSED PLAN CHANGE 9
HAWKES BAY REGIONAL RESOURCE MANAGEMENT PLAN**

To: Hawke's Bay Regional Council

Submitter: Lowe Corporation Limited
499 Coventry Road
Hastings

Address for Service: Trevor Robinson
Barrister
PO Box 8018
Wellington 6143

Email: trob@trobinson.co.nz
Phone: 0274 468 644

1. Lowe Corporation Ltd has an interest in Proposed Plan Change 9 that is greater than the interest the general public has by virtue of its substantial groundwater takes from the Heretaunga Aquifer for industrial process use at Whakatu, Tomoana and Awatoto and its use of water supplied from the Napier City municipal water supply at its Pandora Plant.
2. Lowe Corporation Ltd wishes to be heard in support of its further submissions as attached.
3. If others make a similar submission, Lowe Corporation would consider presenting a joint case with them at a hearing.



Trevor Robinson
Barrister
For Lowe Corporation Limited

Dated: 9 December 2020

Further Submission Details:

Name of Original Submitter:

Hawkes Bay Winegrowers' Association Inc
2091 Maraekahaho Road
RD1
Hastings 4171

Email: zan.harding@xtra.co.nz
Submitter #29

1. Lowe Corporation Ltd supports the relief sought in this submission as follows:
 - 29.19: Amend Policy 36.f and 36.g in the manner specified in the submission - on the grounds that new take and use of stored water under the high flow allocation provisions of the Plan Change and replacement of expiring consents ought to be provided for and on the basis that the interim allocation limit is an appropriate reference point given that the Heretaunga Plains aquifer is not over allocated based on cumulative actual use;
 - 29.26: Amend Policy 41 in the manner specified in the submission - on the grounds that maintenance of the Ngaruroro River at or above the minimum flow specified in Plan Change 9 is the appropriate reference point;
 - 29.34: Amend Policy 52 in the manner specified in the submission - on the grounds that it should be possible to allocate groundwater made available through offsets, augmentation or recharge from stored water under the high flow allocation provisions.
2. Lowe Corporation Ltd seeks that the parts of the submission itemised above be allowed.

Name of Original Submitter:

Bostock New Zealand Limited and
Freshmax Limited

Email: johnb@bostock.nz;
eddiec@crasborn.co.nz
Submitter #47

1. Lowe Corporation Ltd supports the relief sought in this submission as follows:
 - 47.4: Seeking that Policy 37(a)-(d) be amended to recognise that the stated limit is an arbitrary number without reference to location and identification of specific adverse effects and inappropriately treats the Heretaunga Plains aquifer as one homogeneous unit is simplistic and does not cover a range of relevant considerations - on the grounds that as noted in the submission, rules and regulations should be based on actual real-world effects in specific locations and not on theoretical maximum allocations across the entire catchment;
 - 47.5: Amend Policy 38(a)-(b) be amended to recognise that the stated limit is an arbitrary number without reference to location and identification of specific adverse effects and inappropriately treats the Heretaunga Plains aquifer as one homogeneous unit is simplistic and does not cover a range of relevant considerations - on the grounds that as noted in the submission, rules and regulations should be based on actual real-world effects in specific locations and not on theoretical maximum allocations across the entire catchment;
 - 47.6: Amend Policy 52(a) - for the reasons stated in the submission;
 - 47.7: Amend Policy 36(f) - for the reasons stated in the submission;
 - 47.8: Amend Policy 42(g) to ensure that the Plan Change is based on actual use and real-world adverse effects and mitigation rather than theoretical over-allocation – for the reasons stated in the submission.
2. Lowe Corporation Ltd seeks that the parts of the submission itemised above are allowed.

Name of Original Submitter:

Hawkes Bay Fish and Game Council
22 Burness Road
Greenmeadows
Napier 4112

Email: pwilson@fishandgame.org.nz
Submitter #58

1. Lowe Corporation Ltd opposes the relief sought in this submission as follows:

- 58.4: Amend Objective 2(b) to refer to the habitat of trout and salmon - on the grounds that this would introduce an inherent contradiction with the focus of the objective on the protection of indigenous biodiversity;
- 58.10: Amend Objective 16 as specified in the submission - on the grounds that the suggested amendment is unnecessary given that the objective already states that the listed priorities are subject to the values of the water body; and that relief that depends on the future recommendation of a third party is not a valid submission, being void for uncertainty;
- 58.11: Amend Objective 17 as specified in the submission - on the grounds that it is not necessary to qualify every objective by reference to Te Mana o Te Wai and/or Mauri and relief that depends on the future recommendation of a third party is not a valid submission, being void for uncertainty;
- 58.12: Amend Objective 18 as specified in the submission - on the grounds that it is not necessary to record the priorities of water management in every objective. In this case, the focus of the objective is on the mechanisms available to achieve the desired outcomes. In addition relief that depends on the future recommendation of a third party is not a valid submission, being void for uncertainty.
- 58.29: Amend Policy 55 to introduce a 50/50 flow sharing of high flows - on the grounds that the suggested apportionment is arbitrary and not-effects based.
- 58.31: Amend Regional Rules to provide direction as to how notification/affected party decisions would be made - on the grounds that the submission is expressed so generally that it is not possible to determine the effects should be granted. Further, the provisions of the RMA governing notification provide adequate discretion;

- 58.32: Amend Rule 17 to enlarge the list of water bodies excluded from damming
 - on the grounds that if effective measures to overcome over-allocation of groundwater resources depend on water storage, the options available to provide that storage need to be retained.
2. Lowe Corporation Ltd seeks that the submission points itemised as above are disallowed.

Name of Original Submitter:

Napier City Council
Private Bag 6010
Hawkes Bay Mail Centre
Napier 4142

Email: chiefexecutive@napier.govt.nz
Submitter #63

1. Lowe Corporation Ltd supports the relief sought in this submission as follows:
 - 63.4: Amending Policy 37(d) to treat actual and reasonable use as a starting point when considering applications to renew existing consents in the manner sought in the submission – on the grounds that actual use over previous years may not be a reasonable approach for all replacement processes;
 - 63.5: Insert new Policy 37A to guide consideration of new takes – on the grounds that an absolutist position is inappropriate given the interim status of the proposed Heretaunga groundwater allocation limit and would have potentially significant costs for limited benefits;
 - 63.11: Amend Policy 42 to include consideration of information on the long-term equilibrium of the groundwater resource – on the grounds that this is relevant information that should be factored into the decision-making process;
 - 63.12: Amend Policy 48(f) to provide for suggested new Policy 37A and for takes for the purpose of flow enhancement/ecosystem improvement – on the grounds that these are relevant and appropriate exceptions;
 - 63.27: Amend Rule 11 to avoid new takes within the existing allocation at the date of the Plan becoming operative falling to prohibited – for the reasons set out in submission;
 - 63.31: Amend advice note to Rule 62a to provide for transfer of water from a municipal supply to a point of take servicing industrial use – on the grounds that more efficient supply of water to industrial process facilities should be provided for.

3. Lowe Corporation Ltd opposes the relief sought in this submission as follows:
 - 63.2: Amend Objective 16(b) to refer to future revisions of HPUDS (2017) and requirements under an NPS on Urban Development – on the grounds that it is not appropriate to provide generally for future documents, the content of which is not known or to presume that a National Policy Statement on Urban Development

should automatically prevail over the requirements of the NPSFM, and plans promulgated to give effect to it;

- 63.7: Amend Policy 39 to provide for a water conservation strategy approach for municipal takes – on the grounds that the regulatory regime put in place to respond to over allocation needs to be sufficiently robust that it works for all significant groundwater users;
 - 63.13: Amend Policy 49(h) to delete reference to review requirements – on the grounds that municipal consents should not be immune from reconsideration on the same basis as other significant water users;
 - 63.14: Amend Policy 50 to refer to revisions of HPUDES (2017) and requirements under an NPS on urban development and soften requirement to ensure appropriate infrastructure leakage management – on the grounds that it is not appropriate to provide generally for future documents, the content of which is not known or to presume that a National Policy Statement on Urban Development should automatically prevail over the requirements of the NPSFM, and plans promulgated to give effect to it, and that requirements for efficient operation of municipal supply systems should not be watered down when all other water users are being called upon to play their part in addressing over-allocation;
 - 63.21: Amend Rule 9(g) to provide a general exception for municipal takes complying with a water conservation strategy – on the grounds that the regulatory regime put in place to respond to over allocation needs to be sufficiently robust that it works for all significant groundwater users;
 - 63.23: Amend Rule 9 to delete reference to infrastructure leakage requirements – on the grounds that requirements for efficient operation of municipal supply systems should not be watered down when all other water users are being called upon to play their part in addressing over-allocation;
4. Lowe Corporation Limited seeks that the parts of the submission itemised above as being opposed be disallowed, and the parts itemised above as being supported be allowed.

Name of Original Submitter:

Environmental Defence Society Inc
PO Box 91736
Victoria Street West
Auckland 1142

Email: cordelia@eds.org.nz
Submitter #118

1. Lowe Corporation Limited opposes the relief sought in this submission in respect of water quantity and over allocation as follows:

- 198.3: Set allocation limits, minimum flow and high flow limits for all catchments – on the grounds that the relief sought is expressed so generally that it is not possible to determine the effects, including costs and benefits, should the submission be accepted, and the submission provides no such assessment;
- 198.4: Include clear objectives and policies to phase out over-allocation of surface and groundwater and to avoid future over allocation, safeguard life-supporting capacity and ecosystem health, protect the significant values of outstanding freshwater bodies and wetlands – on the grounds that the relief sought is expressed so generally that it is not possible to determine the effects, including costs and benefits, should the submission be accepted, and the submission provides no such assessment;
- 198.5: Ensure that water takes are required to cease at minimum flows (except essential water takes for human water drinking supplies) and that all water takes are within low flow and high flow allocation limits – On the grounds that insofar as the submission would seek that all groundwater takes cease at minimum flows, the relief sought is neither an effective nor efficient means of achieving the objectives of Plan Change 9. In that and all other respects, on the grounds that the relief sought is expressed so generally that it is not possible to determine the effects, including costs and benefits, should the submission be accepted, and the submission provides no such assessment;
- 198.6: Set high flow allocations for all rivers that ensure hydrological alternation of the flow regime is minimised and maintained close to natural flow regimes – on the grounds that the relief sought is expressed so generally that it is not possible to determine the effects, including costs and benefits, should the submission be accepted, and the submission provides no such assessment;

- 198.7: Significantly increase the minimum flow in the Ngaruroro River to provide more habitat for indigenous fish at low flows – on the grounds that the relief sought is expressed so generally that it is not possible to determine the effects, including costs and benefits, should the submission be accepted, and the submission provides no such assessment;
2. Lowe Corporation Ltd seeks that the parts of the submission itemised above be disallowed.

Name of Original Submitter:

Director-General of Conservation

59 Marine Parade,
Napier South,
Napier 4110

Email: mgraham@doc.govt.nz;
jnsmith@doc.govt.nz
Submitter #123

1. Lowe Corporation Ltd opposes this submission, as follows:
 - 123.1: Include clear objectives and policies to address specified issues – on the grounds that while appropriate in principle, the submission is expressed too generally to assess the effects were it to be granted;
 - 123.2: Ensure all water takes are required to cease at minimum flows subject to one specified exception, cease abstractions which deplete streams when minimum flows are reached in all cases – on the grounds that an absolute rule as proposed, fails to take account of time lags between taking of groundwater and stream depletion effects, that need to be addressed;
 - 123.3: Ensure all water takes (including those for water storage and stream flow maintenance schemes) are within low flow and high flow allocation limits – on the grounds that water takes from water storage should be an exclusion;
 - 123.6: Set high flow allocations for all rivers that ensure hydrological alternation of the flow regime is minimised and maintained close to natural flow regimes – on the grounds that if water storage is to provide a solution for over-allocated surface and groundwater catchments, limitations on the source of water at high flows need to be minimised;
 - 123.18: HBRC withdraws PC9, gives effect to the NPSFM 2020 and renotifies the plan change in amended form; or HBRC prepares and notifies a variation of PC9 to implement the NPSFM 2020; or Some other action or actions to ensure that the NPSFM 2020 is given effect to as required, and which provides an efficient and fair process for the community (including submitters on PC9)- on the grounds that the community has invested significant resources on Plan Change 9 and while the need to implement the NPSFM 2020 is acknowledged, that investment ought not to be wasted by ‘starting again’.

- 123.20: Clearly articulate or delete specified issues – on the grounds that the generally expressed relief could potentially allow substantive amendments to the issues, the effects of which cannot be assessed;
 - 123.21: Delete the introduction to 5.10 and provide a Schedule of identified values and where they apply – on the basis that the generally expressed relief would permit substantive amendments to the Plan the effects of which cannot be assessed;
 - 123.22: Delete and restate the objectives in the manner specified – on the grounds that if considered separately from the more specific relief sought in following submissions, the generality of this submission means that it is not possible to assess the effects, were it to be granted;
 - 123.35: Insert new Objective D, as specified in the submission – on the grounds that an objective of phasing out groundwater allocation by 2040 needs to be put in place as part of a wider framework that ensures that this is practicable;
 - 123.73: In the context of Policy 37 provide evidence, among other things, to confirm that the allocation limit will not result in adverse effects – on the grounds that a no-effects approach is unsustainable and will give rise to significant social and economic dislocation;
 - 123.74-75: Delete all references to stream flow maintenance – on the grounds that the Plan needs to provide positive measures to enable phasing out of over-allocation without significant social and economic dislocation;
 - 123.108-110: Include specified matters of discretion – on the grounds that it is not necessary to include matters of discretion in full discretionary activity rules.
2. Lowe Corporation seeks that the parts of the submission itemised above be disallowed.

Name of Original Submitter:

Hawkes Bay Regional Council
159 Dalton Street
Napier 4110

Email: ellen.robotham.govt.nz
Submitter #129

1. Lowe Corporation Ltd supports the relief sought in this submission as follows:
 - 129.2: Delete and replace Policy 39 as specified in the submission – on the grounds that HBRC has access to resources and has wider functions and powers to develop solutions that are not available to other parties. Council needs to take the initiative in identifying and implementing the most efficient and cost-effective solutions to manage groundwater use;
 - 129.12: Amend Rule 9 to provide for non-notification of applications where they are subject to a review condition in respect of flow maintenance and enhancement - on the basis that it supports policy goals of efficiency, effectiveness and less complexity.
2. Lowe Corporation Limited seeks that the parts of the submission itemised above be allowed.

Name of Original Submitter:

Te Taiwhenua o Heretaunga

PO Box 718

Hastings

Email: marei.apatu@tttoh.iwi.nz

Submitter #132

1. Lowe Corporation Ltd opposes this submission, as follows:

- 132.1: Amend rules, schedules and decision-making processes to reflect the priority specified in the submission – on the grounds that while Te Mana o te Wai has the health and well-being of water bodies as a key component, as defined, in the NPSFM, it is not the only component. It is also unclear how it is proposed that the existing provisions would be amended to reflect that priority;
- 132.4: Add a Schedule of values and delineate where the values apply – on the grounds that without specification of what values are proposed to be added and where it is proposed they would apply, it is not possible to assess the effects of the relief sought, including its costs and benefits;
- 132.6: Amend Plan Change 9 as specified at paragraph 216 of the submission – on the grounds that the generality of the relief specified means that it is not possible to determine what amendments would ultimately respond to the submission, what effect those amendments would have and including in terms of a quantification of costs and benefits compared to potential alternatives.
- 132.7: Amend the issue statements or alternatively draft clear objectives, policies and rules – on the ground that while clarity is desirable, the generality of the relief sought means that it is not possible to determine the effects if the submission were granted, including the costs and benefits compared to potential alternatives;
- 132.13: Amend Plan Change 9 to delete provisions related to flow enhancement, stream augmentation, groundwater enhancement, and make dams larger than 250,000m³ non-complying activities – on the grounds that the relief sought would remove any ability to achieve the objectives of Plan Change 9 without significant economic and social dislocation.
- 132.15: Avoid adverse effects where these are occurring as such that limits are not being achieved – on the ground that the submission elides adverse effects with limits not being achieved. Avoidance of adverse effects may not cause quantity

limits to be achieved and achievement of quantity limits may not cause adverse effects to be avoided. The two issues need to be addressed separately;

- 132.16: Provide for pro-rata reductions in volumes and rates of abstraction to meet sustainable limits – on the ground that a pro-rata reduction fails to take account of the different starting points each resource user will have, is overly simplistic and inherently arbitrary;
- 132.17: Remove “*actual and reasonable*” use from assessment criteria – on the grounds that while the “*actual and reasonable*” approach in Plan Change 9 is flawed, removal of it without specification as to what consideration should be given to past use is inappropriate;
- 132.34: Ensure operative RPS Policies 35 and 43 are given effect to – on the grounds that the submission does not specify how they should be given effect to and thus it is not possible to determine the effect if the submission were granted. In addition, all relevant RPS policies that are not inconsistent with the NPSFM should be given effect to;
- 132.37: Retain Policy 77 – on the grounds that the purpose of Plan Change 9 is to put more specific provisions in place for the TANK catchments;
- 132.47: Restrict high flow abstractions to 15 May – 15 October – on the grounds that if water storage is to provide a solution to over allocation of surface and groundwater, unnecessary limitations on its use need to be avoided;
- 132.50: Require applications under Rules 9-13 to be discretionary activities with tangata whenua parties notified and a ten year duration limit – on the grounds that the suggested amendments are inefficient and unnecessary. The RMA provisions governing notification provide the Council with appropriate discretion to notify when required;
- 132.62: Prohibit groundwater takes outside of the allocation volume limits and cumulative rate limits – on the grounds that in situations where groundwater takes are outside specified limits, a process needs to be put in place to progressively move towards compliance with those limits in a planned and equitable manner;
- 132.71: Include a table of outstanding water bodies and their values – on the grounds that this is the function of Plan Change 7. What goes into Plan Change 9 needs to implement Plan Change 7;;

- 132.74: Set separate allocation limits for the unconfined and confined parts of the Heretaunga Plains aquifer system – while the concept of setting separate limits is not opposed, the submission does not suggest what the appropriate limits would be and therefore it is not possible to understand the effects if the submission were to be granted, and therefore to assess the associated costs and benefits compared to alternatives;
- 132.83: Redraft the existing objectives so they are clearly stated outcomes – on the grounds that the relief sought is expressed so generally that it is not possible to understand the effects were the submission to be granted, or to assess the costs and benefits relative to potential alternatives;
- 132.85: Add new Objective 2A for maintenance of water quantity and 6B for groundwater abstraction not to have an adverse effect on surface water bodies – on the basis that maintenance of water quantity would preclude high flow take and storage, and thereby remove the most practical method for addressing over-allocation of ground and surface water. As regards Objective 6B, an objective seeking no adverse effects on surface water bodies is impractical, unsustainable and unnecessary;
- 132.86: Amend proposed objectives, rules and schedules to promote the proposed objectives – for the reasons set out above in relation to submission 132.85;
- 132.87: Add anticipated environmental results – on the grounds that when it was required that policies, statements and plans identify anticipated environmental results, they served little purpose and occupied a disproportionate amount of First Schedule hearing time relative to any benefits they provided;
- 132.99: Provide a new Schedule showing outstanding water bodies and strengthen the relevant provisions in Plan Change 9 to promote their better protection – on the grounds that identification of outstanding water bodies is a matter for Plan Change 7, what is in Plan Change 9 needs to implement the outcome of Plan Change 7, and as regards potential amendments to the provisions of Plan Change 9, the relief specified is expressed so generally that it is not possible to determine the effects if the submission were granted, and therefore to assess costs and benefits relative to alternatives;
- 132.105: Provide new Schedule 26F as specified in the submission – on the grounds that the relief requested is expressed so generally that it is not possible to

determine the effects if the submission were granted, and therefore to assess the costs and benefits relative to alternatives;

- 132.106: Insert in proposed Schedule 26-F details as to limits and targets, prescribe measurable attributes and limits – on the grounds that the relief sought is expressed so generally that it is not possible to determine the effects if the submission were granted, and therefore to assess the costs and benefits relative to alternatives;
- 132.166: Amend references to stream flow maintenance and flow augmentation and shift provisions to a non-regulatory section – for the reasons specified in relation to submission 132.13;
- 132.117: Impose specified restrictions on high flow abstraction – on the grounds that if high flow abstraction and storage is to assist achievement of the broader plan objectives, unnecessary limitations on such abstractions should be avoided;
- 132.160: Oppose TANK Rules 9-11 and Schedule 33 until objectives and policies have been amended and the rules have been amended to achieve specified outcomes – on the grounds that it is not possible to determine the effects if the submission were granted, and therefore to assess the costs and benefits relative to alternatives in the absence of greater clarity as to what the revised rules would actually say;

2. Lowe Corporation Ltd supports this submission as follows:

- 132.155: Introduce new provisions to enable replacement of resource consents to abstract groundwater with consents for abstraction from water storage – on the grounds that if practicable, this will assist a more sustainable outcome.

3. Lowe Corporation Ltd seeks that the parts of the submission itemised above and opposed be disallowed and that submission 132.155 be allowed.

Name of Original Submitter:

Horticulture New Zealand
PO Box 239
Napier 4140

Email: charlotte.drury@hortnz.co.nz
Submitter #180

1. Lowe Corporation Ltd supports this submission as follows:
 - 180.2: Emphasising the importance of providing for harvesting of water at high flows and storage for later utilisation – on the grounds that this is critical to the achievement of the objectives of Plan Change 9;
 - 180.18: Amend Objective 17 to state that subsections are not listed in any order of priority – on the grounds that this is not clear at present;
 - 180.19: Amend to prioritise water harvesting and storage – on the grounds that this is critical to the achievement of the broader objectives of Plan Change 9 because it provides the only means of accessing ‘new’ water;
 - 180.38: Amend Policy 36 to enable new takes of high flow water and restrict rather than avoid new allocations – for the reasons stated in the submission 180.39;
 - 180.39: Amend Policy 37 to avoid the policy being unnecessarily restrictive given knowledge of what is a sustainable groundwater limit is incomplete – for the reasons stated in the submission;
 - 180.42: Amend Policy 41 to soften the current commitment to remedying the effects of all groundwater takes on the Ngaruroro River – on the grounds that this is impractical and it is unclear whether it would even be beneficial;
 - 180.45: Amend Policy 49 to provide a longer term of consent for large scale water storage projects – on the grounds that short term consents will make the required investment unviable;
 - 180.47: Amend Policy 52 to make it clear that new water is available for allocation from high flows – on the grounds that the policy should not inadvertently preclude use of high flow water;

- 180.60: Amend Rule 12 status to non-complying – for the reasons stated in the submission.
2. Lowe Corporation Limited seeks that the parts of the submission itemised above be allowed.

Name of Original Submitter:

Heinz Wattie's Limited

513 King Street
Hastings

Email: bruce.mackay@kraftheinz.com
Submitter #193

1. Lowe Corporation Ltd supports this submission, as follows:
 - 193.3: Allow existing levels of use to continue and require new use to be from alternative water sources – for the reasons set out in the submission;
 - 193.6: Define essential human health on the basis of stated volume per head per day and reconsider a combination of factors causing stream depletion – on the grounds that in the absence of a defined volume per head per day municipal authorities can avoid responsibility for water reticulation network leakage, and otherwise for reasons specified in the submission;
 - 193.8: Amend Policy 49 to provide that consents requiring significant investment receive terms up to 35 years – on the grounds that consent terms should align with capital investment;
 - 193.9: Amend Policy 52(a) to provide for allocation of new water from stored water sources, accessed as described in the submission – on the grounds that Policy 52 is currently internally contradictory and needs to better enable use of stored water;
 - 193.10 and 193.11: Amend Policies 55 and 56 to enable storage of water and then release and use – for the reasons stated in the submission.
2. Lowe Corporation Ltd opposes the submission as follows:
 - 193.5: Delete reference to the highest recorded water use in any of the ten years preceding August 2017 – on the grounds that the submission is unclear as to what allocation should be made to water takes with fluctuating take volumes and therefore it is not possible to determine the effect if the submission were granted.
3. Lowe Corporation Ltd seeks that parts of the submission itemised above and supported are allowed and that submission 194.5 is disallowed.

Name of Original Submitter:

Federated Farmers of New Zealand
Private Bag 715
Wellington 6140

Email: pmatich@fedfarm.org.nz
Submitter #195

1. Lowe Corporation Ltd supports the relief sought in this submission as follows:
 - 195.60: Amend Policies 36, 37 and 38 to focus on avoiding increases/further over allocation, and to reduce existing allocation – on the grounds that the focus of these policies should be on that rather than on ‘new water use’ per se;
 - 195.71: Amend Policy 50 to focus the policy on planned rather than projected increases in demand – on the grounds that if water allocation for municipal use is to have favoured treatment, it needs to have a level of certainty behind it that would justify that favoured treatment;
 - 195.91: Amend Rule 13 to provide a more enabling regime for allocation of surface water high flows – on the grounds that a discretionary activity status does not enable water storage and harvesting;
 - 195.93: Amend Rule 15 to have controlled activity status with a default to restricted discretionary activity status – on the grounds that takes from established water storage dams should be enabled.
2. Lowe Corporation Ltd seeks that the parts of the submission itemised above be allowed.

Name of Original Submitter:

Hastings District Council
Private Bag 9002,
Hastings 4146
Email: markac@hdc.govt.nz
Submitter #207

1. Lowe Corporation Ltd supports the relief sought in this submission as follows:
 - 207.4: Amending Policy 37(d) to treat actual and reasonable use as a starting point when considering applications to renew existing consents in the manner sought in the submission – on the grounds that actual use over previous years may not be a reasonable approach for all replacement processes;
 - 207.5: Insert new Policy 37A to guide consideration of new takes – on the grounds that an absolutist position is inappropriate given the interim status of the proposed Heretaunga groundwater allocation limit and would have potentially significant costs for limited benefits;
 - 207.11: Amend Policy 42 to include consideration of information on the long-term equilibrium of the groundwater resource – on the grounds that this is relevant information that should be factored into the decision-making process;
 - 207.12: Amend Policy 48(f) to provide for suggested new Policy 37A and for takes for the purpose of flow enhancement/ecosystem improvement – on the grounds that these are relevant and appropriate exceptions;
 - 207.29: Amend Rule 11 to avoid new takes within the existing allocation at the date of the Plan becoming operative falling to prohibited – for the reasons set out in submission;
 - 207.33: Amend advice note to Rule 62A to provide for transfer of water from a municipal supply to a point of take servicing industrial use – on the grounds that more efficient supply of water to industrial process facilities should be provided for;
 - 207.39: Amend Policy 6(b) as specified in the submission – on the grounds that the policy should clearly provide for contaminants moving overland and then percolating to groundwater within defined drinking water source areas;
 - 207.40: Include SPZs as part of the Regional Plan – on the ground that subject to the areas identified being supported by appropriate technical analysis,

mapping of drinking water source areas is desirable to provide certainty in the future;

- 207.52: Include SPZ maps as part of the Regional Plan – on the ground that subject to the areas identified being supported by appropriate technical analysis, mapping of drinking water source areas is desirable to provide certainty in the future.

2. Lowe Corporation Ltd opposes the relief sought in this submission as follows:

- 207.2: Amend Objective 16(b) to refer to future revisions of HPUDS (2017) and requirements under an NPS on Urban Development – on the grounds that it is not appropriate to provide generally for future documents, the content of which is not known or to presume that a National Policy Statement on Urban Development should automatically prevail over the requirements of the NPSFM, and plans promulgated to give effect to it;
- 207.7: Amend Policy 39 to provide for a water conservation strategy approach for municipal takes – on the grounds that the regulatory regime put in place to respond to over allocation needs to be sufficiently robust that it works for all significant groundwater users;
- 207.13: Amend Policy 49(h) to delete reference to review requirements – on the grounds that municipal consents should not be immune from reconsideration on the same basis as other significant water users;
- 207.14: Amend Policy 50 to refer to revisions of HPUDS (2017) and requirements under an NPS on urban development and soften requirement to ensure appropriate infrastructure leakage management – on the grounds that it is not appropriate to provide generally for future documents, the content of which is not known or to presume that a National Policy Statement on Urban Development should automatically prevail over the requirements of the NPSFM, and plans promulgated to give effect to it, and that requirements for efficient operation of municipal supply systems should not be watered down when all other water users are being called upon to play their part in addressing over-allocation;
- 207.23: Amend Rule 9(g) to provide a general exception for municipal takes complying with a water conservation strategy – on the grounds that the

regulatory regime put in place to respond to over allocation needs to be sufficiently robust that it works for all significant groundwater users;

- 207.25: Amend Rule 9 to delete reference to infrastructure leakage requirements – on the grounds that requirements for efficient operation of municipal supply systems should not be watered down when all other water users are being called upon to play their part in addressing over-allocation;
3. Lowe Corporation Limited seeks that the parts of the submission itemised above as being opposed be disallowed, and the parts itemised above as being supported be allowed.

Name of Original Submitter:

**Royal Forest and Bird Protection Society of
New Zealand**

PO Box 631
Wellington 6140

Email: t.kay@forestandbird.org.nz

Submitter #210

1. Lowe Corporation Ltd opposes this submission, as follows:
 - 210.3: Remove all objectives from the Plan and replace with six new objectives set out in the submission– on the grounds that while the suggested objectives focus on relevant issues, they are very generally expressed and do not provide clear outcomes addressing all relevant issues;
 - 210.6: Amend policies and related provisions to ensure consistency of terminology and referencing – on the grounds that while appropriate in principle, this has the potential to result in substantive changes to existing provisions, without identifying such changes or enabling assessment of their effects;
 - 210.7: Align the format and content of all sections of the Plan with the National Planning Standards – on the grounds that while appropriate in principle, this has the potential to result in substantive changes without identifying such changes or enabling assessment of their effects;
 - 210.8: Amend all policies to give effect to the NPSFM – on the grounds that the nature of the amendments required are not identified, and therefore the effects are unable to be assessed;
 - 201.9: Enabling phrasing be deleted– on the grounds that the situations where it is proposed that such phrasing be removed are not identified other than by a general reference to potentially environmentally damaging activities, and thus the effects of the amendments proposed cannot be assessed;
 - 210.12: Provide clear policy direction to phase out over-allocation within five years – on the grounds that the submission provides no assessment of the relative costs and benefits of such a short timeframe, including the practicality of meeting such a requirement without significant social and economic dislocation;

- 210.13: Remove any provisions for ‘streamflow/augmentation/maintenance/enhancement’ – on the grounds that such measures provide a potential route to address surface and groundwater over-allocation without a significant social and economic dislocation;
- 210.14: Clearly identify Freshwater Management Units – on the grounds that while appropriate in principle, without identifying what Freshwater Management Units are proposed in the submission, it is not possible to assess the effects, if the submission were granted;
- 210.15: Clarify the “*freshwater objectives*” in respect of all FMUs – on the grounds that while appropriate in principle, without clarity in the submission as to what objectives are proposed, it is not possible to assess the effects, were the submission to be granted;
- 210.16: Insert increased minimum flows, for the Ngaruroro River in particular, with interim timeframes – on the grounds that the submission is non-specific as to the extent of any increase or the timeframes proposed, which means it is not possible to assess the effects, were the submission to be granted;
- 216.57: Delete and replace Policy 36 with a new policy that gives effect to the NPSFM – on the grounds that while appropriate in principle, without specification in the submission as to what a new policy would say, it is not possible to assess the effects, were the submission to be granted;
- 210.58: Delete and replace Policy 37 with a new policy that gives to the NPSFM – on the grounds that while appropriate in principle, without specification in the submission as to what a new policy would say, it is not possible to assess the effects, were the submission to be granted;
- 210.59: Delete and replace Policy 38 with a new policy that is clearer and gives effect to the NPSFM - on the grounds that while appropriate in principle, without specification in the submission as to what a new policy would say, it is not possible to assess the effects, were the submission to be granted;
- 210.60: Delete Policy 39 and all references to stream flow maintenance in the Plan - on the grounds that such measures provide a potential route to address surface and groundwater over-allocation without a significant social and economic dislocation;

- 210.61: Delete Policy 40 and all references to stream flow maintenance in the Plan – on the grounds that such measures provide a potential route to address surface and groundwater over-allocation without a significant social and economic dislocation;
- 210.62: Delete Policy 41 and include policies to manage stream depletion effects through the sustainable allocation of water – on the grounds that water storage and stream augmentation provide a potential route to address surface and groundwater over-allocation without a significant social and economic dislocation;
- 210.63: Delete Policy 42 and replace with a policy to phase out over-allocation – on the grounds without specification in the submission as to what a new policy would say, it is not possible to assess the effects, were the submission to be granted;
- 210.75: Delete Policy 54 and replace with a policy that clearly states dams in river channels would be prohibited - on the grounds that in-stream water storage may be appropriate in some cases and out of stream water storage may require some element of damming to be practicable;
- 210.76: Insert a limit in Policy 55 on the proportion of flow that can be taken above the medium flow – on the grounds that without specification as to what that proportion is, it is not possible to determine the effect, if the submission were granted;
- 210.77: Delete Policy 56 – on the grounds that recognising the benefits of appropriate design and management of water storage structures is a relevant and appropriate provision for the Plan;
- 210.79: Amend Policy 58 to prohibit all run of river dams – on the grounds that in-river storage may be appropriate in some cases and some level of damming may be required to make out of stream storage practicable;
- 210.90: Delete Rule 9 and replace with a policy on groundwater takes that gives effect to the NPSFM – on the grounds that without specification as to what would replace Rule 9, it is not possible to determine the effects, were the submission to be granted;

- 210.92: Amend Rule 11 to give effect to the NPSFM – on the grounds that without specification as to what would replace Rule 9, it is not possible to determine the effects, were the submission to be granted;
 - 210.94: Amend Rule 13 to give effect to the NPSFM including in specified respects – on the grounds that without specification as to what amendments are proposed, it is not possible to determine the effects, were the submission to be granted;
 - 210.95: Amend Rule 14 to prohibited status except where that dam is constructed offline, add assessment matters to offline dams – on the grounds that in-river storage may be appropriate in some cases and some level of damming may be required to make out of stream storage practicable;
 - 210.96: Amend Rule 15 to give effect to the NPSFM and RMA – on the grounds that without specification as to what amendments are proposed, it is not possible to determine the effects, were the submission to be granted;
2. Lowe Corporation Limited seeks that the parts of the submission itemised above be disallowed.

Proposed TANK Plan Change 9



Submitter Details

First name: Matthew **Last name:** Truebridge

Organisation/Iwi/Hapu: Manganoe

Farm

Phone number: 021374591

Would you like to present your submission in person at a hearing?

- Yes
- I do NOT wish to speak in support of my submission and ask that the following submission be fully considered.

Additional requirements for hearing:

Consultation Document Submissions

Original Submitter: #85 Matthew Truebridge (144 Waihau Road, Dartmoor, New Zealand, 4186)

Original Point: #85.8 Schedule 30: Landowner Collective, Industry Programme and Farm Environment Plan

- Support
- Oppose

I seek the following decision from the Regional Council:

Reason for decision requested:

Original Submitter: #85 Matthew Truebridge (144 Waihau Road, Dartmoor, New Zealand, 4186)

Original Point: #85.7 6.10.2 Water

- Support
- Oppose

I seek the following decision from the Regional Council:

Reason for decision requested:

Attached Documents

File

No records to display.



8 December 2020

Hawke's Bay Regional Council
Private Bag 6006
NAPIER

By email: eTANK@hbrc.govt.nz

FURTHER SUBMISSION: PLAN CHANGE 9

This further submission is lodged on behalf of the Hawke's Bay Drinking Water Governance Joint Committee, representing the agencies responsible for the provisions of safe drinking water in Hawke's Bay.

(A) The first submission we wish to support is:

- *Submission no. 233* lodged by the Hawke's Bay District Health Board, PO Box 447, Napier 4140.

The particular point of the HBDHB submission we support is:

- Recommendation 10 in respect of Policy 6: to extend the definition of Water Source Protection Zone to all registered water supplies serving 25 persons or more.

The reasons for our submission of support are:

- The notified provisions in Plan Change 9 reflect the current thresholds set out in the current Resource Management (National Environmental Standard for Sources of Human Drinking Water) Regulations 2007 in respect of population thresholds. These thresholds are for registered suppliers supplying no fewer than 501 people. As the Policy and Schedule currently stand this limit applies in Plan Change 9.
- The NES regulations state that "Consent authority requirements may be more stringent than regulation requirements". Given the present review of drinking water legislation and standards it is the view of the Joint Committee that the TANK plan change should anticipate the pending updates and make provision for the protection of drinking water supplies serving 25 persons or more. In the case of the latter consent authorities are required under the NES

to include a consent condition for the consent holder to notify the water supplier in the event that an activity may adversely impact on the quality of the water at source.

- The HBDHB submission also highlights that many of the small supplies serving over 25 and fewer than 501 people are serving small predominantly Māori communities. There are many other registered supplies serving between 25 and 100, some of which supply schools. The Joint Committee shares the HBDHB's view that by applying the methods set out in schedule 35 default source protection zones could be defined for all supplies over the 25 person threshold.

(B) The second submission we wish to support is:

- *Submission no.207* from the Hastings District Council regarding the individual Council's Source Protection Zone maps attached to each Council's respective Submissions.

The reasoning for our support is that further independent advice from GNS about the science behind the different methodologies in calculating the Source Protection Zones needs to be conservative as per the approach established in the Six Principles of Safe Drinking Water from the Havelock North Government Inquiry. Until further evidence is available from the SkyTEM Airborne Aquifer Survey work, (due for completion in 2021) then the combined results of both the numerical and analytical methodologies should be used in calculating the Source Protection Zone maps.

(C) We wish to advise the Hearings Panel that there is significant legislative change underway, following the establishment of Taumata Arowai and the new Water Services Bill. These new regulatory and compliance provisions may necessitate further amendments to the TANK Plan Change 9 prior to the formal hearings process to ensure safe drinking water.

Our address for service is:

Hawke's Bay Drinking Water Governance Joint Committee
c/- Hawke's Bay Regional Council
Private Bag 6006
NAPIER
Email: lizlambert@outlook.co.nz

We wish to be heard in support of our further submission.

Yours faithfully



Garth Cowie
Independent Chairman
Hawke's Bay Drinking Water Governance Joint Committee

Clause 8 of Schedule 1, Resource Management Act 1991

To: Hawke's Bay Regional Council

Name of person making further submission: **Ngāti Kahungunu Iwi Incorporated**

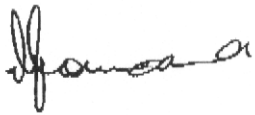
This is a further submission in regard to submissions on the Hawke's Bay Regional Council's Proposed Plan Change also referred to as the TANK Plan Change.

We are the recognised Iwi Authority within the rohe to which Proposed Plan Change 9 applies and therefore both represent a relevant aspect of the public interest and have an interest greater than that of the general public on the matters contained therein and to which this further submission relates.

We support and oppose submissions set out in the table attached for the reasons described therein and seek decisions as also set out therein. Nothing in this further submission limits the general and specific relief sought in our original submission.

We wish to be heard in support of our further submission and if others make a similar submission, we will consider presenting a joint case with them at a hearing.

A copy of this further submission will be served on the original submitters as required.



Ngahiwi Tomoana
Tumuaki/Chairman
Ngāti Kahungunu Iwi Incorporated



Chrissie Hape
Kaiwhakahaere Matua/Chief Executive
Ngāti Kahungunu Iwi Incorporated

Date

Address for service for person making further submission:

Phone: 06 876 2718

Postal Address: PO Box 2406 Hastings 4153

Contact Person: Ngaio Tiuka

Email: tank@kahungunu.iwi.nz

Copy to Counsel:

Rob Enright

Barrister

Email: rob@publiclaw9.com

Phone: 021 276 5787

Table of Further Submissions by NKII on PC9/TANK

Submission Ref	Submitter Name	Particular part of the submission to which this further submission relates	Oppose or Support and Reasons	Decision Sought
58	Hawke's Bay Fish and Game Council	High flow allocations to be redrafted with input from iwi.	Support in order to facilitate proprietary redress as above.	Allow the submission.
99	Twyford Water and pro forma submissions seeking the same relief	Change to the definition of the term 'actual and reasonable' to refer only to 'reasonable' and submission points relating to the continued take of water at unsustainable rates.	Oppose. The rule framework that relies on the actual and reasonable use test is already flawed because it does not require any claw back or inherent reduction in water use. The relief sought seeks to weaken the framework even further by removing the 'actual' aspect of the 'actual and reasonable' test.	Disallow the submissions.
123	Department of Conservation	Policies 36 – 45 regarding allocation, water takes	Support. These provisions as worded and structured will not	Allow the submission and/or alternative relief to ensure over allocation is phased out and stream

		and Policy 56 related to augmentation	fundamentally change the way in which water users behave and do not represent a significant enough shift from the status quo to ensure that over allocation does not continue.	enhancement and augmentation are not enabled by TANK nor relied upon as water quantity management tools and regimes
		TANK Rules 5 and 6	Support. Land use changes should be classified as discretionary activities, particularly in priority catchments.	Allow the submission.
129	Hawke's Bay Regional Council	New Policy 39 and associated changes	Oppose. The new policy still relies on and enables stream flow enhancement/augmentation as a means of addressing over allocation and over abstraction.	Disallow the submission
		Changes to TANK rules 5 and 6	Oppose the submission. Changes to land use should be classified as discretionary activities particularly in priority catchments. The difficulties in modelling and measurements noted by the submitter indicate that a restricted discretionary activity status is not appropriate as this status should be used where there is a high level of certainty as to the nature and scale of effects and their measurement.	Disallow the submission.
132	Te Taiwhenua o Heretaunga	Whole of submission.	Support. The submitter suggests numerous, detailed changes to PC9 in order to address deficiencies and represents a valuable contribution of mātauranga Māori to the plan change process and must be afforded weight accordingly.	Allow the submission or alternative relief to address all matters of concern to the submitter and further submitter.
233	Hawke's Bay District Health Board	Objective TANK 4	Support. It is imperative that review clauses are included within PC9 to measure its effectiveness and change the Plan at haste if it is not effective.	Allow the submission

		General submissions	We support the submitters statements regarding the changes to PC9 after the stakeholder process and detailed wording inaccuracies and deficiencies.	Allow the submission and grant relief sought by submitter or alternative relief in accordance with our original submission.
106	Taraia Marae	Entirety of submissions	These submissions provide valuable input into the TANK process through mātauranga Māori and must be afforded weight accordingly.	Allow the submission or alternative relief to address all matters of concern to the submitter and further submitter.
111	Ngati Hinemanu, Ngai Te Upokoiri			
126	Maungaharuru-Tangitū Trust			
127	Te Taiwhenua o Te Whanganui a Orotu			
147	Mihiroa Marae			
148 – 178, 183, 187-191	Mangaroa Marae			
181	Takitimu Maori Council			
182	Mangaroa Maori Committee and Nga Marae o Heretaunga			
184	Mangaroa Marae Trustees and Mangaroa Marae Committee			
201	Heretaunga Tamatea Settlement Trust			

206	Waipatu Marae			
240	Ngāti Pārau Hapū Trust			



DOC-6515758

9 December 2020

Hawkes Bay Regional Council
Private Bag 6006
NAPIER 4142

info@hbrc.govt.nz

To whom it may concern

Further Submission on Proposed Plan Change 9 to the Hawkes Bay Regional Council

Please find enclosed the further submission by the Director-General of Conservation in respect of Proposed Plan Change 9 to the Hawkes Bay Regional Council.

Please contact Manu Graham in the first instance if you wish to discuss any of the matters raised in this further submission (mgraham@doc.govt.nz)

Yours sincerely,



Jenny Nelson-Smith
Operations Manager
Hawkes Bay

RESOURCE MANAGEMENT ACT 1991

FORM 6

**FURTHER SUBMISSION IN SUPPORT OR OPPOSITION TO, SUBMISSION ON PUBLICLY
NOTIFIED**

PROPOSED PLAN CHANGE 9 – TANK PLAN CHANGE

Clause 8 of Schedule 1, Resource Management Act 1991

To: Hawkes Bay Regional Council (**HBRC**)

Further Submission on: Proposed Plan Change 9 to the Hawkes Bay Regional Resource Management Plan (**PC9**)

Name of submitter: Lou Sanson, Director-General of Conservation (the **Director-General**)

Address: Address for Service:
RMA Shared Services
Department of Conservation
Private Bag 3072
Hamilton 3240
Attn: Manu Graham

This is a further submission in support of (or in opposition to) a submission on Proposed Plan Change 9 (**PC9**).

I, Jenny Nelson-Smith, Operations Manager (Hawke's Bay) of the Department of Conservation, acting under delegated authority from the Director-General of Conservation (**Director-General**), make the following further submissions in support or opposition to the submissions on PC9:

1. **I support or oppose the submissions of** those persons and / or organisations listed in the second column headed "Submitter Name" of the table in the attached;
2. **The particular parts of the submission I support or oppose are** identified in the third column headed "Submission/Statement";
3. **The reasons for my support or opposition are** set out under the fifth column headed "Reasons" of the table;
4. **The particular aspect of the Plan that the further submission relates to are** set out in the first column headed "Plan Reference";
5. **In relation to those submissions I support, I seek that that submission is allowed.**

6. In relation to those submissions I oppose, I seek that the part of the submission I oppose is disallowed.

I do wish to be heard in support of this submission.

If others make similar submissions, I will consider presenting a joint case with them at the hearing.

The Director-General generally supports submissions that:

1. Contribute towards upholding Te Mana o Te Wai and its hierarchy of obligations;
2. Recognise and provide for tangata whenua ancestral connections to freshwater, wāhi tapu and taonga, address Treaty rights and proprietary interests and address the cultural wellbeing;
3. Provide for maintenance, enhancement and greater protection of freshwater values;
4. Prescribe limits and thresholds for nutrients or contaminants, for inclusion in PC9;
5. Provide for improved environmental outcomes;

Jenny Nelson-Smith
Operations Manager
Hawkes Bay

Acting pursuant to delegated authority on behalf of Lou Sanson, Director-General

Date: 9 July 2020

Note: A copy of the Instrument of Delegation may be inspected at the Director-General's office at Conservation House Whare Kaupapa Atawhai, 18/32 Manners Street, Wellington 6011

Address for service:

mgraham@doc.govt.nz

Attn: Manu Graham

Telephone: 027 280 3393

Department of Conservation

Tauranga

Plan Reference	Submitter Name	Submission /Statement	Support/Oppose	Reasons
5.10 Introduction	Ngāti Kahungunu Iwi Incorporated	120.66	Support	<p>The Director-General considers that the relief sought is in line with Part 2, Resource Management Act 1991 (RMA) tāngata whenua provisions.</p> <p>As a treaty partner, the Director-General remains invested in the outcome of submissions by iwi/hapū around the identification and suitability of provisions in PC9.</p> <p>The Director-General recognises the cultural significance of freshwater to tāngata whenua that have cultural associations to this area and continues to support not only the recognition and provision for those values but also the active protection of them to ensure our partners' interests are fully sanctioned throughout PC9.</p>
5.10 Introduction	Heretaunga Tamatea Settlement Trust	201.11	Support	<p>The Director-General supports the inclusion of appropriate provisions that include how tāngata whenua will be involved in freshwater management and decision making, not only with respect to monitoring and mātauranga Māori.</p>
5.10 Introduction	Ngāti Kahungunu Iwi Incorporated	120.3	Support	<p>The Director-General supports the development of tāngata whenua indicators to determine appropriate cultural attributes which provide a more holistic assessment of the each and all waterbodies.</p>

5.10 Introduction	Ngāti Kahungunu Iwi Incorporated	120.12	Support	The Director-General agrees clear objectives (with stated goals or outcomes) are needed to safeguard life-supporting capacity, ecosystem health and human health, to protect the significant values of outstanding freshwater bodies and wetlands, to maintain or improve water quality and to recognise Te Mana o te Wai.
5.10.5 Policies: Monitoring and Review	Ngāti Kahungunu Iwi Incorporated	120.40	Support	The Director-General supports integrating mātauranga Māori into the PC 9 framework. He considers this consistent with the Part 2, RMA and NPSFM 2020 provisions relevant to tāngata whenua which may include development of tāngata whenua indicators to determine appropriate cultural attributes which provide a more holistic assessment of the each and all waterbodies
Over- allocation	Royal Forest and Bird Protection Society of New Zealand (Forest & Bird)	210.12	Support	The Director-General agrees that a clear date should be stated to phase out the over allocation of groundwater and considers such phasing out in line with the NPSFM 2020.
Proposed TANK Plan Change 9	Environmental Defence Society	198.2	Support	The Director-General agrees that PC9 will not give effect to the National Policy Statement for Freshwater Management (NPSFM) 2017, or the NPSFM 2020. HBRC will then be required to undertake a further plan change on the PC9 provisions. The Director-General is concerned that the PC9 hearing process will be resource intensive and that it will ultimately result in, at best, implementation of objectives, policies and rules on an interim basis.
Water quantity	Ngāti Kahungunu Iwi Incorporated	120.87	Support	The Director-General considers a schedule of outstanding waterbodies and wetlands and their significant values for protection is included.

Water quality general	Ngāti Kahungunu Iwi Incorporated	120.14	Support	The Director-General considers PC9 should be amended to give effect to the RPS objectives for no degradation of the quality of the Heretaunga Aquifer.
OBJ TANK 15	Brownrigg Agriculture Group	124.21	Oppose	Submission seeks amendments that are inconsistent with national direction in the RMA, RPS and NPS-FM (2020).
Protection of water source	Ngāti Kahungunu Iwi Incorporated	120.140	Support	The Director-General agrees that source protection zones need to be clearly identified.
POL TANK 10	Royal Forest and Bird Protection Society of New Zealand (Forest & Bird)	210.31	Support	The Director-General agrees that amendments should be made to include reference to reducing contaminant from point source discharges where objectives in Schedule 26 are not being met currently in order to meet targets by 2040.
Pol TANK 22	Brownrigg	124.32	Oppose	The Director-General considers stock access to waterbodies and their margins has known and multiple adverse effects on water quality, life-supporting capacity, and ecosystem health (along with other freshwater values). The benefits of excluding stock are well understood and documented in the literature. This policy needs to be directive and clear that stock will be excluded from all TANK waterbodies.
5.10.4	Ngāti Kahungunu Iwi Incorporated	120.137	Support	The Director-General agrees that stormwater policies must address, and achieve, the objectives and achieve the targets in Schedule 26 within the life of the PC 9.

POL TANK 50	Royal Forest and Bird Protection Society of New Zealand (Forest & Bird)	210.71	Support	The Director-General supports a new clause to investigate water metering for all residential and commercial urban water users
General Plan	Royal Forest and Bird Protection Society of New Zealand (Forest & Bird)	210.9	Support	The Director-General supports removing terminology that permits activities to degrade freshwater and considers this approach to be consistent with the NPSFM 2020.



FURTHER SUBMISSION ON PROPOSED TANK PLAN CHANGE 9 - TŪTAEKURĪ, AHURIRI, NGARURORO AND KARAMŪ CATCHMENTS

To Hawke's Bay Regional Council

Submitter **Maungaharuru-Tangitū Trust**

Contact Hayley Lawrence - Kaiwhakahaere Taiao

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- I confirm that I am authorised on behalf of Maungaharuru-Tangitū Trust to make this further submission
- Maungaharuru-Tangitū Trust wishes to be heard in support of this further submission.
- If other parties make similar submissions, Maungaharuru-Tangitū Trust would consider presenting a joint case with those parties at the hearing.



1. Introduction

- 1.1. Maungaharuru-Tangitū Trust (**MTT**) thank the Hawke’s Bay Regional Council (**Council**) for the opportunity to make further submissions on Proposed TANK Plan Change 9 - Tūtaekurī, Ahuriri, Ngaruroro and Karamū Catchments (**PC9**).
- 1.2. MTT made submissions on PC9 pursuant to Clause 6 of the First Schedule of the Resource Management Act 1991 (**RMA**).
- 1.3. MTT is a post settlement governance entity established in 2012 to hold and manage the settlement assets of the Hapū pursuant to the Maungaharuru-Tangitū Hapū Claims Settlement Act 2014 (**the Settlement Act**). There are approximately 6,000 registered members.
- 1.4. MTT represents a collective of hapū located in northern Hawke’s Bay, including Ngāi Tauira, Ngāti Marangatūhetaua (also known as Ngāti Tū), Ngāti Kurumōkihi, Ngāi Te Ruruku ki Tangoio, Ngāti Whakaari and Ngāi Tahu. The traditional area of the collective hapū extends from north of the Waikari River to the Waitaha Stream, southwards to Keteketerau (the former outlet of the Napier inner harbor) and from Maungaharuru (the range in the west) to the coast and beyond to Tangitū (the sea) in the east.
- 1.5. Ngāti Tū and Ngāi Te Ruruku are tangata whenua of the northern part of the former Te Whanganui-ā-Orotu (Napier Inner Harbour – its remnants now often referred to as the Ahuriri Estuary).

2. Specific Points of Further Submission

- a) Refer to attached Table 1

James Lyver



**Kaiwhakahaere Matua – General Manager
Maungaharuru-Tangitū Trust**

PC9 section	Sub ID	Sub name	Support/Oppose	Reasons for Further Submission
Objectives - General				
Objectives – general	120.12	Ngāti Kahungunu Iwi Incorporated	Support	<ul style="list-style-type: none"> Agree PC9 must implement Objective AA1 of the NPS-FM 2014 (2017). MTT notes the NPS-FM 2020 places an arguably higher requirement on HBRC to give effect to implement the hierarchy of obligations through giving effect to Te Mana o te Wai.
Objectives – general	120.78	Ngāti Kahungunu Iwi Incorporated	Support	<ul style="list-style-type: none"> Agree PC9 objectives must be clearly articulated and ambitious but reasonable
Objectives – general	132.83	Te Taiwhenua o Heretaunga	Support	<ul style="list-style-type: none"> Agree PC9 objectives should be clearly articulated as desired future states that seek to address the resource management issues.
Objectives – general	90.7	Sara Millington	Support in Part	<ul style="list-style-type: none"> Agree mana whenua iwi and hapū must work alongside HBRC as partners to co-manage land and freshwater resources in the TANK catchments as an integrated resource. The interconnected and holistic Te Ao Māori world view of Te Taiao recognises the connections between air, land, freshwater and the ocean are inseparable. Note MTT recognises the freshwater objectives in Schedule 26 by 2040 can only be achieved with the buy-in of landowners. Therefore as users of land, landowners are also integral to the success of PC9.
Objectives – general	123.22	Department of Conservation	Support	<ul style="list-style-type: none"> Agree PC9 objectives should be clearly articulated as desired future states that seek to address the resource management issues.
Objectives – general	123.23	Department of Conservation	Support	<ul style="list-style-type: none"> Agree and notes MTT relief sought for Objective 2 in original submission which is similar.
Objectives – general	113.4	Te Tumu Paeroa	Support	<ul style="list-style-type: none"> Agree PC9 should adopt an integrated management approach to freshwater and the effects of land use to implement Te Mana o te Wai. Agree that PC9 must engage mana whenua hapū and iwi to design mātauranga Māori based tools that can be used alongside western science based tools to provide information to measure progress to achieve freshwater objectives in Schedule 26.
Objectives – general	113.7	Te Tumu Paeroa	Support	<ul style="list-style-type: none"> Agree PC9 must implement Objective AA1 of the NPS-FM 2014 (2017). MTT notes the NPS-FM 2020 places an arguably higher requirement on HBRC to give effect to implement the hierarchy of obligations through giving effect to Te Mana o te Wai.
Objective 1				
Objective 1	106.3	Taraia Marae	Support	<ul style="list-style-type: none"> Agree PC9 must implement Objective AA1 of the NPS-FM 2014 (2017). MTT notes the NPS-FM 2020 places an arguably higher requirement on HBRC to give effect to implement the hierarchy of obligations through giving effect to Te Mana o te Wai.

PC9 section	Sub ID	Sub name	Support/Oppose	Reasons for Further Submission
Objective 1	120.85	Ngāti Kahungunu Iwi Incorporated	Support	<ul style="list-style-type: none"> Agree PC9 must implement Objective AA1 of the NPS-FM 2014 (2017). MTT notes the NPS-FM 2020 places an arguably higher requirement on HBRC to give effect to implement the hierarchy of obligations through giving effect to Te Mana o te Wai.
Objective 1	201.16	Heretaunga Tamatea Settlement Trust	Support	<ul style="list-style-type: none"> Agree mana whenua iwi and hapū must work alongside HBRC as partners to co-manage land and freshwater resources in the TANK catchments as an integrated resource. The interconnected and holistic Te Ao Māori world view of Te Taiao recognises the connections between air, land, freshwater and the ocean are inseparable. Agree PC9 must implement Objective AA1 of the NPS-FM 2014 (2017). MTT notes the NPS-FM 2020 places an arguably higher requirement on HBRC to give effect to implement the hierarchy of obligations through giving effect to Te Mana o te Wai.
Objective 1	Pro Forma submitters	Pro Forma submitters	Oppose	<ul style="list-style-type: none"> Note MTT relief sought for Policy 1 in original submission. PC9 must require a general improvement in farming practice to reduce diffuse discharge of contaminants. There is no evidence to suggest that shifting all land use activities to industry best practice [or similar] will achieve the freshwater objectives in Schedule 26 by 2040. Therefore, PC9 needs to recognise that every land use should make a contribution to improving water quality; this should include—but not be constrained to—adopting industry best practice [or similar]. PC9 must also require a higher level of scrutiny on land use activities that are contributing higher loads of contaminants to certain catchments. Schedule 28 identifies priority catchments and timeframes to put in place farm environment plans in conformance with Schedule 30.
Objective 2				
Objective 2	29.5	Hawke’s Bay Winegrowers Association	Support in Part	<ul style="list-style-type: none"> Agree mana whenua iwi and hapū must work alongside HBRC as partners to co-manage land and freshwater resources in the TANK catchments as an integrated resource. The interconnected and holistic Te Ao Māori world view of Te Taiao recognises the connections between air, land, freshwater and the ocean are inseparable. Note MTT recognises the freshwater objectives in Schedule 26 by 2040 can only be achieved with the buy-in of landowners. Therefore as users of land, landowners are also integral to the success of PC9.
Objective 2	195.18	Federated Farmers of New Zealand	Support in Part	<ul style="list-style-type: none"> Agree that Objective 2 must recognise the reasonably foreseeable impacts of a rapidly changing climate. Disagree a continuous improvement approach should be deleted from PC9; notes MTT relief sought for Policy 1 in original submission. Notes MTT relief sought for Objective 2 in original submission.

PC9 section	Sub ID	Sub name	Support/Oppose	Reasons for Further Submission
Objective 2	201.17	Heretaunga Tamatea Settlement Trust	Support	<ul style="list-style-type: none"> Agree HBRC must, when implementing the NPS-FM 2014 (2017) give effect to Te Mana o te Wai [Objective AA1]. This includes the process to deliver the NOF in Part CA.
Objective 3				
Objective 3	210.22 210.23	Royal Forest and Bird Protection Society of New Zealand	Support	<ul style="list-style-type: none"> Agree that PC9 must recognise the reasonably foreseeable impacts of a rapidly changing climate.
Objective 3	229.4	Ahuriri Estuary Protection Society Inc	Support	<ul style="list-style-type: none"> Agree that PC9 must recognise the reasonably foreseeable impacts of a rapidly changing climate.
Objective 3	201.18	Heretaunga Tamatea Settlement Trust	Support	<ul style="list-style-type: none"> Agree that PC9 must recognise the reasonably foreseeable impacts of a rapidly changing climate.
Objective 4				
Objective 4	131.12	Balance Agri-Nutrients Limited	Support in Part	<ul style="list-style-type: none"> Agree PC9 does not include any short-term numerical attribute states to provide a measure of progress to achieving Freshwater Objectives in Schedule 26 by 2040. Disagree that Freshwater Objectives in Schedule 26 should be amended if they are not being achieved by 2030. This could lead to a perverse incentive of promoting land use activities that simply do nothing and the plan will be changed to suit.
Objective 4	135.5	Ravensdown limited	Support in Part	<ul style="list-style-type: none"> PC9 does not include any short-term numerical attribute states to provide a measure of progress to achieving Freshwater Objectives in Schedule 26 by 2040. Therefore, it will be impossible to tell whether a catchment or sub-catchment is “on track” to achieving Freshwater Objectives [by 2040] at 2030. Such an outcome would provide little certainty to landowners who have invested in mitigation measures [i.e., through a FEP] to reduce contaminant discharges.
Objective 10				
Objective 10	229.8	Ahuriri Estuary Protection Society Inc	Support	<ul style="list-style-type: none"> Agree PC9 does not sufficiently provide for Te Whanganui-ā-Orotu. The significance of Te Whanganui-ā-Orotu as a taonga to MTT and Ahuriri hapū, source of sustenance and mahinga kai, conservation area and wildlife reserve for avi fauna, habitat for finfish species and nursery for juvenile finfish and as place for recreation for the community is beyond question.
Objective 10	240.12	Ngāti Pārau Hapū Trust	Support	<ul style="list-style-type: none"> Agree PC9 does not sufficiently provide for Te Whanganui-ā-Orotu. MTT notes relief sought in the original submission to re-word Objective 10 to provide a focus for the anticipated future state of Te Whanganui-ā-Orotu, complemented by amendments to Schedule 26 to insert freshwater objectives [to be achieved by 2040] and a new Schedule 26AA to set short term numerical

PC9 section	Sub ID	Sub name	Support/Oppose	Reasons for Further Submission
				attribute targets for TANK waterbodies and TANK estuarine systems to be achieved by 2030. Amendments to Schedule 31 insert minimum flows and allocation limits for TANK waterbodies within the Ahuriri catchment.
Policy 1				
Policy 1	123.23	Department of Conservation	Support	<ul style="list-style-type: none"> Agree and notes MTT relief sought for Policy 1 in original submission which is similar.
Policy 1	135.18	Ravensdown Limited	Support in Part	<ul style="list-style-type: none"> PC9 must require a general improvement in farming practice to reduce diffuse discharge of contaminants. There is no evidence to suggest that shifting all land use activities to industry best practice [or similar] will achieve the freshwater objectives in Schedule 26 by 2040. Therefore, PC9 needs to recognise that every land use should make a contribution to improving water quality; this should include —but not be constrained to— adopting industry best practice [or similar]. PC9 must also require a higher level of scrutiny on land use activities that are contributing higher loads of contaminants to certain catchments. Schedule 28 identifies priority catchments and timeframes to put in place farm environment plans in conformance with Schedule 30.
Policy 1	195.31	Federated Farmers of New Zealand	Support in Part	<ul style="list-style-type: none"> PC9 must require a general improvement in farming practice to reduce diffuse discharge of contaminants. There is no evidence to suggest that shifting all land use activities to industry best practice [or similar] will achieve the freshwater objectives in Schedule 26 by 2040. Therefore, PC9 needs to recognise that every land use should make a contribution to improving water quality; this should include —but not be constrained to— adopting industry best practice [or similar]. PC9 must also require a higher level of scrutiny on land use activities that are contributing higher loads of contaminants to certain catchments. Schedule 28 identifies priority catchments and timeframes to put in place farm environment plans in conformance with Schedule 30.
Policy 1	201.32	Heretaunga Tamatea Settlement Trust	Support in Part	<ul style="list-style-type: none"> Agree and notes MTT relief sought for Policy 1 in original submission which is similar.
Policy 1	210.25	Royal Forest and Bird Protection Society of New Zealand	Support in Part	<ul style="list-style-type: none"> Agree and notes MTT relief sought for Policy 1 in original submission which is similar.
Policy 1	120.85	Ngāti Kahungunu Iwi Incorporated	Support	<ul style="list-style-type: none"> Agree PC9 must require a general improvement in farming practice to reduce diffuse discharge of contaminants. There is no evidence to suggest that shifting all land use activities to industry best practice [or similar] will achieve the freshwater objectives in Schedule 26 by 2040. Therefore, PC9 needs to recognise that every land use should make a contribution to improving water quality; this should include —but not be constrained to— adopting industry best practice [or similar].

PC9 section	Sub ID	Sub name	Support/Oppose	Reasons for Further Submission
				<ul style="list-style-type: none"> PC9 must also require a higher level of scrutiny on land use activities that are contributing higher loads of contaminants to certain catchments. Schedule 28 identifies priority catchments and timeframes to put in place farm environment plans in conformance with Schedule 30.
Policy 1	194.32	Pernod Ricard Winemakers New Zealand Limited	Oppose	<ul style="list-style-type: none"> PC9 must require a general improvement in farming practice to reduce diffuse discharge of contaminants. There is no evidence to suggest that shifting all land use activities to industry best practice [or similar] will achieve the freshwater objectives in Schedule 26 by 2040. Therefore, PC9 needs to recognise that every land use should make a contribution to improving water quality; this should include —but not be constrained to— adopting industry best practice [or similar]. PC9 must also require a higher level of scrutiny on land use activities that are contributing higher loads of contaminants to certain catchments. Schedule 28 identifies priority catchments and timeframes to put in place farm environment plans in conformance with Schedule 30.
Policy 1	203.7	The Oil Companies (Z Energy Limited, BP Oil Limited, Mobil Oil NZ Limited)	Oppose	<ul style="list-style-type: none"> PC9 must require a general improvement in farming practice to reduce diffuse discharge of contaminants. There is no evidence to suggest that shifting all land use activities to industry best practice [or similar] will achieve the freshwater objectives in Schedule 26 by 2040. Therefore, PC9 needs to recognise that every land use should make a contribution to improving water quality; this should include —but not be constrained to— adopting industry best practice [or similar]. PC9 must also require a higher level of scrutiny on land use activities that are contributing higher loads of contaminants to certain catchments. Schedule 28 identifies priority catchments and timeframes to put in place farm environment plans in conformance with Schedule 30.
Policy 1	197.7	Beef + Lamb New Zealand Ltd	Support in Part	<ul style="list-style-type: none"> Note MTT relief sought for Policy 1 in original submission which is similar Agree PC9 must require a level of scrutiny on land use activities that are contributing higher loads of contaminants to certain catchments. Schedule 28 identifies priority catchments and timeframes to put in place farm environment plans in conformance with Schedule 30. MTT are supportive of more streamlined processes to enable farm systems to develop and put in place farm environment plans that: (i) adopt industry best practice [or similar]; and (ii) tailored mitigation measures to reduce the loss of contaminants.
Policy 2				
Policy 2	195.32	Federated Farmers of New Zealand	Oppose	<ul style="list-style-type: none"> MTT suggests the language “reduce the reduceable amount of...” traverses the requirement to reduce the loss of contaminants from land use activities to achieve Freshwater Objectives by 2040. MTT notes the consequence of the proposed amendment would not give effect to the NPS-FM 2014 (2017)

PC9 section	Sub ID	Sub name	Support/Oppose	Reasons for Further Submission
Policy 3				
Policy 3	123.23	Department of Conservation	Support	<ul style="list-style-type: none"> Agree PC9 should protect the significant values of wetlands and lakes. PC9 should also incentivise the enhancement of wetlands and lakes. MTT notes PC9 should consider differentiating between “natural wetlands” and “artificial wetlands”. This is particularly the case where artificial wetlands are created as a mitigation measure through FEP and are specifically designed to trap and remove contaminants.
Policy 9				
Policy 9	120.106	Ngāti Kahungunu Iwi Incorporated	Support	<ul style="list-style-type: none"> Agree that point source discharges are subject to the objectives and targets in Schedule 2, timeframes to achieve those targets, and continuous improvement.
Managing adverse effects from land use				
Managing adverse effects from land use	197.9	Beef + Lamb New Zealand Ltd	Support in Part	<ul style="list-style-type: none"> Agree that PC9 must target management approaches to address water quality problems. This should be achieved through the process to develop FEP. Note MTT relief sought for Policy 17 and new 17A in original submission which utilises priority catchment identification in Schedule 28 as the foundation for requiring a higher level of scrutiny. MTT disagrees that nitrogen loads should be set for sub-catchments at this time. MTT understands the need for operational flexibility, however this must be managed within limits to avoid unmanaged increase in total nitrogen discharge. MTT does not support the issuing of discharge permits for nitrogen that are transferable or tradeable at this time.
Policy 17				
Policy 17	99.9	Twyford Water	Oppose	<ul style="list-style-type: none"> MTT notes this is variable across sectors. PC9 must require a general improvement in farming practice to reduce diffuse discharge of contaminants. There is no evidence to suggest that shifting all land use activities to industry best practice [or similar] will achieve the freshwater objectives in Schedule 26 by 2040. Therefore, PC9 needs to recognise that every land use should make a contribution to improving water quality; this should include —but not be constrained to— adopting industry best practice [or similar]. PC9 must also require a higher level of scrutiny on land use activities that are contributing higher loads of contaminants to certain catchments. Schedule 28 identifies priority catchments and timeframes to put in place farm environment plans in conformance with Schedule 30.

PC9 section	Sub ID	Sub name	Support/Oppose	Reasons for Further Submission
Policy 17	123.52	Department of Conservation	Support	<ul style="list-style-type: none"> Note MTT relief sought for Policy 1, 17 and 17A in original submission which is similar
Stormwater Management				
Stormwater Management	7.1	Neil Eagles	Support	<ul style="list-style-type: none"> Agree the problems with Napier City Council managed network need to be fundamentally addressed. MTT support the increased scrutiny on urban discharges of stormwater from new and existing development. Protecting the sensitive receiving environments where storm water is discharged is paramount, particularly where discharges are into Te Whanganui-ā-Orotu
Stormwater Management	120.137	Ngāti Kahungunu Iwi Incorporated	Support	<ul style="list-style-type: none"> Agree PC9 must address, and achieve, the objectives and achieve the targets in Schedule 26 within the life of the Plan. MTT support the increased scrutiny on urban discharges of stormwater from new and existing development. Protecting the sensitive receiving environments where storm water is discharged is paramount, particularly where discharges are into Te Whanganui-ā-Orotu
Stormwater Management	123.16 123.17	Department of Conservation	Support	<ul style="list-style-type: none"> Agree PC9 must regulate and manage all stormwater discharges and point source discharges and require them to meet water quality objectives and targets in Schedule 26 by 2040. MTT support the increased scrutiny on urban discharges of stormwater from new and existing development. Protecting the sensitive receiving environments where storm water is discharged is paramount, particularly where discharges are into Te Whanganui-ā-Orotu
Stormwater Management	63.35	Napier City Council	Support in Part	<ul style="list-style-type: none"> Agree PC9 that Policy 28 should include the word ‘treatment’ in (a). Disagree that where the City of Napier District Plan does not give effect to the amended Regional Plan [including PC9], the City of Napier District Plan must be amended. Therefore, the inclusion of ‘district plans’ in (g) is appropriate.
Stormwater Management	207.53	Hastings District Council	Support in Part	<ul style="list-style-type: none"> Agree PC9 that Policy 28 should include the word ‘treatment’ in (a). Disagree that where the Hastings District Plan does not give effect to the amended Regional Plan [including PC9], the Hastings District Plan must be amended. Therefore, the inclusion of ‘district plans’ in (g) is appropriate.
Flow Management Regimes; Tūtaekurī, Ahuriri, Ngaruroro and Karamu				
Flow Management Regimes; Tūtaekurī, Ahuriri, Ngaruroro and Karamu	120.137	Ngāti Kahungunu Iwi Incorporated	Support	<ul style="list-style-type: none"> Agree PC9 should identify a flow regime that at a minimum sets minimum flows and allocation limits for TANK waterbodies within the Ahuriri catchment.

PC9 section	Sub ID	Sub name	Support/Oppose	Reasons for Further Submission
Flow Management Regimes; Tūtaekurī, Ahuriri, Ngaruroro and Karamu	132.167	Te Taiwhenua o Heretaunga	Support	<ul style="list-style-type: none"> Agree PC9 should identify a flow regime that at a minimum sets minimum flows and allocation limits for TANK waterbodies within the Ahuriri catchment. Agree the flow regime should include cultural flow as part of the limit setting process.
Water Use Change/Transfer				
Water Use Change/Transfer	120.137	Ngāti Kahungunu Iwi Incorporated	Support	<ul style="list-style-type: none"> Agree PC9 should not allow the transfer of water permits into over-allocated ground and surface water management units or between catchments.
Policy 48				
Policy 48	123.83	Department of Conservation	Support	<ul style="list-style-type: none"> Agree PC9 should not allow the transfer of water permits into over-allocated ground and surface water management units or between catchments.
Policy 48	195.69	Federated Farmers of New Zealand	Oppose	<ul style="list-style-type: none"> Disagree Policy 48 is not a 'back door' option to increase the take of water, particularly where over-allocation exists. Proposed amendments do not give effect to the NPS-FM 2014 (2017)
Schedule 26				
Schedule 26	120.20	Ngāti Kahungunu Iwi Incorporated	Support	<ul style="list-style-type: none"> Agree insert new freshwater objectives for each "water quality attribute" listed in the table of Schedule 26 for the TANK waterbodies in the Ahuriri catchment.
Schedule 26	123.124	Department of Conservation	Support	<ul style="list-style-type: none"> Agree Schedule 26 should be amended to delete the 'Also relevant for' column and amend the 'Critical value' column to reflect the freshwater values for which the most stringent attribute state is set.
Schedule 26	123.130	Department of Conservation	Support	<ul style="list-style-type: none"> Agree add Clarity objectives for the Ahuriri catchment of an annual median of >1.6 m.
Schedule 26	123.131	Department of Conservation	Support	<ul style="list-style-type: none"> Agree include deposited sediment attribute for the Ahuriri catchment.
Schedule 26	123.136	Department of Conservation	Support	<ul style="list-style-type: none"> Agree include a sb MCI for Ahuriri otherwise retain attribute states as notified.
Schedule 26	123.137	Department of Conservation	Support	<ul style="list-style-type: none"> Agree include DIN and DRP (or TN and TP) attributes states for the Ahuriri catchment.
Schedule 26	123.138	Department of Conservation	Support	<ul style="list-style-type: none"> Agree include A band nitrate and ammonia attributes for the Ahuriri catchment.
Schedule 26	123.139	Department of Conservation	Support	<ul style="list-style-type: none"> Agree include an E. coli/Enterococci attribute for Ahuriri to achieve a Microbiological Assessment Category B.
Schedule 26	123.140	Department of Conservation	Support	<ul style="list-style-type: none"> Agree include an attribute state for the Ahuriri catchment at the B band from the NPS FM OR include dissolved oxygen attributes from Schedule 27 in Schedule 26 for lowland tributaries (C band) and Ahuriri.
Schedule 26	123.141	Department of Conservation	Support	<ul style="list-style-type: none"> Agree add a maximum temperature attribute for Karamu (lowland tributaries) and Ahuriri of < 23°C (B band). Add a <3°C increment compared to reference state for the Ahuriri estuary to Schedule 26.

PC9 section	Sub ID	Sub name	Support/Oppose	Reasons for Further Submission
Schedule 26	123.144	Department of Conservation	Support	<ul style="list-style-type: none"> Agree where the objectives apply - Clarify whether Freshwater Quality Management Units are FMUs as per the NPS FM Include objectives and targets for all attributes for the Ahuriri catchment.
Schedule 26	127.15	Te Taiwhenua o Te Whanganui a Orotu	Support	<ul style="list-style-type: none"> Agree insert new freshwater objectives for each “water quality attribute” listed in the table of Schedule 26 for the TANK waterbodies in the Ahuriri catchment.
Schedule 31				
Schedule 31	123.150	Department of Conservation	Support	<ul style="list-style-type: none"> Agree amend Schedule 31 to insert minimum flows and allocation limits for TANK waterbodies within the Ahuriri catchment.
Schedule 31	210.143	Royal Forest and Bird Protection Society of New Zealand	Support	<ul style="list-style-type: none"> Agree amend Schedule 31 to insert minimum flows and allocation limits for TANK waterbodies within the Ahuriri catchment.



IN THE MATTER OF

The Resource Management Act, 1991

AND IN THE MATTER OF

Proposed Plan Change 9 to the Hawke's Bay Regional Resource Management Plan,
also known as the "TANK Plan Change"

A FURTHER SUBMISSION

From Te Taiwhenua o Heretaunga and Te Rūnanganui o Heretaunga.

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Te Taiwhenua o Heretaunga (TToH) is an organisation that represents and advocates for the cultural, social and environmental well-being of our Marae and hapū members within the Heretaunga rohe and those whānau members who live further afield. We are one of six Taiwhenua affiliated to Ngāti Kahungunu Iwi Incorporated (NKII). Through our elected Board Te Haaro o Te Kaahu, Te Rūnanganui o Heretaunga (TRoH) and Te Manaaki Taiao (TMT), we assist those we represent to uphold their tikanga Māori values and aspirations through hui and wānanga, and engagement within resource management processes.

We generally support the submissions from marae and hapū within Heretaunga, from NKII and the Heretaunga-Tamatea Settlement Trust (HTST). In addition, we support the submissions from whānau, and from hapū and marae entities in Heretaunga – in particular where these oppose Change 9 as notified in whole or in part, or seek amendments to Change 9 that:

- Contribute towards upholding Te Mana o Te Wai;
- Provide for greater involvement of hapū / whānau in resource consent processes and decision-making for our freshwater taonga;
- Ensure more comprehensive consideration and provision for tangata whenua values, relationships with and aspirations for, freshwater resources and the species therein, and
- Enable hapū / kaitiaki to have a greater role in the management and monitoring of our streams, rivers and lakes within the “TANK” catchments.

TToH also supports the submissions from the Department of Conservation and the Hawke's Bay Fish and Game Council where these seek:

- Greater habitat protection and provision for a range of aquatic species;
- Prescribed limits and thresholds for nutrients or contaminants, for inclusion in Change 9;
- Improved environmental outcomes (with the exception of the target date of 2040);

Our further submission also indicates support for or opposition to, specific submission points from other parties. These are expressed along with the reasons for our position. Our submission is in like manner to Form 6 from the Resource Management (Forms, Fees and Procedure) Regulations 2003. We are an organisation that represents relevant aspects of the public interest, and we have interests in the plan change that are greater than those of the general public.

We wish to be heard in support of our further submissions, and should other parties make submissions on similar matters that seek similar outcomes from Plan Change 9, we will consider making joint submissions at any relevant hearing or pre-hearing.

Ngā mihi,

Signed: _____



Date: Monday, 30 November 2020

Marei Apatu
Te Kaihautū
Te Taiwhenua o Heretaunga

Table 1 – List of submitters for Te Taiwhenua o Heretaunga further submissions*.

Submitter Number	Submitter Name	Address	Email Address
1	Ben Goodwin	372 Te Ranga Road, Te Onepu, 4174	bgoo022@gmail.com
3	Limestone Properties Limited Gavin Yort	PO Box 14065, Mayfair, Hastings	toni@squakingmagpie.co.nz
4	Takitimu District Māori Council Des Ratima	PO Box 51, Whakatu, Hastings, 4172	desratima52@gmail.com
8	Delegat Limited Balasubramaniam Rengasamy	PO Box 305, Blenheim, New Zealand, 7240	bala@delegat.com
10	David Renouf	603A Ballantyne Street, Frimley, Hastings, 4120	
12	Ministry of Education c/o: Alec Duncan, Beca Limited	PO Box 448, Hamilton, 3240	alec.duncan@beca.com
17	Olrig Limited – Richard Riddell	1233 Kereru Road, Maraekakaho, Hastings, 4171	richard1riddell@gmail.com
25	Xan Harding	2091 Maraekakaho Road, RD1, Hastings	xan.harding@xtra.co.nz
123	Department of Conservation – Manu Graham	59 Marine Parade, Napier South, Napier, 4110	mgraham@doc.govt.nz
124	Brownrigg Agriculture Group Ltd Bridget Margerison	140 Pukekura Settlement Road, RD 11, Hastings, 4178	bridget@brownrigg.co.nz
129	Hawke's Bay Regional Council – Ceri Edmonds	159 Dalton Street, Napier, 4110	ceri.edmonds@hbrc.govt.nz
135	Ravensdown Limited - Anna Wilkes	292 Main South Road, PO Box 1059, Christchurch, 8140	anna.wilkes@ravensdown.co.nz
147	Mihiroa Marae - Serene Morrell	Old Main Road, RD11, Hastings, New Zealand, 4178	tuxnposs@gmail.com
180	Horticulture NZ – Charlotte Drury	PO Box 329, Napier, 4110	Charlotte.Drury@hortnz.co.nz
197	Beef + Lamb New Zealand Ltd - Lilly Lawson	PO Box 121, Wellington, 6140	Lilly.Lawson@beeflambnz.com
198	Environmental Defence Society Inc - Cordelia Woodhouse	PO Box 91736, Victoria Street West, Auckland, 1142	cordelia@eds.org.nz
207	Hastings District Council – Mark Clews	Private Bag 9002, Hastings, New Zealand, 4146	markac@hdc.govt.nz
232	Matahiwi Marae – Levi Walford	PO Box 98, Clive, Hastings, 4102	leviwalford@gmail.com

*Submitters have been supplied with a copy of Te Taiwhenua o Heretaunga further submissions.

Submitter 1 Ben Goodwin	Original submission statement (from HBRC summary)	TToH Support/Oppose	Relief sought and reasons for our position
Policy TANK 25 Stat 1.1 and 1.2	Provision needs to be made for farms on the boundary of two catchments, such that the rules of catchment in which the majority of a farming enterprise is in, should apply to the whole farm and the rules of the minor part do not apply	Oppose	<p>Relief sought: Decline the submission and require FEMPs (or Freshwater Farm Plans pursuant to the RMA 2020) to include:</p> <ul style="list-style-type: none"> - nutrient and contaminant contributions - consideration and mitigation of adverse effects - contributions to catchment load limits - records of exceedances and proposed mitigations <p>for each receiving catchments affected by an individual farm.</p> <p>Reasons: The submitter implies that two FEMPs will be necessary to cater for the two (or more) separate catchments in which the farm property is located. There is the ability to have one FEMP with separate sections for the different affected catchments and this would enable the discharges and/or leaching of nutrients to be managed effectively, with allowances made for each catchments and their separate load limits. Not applying or counting nutrient or contaminant contributions within a catchment's total limit risks enabling non-compliance with the regional plan, and any applicable limits. Through HBRC decision-making on resource consents, there is the ability to integrate consents to cover parts of two separate catchments.</p> <p>Not requiring the counting of contributions for a smaller part of a catchment, would mean the cost of adverse effects from an individual farm (or property) in placed onto someone else.</p>

Submitter 3 Limestone Properties Limited – Gavin Yort	Original submission statement (from HBRC summary)	TToH Support/ Oppose	Relief sought and reasons for our position
General statement Heretaunga Plains Aquifer Management. 5.10.6 Policy 37(a) Stat Not identified in HBRC summary	It is appropriate to base the Heretaunga Plains Water Management Unit interim allocation limit on actual and reasonable water use.	Oppose	<p>Relief sought: Decline the submission and reduce the interim limit for the Heretaunga Plains Aquifer System to 70 Million m³, effective from Change 9's operative date. Make consequential changes to PPC9 and amend resource consent assessment criteria to enable call-in process for groundwater consents that abstract water from the Heretaunga Plains Aquifer System and periphery, to ensure pro-rata reductions are co-ordinated to help achieve the 70 million m³ limit</p> <p>Reasons: The proposed limit of 90 Million m³ for groundwater abstraction from the Heretaunga Plains Aquifer System (HPAS) is based on existing use, and is already causing:</p> <ul style="list-style-type: none"> - adverse effects on streams within the Heretaunga Plains - detracting from Te Mana o te Wai - retreat of the aquifer in terms of spatial coverage - decline in spring recharge into the Karamū and its tributaries, and - adversely affecting tangata whenua values and interests in freshwater resources with TANK catchments.
Policy 36(g)	Amend clause (g) to refer to reducing existing levels of water use to actual and reasonable water needs, as provided for in 5.10.6 Policy 37(d)(ii).	Oppose	<p>Relief sought: Decline the submission and retain clause (g) but if clause is retained, amend to “reducing existing levels of water use <u>abstraction and adverse effects</u>”.</p> <p>Reasons: Reducing water use from existing levels of abstraction should assist in bringing water abstraction down to a more sustainable level and help arrest the decreases in the aquifer's spatial extent that is resulting from current abstraction levels. It would also result in reduced effects on stream depletion rates and volumes.</p>
Policy 37(d)(ii)	Amend Policy 37(d)(ii): “apply an assessment of actual and reasonable use that reflects land use and water use authorised in the ten years up to August 2017 (except as provided by Policy 50 <i>and except where a consent renewal application subject to</i>	Oppose	<p>Relief sought: Decline the submission and delete the clause. Make any consequential amendments and deletions to Proposed Plan Change 9 (PPC9) that supports or is connected to the purported assessment methodology of “actual and reasonable use”</p> <p>Reasons: The term ‘actual and reasonable use’ is not based on scientific method or on sustainable management principles. Its use in the RRMP does not promote the purpose of the Act, is inconsistent with the NPSFM 2020 and does not support Te Mana o Te Wai.</p>

<p>5.10.7 Surface water low flow management Policy 43(a) to (d)</p>	<p><i>s124 has sought to change the intended use of the abstracted water);"</i></p> <p>Support for Policy 43(a) to (d). Retain the provisions <i>"For the Ngaruroro River; a) maintaining the existing minimum flows for the Ngaruroro River and its tributaries; b) reducing the effects of abstraction from the mainstem and connected groundwater in Zone 1 by reducing the allocation limit for the Ngaruroro River; c) establishing allocation limits for the river, connected groundwater in Zone 1 and tributaries to account for the cumulative effects of all abstraction and provide water for abstraction at a reasonable security of supply; d) establishing a limit for groundwater abstraction in the upper Ngaruroro catchment based on existing actual and reasonable use until more information about the nature and extent of that resource is available."</i></p>	<p>Support in part</p>	<p>- A resource consent has a finite life after which it expires and is subject to renewal. An application for renewal should be subject to an assessment of the adverse effects of the activity, including cumulative adverse effects. HBRC has admitted that the effects of water abstraction</p> <p>Relief sought: Retain clauses b) and c). - Amend clause (a) to reflect and support a staged elevation of the minimum flow for the Ngaruroro River to eventually attain 4200 lps (as measured at Fernhill Bridge) by 01 July 2029. - Increase the minimum flow for the Maraekakaho River to 150 lps by 01 July 2029 and ensure surface water connection is maintained between the minimum flow site at Tait Road and the confluence with the Ngaruroro River. - Delete reference in clause d) to "existing actual and reasonable use" - Amend clause d) to "establish a limit for groundwater abstraction in the upper Ngaruroro catchment based on abstraction limits and volumes in Schedule X. existing actual and reasonable use until more information about the nature and extent of that resource is available"</p> <p>Reasons: Clause a) – The existing minimum flow for the Ngaruroro does not provide sufficient habitat for a range of species including trout and torrent fish. Neither does it support Te Mana o Te Wai or provide for the relationships and values that tangata whenua have with the Ngaruroro River and its tributaries - The minimum flow for the Maraekakaho is insufficient to maintain physical connection (surface water) between Tait Road and the Ngaruroro confluence. It does not provide ecosystem processes, to provide adequate fish passage during fish migration seasons. - Surface water depletion effects of groundwater takes were not taken into account or given sufficient weighting through previous decision-making processes for numerous takes. - The term 'actual and reasonable use' in clause d) is not based on scientific method or on sustainable management principles. Its use in the RRMP does not promote the purpose of the Act. The adverse effects of the use have not been quantified or addressed.</p>
<p>Water use allocation and efficiency Stat 3.5 Policy 46(b)</p>	<p>Retain the provisions - Policy 46(b) <i>"ensuring water is allocated to meet actual and reasonable requirements;"</i></p>	<p>Oppose</p>	<p>Relief Sought: Decline the submission and delete the clause. Provide for a restricted irrigation season of six months for surface water abstraction and groundwater abstraction.</p>

<p>Water Allocation Permit duration Stat 3.7 Policy 49 (g)</p>	<p>Retain Policy 49 g) <i>“will impose consent durations of 15 years according to specified water management unit expiry dates. Future dates for expiry or review of consents within that catchment are every 15 years thereafter.”</i></p>	<p>Oppose</p>	<p>Reason: Similar to above comments, “actual and reasonable” is not based on sustainable management. It does not specifically link to abstraction either, but the use of water after it has been abstracted. Policy as proposed is too vague</p> <ul style="list-style-type: none"> - The term ‘requirement’ is too broad in scope and has little to do with sustainable management within the context of this policy. <p>Relief sought: Decline the submission and amend the clause to include “durations up to a maximum of 10 years...”</p> <ul style="list-style-type: none"> - Amend water management unit expiry dates accordingly. <p>Reasons: Traditionally consents for water abstraction have been granted for a duration of 10 years as discretionary activities.</p> <ul style="list-style-type: none"> - For several bulk consent renewal processes, there was uncertainty about the degree of adverse effects caused by abstractions, and how the limits in the operative plan should be applied. - Emerging evidence confirms that the adverse effects of water abstraction in Heretaunga are more severe than previously thought, particularly with regards to stream-depletion. - The NPSFM now requires the health and well-being of freshwater to be prioritised.
<p>Water take and use Rule TANK 9 Stat 3.8</p>	<p><i>“Retain the provision - TANK 9”</i></p>	<p>Oppose</p>	<p>Relief sought: Amend Rule 9 to state Heretaunga Plains <u>Aquifer System</u> in the activity column.</p> <ul style="list-style-type: none"> - Classify applications for activities subject to s124 as discretionary activities - Restrict durations of consent to 10 years maximum duration - Require an assessment of adverse effects for each activity, both for the abstraction and the use - Include surface water depletion effects of 0.5 litres per second or greater and 200 m3 or greater, in Zones 1 and 2, to be accounted for in surface water allocations, limits and targets - Include requirements for meeting water quantity and water quality objectives, limits and targets - Make avoidance of adverse effects a requirement where catchment, zone or FMU limits are exceeded, and remediation or mitigation where they are not - Require the water take to cease when the flow in the relevant surface water body and location, falls below the applicable minimum flow.

<p>Stat 3.9 Schedule 31: Flows, Levels and Allocation Limits</p>	<p><i>Retain the provision - Schedule 31 Ngaruroro groundwater</i></p>	<p>Oppose</p>	<p>Reasons: Although consents subject to s124 have existing use rights until their renewal(s) are confirmed (provided their applications are lodged with council within the specified timeframe), decision-making around their renewal requires assessment based on the scale and degree of their adverse effects, including cumulative adverse effects. There has been acknowledgment by regional council that the effects of activities involving water abstraction are more serious than previously thought, especially stream depletion effects. The viability and efficacy of stream flow maintenance schemes or managed aquifer recharge, in terms of sustainable management have not been proven within TANK catchments, so they lack surety. As notified, the proposed plan does not require sufficient rigour around such schemes. The Paritua and Karewarewa Streams, and other Karamu tributaries, as well as the Karamu mainstem, are significantly impacted through adverse effects due to reductions in the quantities of recharge from springs, such effects caused by cumulative effects of groundwater abstractions.</p> <p>There is an anomaly wherein the submitter supports ‘actual and reasonable use as defined by HBRC as <u>the maximum amount of water abstraction used in any one irrigation season up to 2017</u>, while also supporting the abstraction amounts permitted through existing resource consents, which in many cases are substantially higher than the maximum amounts used up to 2017.</p> <p>There is also a legal question as to whether HBRC can promote a provision in a proposed plan that undermines conditions in existing resource consents, without also providing for the ‘call-in and review’ of such consents to enable consent conditions to be amended. Standard consent conditions allow for review, but council seldom uses them, and the proposed plan is silent on this issue.</p> <p>Relief sought: Amend table content in Schedule 31: Flows, Levels and Allocation Limits re the Ngaruroro groundwater to replace “existing use only” with a realistic quantity and rate that is more sustainable, and that protects the health, mauri and water quality of the aquifer system, and gives effect to the NPSFM. - Make consequential amendments to PPC9 objectives, policies and rules.</p> <p>Reasons: “Existing use only” is vague and difficult to quantify. It appears odd when other water resources in the schedule have definitive quantities and rates of abstraction, but proposed groundwater management is based on a figure that is uncertain. Existing use</p>
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Stat 3.10 Schedule 33 Water permit expiry dates	<i>Retain the provision - Ngaruroro Catchment</i>	Oppose	<p>perpetuates significant adverse effects on water quality and health of the aquifer system and connected surface waters</p> <p>Relief sought: Decline the submission and replace dates with existing expiry dates for those consents that have already expired. and those that have already been granted. Make the next expiry date 10 years after these, but subject to assessment processes in Change 9 when it becomes operative.</p> <p>Reasons: The proposed dates fail to consider the existing adverse effects (including cumulative adverse effects) of the activities, both individually and cumulatively within catchments or FMUs. This does not promote sustainable management, particularly when the adverse effects are known.</p>
Stat 3.10 Glossary	<i>Retain the provision – “Actual and reasonable use”</i>	Oppose	<p>Relief sought: Decline the submission and delete the term “actual and reasonable use” from the glossary and from the proposed plan.</p> <p>Reasons: Actual and reasonable use does not promote the purpose of the Act. It is relative in context, and the ‘use’ does not include the adverse effects of the ‘taking’ within its ambit.</p>
Stat 3.16 POL TANK 37	<i>Amend Policy 37(d)(ii): “apply an assessment of actual and reasonable use that reflects land use and water use authorised in the ten years up to August 2017 (except as provided by Policy 50 and except where a consent renewal application subject to s124 has sought to change the intended use of the abstracted water);”</i>	Oppose	<p>Relief sought: Decline the submission. Delete the provision from Policy 37, the term “actual and reasonable” from the glossary and from inclusion in other Change 9 provisions.</p> <p>Reasons: “Actual and reasonable use” does not promote the purpose of the Act. It is relative in context, and the ‘use’ does not include the adverse effects of the ‘taking’ within its ambit. it enables both taking and use of water, but does not signal or require avoidance, remediation or mitigation of the adverse effects of the taking or of the use of freshwater. It therefore undermines the purpose of the Act and does not give effect to Te Mana o te Wai and the NPSFM.</p>
Stat 3.17 POL TANK 39 Stat 3.18 POL TANK 45	<i>“Amend Policy 5.10.6 Policy 39 to be consistent with RRMP POL TT11 and Table 5.9.7.”</i> <i>“Amend Policy 5.10.7 Policy 45 to be consistent with RRMP POL TT11 and Table 5.9.7.”</i>	Oppose	<p>Relief sought: Decline the submissions.</p> <p>Reasons: The transmissivity and hydrological setting of groundwater within the Tukituki catchment and the Heretaunga Plains are different, with transmissivity of groundwater</p>

<p>Stat 3.19 POL TANK 48</p>	<p>Amend clause (e) to read: <i>“except where a change of use and/or transfer is for the purpose of a flow enhancement or ecosystem improvement scheme or is intended to provide for the reasonable consumptive needs of people and communities, declining”</i></p>	<p>Oppose</p>	<p>higher in the Heretaunga Plains. The interference effects of water abstraction on other wells and on well yield have historically been assessed during the “non-irrigation periods”, when groundwater storage, groundwater pressures and groundwater levels are typically higher. This has led to overestimates for well yield during the irrigation season, and underestimates for surface water depletion effects.</p> <ul style="list-style-type: none"> - Although the transmissivity of the Heretaunga aquifer system remains fairly constant, the less water in the aquifer during the irrigation season and lower pressure, means the velocity of water moving through reduces, to that which occurs during the non-irrigation seasons. - The surface water depletion effects are therefore greater than the estimates derived from data collected during the autumn and winter months, which underpins many of the existing consents to take groundwater within Heretaunga. - HBRC’s ‘stream depletion calculation tool’ is based on many assessments taken during the ‘non-irrigation’ season, and therefore underestimates surface water depletion effects. - This has become a substantive issue for the Tukituki catchment and its groundwater management regime, and we should not emulate POL TT11 and Table 5.9.7 from the Tukituki catchment provisions in the TANK catchments, in this regard. <p>Relief sought: Decline the submission and substantially amend the policy so that it is more prescriptive and include</p> <ul style="list-style-type: none"> - Transfers are over a smaller area than proposed in PPC9 - The water take, and water use are for the same type of activity - The adverse effects are similar in scale and degree - An assessment is undertaken at the new site during the irrigation season and includes cumulative effects - If a surface water take, the transfer is not to a site that is upstream from the original site - The transfer is within the same rohe-a-hapū - There is no increase in adverse effects on the health and well-being of the water body or FMU. <p>Reason: The proposed policy is weak. The preliminary statement says ...”to consider” which does not direct or compel a definitive outcome towards achieving sustainable management.</p>
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<p>Stat 3.20 Water take and use TANK Rule 9</p>	<p><i>“Amend TANK Rule 9 condition (f) to be consistent with RRMP POL TT11 and Table 5.9.7.”</i></p>	<p>Oppose</p>	<p>Relief sought: Decline the submission and delete condition f) from TANK Rule 9.</p> <p>Reasons: Stream flow enhancement schemes do not have sufficient rigour around them to be included in a rule. Some of them require significantly more research and development to quantify their viability, efficacy, cost effectiveness, and degree and amount of contribution from participants. It is unknown whether an amount of water put into a surface water body, will remain in that water body or be recharged to groundwater, or what percentage will be abstracted and when.</p> <p>- In addition, it is uncertain how much will actually contribute to avoidance, remediation or mitigation of adverse effects of an activity is groundwater and/or surface water pumping for irrigation continues simultaneously . There are likely to be variations depending on surface water flows and groundwater levels/pressures.</p>
<p>Objectives Stat 3.1 Objective 14 Stat 3.2 Objective 16</p>	<p><i>Retain the provision - OBJ TANK - 14(a)</i> <i>Retain provisions - OBJ TANK 16(a) and (b)</i></p>	<p>Support in part Support in part</p>	<p>Relief sought: Accept the submission and retain clause 14(a) as proposed</p> <p>Relief sought: Accept the submission in so far as to retain clauses 16(a) and (b) as proposed, but insert a new clause (aA) above clause (a): <u>“(aA) Water retained within the water body to ensure its health and well-being;”</u></p> <p>Reasons: The health and well-being of the water body and the maintenance of mauri should precede other considerations.</p> <p>- The health of people is reliant on a healthy water supply. - Te Mana o Te Wai places a priority on the health and well-being of water before abstractive uses.</p>

Submitter 4 Takitimu District Māori Council	Original submission statement (from HBRC summary)	TToH Support/ Oppose	Relief sought and comments and reasons for our position
Des Ratima			
Stat 4.2	<i>“There is already an admission in the plan change document that water is taonga and therefore is subject to Article 2 of the Treaty of Waitangi”</i>	Support in part	<p>Relief sought: Accept the submission in terms Article 2 of the Treaty and the principles of the Treaty.</p> <ul style="list-style-type: none"> - That PPC9 is substantially amended so as to give greater consideration to the principles of the Treaty of Waitangi in Schedule 1 of the RRMP as directed by the Regional Policy Statement, particularly the principle of active protection. - That the mauri of water bodies and the health and well-being of freshwater resources are prioritised in relevant PPC9 objectives, policies and rules. - The mana of hapū is respected through expression of their values within PPC9. <p>Reasons: Objective LW3 in the RPS is <u>directive in nature</u>, and requires:</p> <ul style="list-style-type: none"> - “recognising the mana of hapū, whanau and iwi when establishing freshwater values”, and - “recognising and providing for wairuatanga and the mauri of freshwater bodies in accordance with the values and principles expressed in Chapter 1.6, Schedule 1 and the objectives and policies in Chapter 3.14 of this Plan...” - Schedule 1 contains the principles of the Treaty of Waitangi that HBRC acknowledges, including the principle of active protection. Active protection includes protection of taonga and Māori spiritual values. “(...mauri, tapu, mana, tikanga and wairua mauri, tapu, mana, tikanga and wairua) may all fairly be described as taonga that have been retained by Māori in accordance with Article II of the Treaty. The principle of active protection therefore extends to the spiritual values and beliefs of Māori”.

Submitter 8 Delegat Limited	Original submission statement (from HBRC summary)	TToH Support/Oppose	Relief sought and reasons for our position
Balasubramaniam Rengasamy			
Schedule 31: Flows, Levels and Allocation Limits Stat 8.26	<i>“Support Schedule 31 Ngaruroro River”</i>	Oppose	<p>Relief sought: Decline the submission and elevate the minimum flows to 2800 lps for the Ngaruroro River and 130 lps for the Maraekakaho, with staged increases as outlined in Table 3A of TToH initial submission to Change 9.</p> <ul style="list-style-type: none"> - Make consequential changes to proposed provisions that reference Schedule 31. <p>Reasons: The flows for the Maraekakaho (109 lps) and Ngaruroro River (2400 lps) are too low to protect their health and well-being as required by the NPSFM, or to safeguard the life-supporting capacity, ecosystem processes and indigenous species including their associated ecosystems of fresh water. – The flow regime provisions do not provide sufficient habitat and fish passage for trout and torrent fish over a major part of the year.</p> <ul style="list-style-type: none"> - The flows in Change 9 as proposed, fail to recognise and provide for the relationships of Māori with these taonga, or to uphold or provide a logical pathway towards achieving Te Mana o te Wai (TMoTW).
Stat 8.27	<i>“Support Schedule 31 Ngaruroro Groundwater”</i>	Oppose	<p>Relief sought: Decline the submission and amend the schedule so as to include numerical limits on quantity and combined rate of abstraction for Ngaruroro groundwater that:</p> <ul style="list-style-type: none"> - Has seasonal restrictions of six months for irrigation - Takes into account the cumulative rates of surface water depletion in the Ngaruroro catchment of 0.5 lps or greater and 1210 m3 per month within surface water allocation limits: - Protects the natural character, integrity and volumes of aquifer recharge into the Heretaunga Plains Aquifer System (HPAS), - Make consequential amendments to PPC9 so that the definition of “efficient well” does not apply to the Heretaunga Plains Aquifer System. - Make consequential changes to proposed provisions that reference Schedule 31. <p>Reasons: A designated irrigation season will give the Ngaruroro groundwater time to recover.</p>

			<ul style="list-style-type: none"> - Surface water depletion is more serious than previously thought, and the HBRC Stream Depletion Calculator underestimates the degree of influence and depletion on surface water. - Enabling existing use through Change 9 pre-empts the outcomes for decision-making processes for numerous resource consents coming up for expiry. - Assessment of resource consents and decision-making should be based on their effects, including cumulative effects. - Restricting surface water depletion management and restrictions to Zone 1 enables large amounts of water to go uncounted within limit-setting.
Objectives Stat 8.1	“Support Objective 11(g)”	Support in part	Relief sought: Retain an amended 11(g) to include: “primary production water needs <u>within limits, targets and seasonal restrictions</u> and water required for associated processing”
Stat 8.2	“Support OBJ TANK 14(b)”	Support in part	<p>Relief sought: Retain an amended 14(b) to include: “primary production water needs <u>within limits, targets and seasonal restrictions</u> and water required for associated processing”</p> <p>Reasons: The amendments above will ensure that water is managed sustainably, while taking into account resource limits, the requirements of the NPSFM and TMoTW, and changes to the nature of the resource due to climate change.</p>
Stat 8.4	“Support OBJ TANK 17(b), (c) and (d).”	Support in part	<p>Relief sought: Retain clause c) as notified. Delete clause b). Amend clause d) “Allocation regimes that are flexible and responsive; <u>within resource and catchment limits</u>. allowing water users to make efficient use of this finite resource—Make consequential amendments to relevant policies, schedules and rules related to Objectives 11, 14, 17</p> <p>Reasons: Clause b) refers to agreed reliability of supply standards. PPC9 does not include a percentage or numerical reference to the agreed level for security of supply. The RRMP used the Q95 methodology to assess and define allocatable volumes and had a 95% reliability of supply underpinning the allocation regime, derived from a prescribed method. Past council decision-making that approved more water abstraction for resource consents has resulted in exceedances of operative plan limits (water quantity), and vastly increased cumulative rates of take from several catchments. This has resulted in reduced reliability of supply,</p>

			<p>with several sub-catchments now subject to extended irrigation bans every year. These are longer than the predictions from the Q95. Inclusion of “an agreed reliability of supply” in a PPC9 objective, without subsequent reductions in allocation volumes and cumulative allocation rates in policies and schedules makes the objective unattainable or reliant on other factors that have not yet been fully researched or granted resource consent.</p> <ul style="list-style-type: none"> - Clause c) already refers to “efficient use” so it is unnecessary to repeat it in clause d).
<p>Policies Stat 8.5</p>	<p>“Support Policy 21”</p>	<p>Oppose</p>	<p>Relief sought: Rewrite Policy 21 so it places the onus on property owners and lessees to avoid, remedy or mitigate the effects of their land use.</p> <ul style="list-style-type: none"> - Change heading to include “contaminant” losses. - Require compliance with catchment, sub-catchment and FMU limits and the achievement of targets within specific timeframes. - Include modelling <u>and monitoring</u> in the preliminary statement. - Ensure <u>avoidance</u> is included in the policy prior to remediation and mitigation. - Amend clause d) “avoid land use change that will result in increased nitrogen <u>nitrogen and contaminant losses</u> that contributes to water quality objectives, <u>limits</u> and targets in Schedule 26 for dissolved nitrogen not being met”. - Include a requirement for Freshwater Farm Plans in the policy - for individual properties of 6 hectares or greater generally or 2 hectares or greater for “intensive vegetable production” and for land use over the unconfined aquifers. <p>Reasons: Policy 21 states that council will remedy or mitigate. It is the duty of council to regulate and manage, and to require others to <u>avoid</u>, remedy or mitigate the effects and impacts of their activities.</p> <ul style="list-style-type: none"> - Monitoring should be used in addition to modelling, as modelling does not always reflect reality. Used in unison, they would give a better result.
<p>Stat 8.6</p>	<p>“Support Policy 23”</p>	<p>Support in part</p>	<p>Relief sought: Add “<u>including cultural monitoring</u>” in amended clause b).</p> <ul style="list-style-type: none"> - In clause e) delete the words after “...environmental management programmes”. - As a consequence of the above, move Schedules 30 and 36 to a non-regulatory section of the RRMP and rename them.

Stat 8.7	“Support Policy 24”	Oppose	<p>Reasons: Catchment collectives and industry groups can operate and assist achievement of plan objectives, but it should not be compulsory to join a collective.</p> <ul style="list-style-type: none"> - Making catchment collectives responsible for water management functions is ultra vires. - Catchment collectives can operate to help improve practice, but do not always have tangata whenua or environmental group representation on them. - The catchment group established for the Tukituki catchment did not operate in a manner whereby records were kept of meetings and outcomes. We understand that some parties left the group after it was established. <p>Relief sought: Decline the submission and move the policy to a non-regulatory section of the RRMP.</p>
Stat 8.8	“Support Policy 25”	Oppose	<p>Reasons: The policy is about HBRC providing support and resources for catchment collectives. Such support is reliant on funding, budgets and LTP provision.</p> <p>Relief sought and reasons: See above relief and reasons for Policy 24.</p>
Stat 8.9	“Support Policy 37”	Oppose	<p>Relief sought: Decline the submission and amend Policy 37 so that:</p> <ul style="list-style-type: none"> - Clause a) states “adopt an interim allocation limit of 90 <u>70</u> million cubic meters per year based on the actual and reasonable water use prior to 2017; - Clause d) is amended “d) when considering applications in respect of existing consents due for expiry, or when reviewing <u>or assessing consent applications</u>, to; <ul style="list-style-type: none"> (i) allocate groundwater <u>on</u> the basis of <u>each quantity abstracted being counted within the maximum quantity limit that is able to be abstracted during each year or irrigation season expressed in cubic meters per season-year;</u> (ii) apply an assessment of actual and reasonable use that <u>of adverse effects of the taking and the use of water, that ensures the avoidance or remediation of adverse effects, reflects land use and water use authorised in the ten years up to August 2017 (except as provided by Policy 50);</u> (iii) <u>takes into account the amount of surface water depletion in lps and m3 per week.</u> - Delete clause e)

<p>Stat 8.10 Stat 8.17</p>	<p>“Support Policy 46” “Support Policy 46(b)”</p>	<p>Oppose</p>	<p>Reasons: Current abstraction rates from the HPAS result in stream depletion effects that are more than minor, which are not addressed.</p> <ul style="list-style-type: none"> - Some abstractions are from water-short areas and result in the aquifer diminishing in spatial extent, with consequential adverse effects on other users. - Surface water depletion effects that are more than minor, detract from the health and well-being of streams, resulting in adverse effects on tangata whenua values and relationships with water resources. - Current abstraction and use of the HPAS does not promote the purpose of the Act. - Long term management of the HPAS should reflect the priority setting and principles of TMoTW. <p>Relief sought: Delete clause a) referring to a known level of security of supply unless it is connected to the Q95 methodology.</p> <ul style="list-style-type: none"> - Amend clause b) “ensuring water is allocated <u>and used to meet objectives, limits and targets actual and reasonable requirements</u>; <p>Make consequential amendments to other parts of Change 9 consistent with this relief.</p> <p>Reasons: The term “actual and reasonable” does not promote sustainable management.</p> <ul style="list-style-type: none"> - Security of supply is predicated on the amount of water that is available to be allocated, the cumulative rates of abstraction from the same water body, the effects of climate change in terms of effects on flows and aquifer levels, and the ability to manage water within sustainable limits. - As proposed, Change 9 and this policy do not promote sustainable management or give effect to the NPSFM. Current levels and rates of abstraction would be extremely difficult to guarantee security of supply for without a policy restricting abstraction rates and volumes to more sustainable levels. <p>Relief sought: Decline the submission and amend Policy 47(c): “allocating water for irrigation on the basis of a minimum water application efficiency standard of 80% and on a reliability standard <u>derived from the volume of water available and the total instantaneous rate of take based on the summer</u></p>
<p>Stat 8.18</p>	<p>“Support Policy 47(c)”</p>	<p>Oppose</p>	<p>Relief sought: Decline the submission and amend Policy 47(c): “allocating water for irrigation on the basis of a minimum water application efficiency standard of 80% and on a reliability standard <u>derived from the volume of water available and the total instantaneous rate of take based on the summer</u></p>

Stat 8.19	“Support Policy 49(g)”	Oppose	<p><u>7-day Q95 for surface water bodies, and an irrigation season of 01 November to 30 April.” that meets demand 95% of the time;</u></p> <p>- Add clause (cC) <u>“The amount of stream depletion calculated for each individual groundwater take will be accounted for in surface water volume allocation and rate limits.</u></p> <p>Reasons: For effective management, the accounting for all water takes within catchments, sub-catchments, or FMUs, and the effects of water abstraction and use, should be restricted to sustainable limits and an irrigation season.</p> <p>- The application of an irrigation season of 6 months will ensure sufficient time for recovery of the water resource including its mauri, health and well-being.</p> <p>Relief sought: Decline the submission and amend Policy 49(g): “will impose consent durations of 15 10 years maximum according to specified water management unit expiry dates. Future dates for expiry or review of consents within that catchment are every 15 10 years thereafter. Make consequential amendments to schedules and FMU expiry dates.</p> <p>Reasons: Parts of the proposed management regime in Change 9 are not based on sound science or methods. There is a high degree of uncertainty where some of the content in Change 9 is based on ideas and economic aspirations, and attempting to support unsustainable practices, rather than on the promotion of sustainable management and methods.</p> <p>- Where there is uncertainty of adverse effects and/or environmental outcomes, a more precautionary approach should be taken.</p>
Stat 8.19	“Support Policy 56”	Oppose	<p>Relief sought: Decline the submission and</p> <p>- either delete Policy 56, or</p> <p>- move the content of Policy 56 to a non-regulatory section of the RRMP.</p> <p>- As a consequence, move Policy 57 to non-regulatory.</p> <p>Reasons: Water storage options in the TANK catchments are not sufficiently advanced in terms of research and design, geotech, geohydrology, funding and the ability to provide site-specific mitigation sufficient to mitigate adverse effects.</p> <p>- Stream flow enhancement schemes do not have sufficient rigour around them to be included in or enabled by a rule.</p>

			<ul style="list-style-type: none"> - More certainty is required to quantify their viability, efficacy, cost effectiveness, and degree and amount of contribution from participants in resultant schemes. - Where limits are not being met (as in the Ngaruroro and Karamu catchments), the introduction of a new allocation method and quantum, should be vigorously assessed to test its alignment with sustainable management principles. As there is a high degree of uncertainty, and over-abstractation and its adverse effects have been compounding over a number of years, the first priority in the interim, should be avoidance of adverse effects, whereas the policy goes straight to mitigation. - It is unknown whether an amount of water put into a surface water body, will remain in that water body, be lost to groundwater or removed within a relatively short time-span by a water-user down-gradient. - There are likely to be variations depending on surface water flows, groundwater levels/pressures, cumulative rates of abstraction from both surface water body and/or groundwater.
Rules Use of Production Land. Stat 8.21	“Support Rule TANK 1”.	Oppose in part	<p>Relief sought: Amend the rule such that:</p> <ul style="list-style-type: none"> - The activity description states 6 hectares rather than 10 hectares. - Intensive vegetable production is excluded from the activity, and as a consequence add a new rule for intensive vegetable production with the area threshold as 2 hectares. - The words “pursuant to Section 9(2) RMA” are removed. - Clause a) has 50% rather than 75% - Delete clause b (1) - Include location and monitoring of point source discharges as a condition/standard/term with locations recorded in FEP and Freshwater Farm Plans. <p>Reasons: The rule as proposed is not prescriptive enough to manage all relevant effects.</p> <ul style="list-style-type: none"> - Membership of a catchment group or collective does not ensure compliance. Such groups take years to establish and co-ordinate, and then to affect behaviours.
Water Take and Use. Stat 8.22	“Support Rule TANK 9”.	Oppose	<p>Relief sought: Amend rule by:</p> <ul style="list-style-type: none"> - Removing the words “where Section 124 of the RMA applies (applies to existing consents)” from the activity description.

<p>Taking water – high flows. Stat 8.23; Stat 8.28</p>	<p>“Support Rule TANK 13”. “Support Schedule 32 -Ngaruroro River”</p>	<p>Oppose Oppose</p>	<ul style="list-style-type: none"> - Changing the status of the rule to Discretionary. - Consequentially creating a new rule 9A for a controlled activity for municipal, community and papakāinga water supply. <p>Reasons: S124 takes are still required to be assessed in terms of the effects of their abstraction and use.</p> <ul style="list-style-type: none"> - There is reliable evidence that their effects in some cases are ‘more than minor’ so the resource consents should be re-assessed as discretionary activities as that is what they were first assessed as, and the consequences of granting them have led to significant adverse effects on groundwater in the HPAS, including: <ul style="list-style-type: none"> i) loss of spatial extent of the aquifer ii) reductions in groundwater levels and spring flows into tributaries iii) adverse effects on tikanga Māori values and uses of, and cultural relationships with, groundwater and surface water. iv) HBRC not providing active protection of Māori values associated with freshwater. - The rule does not give effect to the operative RPS. <p>Relief sought: Amend the schedule referenced in the rule so that:</p> <ul style="list-style-type: none"> - Schedule 32 has 24 m3 in Column C instead of 20 m3 for the Ngaruroro. - The high flow allocation rate is 5,000 lps instead of 8,000 lps in Column D (Ngaruroro). - For each 1000 lps abstracted above 24,000 lps, a further 1,000 lps is left in the river (shared flow). - The high flow trigger for the Tūtaekurī River is 12,000 lps in Column C. <p>Reasons: The MWH report of 2010 recommended 24,000 lps as a high flow trigger for the Ngaruroro.</p> <ul style="list-style-type: none"> - In addition, the report recommended a shared approach to high-flow allocations whereby a ratio of 1:1 should apply whereby for each 1000 lps taken out of the river as a high-flow take, a further 1000 lps above the high-flow trigger flow, should be left in the river. - The above amendments to the Schedule would ensure that the mana of the river and TMoTW are acknowledged.
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Chapter 9 Glossary of Terms Used. Stat 8.24	"Support Actual and reasonable use".	Oppose	<p>- A high flow in the main stem of a river does not always mean overall widespread rainfall. Therefore, flows in some tributaries can potentially still be low despite high flows in the main river channel.</p> <p>- High flow abstractions should not interfere with the variability in flows that occurs naturally</p> <p>Relief sought: Delete the term "actual and reasonable use" from the glossary. Make consequential change throughout PPC9.</p> <p>Reasons: Use of the term in Change 9 seeks to validate existing use volumes and rates for water, despite their significant adverse effects. Thus, actual and reasonable use, does not promote sustainable management, and fails to give effect to provisions in the NPSFM and the operative RPS.</p>
Schedule 31 Stat 8.26; Stat 8.27	"Support Schedule 31 Ngaruroro River". "Support Schedule 31 Ngaruroro Groundwater".	Oppose Oppose	<p>Relief sought: Reject the submission. Amend Schedule 31 to enable new minimum flows and staged increases in minimum flows for the Paritua, Karewarewa, Mangateretere, Karamū, , Maraekakaho, Ngaruroro and Tūtaekurī (Rivers and Streams), and for the Poukawa Stream at Douglas Road.</p> <p>Reasons: The established minimum flows do not provide sufficient habitat to support a range of indigenous aquatic species to the degree that they will contribute to upholding the mauri, and other values, aspirations and uses that hapū/kaitiaki have in relation to taonga.</p> <p>- The flows in Schedule 31 as notified are insufficient to safeguard or improve the habitat of trout, or of torrent fish and other indigenous species during critical times of the year.</p> <p>- Neither do the flows as notified provide for adequate fish passage for a range of species or uphold Te Mana o te Wai.</p>

Submitter 10 David Renouf	Original submission statement (from HBRC summary)	TToH Support/Oppose	Relief sought and reasons for our position
POL TANK 28 Stat 10.4	"Amend Policy 28. Delete the words "Urban Infrastructure" because many catchment are in rural catchments	Support the intent	<p>Relief sought: Include management of point source discharges from orchards and cropping land in the policy.</p> <ul style="list-style-type: none"> - Create a new stormwater policy to address stormwater from rural areas and catchments, and to manage stormwater discharges of contaminants from land through rural infrastructure (pipes and drains). - Account for contaminant and nutrient contributions from rural point source stormwater discharges in Freshwater Farm Plans and FEPs. - Account for such contributions/discharges in limits and targets. <p>Reasons: The locations of many discharge pints from rural land are known to farmers and council.</p> <ul style="list-style-type: none"> - All stormwater contaminants and nutrients should be monitored where the source is point source. - Some peri-urban cropping and orchard properties also have tile drainage or nova-flow systems that discharge into roadside drains and/or streams/rivers (Karamū and tributaries).
Protection of Source Water Stat 10.22	"That the HBRC and that the Hastings District Council Amend TANK PC9 SPZ Map 1 and Hastings District Council SPZ - 3 Map areas and form up Source Protection Conjunctive Zones"	Support in part	<p>Relief sought: Amend the SPZ maps accordingly and expand the SPZs to include Whakatu, Clive, Mangateretere, Waipatu, Haumoana, Omahu, Bridge Pā, Paki Paki, Mangaroa and Maraekakaho townships.</p> <p>Reason; Small communities deserve to have safe water to drink from the aquifer, and the SPZ designation will assist in keeping the groundwater safe for domestic consumption.</p> <ul style="list-style-type: none"> - HBRC has a statutory role/responsibility to protect the quality of freshwater, including groundwater.
Schedule 35: Stat 10.13 (part)	<i>"Amend Schedule 35 - That the alignment of the Heretaunga Plains Unconfined Aquifer boundary be updated. That the Hawke's Bay Regional Council updates the Schedule maps and includes the full extent of the Heretaunga</i>	Support	<p>That HBRC accepts the submissions insofar as to:</p> <ul style="list-style-type: none"> - update the relevant maps in Schedule 31E to specify an accurate portrayal of the Heretaunga unconfined aquifer, and consequentially amend other schedules in the RRMP for accuracy;

<p>Stat 10.14</p>	<p><i>Plains Unconfined Aquifer in all 'Hawke's Bay Regional Resource Management Plan' Maps.</i></p> <p><i>"Amend Schedule 35 – Add the wording 'That registered drinking water wells that provide small communities with less than 501 people shall have Source Protection Zones. Add to HBRC PC9 – SPZ Map Hastings District Council registered drinking water wells 542, 1658, 16671 at Clive, 473 at Whakatu, 10334 at Omahu."</i></p>	<p>Support</p>	<p>- include a source protection zone map in Schedule 35, that includes Clive, Haumoana, Whakatu, Twyford, Waipatu, Pukahu, Paki Paki, Bridge Pā, Maraekakaho, and Omahu/Fernhill, including conjunctive zones.</p> <p>Reasons: Schedule 35 should have a map or reference a schedule showing the maps and locations of source protection zones for drinking water. Although the NZDWSS have a threshold of 501 persons, the smaller communities around the periphery of Hastings should also have their drinking water supplies protected to minimise risk. HBRC has an obligation to maintain or enhance water quality in water bodies, including in aquifers/groundwater.</p>
<p>Stat 10.15</p>	<p><i>"Add to TANK Rule 19(a) (vi) Proposed Plan Change 9 Schedules 26 and 27 Freshwater Quality Objectives as Freshwater Standards to be met at point of discharge by 2025 and that – The discharge shall meet HB Regional Resource Management Plan 5.4 Surface Water Quality Tables 7 and 8 limits."</i></p>	<p>Support</p>	<p>Relief sought: Accept the submissions 10.15, 10.16, 10.17, and amend the TANK rules accordingly. Make any consequential amendments to Change 9 for cohesiveness.</p> <p>Reasons: Stormwater and its effects have not been well managed due to leniency in the rules. Adverse effects of stormwater (volume and contaminants) detract from other values that the community hold. The amendments will provide better integration within the RRMP and assist in achieving the objectives for water quality, and Te Mana o te Wai.</p>
<p>Stat 10.16; 10.17</p>	<p>Amend TANK Rule 21; Amend Tank Rule 22; (as above in terms of meeting Schedule 26 objectives (including Schedule 27 objectives)</p>	<p>Support</p>	

Submitter 12 Ministry of Education	Original submission statement (from HBRC summary)	TToH Support/Oppose	Relief sought and reasons for our position
Alex Duncan			
Stat 12.1	"Support OBJ TANK 2 - Retain as proposed."	Oppose in part	<p>Relief sought: Retain clauses (a), (c) and (d) as proposed;</p> <ul style="list-style-type: none"> - Amend clause (b) to "A continuous improvement approach to the use and development of natural resources and the protection of indigenous biodiversity is adopted and the collective management of freshwater is enabled; - Amend clause (e) "The <u>outstanding values and</u> significant values of the outstanding water bodies in Schedule 25 and the values in the plan objectives are appropriately protected and provided for. - Add clause "(f) <u>the values in the plan objectives and in Schedule 26-F are upheld or provided for.</u>" <p>Reasons: Collective management is not prescribed in PPC9. There are management functions that are the role of regional councils, while property owners can only manage what is under their control.</p> <ul style="list-style-type: none"> - The outstanding values of OWBs should be protected as that is why the OWBs are designated as outstanding. - the values in PPC9 have different degrees of protection or provision.
Stat 12.2	<p>"Amend OBJ TANK 10</p> <p>c) healthy and diverse indigenous aquatic plant, fish and bird populations;</p> <p>d) people and communities to safely meet their domestic water needs <u>and provide for the social infrastructure necessary to support these people and communities</u>;</p> <p>e) primary production water for community social and economic well-being; and provide for; ...</p>	Support in part	<p>Relief sought: Retain clause c) and clause d) as proposed.</p> <ul style="list-style-type: none"> - Amend clause (e) "primary production water <u>within limits</u>, for community social and economic well-being; and provide for; ... <p>Reasons: Some of the social infrastructure referred to in clause (d) is not under the control or management of HBRC.</p> <ul style="list-style-type: none"> - Primary production water is managed within limits, so where its abstraction and use is enabled, these limits need to be recognised within management regimes
Stat 12.3, 12.4, 12.5, 12.6, 12.7	<p>Amend OBJ TANK 11, 12, 13, 14 and 16</p> <p>"f) people and communities to safely meet their domestic water <u>needs and provide for the social infrastructure necessary to support these people and communities</u>;</p> <p>g) primary production water needs and water required for associated processing and other urban activities to provide</p>	Oppose	<p>Relief sought: Each of these submission points seek basically the same thing with the addition to notified clauses in the objectives. Decline the submissions with the following exceptions –</p> <p>Amend clause g) in OBJ TANK 11, clause g) in OBJ TANK 12, clause f) in OBJ TANK 13, and clause b) in OBJ TANK 14 so that "<u>within limits</u>," is added after the word "needs" in each case.</p>

	for community social and economic well-being; and provide for;		Reasons: Domestic water is managed within limits, so where its abstraction and use is enabled, these limits are recognised within management regimes
Stat 12.8	“Support OBJ TANK 17 - retain as proposed.”	Oppose	Relief sought: For submission points 12.8 and 12.9 - Delete the objectives and move their content to a non-regulatory section of the RRMP.
Stat 12.9	“Support OBJ TANK 18 - retain as proposed.”	Oppose	Reasons: In the objectives, allowance for Māori economic well-being is partly reliant on allowing high flow allocations, which themselves require the building of water storage and conveyance infrastructure, that has yet to be consented. - Some of the other matters in these objectives are included in other objectives, so there is unnecessary duplication. - The premise that water will be made available at “agreed reliability of supply standards” is not based on a sound assessment and allocation methodology, nor on sustainable management principles that uphold or protect TMoTW. - Some of the steps necessary to realise the objective, are not yet funded or approved. It is unknown whether the high flow allocation as proposed will protect the instream values for freshwater bodies or the outstanding and significant values of OWBs.
Stat 12.10	“Support Policy 1 - retain as proposed.”	Oppose	Relief sought: Amend Policy 1 to read: “Land use activities and surface and groundwater bodies <u>are managed so that their mauri and water quality attributes are maintained or enhanced at their current state or where required show an improving trend to wards uphold their values and meet the water quality limits and targets shown in Schedule 26 through by focussing on:</u> ” a) water quality improvement in sub-catchments (as described in Schedule 28) where water quality is not meeting specified freshwater quality <u>limits or targets;</u> b) sediment management as a key contaminant pathway to also help address phosphorus and bacteria losses; c) the significant <u>reducing</u> environmental stressors of excessive sedimentation and macrophyte growth in lowland rivers; and <u>cC) restricting nutrient loads entering surface and ground water and the Ahuriri and Waitangi estuaries;</u> d) the management of riparian margins; e) the management of urban <u>stormwater networks and the reduction of contaminants in urban stormwater contamination;</u>

Stat 12.11	"Support Policy 6 - retain as proposed."	Support in part	<p>f) the protection of water quality for domestic and municipal water supply.</p> <p>Reasons: As proposed the policy is too vague does not address enough of the issues that have adverse effects on water quality.</p> <ul style="list-style-type: none"> - All stormwater entry and the effects of stormwater contaminants need to be managed in the four TANK catchments, not just urban stormwater. - HBRC has had a draft stormwater plan change on their shelves since 2010, so the problems from stormwater contamination have been known for some time. <p>Relief sought: Accept the submission and retain Policy 6 as notified but amend relevant schedules and maps to show the spatial extent of SPZs and their conjunctive areas. Include a groundwater quality map as Schedule 31 EB. Make consequential amendments to PPC9 provisions that detract from the meaning and intent of amended Policy 6.</p>
Stat 12.12	"Support Policy 7 - retain as proposed."	Oppose in part	<p>Reasons: Source protection zones to ensure the safety of drinking water for human consumption need better management responses than previously.</p> <ul style="list-style-type: none"> - Smaller communities deserve safe drinking water supplies from groundwater sources as well as the larger centres. - Addition of a new map for groundwater quality to the schedules will ensure plan users are aware of the extent of SPZs. <p>Relief sought: Delete d) (ii) from Policy 7.</p> <p>Reason: Operative Objective 20 in the RPS and 42 in the regional plan, require "No degradation of existing groundwater quality in the Heretaunga Plains Aquifer System." TToH seeks the retention of Objective 42 which HBRC proposes deleting from the scope of Change 9, therefore lowering the protection threshold for this outstanding water body. Such deletion will mean Change 9 is unable to "give effect to" Objective 21 in the operative RPS and would be inconsistent with TMoTW wherein the health and well-being of freshwater is prioritised.</p>
Stat 12.15	"Amend Rule TANK 7 – (iii) (ii) Takes occurring for a period of less than 28 days within any 90-day period, the total volume taken on any	Oppose in part	<p>Relief sought: Decline the amendment re "social infrastructure". It is undefined and too broad in scope.</p> <ul style="list-style-type: none"> - Change the 200 cubic metres per week to 0 cubic metres per week, and any more than this for stock water provision to be a restricted discretionary activity.

	<p>property shall not exceed 200 cubic metre per 7-day period.</p> <p>(iii) Takes existing as at 2 May 2020 may continue to take up to 20 cubic metres per property per day <u>and to meet the reasonable needs of social infrastructure.</u></p> <p>c) The taking of water does not cause any stream or river flow to cease</p>		<ul style="list-style-type: none"> - Clause c) enables significant adverse effects provided the stream or river flow does not cease altogether. Amend to “The taking or use of water does not cause any stream or river flow to cease an adverse effect on the stream or river. - Delete the word “efficient” from clause f). <p>Reasons: The provisions of s(14)(3)(b) allow for water takes for domestic use or for a person’s animals for drinking water “<u>provided the taking or use does not, or is not likely to, have an adverse effect on the environment.</u>” The rule is inconsistent with the Act.</p> <ul style="list-style-type: none"> - The cumulative effects of small takes have not been considered adequately when allowing for stock water provision or for small takes. - - The cumulative adverse effects of small takes within the TANK catchments contribute to adverse effects on streams and the depletion of groundwater during certain times of the year. - Clause c) prioritises small takes over the health and well-being of the water body and is therefore inconsistent with the NPSFM and proposed objectives.
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Submitter 17 Olig Limited	Original submission statement (from HBRC summary)	TToH Support/ Oppose	Relief sought and <i>reasons for our position</i>
Richard Riddell			
Stat 17.8	<p>“Oppose freshwater allocation for the Ngaruroro River surface water and groundwater specified in Schedule 31. These limits are overly restrictive and do not give sufficient flexibility for staged adaptive management of our farming operation.”</p>	Oppose	<p>Relief sought: Retain allocation rates (in litres per second) for the Maraekakaho River, the Tūtaekurī-Waimate Stream and the Ngaruroro River in Schedule 31 as in PC9 as notified. Make it explicit that the rates apply to all surface water abstractions and surface water depleting groundwater takes with depletion effects of 0.5 litres per second or greater, from when Change 9 becomes operative. Enable all allocation criteria, processes , volumes and rates (in litres per second) to be visible in Change 9.</p> <p>Reasons: The cumulative allocation rates in the Ngaruroro and Maraekakaho have gradually risen as more allocations have been granted at flows higher than the minimum flow. In the Maraekakaho catchment near the confluence with the Ngaruroro, channel modifications restrict flows from the Maraekakaho from contributing to the Ngaruroro. Subsequently, flow recession curves are steeper, and bans tend to last for longer durations in the Ngaruroro. In addition, the recharge (quantity) of the Heretaunga Aquifer System is diminished due to the engineering works around the confluence.</p>

Submitter 25 Xan Harding	Original submission statement (from HBRC summary)	TToH Support/ Oppose	Relief sought and reasons for our position
25.1	Proposed TANK Plan Change 9 I SUPPORT the overall framework of PC9, to the degree that it reflects agreements reached by the TANK Group community representatives, developed over more than 6 years of intensive dialogue and providing an integrated catchment solution that best balances the values and interests of the Hawke's Bay community.	Oppose	Relief sought: Appropriate consideration of the submission given Change 9 was substantially rewritten following the TANK SHG being disestablished. The RPC and HBRC confirmed that any agreed outcomes from the TANK SHG would be "had regard to" by the RPC before recommending notification of PC9. Reasons: The TANK (Stakeholder) Group did not represent all the interests of the regional community. The consensus recommendations from the SHG were given regard to by the RPC, and there is no legal compulsion for the RPC to adopt or implement, all recommendations from a non-statutory group of representatives.
25.2	Proposed TANK Plan Change 9 I OPPOSE elements of PC9 that do not reflect those agreements reached by the TANK Group community representatives.	Oppose	Relief sought: Disregard the submission. The legal requirement is to submit on the content of the notified plan change. Reasons: See reasons above for statement 25.1.
25.4	Water quantity I am concerned that PC9's approach to allocation of water and control of farming emissions unfairly penalises viticultural landowners as very low water users and very low emitters compared to other major primary production systems.	Support in part	Relief sought: Accept the submission and amend the plan insofar as to reflect a difference between how the effects of low water users are treated compared to higher water users, and their consequential effects in terms of limits. Provide a degree of separation between water users and how they are managed, with preference given to those that were established earlier <2005, over those who have come along later on >2005. Reasons: Many viticultural enterprises have been established since the early 2000's. The advent of and need for more increased irrigation bans is due to the issuing of hundreds of new consents without due consideration of their compounding or cumulative effects on the pre-existing users.
25.5	OBJ TANK 7 Amend OBJ TANK 7 to read "...reduces reduceable contaminant loss..."; or similar wording to achieve the outcome sought in this submission.	Support in part	Relief sought: Accept the submission and reflect its content in PC9 through identifying which contaminants can be managed within limits, and which are background contaminants, over which some land uses have no control. Better management of point source discharges would help in this regard. Reasons: Current management structures, allow for substantial contaminant losses that go unmonitored and unreported. The needs to be more rigour around how contaminants and nutrients are managed.

25.6	OBJ TANK 16 Amend OBJ TANK 16.c to read “Primary production on versatile and viticultural soils”, or similar wording to achieve the outcome sought in this submission. Amend OBJ TANK 16.e to read “Water bottling and other non-commercial end uses”, or similar wording to achieve the outcome sought in this submission.	Oppose	Relief sought: Amend Change 9 and OBJ TANK 16 to reflect the priority in TMoTW principles and structure as outlined in the NPSFM 2020. Reasons: The health and well-being of a water resource should receive the highest priority, (apart from the emergency exclusions in RMA s(14)). there is scope to amend Change 9 in this manner through the content and relief sought in initial submissions.
25.7	Protection of Source Water Amend Policies 6, 7 and 8 - Remove the references to assessment of actual or potential effects of activities in the SPZs on Registered Drinking Water Supplies from Rules TANK 4/5/6/9/10. Address risks via Farm Environment Plans, Catchment Collectives and Industry Programmes.	Oppose	Relief sought: Retain references to and provisions that provide for the protection of drinking water sources. Include protection of conjunctive zones as these provide pathways for source water to move from one location to another through the groundwater Reasons: The plan change is required to comply with the NZDWSS regulations. The RPS requires “no degradation” of water quality in groundwater.
25.8	POL TANK 21 Amend so that Catchment Collectives and Industry Programmes may manage land use change in accordance with the 2040 timeline for meeting water quality objectives. Amend 21.d to read “subject to Policy 21 a)-c), avoid land use change....” or similar wording to achieve the outcome sought in this submission.	Oppose	Relief sought: Amend the policy so it is more directive and allows for resource consents to be granted or renewed only when they will not contribute to the exceedance of a limit, or show a logical trajectory towards meeting the sub-catchment or FMU target, and do not jeopardise achievement of a target. Reasons: The policy as notified is too weak to provide for the sustainable management of water quality limits. Catchment collectives and industry programmes do not always guarantee effective management of water quality when they have economic returns to consider.
25.9	POL TANK 36 Amend Policy 36.f to read “avoiding further adverse effects by controlling net groundwater use within the interim allocation limit set out in Policy 37” or similar wording to achieve the outcome sought in this submission. Amend Policy 36.g to read “ reducing existing levels of encouraging water use efficiency.” or similar wording to achieve the outcome sought in this submission.	Oppose	Relief sought: Decline the submission points. Amend Policies 36 and 37 to cap groundwater use at 70M cubic metres until the hydrological investigations and aquifer modelling have been completed to provide confirmation of a sustainable abstraction limit, that - will prevent declines in groundwater storage and seasonal retreat of aquifer’s spatial extent; - arrest or prevent adverse effects of surface water depletion on tangata whenua values and life-supporting capacity in surface water, and - restrict the ingress of low-quality surface water into aquifers, and - enable the separation of groundwater into 8 different zones so that any transfer is kept within a smaller area, and subject to limits that aggregate up to the total allocation of 70 million.

			<p>Reasons: The proposed 90 million m³ interim limit is too high to promote sustainable management of the groundwater resource.</p> <ul style="list-style-type: none"> - Different parts of the aquifer system have different characteristics - Ingress of lower quality surface water into groundwater that is induced due to pumping is inconsistent with and does not give effect to the RPS.
25.10	<p>POL TANK 37</p> <p>Amend Policy 37.d(ii) to read “(ii) apply an assessment of actual and reasonable use that reflects land use and water use authorised in the ten years up to August 2017 30 June 2020 (the end of the 2020 water year)...”. or similar wording to achieve the outcome sought in this submission</p>	Oppose	<p>Relief sought: Delete the term actual and reasonable use from PC9 and replace with sustainable management within limits, or words to like meaning and effect. make consequential amendments to the related rules, maps and schedules. Allocation of water through PC9 should consider such allocation based on effects and compliance with sustainable limits.</p> <p>Reasons: “<u>Actual and reasonable use</u>”, is not based on sustainable management principles or practice. The effects of the “use” have not been quantified or connected to effects-based management methods.</p>
25.11	<p>Chapter 9 Glossary of Terms Used</p> <p>Amend the Glossary definition of “Actual and Reasonable to provide that the volume allocated at consent renewals is the lesser of:-the amount calculated by a Hawke’s Bay-specific IRRICALC model at 95% security of supply;-the volume of the expiring consent being replaced.” or similar wording to achieve the outcome sought in this submission</p>	Oppose	<p>Relief sought: Reject the submission. Delete the term from PC9. In terms of security of supply. correlate this to the summer 7-day Q95 for surface water allocations and the limit of 70 million m3 per year for groundwater use within the HPAS.</p> <p>Reasons: As above (25.10). Also, security of supply cannot be guaranteed when water current water use is mining the Heretaunga Plains Aquifers and leading to extended irrigation bans of increasing frequency.</p>
25.15	<p>6.10.1 Use of Production Land</p> <p>Rule TANK 5 - The rule needs further development to give more guidance on what changes are intended to be controlled and to control change by farming enterprises within a water quality management unit more appropriately.</p>	Oppose	<p>Relief sought: Delete reference in the rule to “farming enterprise”. Delete the words in the activity column after “TANK catchments”.</p> <p>Reasons: A farming “enterprise” can be over two or more catchments each with their own limits and targets and rules.</p> <ul style="list-style-type: none"> - Management should be effects based.
25.16	<p>6.10.1 Use of Production Land</p> <p>Rule TANK 6 - Adjust the Grape kg/ha/yr for all soils to recognise winter sheep grazing rotation. Include details of crop model versions used to derive the crop loss figures in Schedule 29 and include a mechanism to address the effects of model and/or version changes to modelled outputs.</p>	Support in part	<p>Relief sought: Amend the rule to allow for intermittent grazing on viticultural lands. Delete the words pursuant to Section 9(2) RMA and associated non-point source discharges pursuant to Section 15 of the RMA from the activity column. Prevent the use of Overseer from being used as a regulatory tool for this rule and other rules in Change 9.</p> <p>Reasons: With the pending changes to resource management and potential annulment of the RMA, there is a risk the rule will become obsolete and lose its effectiveness in management of activities if reference to specific parts of the RMA are kept.</p>

25.17	6.10.2 Water - Rule TANK 13 - Supported, subject to amendments to POL 59 & 60 to address concerns about drafting details relating to the 20% Māori / environment reservation.	Oppose	<p>Relief sought: Amend the rule and associated schedules and policies to include a high-flow allocation season of 5 months, that is outside of a designated 6-month irrigation season.</p> <p>Reasons: High flows during the irrigation season of 01 November to 30 April, should be left to contribute to and replenish natural water resource' recovery</p>
25.19	<p>Schedule 30: Landowner Collective, Industry Programme and Farm Environment Plan</p> <p>Schedule 30 should be less prescriptive, more facilitative and more industry risk profile-based in respect of Industry Programmes. The Programme Requirements in Section B of Schedule 30 as they relate to Industry Programmes should be re-cast as more of a guideline, with an acknowledgement that detailed requirements can vary depending on the Industry's risk and emissions profile as it relates to catchment objectives. Amend all references to Farm Environment Plan in this Plan Change to "freshwater farm plan" and otherwise align the Plan Change requirements to those of the Resource Management Amendment Act 2020 and related S.360 regulations.</p>	Oppose	<p>Relief sought: Delete most of the objective's content (with the exception of Farm Environment Plans (or Freshwater Farm Plans), to a non-regulatory part of Change 9 or the RRMP.</p> <p>Reasons: Some rigour is required around the drafting and operation of FEPs and FFPs, but the establishment and operation of collectives should not be made compulsory through a plan. The one established for the Tukituki catchment is not working particularly well.</p>

Submitter 123 Department of Conservation	Original submission statement (from HBRC summary)	TToH Support/ Oppose	Relief sought and reasons for our position
Jenny Nelson-Smith			
Water quantity Stat 123.4	Ensure all allocation limits are less than 30% MALF.	Support in part	<p>Relief sought: Allow the submission and amend the plan accordingly where the 30% of MALF is equivalent to or less than the Summer 7-day Q95.</p> <p>- Apply a corresponding allocation rate in litres per second that applies to total abstractions from each river and tributary in the TANK catchments, and account for estimates for permitted activities and their effects.</p> <p>Reasons: Over-abstraction is an existing problem in TANK catchments that contributes to ecosystem decline. The cumulative abstraction volumes and rates need to be taken into account and lowered to amounts that are more sustainable. Current abstractions result in significant adverse effects that detract from environmental and tikanga Māori values.</p> <p>-</p>
123.5	OBJ TANK 11 - Significantly increase the minimum flow in the Ngaruroro River to provide more habitat for indigenous fish at low flows (e.g., 80 - 90% of habitat at MALF).	Support in part	<p>Relief sought: Amend the objective to enable a minimum flow in the Ngaruroro of 2800 lps when PC9 becomes operative, and staged increases thereafter towards the achievement of 4200 lps minimum flow by 2029.</p> <p>Reasons: The current minimum flow on the Ngaruroro only provides 44 % habitat for indigenous species and is insufficient to protect the habitat of trout.</p>
123.6	Water quantity - Set high flow allocations for all rivers that ensure hydrological alteration of the flow regime is minimised and maintained close to natural flow regimes.	Support	<p>Relief sought: Allow the submission and amend the plan accordingly. Change the high flow allocation regime to enable flow sharing with the river on a 1:1 ratio.</p> <p>Reasons: This will help reflect the natural variances in flows during high flow allocations.</p>
123.7	Water quantity - Do not allow transfer of water permits into over-allocated ground and surface water management units.	Support	<p>Relief sought: Allow the submission and amend PC9 to reflect this.</p> <p>Reasons: Allowing increases in abstraction from over-allocated surface waters does not promote sustainable management and can exacerbate current problems with diminished habitat.</p>
123.8	Water Quality General - Include clear objectives and policies to maintain or improve water quality, safeguard life-supporting capacity, ecosystem health and human health, protect the	Support.	Relief sought: Amend PC9 to reflect the intent of the submission. This will require amendments in several different provisions and schedules.

	significant values of outstanding freshwater bodies and wetlands and provide for other instream freshwater values		Reasons: The submission refers to a range of matters that HBRC through PC9 seeks to delete from the RRMP, which will lead to the plan not giving effect to the NPSFM or the operative RPS.
123.9	OBJ TANK 2 - Include schedules of FMUs and freshwater values and clearly define where they apply.	Support	Relief sought: Amend the plan to reflect the intent of the submission. Reasons: The plan and schedules are uncertain in terms of articulating FMUs and their extent. The integration of plan provisions is not well constructed, and lines of accountability between some plan provisions are uncertain.
123.10	Proposed TANK Plan Change 9 - Include a schedule of outstanding waterbodies and wetlands and their significant values for protection	Support	Relief sought: Include a schedule or table of outstanding freshwater bodies within the TANK catchments, in PC9, with both their outstanding values and significant values. Reasons: This will enable Change 9 provisions to be more consistent with the Act and to give effect to the RPS.
123.11	Schedule 26: Freshwater Quality Objectives - Include all water quality objectives in Schedule 26 and identify targets to be achieved by 2040 where objectives are currently not met.	Support in part	Relief sought: Amend Change 9 to reflect the intent of the submission. TToH would prefer that some targets are met before 2040. Change some timelines in the plan, in particular enable the call-in and review of consents that have expired or are due to expire, and which contribute to water quality decline. Reasons: HBRC should be more proactive in promoting sustainable management. Delaying environmental improvement does not promote sustainable management and runs counter to the community's desire for improved water quality to enable greater public amenity / recreational uses and associated values.
123.12	Schedule 28: Priority Catchments - Regulate (require consent for) productive land used for farming in priority catchments to resolve water quality issues in Schedule 28 and in catchments required to meet water quality targets in Schedule 26 by 2040.	Support in part	Relief sought: Amend PC9 accordingly to better regulate activities and their effects. Impose a management levy on nutrient losses that contribute to ecosystem and/or water quality decline. Reduce the target date to 2030. Reasons: The public deserve better water quality, and those that detract from good water quality should pay for its improvement.
123.13	Catchment Objectives - Control the use of production land for farming in all other catchments to maintain water quality.	Support	Relief sought: As above. Reasons: As above.
123.14	POL TANK 22 - Exclude stock from all wetlands, lakes and riparian margins used for fish spawning (specifically including inanga	Support	Relief sought: Amend PC9 to reflect the intent and outcomes sought from the submission. Include reference to maps that clearly identify such sites and areas and reference the species and their spawning seasons.

	(Galaxias maculatus)) regardless of slope with minimum setbacks of at least 10 metres. - Exclude break feeding from all waterbodies regardless of slope. - Include defined setbacks from water for all stock exclusion provisions.		Reasons: HBRC are required to safeguard the life-supporting capacity, indigenous species and their habitats, and associated ecosystem processes.
123.15	Catchment Objectives - Require farm plans for all farms >10ha in the TANK catchments.	Support in part	Relief sought: Amend PC9 provisions but reduce the areas, particularly within or above sensitive catchments and for intensive vegetable production. Reasons: Sensitive catchments should be managed more effectively to reduce adverse effects and sources of nutrients/contaminants.
123.16	5.10.4 Policies: Stormwater Management - Regulate and manage all stormwater discharges and require them to meet water quality objectives and targets in Schedule 26 by 2040.	Support in part	Relief sought: Amend PC9 accordingly, and change the stormwater provisions, including the rules so they capture all point source discharges, not just those in urban settings., and allow for an estimate of stormwater contaminant inflows from non-point sources, to be included in limits and targets. Reasons: There are many point source discharges that release stormwater directly into roadside drains or surface water bodies. Council cannot manage what it does not measure or take into account. Their s30 responsibilities and the NPSFM require them to maintain or enhance water quality and enable TMOtW
123.17	5.10.4 Policies: Stormwater Management - Regulate and manage all point source discharges and require them to meet water quality objectives and targets in Schedule 26 by 2040.	Support in part	Relief sought: As above. Reasons: As above
123.18	Proposed TANK Plan Change 9 - HBRC withdraws PC9, gives effect to the NPSFM 2020 and renotifies the plan change in amended form; or HBRC prepares and notifies a variation of PC9 to implement the NPSFM 2020; or Some other action or actions to ensure that the NPSFM 2020 is given effect to as required, and which provides an efficient and fair process for the community (including submitters on PC9). - Include objectives and/or policies which consider and recognise Te Mana o te Wai with particular reference to Te Hauora o te Taiao, Te Hauora o te Wai and Te Hauora o te Tangata. Continued in submission	Support in part	Relief sought: Prepare and notify a variation to PC9 to give effect to the NPSFM 2020. Reasons: The drawn-out TANK stakeholder process and the priority given by plan writers to economic pursuits and outcomes is inconsistent with the nature and intent of the NPSFM and TMOtW. The reduced timeline that the NPSFM imposes for all “freshwater plans” to be notified and operative by, means that further amendments to PC9 and associated parts of the RRMP will be required anyway. Some provisions in PC9 do not give effect to the RPS and require amendment anyway. It would be more efficient to address all relevant matters together, for the four TANK catchments.
123.20	5.10 Introduction - TANK issues - Clearly articulate or delete the TANK issues from PC9.	Support in part	Relief sought: Rewrite the issue statements so they are brief and to the point, and place each immediately prior to the relevant objective and policies.

			Reasons: This would mean a more user-friendly plan, that could be better understood.
123.21	5.10 Introduction - Delete the introduction to 5.10 and provide a schedule of the identified values and where they apply in respect of each FMU within the body of PC9 as Schedule X. Include objectives and/or policies which consider and recognise Te Mana o te Wai with particular reference to Te Hauora o te Taiao, Te Hauora o te Wai and Te Hauora o te Tangata. Provide consequential track changes to Table 2A of the RRMP to reflect the values of PC9 and where they apply.	Support	<p>Relief sought: Provide a schedule as outlined in the submission, and ensure objectives, policies and rules that manage land uses and their effects reference the schedule.</p> <p>Reasons: This submission and others provide scope for PC9 decision-making to amend the plan substantially so as to give effect to the NPSFM in a more cost-efficient and timely manner. Much of the notified plan suggests substantial delays in doing anything proactive to hasten better environmental outcomes – e.g. more meetings, data collection, research, discussions to facilitate a further catchment plan change some time in the future.</p>
123.22	General Objectives - General objectives - all. Delete and restate all the objectives except objective 9 as outcomes which give effect to the NPSFM 2014 and RPS. Reduce the overall number of objectives and increase their clarity of purpose using concise and consistent RMA and NPSFM 2014 language and terms. Delete all sub-headings associated with the objectives or alternatively reorder and reword the sub-headings to reflect their purpose (e.g., overarching vs system specific objectives like surface water and groundwater)... continued in submission	Support in part	<p>Relief sought: Amend the objectives to be more definitive and issue focussed. Delete objectives relating to more meetings and discussions, or where budget provision is not provided for. In addition, amend schedules and references to them.</p> <p>Reasons: The objectives as notified are too wordy and uncertain in terms of outcomes.</p>
123.23	General Objectives - Amend in a way that:- the mauri of waterbodies is protected and restored to provide for Te Hauora o te Taiao, Te Hauora o te Wai and Te Hauora o te Tangata and to provide for the values in Schedule X-safeguards life-supporting capacity and aquatic ecosystem processes-the connectivity between land, surface water, groundwater, freshwater and the coast - Ki uta, ki tai is recognised- provides for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.	Support	<p>Relief sought: Amend PC9 objectives to enable the submission points to be actioned. Refer also to new objective content and structure in the TToH submission.</p> <p>Reasons: The RPS requires adverse effects on mauri to be avoided remedied or mitigated. The objectives do not direct towards achieving this. Both the NPSFM and the RPS direct plans towards safeguarding life-supporting capacity, which PC9 seeks to delete reference to.</p>
123.24	OBJ TANK 3 - Amend in a way that:- the mauri of waterbodies is protected and restored to provide for Te Hauora o te Taiao, Te Hauora o te Wai and Te Hauora o te Tangata and to provide for the values in Schedule X-safeguards life-supporting capacity and aquatic ecosystem processes-the connectivity between land, surface water, groundwater, freshwater and the coast - Ki uta, ki	Support	<p>Relief sought: Amend Objective 3 to reflect the nature and intent of the submission.</p> <p>Reasons: The inclusion of a schedule will provide clear lines of accountability between objectives and pathways towards achieving them, either as limits or targets.</p>

	tai is recognised- provides for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.		
123.25	OBJ TANK 5 - Amend in a way that:- the mauri of waterbodies is protected and restored to provide for Te Hauora o te Taiao, Te Hauora o te Wai and Te Hauora o te Tangata and to provide for the values in Schedule X-safeguards life-supporting capacity and aquatic ecosystem processes-the connectivity between land, surface water, groundwater, freshwater and the coast - Ki uta, ki tai is recognised- provides for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.	Support	Relief sought: Amend Objective 5 to reflect the nature and intent of the submission. Reasons: See above reasons for 123.24. - The RPS at Policy LW1(3)(b) requires that when setting objectives in a regional plan, ... “adverse effects on water quantity and water quality that diminish mauri are avoided, remedied or mitigated”. - The RPS also requires protection of life-supporting capacity and ecosystem processes.
123.26	Water Quality General - Objectives 4 and 6 - Delete Objectives 4 and 6 and replace with new objectives A and B (see points 123.27 and 123.28).	Support in part	Relief sought: Accept the submissions so the objectives are deleted and replaced. Merge content for the new water quality objectives with provisions and wording that reflect the nature and intent of the amendments sought for objectives by TToH and NKII. - Provide a new schedule that identifies all rivers and their sub-catchments and include all aquifers. Clearly articulate the different values that apply for each. Where relevant, connect the water quality parameters to the values. Reasons: Reference to schedules that have no regulatory function is not useful (e.g. Schedule 27) is not helpful. - Water quality objectives in PC9 as proposed, do not support the level of improvement necessary to give effect to the NPSFM, the RPS or Te Mana o te Wai (including the priority setting). - Life-supporting capacity is not sufficiently provided for in PC9 as notified.
123.27	Water Quality General - Objective A - include as new objective - “Surface water quality is maintained or improved where the current state exceeds the objectives in Schedule 26 and improved where it is degraded or over-allocated by 2040 where objectives in Schedule 26 are not met, to provide for the values in Schedule X, including ecosystem health”, or words to similar effect.		
123.28	Water Quality General - Objective B - include as new objective. “ <u>Water quality is improved so it is suitable for primary contact, Uu and immersion more often and regional targets are met</u> ”, or words to similar effect.		
123.32	Catchment Objectives - Objectives 10, 11, 12 & 13 - Delete and include (reworded) as a policy for the associated catchment. Include all catchment specific values in a Schedule in PC9. Alternatively, redraft a catchment-specific objective which concisely and clearly captures the management intent and goals for the catchment.	Support in part	Relief sought: Substantially amend the objectives to clearly direct towards outcomes, or where they do not have a regulatory function, move them to a non-regulatory part of the RRMP. Reasons: Some of the objectives are more like policies and others lack clarity or definitive outcomes.
	Objective D - include as new objective. “Groundwater levels are maintained, enhanced or restored to protect the health of groundwater dependent ecosystems, future overallocation is	Support in part	Relief sought: Accept the submission point and add the new objective as prescribed, with the exception of the year 2040. Amend this to 2030. Include reference to over-abstraction in the objective.

	avoided, and existing overallocation is phased out by 2040” or words to similar effect. Alternatively, overallocation could be addressed as one objective across surface water and groundwater (see new objective ‘J’ below). This would be more concise drafting but may not have the desired level of detail to direct the policies and rules.		Reasons: The health and life-supporting capacity of groundwater dependent ecosystems have been systematically ignored through regional plans in our region. GDEs require a greater level of stability and constancy than has previously been provided for them.
123.37	Water quantity - Objectives 16, 17 and 18. Delete from objectives and move in PC9 to include as a policy and apply also to groundwater. Add new objectives E and F (see points 123.38 and 123.39).	Support in part	Relief sought: Amend PC9 as suggested in these submission points. Reasons: The number of provisions in PC9 is excessive. Combining some that address the same or similar issues is more efficient.
123.38	Water quantity - Objective E - include as a new objective. “ <u>Flows and levels in surface waterbodies are maintained or enhanced to safeguard life-supporting capacity and ecosystem health, recognise Te Mana o te Wai and to provide for the values in Schedule X and water is allocated efficiently within the limits in Schedules 31 and 32 and all water is used efficiently</u> ”, or words to similar effect	Amend	Relief sought: Accept the submission and include the new objective as drafted here. Reasons: The objective would better reflect the directive objectives and policies in the NPSFM and the RPS. - PC9 as proposed sought to exclude consideration of life-supporting capacity from applying to the TANK catchments despite the RPS and NPSFM requiring such consideration.
123.40	POL TANK 1 – Oppose Policy 1. Change to “ <u>The water quality of surface and groundwater bodies will be maintained where objectives of Schedule 26 are currently met and improved to meet targets in Schedule 26 where these are not met by 2040 by:</u> <u>a) Working with mana whenua, landowners, local authorities... etc</u> <u>b) Managing and regulating land use activities to improve water quality in catchments identified in Schedule 28 as a priority</u> <u>c) Where phosphorus and microbial pathogens are not meeting the objectives of Schedule 26, also regulate and manage land use activities which generate sediment (as a key contaminant pathway)</u> <u>d) Managing and regulating land use activities to reduce sedimentation and macrophyte growth in lowland rivers</u> <u>e) Managing and regulating land use to reduce nutrient loads to the Waitangi and Ahuriri estuaries</u> <u>f) Enable the maintenance of existing and creation of new sustainable riparian margins</u> ”	Oppose	Relief sought: Add the policy to PC9 but amend clause g) to include drainage systems from farms and from land used for horticulture and change the date from 2040 to 2030. Reasons: The policy here is clear and succinct. In some instances, the 2040 date seems too distant when some improvements to water quality can be achieved within a shorter timeframe.

	<p><u>g) Manage and regulate stormwater networks to reduce contaminants to water</u></p> <p><u>h) Manage and regulate land use activities to protect the water quality of domestic and municipal water supplies.</u></p> <p><u>i) Manage and regulate point source discharges to reduce contaminants to water</u></p>		
123.42	<p>POL TANK 3 – Amend Policy 3 - The significant values and ecosystem health of wetlands and lakes will be protected and enhanced where necessary by:</p> <p><u>a) Working with landowners in wetland and lake catchments</u></p> <p><u>b) Managing and regulating land use activities in wetland and lake catchments to reduce sediment and nutrient inputs, improve water quality and support indigenous macrophyte growth in shallow lakes</u></p> <p><u>c) as currently worded</u></p> <p><u>d) Meet water quality objectives and targets in Schedule 26 in downstream waterbodies affected by wetland or lake water quality</u></p> <p><u>e) Enable landowners to protect, increase and restore existing wetland and create new wetlands.</u></p> <p>Add attribute states for lakes to Schedule 26</p>	Support	<p>Relief sought: Amend TANK Policies 3, 4, 5, 6, 10, 11, 13, 14 and 15, to reflect the submissions, but change the target date to 2030, where the outcomes can reasonably be achieved within a reduced timeframe.</p> <ul style="list-style-type: none"> - Make consequential amendments to methods and other schedules. - Include consideration for matters raised in the TToH and NKII submissions in regard to schedule 26, in particular the articulation of values and attributes and where these apply. <p>Reasons: The amendments to the policies provide better directions that are outcome focused and link clearly to the schedules' (amended) limits and targets.</p>
123.43	<p>POL TANK 4 – Amend <u>“Manage and regulate land use in priority catchments in Schedule 28 to address priority water quality issues in Schedule 28 and to maintain objectives and achieve targets in Schedule 26 by 2040”</u>. Or words to similar effect</p>	Support	
123.44	<p>POL TANK 5 – Amend <u>“Manage and regulate land use in priority catchments in Schedule 28 to address priority water quality issues in Schedule 28 and to maintain objectives and achieve targets in Schedule 26 by 2040”</u>. Or words to similar effect.</p> <p>Insert point e) <u>to work with Napier city to improve fish passage and restore spawning habitat</u></p>	Support	
123.45	<p>POL TANK 6 Amend Policy 6 - Source protection zones need to be clearly identified in Schedule 28.</p>	Support	

123.46	POL TANK 10 - Amend to include reference to reducing contaminants from point source discharges where objectives in Schedule 26 are not being met currently in order to meet targets by 2040.	Support	
123.47	POL TANK 11 - Amend to include reference to reducing contaminant from point source discharges where objectives in Schedule 26 are not being met currently in order to meet targets by 2040.11b - Amend to include shading of other catchment tributaries	Support	
123.49	POL TANK 13 - Values are not listed in Policies 11 and 12. PC9 needs a schedule of identified freshwater values and where they apply (Schedule X) which can then be referenced by this policy.	Support	
123.50	Wetland and Lake Management - Policy 14 & 15 - Include description of wetland and lake values in Policy 3. Policy 14e - Amend to include enhancement of lake water quality and include attributes for lakes in Schedule 26	Support	
123.52	<p>POL TANK 17 - Delete Policy 17 and replace with: <u>“Schedule 26 freshwater quality objectives will be maintained where they are currently met, and targets will be achieved by 2040 through regulating the use of land in priority catchments for the water quality issues in Schedule 28, the intensification of all land, and requiring farm plans in all catchments that:</u></p> <p><u>a) Meet industry good practice as defined in Schedule XX</u></p> <p><u>b) Manage all critical source areas</u></p> <p><u>c) Mitigate and reduce contaminant losses to water</u></p> <p><u>d) Meet nutrient budgets for nitrogen in priority catchments in Schedule 28</u></p> <p><u>e) All land users providing contaminant loss and nutrient budget information annually, or on request by the Council, and</u></p> <p><u>f) Provide for appropriate enforcement actions”</u>. Or words to similar effect.</p> <p><u>Include a regulatory implementation pathway to achieve objectives and targets by 2040.</u></p> <p><u>Include regulation of land use in priority catchments and for waterbodies where contaminants are not currently meeting</u></p>	Support in part	<p>Relief sought: Delete notified version of policy 17 and replace with wording from this submission but include 2030 instead of 2040.</p> <ul style="list-style-type: none"> - Provide for greater specification and control/regulation for intensive vegetable production due to the substantial amounts of fertiliser inputs some operators use. - Reduce the applicable land use for this activity to > 4ha - provide for greater prescription within or above sensitive catchments. <p>Reasons: Intensive vegetable production typically uses greater amounts of fertilisers than other users and therefore creates greater risk for nutrient leaching.</p> <ul style="list-style-type: none"> - Sensitive catchments are more susceptible to nutrients than other catchments / water bodies. - The target date of 2030 can be applicable in some catchments that have fewer / less exceedances

	<u>objectives in Schedule 26 as a minimum and require FEPs for all farming land use >10ha.</u>		
123.53	<p>POL TANK 18 – Delete and replace with <u>“The maintenance or improvement of water quality to meet freshwater objectives and targets by 2040 will be supported by:</u></p> <p><u>a) Collating, analysing and reporting on contaminant loss data provided by all land users (through Policy 17)</u></p> <p><u>b) Developing a contaminant allocation regime (nitrogen) in priority catchments</u></p> <p><u>c) Further regulation of land use in areas outside of priority catchments where targets are not being achieved by 2030</u></p> <p><u>d) Measuring and reporting against the objectives and targets in Schedule 26 every five years</u></p> <p><u>e) Working with industry groups, landowners, mana whenua and other stakeholders to research and investigate additional mitigations and actions to meet targets at a property and catchment scale”.</u> Or words to similar effect</p>	Support in part	<p>Relief sought: Delete and replace as with content from the submission, but:</p> <ul style="list-style-type: none"> - In clause b) include phosphorus and add “by 01 May 2025”. - Add “inclusion of a levy to help manage nutrient and contaminant losses from land use. <p>Reasons: Phosphorus exceedances should also be included within management of nutrients. Management of adverse effects should be addressed by those who create such effects.</p>
123.55	<p>POL TANK 20 - Amend Policy 20 as: <u>“Sediment loss, erosion and effects on freshwater and coastal ecosystems will be mitigated and reduced to maintain the objectives and meet the targets in Schedule 26 by 2040 by:</u></p> <p><u>a) Controlling cultivation, stock access and vegetation clearance in all catchments</u></p> <p><u>b) Regulating land use in priority catchments vulnerable to erosion listed in Schedule 28 to manage critical source areas at the property and catchments scales</u></p> <p><u>c) requiring and supporting tree planting, afforestation and retirement of land, particularly where multiple water quality objectives and targets can be maintained or met</u></p> <p><u>d) Requiring and supporting improved and sustainable riparian management in all catchments”.</u> Or words to similar effect</p>	Support	<p>Relief sought: Amend the objective as per the submission.</p> <p>Reasons: The amended policy provides a logical pathway and trajectory to achieve outcomes in (amended or replaced) objectives.</p>

123.56	<p>POL TANK 21 - Delete and reword as: <u>“The impacts of diffuse contaminants from intensification of land use will be controlled in all catchments to maintain water quality where freshwater objectives are met and to improve water quality to meet targets by 2040. In making decisions on resource consents, taking into account:</u></p> <p>a) <u>The current state and trends in water quality for the catchment in which intensification is planned</u></p> <p>b) <u>Whether the intensification is in a priority catchment listed in Schedule 28</u></p> <p>c) <u>The efficient use of land to reduce contaminant losses</u></p> <p>d) <u>Planned mitigations and timeframes for actions to reduce contaminant losses from intensive land use</u></p> <p>e) <u>Industry good practice as defined by the standards in Schedule XX</u></p> <p>f) <u>Avoiding land use intensification where water quality objectives will not be maintained, or targets not met</u></p> <p>g) <u>Considering the contribution of intensification to degraded water quality, including cumulative contaminant loss in the catchment”</u>. Or words to similar effect</p>	Support	<p>Relief sought: Replace the objective with that outlined in the submission.</p> <p>Reasons: Proposed POL TANK 21 does not contain sufficient compulsion to effect the changes necessary for environmental improvement.</p>
123.57	<p>POL TANK 22 - Delete and amend as: <u>“To maintain water quality where objectives are met or to meet targets in Schedule 26 and to provide for the values in Schedule X, stock will be excluded from all waterbodies and their margins by 2023”</u>. Or words to similar effect</p>	Support	<p>Relief sought: Accept the submission point and amend the policy accordingly.</p> <p>Reasons: Stock exclusion regulations should be expedited to protect water quality and prevent adverse effects on surface water bodies and their values.</p>
123.58	<p>Industry Programmes and Catchment Management - Delete policies 23 and 24</p>	Support	<p>Relief sought: Delete the policies as suggested</p> <p>Reasons: These activities can be compelled outside of the regulatory framework.</p>
123.59	<p>POL TANK 25 - Delete policy 25 – already included in Policy 17 relief</p>	Support	<p>Relief sought: Delete Policy 25 to prevent repetition.</p>
123.70	<p>Heretaunga Plains Aquifer Management - Policy 36, 37 and 38 - Delete and include policy to give effect to the NPSFM 2014 section B</p>	Support	<p>Relief sought: Accept the submission and only retain proposed policy content where it supports or enables PC9 in giving effect to the NPSFM 2014, and parts of the NPSFM where submissions provide scope to do so.</p>

			Reasons: The constrained timetable for NPSFM 2020 compliance and alignment within regional plans means regional authorities will need to be proactive in catchment planning so as to achieve the directives contained within the NPSFM.
123.72	POL TANK 36 - Policy 36 - Add “ <u>Groundwater dependent ecosystems</u> ” to list .Policy 36 a) - Delete “aquifer depletion”, means the same thing. Policy 36 b) – include water levels in wetlands. Policy 36 d) - Stop at seawater intrusion, delete words after this, not needed. Add a clause – to include leaching of pollutants into groundwater	Support	Relief sought: Amend Policy 36 as per the submission. Reasons: The policy as proposed does not include due consideration of these significant issues that are effects related.
123.76	POL TANK 41 - Delete and include policies to manage stream depletion effects through sustainable allocation of water resources	Support	Relief sought: Delete the policy as proposed. Reasons: The adverse effects caused by the operation of a resource consent, should be required to be addressed by the consent holder. The policy implies that regional council will remedy or mitigate adverse effects caused by consent holders who make a profit out of resource use or over-use.
123.77	POL TANK 42 - 42 g) - Provide a date when the over allocation of groundwater will be phased out.	Support in part	Relief sought: Provide a date but include excessive abstraction within the policy. Reasons: Over-allocation can potentially be addressed through increasing the allocation threshold or quantum.
123.78	POL TANK 43 - Delete and amend to cease takes at minimum flows in Schedule 31.	Support	Relief sought: Amend the policy to require takes to cease when flows are at minimum flow or below. Reasons: Flow minima are connected to allocation limits and enabling abstractions to continue below minimum flow detracts from the life-supporting capacity of surface water.
123.83	POL TANK 48 - Water use change or transfer should not be allowed in any over-allocated waterbody – applications to transfer into over-allocated waterbodies should be declined (and supported by a prohibited activity status in the rules of PC9). - Transfers should be declined wherever significant adverse effects on life-supporting capacity, ecosystem health and other instream freshwater values are likely. References to flow enhancement or ecosystem improvement schemes should be deleted as these are inappropriate measures to manage adverse effects. The needs of people and communities for water supply for drinking and domestic use should be prioritised above water	Support	Relief sought: Provide a prohibited status for transfers of permits allowing water abstraction from one catchment or FMU into an over-allocated catchment or FMU. Reasons: This is a logical approach to help address over-allocation and its adverse effects and prevents additional or increase in scale of existing adverse effects.

	used for irrigation. Clause g) is supported – water used for frost protection generally is not used when rivers and streams are under the most flow stress (e.g., summer).		
123.88	POL TANK 51 - Remove reference to horticultural crops and primary production.	Support in part	<p>Relief sought: Amend the policy as sought in the submission. - Add “<u>aA) Water necessary to maintain Te Mana o te Wai;</u>” and Amend b) maintenance of animal welfare <u>within limits</u>; Delete MPI from the preliminary statement.</p> <p>Reasons: The minimum flow is set to protect a range of instream values and habitats. Exclusions for water use below minimum flows should be emergency related only.</p>
123.90	POL TANK 53 - Water used for frost protection should always be within allocation limits and minimum flows.	Support	<p>Relief sought: Amend frost protection provisions to ensure that such takes and uses are within a specific period and subject to minimum flows and allocation limits (volumes and rates).</p> <p>Reasons: There are alternatives to irrigation for frost protection and limits are put in place to protect values within the water body.</p>
123.93	POL TANK 56 - All reference to flow or water augmentation should be removed from PC9 as it is an inappropriate way to manage the effects of overallocation and abstraction. This policy should be redrafted as a method (if included at all).	Support	<p>Relief sought: Delete all references to flow augmentation or water augmentation in PC9.</p> <p>Reasons: Management of water within sustainable limits/volumes would negate the need for water or flow augmentation. Sustainable management is a constant, not something that should enable degradation or unsustainable use and its adverse effects, that may or may not be remedied at a future date.</p>
123.96	6.10.1 Use of Production Land - Rule TANK 1 - Amend Rule 1 so that the use of productive land for farming is a restricted discretionary activity in priority catchments (with water quality issues as specified in Schedule 28) or where water quality targets are not being met. Amend to include the matters of discretion in Rule 2 and include additional provisions for audit and review of all farm plans (including catchment collectives and industry programmes if retained).	Support	<p>Relief sought: Amend rule as requested. Include notification of affected parties, including tangata whenua. Include effects on mauri and mahinga kai in the criteria.</p> <p>Reasons: Priority catchments are predominantly where significant adverse effects have been enabled through lenient management, and where more prescriptive management is now required.</p>

123.97	6.10.1 Use of Production Land - Rule TANK 2 - Amend Rule 2 so that the use of productive land for farming that is not in priority catchments (with water quality issues as specified in Schedule 28) or where water quality objectives in Schedule 26 are being met is controlled. - Amend to include additional provisions for audit and review of all farm plans (including catchment collectives and industry programmes if retained) in the matters of control for Rule 2.	Support	Relief sought: Amend the rule as requested. Reasons: There needs to be more rigour around management of effects given the issues we now face due to cumulative adverse effects not having been well managed in the past.
123.98	6.10.1 Use of Production Land - Rule TANK 3 - Amend Rule 3 to exclude stock from all waterbodies when break- feeding on pasture or crops on land of any slope. Amend to exclude stock from all wetlands and lakes (regardless of land slope) with a 10m minimum setback from water. Amend to exclude stock from all riparian margins use for spawning by indigenous fish, particularly inanga. Amend to require a minimum setback from all waterbodies subject to stock exclusion. Include stock exclusion from all outstanding waterbodies.	Support.	Relief sought: Amend Rule TANK 3 as requested. Reasons: Damage to riparian margins and spawning areas by stock can be substantial and take many years to recover.
123.99	6.10.1 Use of Production Land - Rule TANK 4 - Amend matters of discretion to include:- <u>- Break-feeding of crops or pasture on land of any slope.</u> <u>- Wetlands and lakes.</u> <u>-Priority catchment in Schedule 28.</u> <u>-Catchments where water quality targets are not met in Schedule 26.</u> <u>-Waterbodies with riparian margins used for fish spawning (e.g., inanga).</u> <u>-Appropriate setback distances to manage effects.</u> <u>-Outstanding waterbodies</u>	Support	Relief sought: Amend Rule TANK 4 as per this submission. Include proximity to and effects on Mauri, mahinga kai areas and sites, and waahi taonga, as matters for discretion. Reasons: A range of cultural values and interests should be taken into account within decision-making for this rule, as they contribute to Te Mana o te Wai and Te Hauora o te Taiao.
123.100	6.10.1 Use of Production Land - Rule TANK 1 and 2 - Amend to discretionary activity for priority catchments in Schedule 28 and where water quality targets in Schedule 26 are not being met.	Support	Relief sought: Change activity status to discretionary and require notification of affected parties including tangata whenua. Reasons: A range of cultural values and interests should be taken into account within decision-making for this rule, as they contribute to Te Mana o te Wai, Te Hauora o te Taiao, and Te Hauora o te tangata.

123.101	6.10.1 Use of Production Land - Rule TANK 6 - Amend to include reference to priority catchment in Schedule 28 and where water quality targets are not being met in Schedule 26. Amend to refer to the extent to which water quality will be maintained or improved.	Support	Relief sought: Amend the rule accordingly Reasons: Consideration for priority catchments in this rule is appropriate given the focus within other parts of the plan for addressing their problems expeditiously.
123.103	6.10.2 Water - Rule TANK 8 - Change to: e) The take shall not cause changes to the flows or levels of water in any connected wetland <u>or surface water body.</u>	Support	Relief sought: Amend the rule and the clause referred to. Reasons: All potentially affected water bodies and effects on them should be taken into account.
123.104	6.10.2 Water - Rule TANK 9 f) (i) and (ii) - f) The water permit holder either: <u>(i) contributes to or develops an applicable stream maintenance and habitat enhancement scheme that complies with the requirements of Schedule 36 at a rate equivalent to the stream flow depletion (in l/sec) which will be calculated using the Stream Depletion Calculator and based on the allocated amount of water; or an alternative method where it can be demonstrated to provide a more realistic prediction of effects. or(ii)where a groundwater take is demonstrated as having a high or direct connection to surface water, the water take ceases when the flow or level of water in the surface water body falls below the trigger level specified in Schedule 31. Where a groundwater take is predicted to have a moderate or lesser connection to surface water, the surface water depletion effect must be offset using an applicable water scheme instead as outlined in (i) above.</u>	Oppose in part	Relief sought: Amend the rule but defer use of the Stream Depletion calculator until such time as the data inputs have been modified to include assessment of stream depletion that occurs over two periods during the irrigation season (November and February). Reasons: Many resource consent applications for groundwater takes were granted based on data derived from late autumn or winter water levels (May-June). Maximum stream depletion is more likely to occur during peak abstraction periods and flow recessions – e.g. November to February. Consequently, the stream depletion calculator is likely to underestimate stream depletion effects and amounts.
123.105	6.10.2 Water - Rule 10 (g)(iii) may allow maximum annual water use in the last 10 years to become the reallocated volume As currently drafted it appears as though water will be able to be taken under minimum flow when it is an existing take and meets reasonable and actual use.	Support in part	Relief sought: Amend Rule TANK 10 to prevent water being taken under the minimum flow. Reasons: The minimum flow is set to protect a range of instream values and habitats. Exclusions for water use below minimum flows should be emergency related only.
123.106	6.10.2 Water - Rule TANK 11 - Delete reference to water storage. All takes outside of the allocation limits should be prohibited.	Support	Relief sought: Amend the rule to restrict water takes for storage to the months May to October in the same year. Reasons: This will prevent an extremely high allocation rate of take from specific rivers from occurring.

123.108	6.10.2 Water - Rule TANK 13 - Include in matters of discretion: <ul style="list-style-type: none"> • The significant values of outstanding waterbodies and wetlands • Te Mana o te Wai • Ecosystem health • All other instream freshwater values (including indigenous fish habitat) 	Support	Relief sought: Amend Rule TANK 13 to include the additional matters listed. Include “outstanding values” in the list. Reasons: It is the outstanding value that enables a water body to be regarded as outstanding.
123.109	6.10.2 Water - Rule TANK 14 - Include in matters of discretion: <ul style="list-style-type: none"> • <u>The significant values of outstanding waterbodies and wetlands</u> • <u>Te Mana o te Wai</u> • <u>Ecosystem health</u> • <u>All other instream freshwater values (including indigenous fish habitat)</u> 	Support	Relief sought: Amend Rule TANK 14 to include the additional matters for discretion. Include “outstanding values” in the list. Reasons: It is the outstanding value that enables a water body to be regarded as outstanding.
123.110	6.10.2 Water - Rule TANK 15 - Include in matters of discretion: <ul style="list-style-type: none"> • <u>The significant values of outstanding waterbodies and wetlands</u> • <u>Te Mana o te Wai</u> • <u>Ecosystem health</u> • <u>All other instream freshwater values (including indigenous fish habitat)</u> 	Support	Relief sought: Amend Rule TANK 15 Reasons: As above
123.113	6.10.2 Water - Rule TANK 18 - Include as a matter of control <u>whether water quality targets in Schedule 26 or water quality issues in priority catchments (Schedule 28) will be achieved or addressed as a result of the quality of discharged groundwater to surface water.</u>	Support	Relief sought: Amend Rule TANK 18 to include the additional matter. Reasons: The quality of groundwater should not have adverse effects on the surface water nor on its life-supporting capacity.
123.115	6.10.3 Stormwater - Rule TANK 21 - Include a condition/standard <u>to exclude stormwater discharges into inanga spawning habitats</u>	Support	Relief sought: Add the new clause to Rule TANK 21. Provide a map that shows the location and extent of inanga spawning habitats and sites and their spatial extents in PC9. - provide a buffer zone on the maps. Reasons: Effects of stormwater discharges on inanga spawning habitat (volume and contaminants) can have profound adverse effects on inanga spawning, which take significant periods to recover, if at all.
123.116	6.10.3 Stormwater - Rule TANK 22 - Include as a matter of discretion reference <u>to the water quality objectives and targets in Schedule 26 and inanga spawning habitats.</u>	Support	Relief sought: Amend Schedule 26 accordingly. Reasons: Inanga are threatened species, and their spawning sites and habitat need additional protection.

123.117	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below underline/strikeout version of chapter 6) - RRMP Rule 7 - Increase the setbacks at (h) <u>to a minimum of 10 metres</u>	Support	Relief sought: Amend RRMP Rule 7 Reasons: The operative setback distance does not always provide sufficient protection
123.118	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below underline/strikeout version of chapter 6) RRMP rules 32, 33 and new RRMP rule 33A - Include reference to the water quality objectives and targets in Schedule 26	Support in part	Relief sought: Amend the rule to include reference to Schedule 26 and 26-F. Amend clause i) to delete “ten” and replace with “five” years. Reasons: Ten years is too long a delay to address significant issues.
123.119	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below underline/strikeout version of chapter 6) - RRMP Rule 62 - Change to: e) <u>The transfer shall not cause any reduction in the flow or level of a surface water body connected to groundwater</u> Add to the list of adverse effects that a transfer shall not cause: • <u>Seawater intrusion</u> • <u>Adverse effects on groundwater dependent ecosystems</u> • <u>Adverse effects on structures as a result of subsidence groundwater abstraction and uplift / liquefaction from groundwater injection / recharge.</u>	Support in part	Relief sought: Accept the submission and replace notified clause e) with the clause in this submission point but decline inclusion of reference to “from groundwater injection/recharge” in bullet point. - Retain applicability of Rule 62 to the Tūtaekurī Ahuriri, Ngaruroro and Karamu catchments - Add “ <u>additional risk from</u> seawater intrusion. - Make any consequential amendments to Change 9 to maintain integrity of Rule 62 and its applicability to the TANK catchments. Reasons: The amendments above will better reflect the intent of the RPS and the NPSFM.
123.122	Schedule 26: Freshwater Quality Objectives - Delete the first paragraph following the heading Schedule 26: Freshwater Quality Objectives. Or if retained, amend as “Schedule 26 is a first step with objectives being targets will be attained by 2040”	Support	Relief sought: Amend Schedule 26 in accordance with the range of amendments sought by the Department of Conservation. - provide for a shorter timeframe than 2040 where this is possible to achieve – TToH suggest 2030 for some.
123.123	Schedule 26: Freshwater Quality Objectives Specify within Schedule 26 where the numeric attribute states in the table column 'Water Quality Objective or/Target' are considered targets, based on assessment of the state of current water quality. E.g., "<1.6 m (target)", i.e. expressly identify which are targets and which are limits.	Support	Reasons: The amendments provide greater certainty for achieving the outcomes in the (amended) objectives, and a logical method for adhering to limits, where these are also referenced in policies.
123.124	Schedule 26: Freshwater Quality Objectives - Delete the 'Critical value' and 'Also relevant for' columns from Schedule 26 and identify these freshwater values in a separate Schedule within PC9, defining where they apply. OR Delete only the 'Also relevant for' column and amend the 'Critical value' column to reflect the freshwater values for which the most stringent attribute state is	Support	

	set. Delete all reference to 'statistical GL', 'MCI', 'Algal growth' and 'Toxicity'		
123.125	Schedule 26: Freshwater Quality Objectives - Amend Schedule 26 to specify a period of record for each attribute which compliance with the attribute state will be measured over.	Support	
123.126	Schedule 26: Freshwater Quality Objectives - Amend Schedule 26 Freshwater Management Units 'Lowland streams' to 'Lowland tributaries' for consistency of terms, clarify if Schedule 26 FMUs are the same as FMUS as defined in the NPSFM, house the Schedule 26A - 26D planning maps within Change 9, and clarify the boundaries for the Freshwater Quality Management Units.	Support	
123.127	Schedule 26: Freshwater Quality Objectives - Retain all of the listed attributes in Schedule 26 and include Schedule 27 attributes AND amend the temperature attribute to also include the maximum temperature attribute from Schedule 27 in Schedule 26	Support	
123.128	Schedule 26: Freshwater Quality Objectives - Delete reference to flows from the application of the water clarity and turbidity objectives for all management units and simply specify 'median' in all cases, and apply a period of record	Support	
123.130	Schedule 26: Freshwater Quality Objectives - Add Clarity objectives for the Ahuriri catchment of an annual median of >1.6 m. Define the number and time frame for these samples	Support	
123.131	Schedule 26: Freshwater Quality Objectives - There is no deposited sediment attribute for the Ahuriri catchment. It is not clear whether freshwater values in this catchment will be protected with respect to deposited sediment.	Support	
123.132	Schedule 26: Freshwater Quality Objectives - Amend periphyton biomass attribute states to: Delete >50 - Amend the periphyton biomass attribute for the upper Tūtaekurī River to <50 mg/m ²	Support	
123.133	Schedule 26: Freshwater Quality Objectives - Amend periphyton cover attribute state to (tracked changes provided): <ul style="list-style-type: none"> • Delete 'seasonal max' from the attribute so the value of Uu is provided for year-round. • Delete reference to Uu from the Application column. 	Support	

	<ul style="list-style-type: none"> Delete Recreation as the critical value and amend to replace with Uu (the most stringent value). Resolve inconsistencies in Schedule 26 and appropriately acknowledge Ngāti Kahungunu values and attributes. 		
123.134	Schedule 26: Freshwater Quality Objectives - Amend cyanobacteria attribute to: Delete recreation and replace with Uu.	Support	
123.135	Schedule 26: Freshwater Quality Objectives - Amend macrophytes attribute to ' <u>Submerged nuisance macrophytes</u> ' and amend FMU to include <u>all lowland rivers and streams in the TANK catchments, not just the Karamu.</u>	Support	
123.136	Schedule 26: Freshwater Quality Objectives - Amend MCI attribute to: Remove reference to (index). Include a sq MCI for Ahuriri otherwise retain attribute states as notified.	Support	
123.137	Schedule 26: Freshwater Quality Objectives - Amend DIN and DRP attributes to: Delete 'algal growth' and amend the critical values for DIN and DRP to ecosystem health. Amend the DRP attribute states for the lower Ngaruroro and Tūtaekurī Rivers and tributaries to 0.01 mg/L. Include DIN and DRP (or TN and TP) attributes states for the Ahuriri catchment .	Support	
123.138	<p>Schedule 26: Freshwater Quality Objectives - Amend nitrate and ammonia attributes to:</p> <ul style="list-style-type: none"> Amend the critical value for nitrate and ammonia to ecosystem health. Amend the nitrate attribute state for the Karamu catchment to the NPSFM A band. Amend 'Lowland stream' to 'Lowland tributaries' Include A band nitrate and ammonia attributes for the Ahuriri catchment. 	Support	
123.139	<p>Schedule 26: Freshwater Quality Objectives - Amend E. coli attributes to:</p> <ul style="list-style-type: none"> Apply all four attribute states for E. coli from the NPS FM to all catchments. Include an E. coli/Enterococci attribute for Ahuriri to achieve a Microbiological Assessment Category B 	Support	

123.140	Schedule 26: Freshwater Quality Objectives - Amend dissolved oxygen attributes to: <ul style="list-style-type: none"> • Delete reference to the 7-day mean min and 1-day min from the Application column. • Amend the attribute state for the Karamu catchment (lowland tributaries) to the B band state from the NPS FM. • Include an attribute state for the Ahuriri catchment at the B band from the NPS FM OR include dissolved oxygen attributes from Schedule 27 in Schedule 26 for lowland tributaries (C band) and Ahuriri. 	Support	
123.141	Schedule 26: Freshwater Quality Objectives – Amend temperature attributes to: <ul style="list-style-type: none"> • Include maximum temperature attributes from Schedule 27 in Schedule 26. • Add a maximum temperature attribute for Karamu (lowland tributaries) and Ahuriri of < 23°C (B band). • Add a <3°C increment compared to reference state for the Ahuriri estuary to Schedule 26. 	Support	
123.142	Schedule 26: Freshwater Quality Objectives - Retain pH attribute states as notified	Support	
123.143	Schedule 26: Freshwater Quality Objectives - Attribute states: Nitrate=--nitrogen (groundwater) - Retain with amendments: The TANK Plan provides for a Water User Collective to work collectively by or on behalf of permit holders to meet local water quality, quantity and environmental objectives for surface water bodies, springs and wetlands affected by groundwater abstraction. Create a monitoring plan that addresses the number, location and depth of monitoring bores required to adequately assess whether the Nitrate-N target in groundwater is being met. Also sampling and lab analysis should be according to current standard	Support	
123.144	Schedule 26: Freshwater Quality Objectives - Where the objectives apply - Clarify whether Freshwater Quality Management Units are FMUs as per the NPS FM. Include objectives and targets for all attributes for the Ahuriri catchment.	Support	

123.148	Schedule 31: Flows, Levels and Allocation Limits - List of monitoring bores and groundwater level and quality trigger levels which require groundwater takes to reduce the rate of abstraction if water levels drop below limits that would-be set-in Schedule 31.	Support	<p>Relief sought: Include a list of monitoring bores and water levels at which water abstraction rates and volumes will be required to reduce by a percentage, and another level at which they will be required to cease.</p> <p>Reasons: The monitoring bores and water levels will signal when affirmative action is required to help prevent significant adverse effects occurring and keep allocations within the volumetric limit.</p>
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Submitter 124 Brownrigg Agriculture	Original submission statement (from HBRC summary)	TToH Support/ Oppose	Relief sought and reasons for our position
Bridget Margerison			
124.2	OBJ TANK 14 - OBJ TANK 14(b) - Support.	Support in part	<p>Relief Sought: Retain clause 14(b) but ensure that the health and well-being of freshwater is prioritised through the objective.</p> <p>Reasons: The outcome above will comply with the direction of Te Mana o te Wai and help give effect to the NPSFM.</p>
124.3	OBJ TANK 16 - OBJ TANK 16 (c) and (d) - Support	Oppose	<p>Relief Sought: Consider the submission but add a new clause before clause a) that directs the protection of the health and well-being of freshwater as a first priority.</p> <p>Reasons: As above for 124.2</p>
124.5	POL TANK 13 - Policy 13 (c) and (d) - Support	Oppose	<p>Relief Sought: Amend PC9 by deleting Policy 13 and moving its content to a non-regulatory section of the RRMP.</p> <p>Reasons: The intent and the activities prescribed in the proposed policy would sit better outside of the policy framework. The actions are reliant on other parties who may or may not commit to it. The provision of information can be achieved without a specific policy to direct it.</p>
124.6	POL TANK 15 - Policy 15(d) - Support	Oppose	<p>Relief Sought: Similar to the above (124.5) the matters included in the policy can be achieved outside of the regulatory framework by council's works group, with assistance from others subject to time and resources being available.</p> <p>Reasons: See reasons above for 124.5.</p>
124.7	POL TANK 12 - Policy 12 - Support	Oppose	<p>Relief Sought: Move content of Policy 12 to a non-regulatory part of the RRMP.</p> <p>Reasons: Most of the positive actions towards environmental improvement mentioned in Policies 11, 12 and 13, including any values mentioned therein, are subservient to flood control and drainage. They are therefore unlikely to be prioritised and are at risk of being relegated where these policies connect to objectives and methods.</p>
124.8	POL TANK 22 - Policy 22(c) - Support	Oppose	<p>Relief Sought: Re-draft the policy so that stock exclusion is given greater priority.</p>

			Reasons: As notified the policy provides a gateway for non-achievement of stock exclusion from rivers, lakes, wetlands and their margins, and does not comply with stock exclusion regulations.
124.9	POL TANK 37 - Policy 37 (a) and (d) - support	Oppose	<p>Relief Sought: Decline the submission and amend the policy such that the allocation limit is reduced to 70 Million m3 per year, with allocation for irrigation restricted to a 6-month irrigation season. Delete any reference to “actual and reasonable use” from this policy and any connected objectives and schedules.</p> <p>Reasons: A designated “irrigation season” of 6 months will enable time for resource recovery during the non-irrigation period. Current abstractions from the Heretaunga Aquifer System (beyond a certain threshold) induce inflow of lower quality surface water, which degrades water quality in the aquifer, contrary to provisions in the RPS. Application of the “actual and reasonable use” method does not support sustainable management.</p>
124.10	POL TANK 52 - Policy 52(b) - support	Oppose	<p>Relief Sought: Amend Policy 52 (b) so that “allocate water according to demonstrated actual and reasonable need” is replaced with “allocate water within sustainable limits and apply pro rata reductions where necessary to achieve this” or words of like meaning and intent.</p> <p>Reasons: The terms “actual and reasonable” do not promote sustainable management.</p>
124.11	6.10.2 Water - Rule TANK 9 - support	Oppose	<p>Relief Sought: Substantially amend Rule TANK 9 so that:</p> <ul style="list-style-type: none"> - The rule references values and associated attributes for the Heretaunga Plains Aquifer System; - All consents to abstract groundwater from the Heretaunga Plains are reviewed when they expire, and quantities reduced on a pro-rata basis so that total abstractions for all uses are within a limit of 70 Million m3 per year; - Surface water depletion of 0.5 lps or greater is accounted for in surface water limits (volumes and rates); - The Heretaunga plains Aquifer System is treated as an over-allocated catchment or FMU, with restrictions on the transfer of permits into the FMU; - Over-abstraction is acknowledged within the rule as well as over-allocation; - The first obligations for consents are to avoid or remedy adverse effects on water quality and water quantity; - tangata whenua are acknowledged as affected parties upon consent expiry and/or renewal. <p>Reasons: Water levels, water pressures, aquifer recharge and spatial extent of the Heretaunga Aquifer System have all declined, which does not promote sustainable management of the resource.</p>

			- Interference with the Ngaruroro River and the Maraekakaho River have resulted in diminished recharge capability for the Heretaunga Aquifer System.
124.12	6.10.2 Water - Rule TANK 10 conditions (e) and (g) - Support	Oppose	<p>Relief Sought: Decline the submission. Redraft the rule so that it reflects a regime that promotes sustainable management of surface water and prevents abstractions for irrigation at or below the minimum flow.</p> <p>Renew existing and expired consents subject to managing their adverse effects (including cumulative adverse effects) and delete reference to s124. - Amend the activity to discretionary given the over-abstraction that is occurring and require conditions to restrict total allocations (volumes and rates) to limits derived from application of the Summer 7-day Q95 for surface water and surface water depleting groundwater takes.</p> <ul style="list-style-type: none"> - Apply a 6 months' irrigation season and require takes to decrease as minimum flows are approached (minimum flow x 2) and to cease when flow is at or below the minimum flow. - provide better connectivity between rules and operative RPS provisions including Objectives 23 and 24 <p>Reasons: As drafted Rule TANK 10 does not promote sustainable management of surface water, enables unsustainable practices to continue, and disconnects activities from directive provisions in the RPS.</p>
124.13	POL TANK 43 - Policy 43(i) - Support	Oppose	<p>Relief Sought: Decline the submission and rewrite the policy that implements a new management regime for the Karamū catchment that is based on sustainable management of the freshwater resource, contributes to water quality improvement and takes into account and avoids adverse effects of groundwater takes on surface water flows.</p> <p>Reasons: The Karamū allocation regime in the operative RRMP is based on the Q95, but the catchment is seriously over-allocated, and this has been compounded by resource consent renewal processes within council that have disregarded the limits within the operative plan. In addition, the effects of groundwater are more serious than previously thought.</p>
124.14	POL TANK 46 - Policy 46(b) – support	Oppose	<p>Relief Sought: Decline the submission and delete 46(b). make consequential amendments to other parts of PC9 that are reliant on the policy and “actual and reasonable” terminology.</p> <p>Reasons: Actual and reasonable (use or need) as used and defined in PC9 does not promote sustainable management or give effect to the NPSFM and RPS.</p>
124.15	POL TANK 47 - Policy 47(c) – support	Oppose	<p>Relief Sought: Allow the submissions where the 95% reliability is based on a sound methodology that uses limits, protects the life-supporting capacity and ecosystems of freshwater and provides 90 – 95% habitat protection for trout and torrent fish.</p>
124.26	POL TANK 46 - Amend clause (a) to read: ensuring allocation limits and allocations of water for		

	abstraction are calculated with known security of supply, <u>including an irrigation reliability standard that meets demand 95% of the time.</u>		Reasons: Abstraction should be based on a limit that does not cause or exacerbate adverse effects on water resources, nor undermine Te Mana o te Wai.
124.16	POL TANK 49 - Policy 49(g) - support	Oppose	Relief Sought: Decline the submission and amend the policy so that existing consents are reviewed as they expire, or when PC9 becomes operative. Reasons: The standard review clause in existing consents enables review of the consents where adverse effects have been found to be more serious than anticipated. This is the case for numerous surface and groundwater permits.
124.17	6.10.2 Water - Rule TANK 11(b)(i) - support	Oppose	Relief Sought: Decline the submission and rewrite the rule. Reasons: Poukawa is in a water short area as are parts of the Ngaruroro catchment and Heretaunga Plains. Consequently, they are subject to more severe limits than other parts of the catchments. The proviso (low flow) creates uncertainty as to intent or application of the rule as it is not defined.
124.18	Schedule 31: Flows, Levels and Allocation Limits - Support	Oppose	Relief Sought: Amend the schedule to prescribe limits and rates where the schedule states existing use. Allow for existing use to be reduced over time so as to comply with sustainable limits. Reasons: In some areas, existing use is causing decline in aquifer levels, adverse effects on surface water, and contributing to substantial adverse effects.
124.19	Schedule 33: Water Permit Expiry Dates - Support	Oppose	Relief Sought: Amend the expiry dates so consents are reviewed as they expire or when PC9 becomes operative, and the following expiry date is ten years thereafter. Reasons: It is uncertain whether PC9 will actually lead to achieving the purpose of the Act or giving effect to the NPSFM 2020 and uphold Te Mana o te Wai. The dates in the schedule (as notified) could potentially lead to the continuation of unsustainable practices.
124.20	Chapter -9 Glossary of Terms Used - Support Actual and reasonable use	Oppose	Relief Sought: Delete the term from the glossary and from the proposed plan. Reasons: The term is subjective and does not promote sustainable management. The adverse effects of the “use” have not been quantified or addressed throughout the plan.
124.21	OBJ TANK 15 - Add as clause (g): <u>“primary production water needs and water required for associated processing and other urban activities to provide for community -social and economic well-being.”</u>	Support in part	Relief Sought: Allow the submission but amend to include “primary production water needs requirements within limits” OR refer to limits in the preliminary statement

			Reasons: Establishing limits in PC9 through re-writing the objectives, will ensure other parts of the plan help to achieve those limits and to uphold the values that those limits provide for.
124.23	OBJ TANK 14 - Add after clause (f):and in doing so will: (g) continue to enable existing primary production land use activities adjacent to wetlands	Oppose	Relief Sought: Decline the submission. Reasons: Primary production is a term that can be applied to many different things. Some primary production activities may not be suitable to be undertaken adjacent to wetlands.
124.25	POL TANK 39 - Amend Policy 5.10.6 Policy 39 to also enable individual consent holder stream augmentation mitigation or offsetting actions.	Support in part	Relief Sought: Amend the policy to allow for individuals to augment stream flows from their consented allocations in catchments / zones / FMUs that are not over-allocated. In over-allocated catchments / zones / FMUs, require reductions in allocations as a priority. Reasons: This would enable consent holders to avoid or remedy adverse effects.
		Support in part	Relief Sought: Reasons:
124.27	6.10.1 Use of Production Land - Rule TANK 5 - Amend condition (a) to read: “Any change to a production land use activity <u>over more than 10ha of the property or enterprise area commencing after 2 May 2020 that does not result in the annual nitrogen loss increasing by more than the applicable amount shown in Table 2 in Schedule 29.”</u> Delete condition (b).Amend matter of control 2 to read: “The measures being undertaken by the individual landowner or the TANK Landowner Collective”	Oppose	Relief Sought: Decline the submission and delete “enterprise area” and reference to Schedule 29, Table 2 as notified. Reasons: A farming or horticultural enterprise can be spread across two or more catchments, each catchment with their own limits and targets. - TToH support substantial amendments to the content Schedule 29 or replacement with a range of values, limits that uphold those values, and targets where the limits are not met.
124.28	6.10.2 Water - Rule TANK 9 - Amend TANK Rule 9 condition (f) to make it clear that individual consent holder stream augmentation mitigation or offsetting actions are acceptable.	Support in part	Relief Sought: That the rule requires individual consent holders to remedy the adverse effects of their activity on surface water depletion, where such depletion is 0.5 lps or greater. Replace stream-depletion with surface water depletion throughout the plan. Reasons: 0.5 litres per second equates to 43.2 m ³ per day and over 1200 m ³ per month. There is a vast amount of water being taken for financial gain that is going unaccounted for. The stream depletion calculator is also based on incomplete or inaccurate data.
124.29	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below underline/strikeout version of chapter 6) - RRMP Rule 7 - Amend new condition (f) to make provision for necessary drain maintenance activities.	Support	Relief Sought: Accept the submission. Reason: Drain maintenance will ensure greater efficiency.

124.32	POL TANK 22 - Delete all provisions relating to the exclusion of stock from lakes, rivers, streams and wetlands.	Oppose	Relief Sought: Decline the submission Reasons: Allowing stock unrestricted access to rivers, streams and wetlands is inconsistent with the RPS, and the Stock Exclusion Regulations
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Submitter 129 Hawke's Bay Regional Council	Original submission statement (from HBRC summary)	TToH Support/ Oppose	Relief sought and reasons for our position
Ceri Edmonds			
129.2	<p>POL TANK 39 - Delete policy 39 and replace with new policy in relation to assessing applications to take groundwater in the Heretaunga Plains that includes the following direction:</p> <p>A commitment by Council to:</p> <p>(a) consult with iwi and other relevant parties to investigate the environmental, technical, cultural and economic feasibility of options for stream flow maintenance and habitat enhancement schemes including water storage and release options and groundwater pumping and discharge options that:</p> <p>(i) maintain stream flows in lowland rivers above trigger levels where groundwater abstraction is depleting stream flows and:</p> <p>(ii) improve oxygen levels and reduce water temperatures.</p> <p>(b) determine the preferred solutions taking into account whether:</p> <p>(i) wide-scale aquatic ecosystem benefits are provided by maintaining stream flow across multiple streams</p> <p>(ii) multiple benefits can be met including for flood control and climate change resilience</p> <p>(iii) the solutions are efficient and cost effective</p> <p>(iv) scheme design elements to improve ecological health of affected waterbodies have been incorporated</p> <p>(v) opportunities can be provided to improved public access to affected waterways.</p> <p>(c) develop and implement a funding mechanism that enables the Council to recover the costs of developing, constructing and operating stream flow maintenance and habitat enhancement schemes from permit holders, including where appropriate,</p> <p>(i) management responses that enable permit holders to manage local solutions and</p> <p>(ii) commitment to develop any further plan change within an agreed timeframe if necessary to implement a funding solution.</p>	Oppose	<p>Relief sought: Decline the submission and do not include new POL TANK 39. DeletePC9 policies 39, 40 and 41.</p> <p>Reasons: There is substantially more research, investigation, consultation and funding required to determine whether the issues in these policies will be viable or not. In addition, medium to large scale water storage will require consents from other parties to enable them to proceed. The proposals lack detail sufficient to inform suitable objectives, policies and methods in a regional plan, and/or to give effect to the NPSFM and the operative RPS.</p>

	<p>(d) ensure that stream flow maintenance and habitat enhancement schemes are constructed and operating within ten years of the operative date of the Plan while adopting a priority regime according to the following criteria:</p> <p>(i) solutions that provide wide-scale benefit for maintaining stream flow across multiple streams</p> <p>(ii) solutions that provide flow maintenance for streams that are high priority for management action because of low oxygen levels.</p> <p>(e) review as per Policy 42 if no stream flow maintenance and habitat enhancement schemes are found to be feasible</p>		
129.3	POL TANK 43 - Insert into clauses (b) and (e) reference to the allocation limit being for consumptive water use at times of low flow.	Oppose	Relief sought: Amend the policy to require takes to cease when flows are at minimum flow or below.
129.4	POL TANK 43 - Insert into clause (j) reference to the allocation limit being for consumptive use and the total of all abstraction throughout the year.		Reasons: Flow minima are connected to allocation limits and enabling abstractions to continue below minimum flow detracts from the life-supporting capacity of surface water.
129.5	Chapter 6 New Regional Rules - Amend the provisions of the proposed TANK Plan Change so that they are consistent with the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (Freshwater NES),	Support	<p>Relief sought: Amend the PC9 accordingly to achieve compliance with the NES.</p> <p>Reasons: The plan is required to give effect to the Freshwater NES</p>
129.6	Chapter 6 New Regional Rules - Amend the provisions of the proposed TANK Plan Change so that they are consistent with the Resource Management (Stock Exclusion) Regulations 2020.	Support	<p>Relief sought: Accept the submission.</p> <p>Reasons: There is a legal obligation for PC9 to be consistent with the regulations.</p>
129.7	Land Use Change - TANK 5 and TANK 6 - Either Insert at the end of condition (a): <i>“that results in the annual nitrogen loss increasing by more than the applicable amount shown in Table 2 in schedule 29.” Or Delete TANK 5 and TANK 6 and replace with a new rule that requires a restricted discretionary application to be made where a land use change on properties that are greater than 10 ha in size results in a change to the predominant land use which is the land use over more than 50% of the property or farm enterprise area changes from a</i>	Support in part	<p>Relief sought: Replace TANK 5 and TANK 6 with a new rule that provides sufficient rigour to restrict nitrogen leaching and adverse effects from increasing to more than what occurred previously, where the farm is located in a catchment or zone that has nutrient inputs that result in limits not being met. Delete reference in new rule conditions (as proposed by HBRC) to “farm enterprise area” and reduce the 50% area to 20% of property.</p> <p>Reasons: Adverse effects from land use change should not result in limits being exceeded as they are there to protect/uphold values and safeguard life-supporting capacity and associated ecosystems.</p>

	lower leaching category to a higher category as shown in Table 1 of Schedule 29. The matters for discretion are as proposed for TANK 6 and includes matter 2 from TANK 5 where a Landowner collective is relevant.		
129.8	Water Take and Use - TANK 7 - Amend condition (b) to show that the reasonable needs for both an individual's domestic needs and an individual's animals existing prior to the notification of the plan can continue to be taken without a specified limit.	Oppose	Relief sought: Decline the submission and amend the plan to restrict water takes in over-allocated catchments. Reasons: S14(3) (b) takes have a proviso that the "water take and the water use, do not have an adverse effect on the environment. The NPSFM and Te mana o te Wai prioritise other matters over water use for economic gain.
129.9	Water Take and Use - TANK 8 - Amend condition (b) to show that the reasonable needs for both an individual's domestic needs and an individual's animals existing prior to the notification of the plan can continue to be taken without a specified limit.	Oppose	Relief sought: Decline the submission and amend the plan to restrict water takes in over-allocated catchments. Refer to water-short areas in the rule and provide map or refer to Schedule of water-short areas. Delete reference to s124 in the activity column Reasons: S14(3) (b) takes have a proviso that the "water take and the water use, do not have an adverse effect on the environment. The NPSFM and Te mana o te Wai prioritise other matters over water use for economic gain.
129.10	Water Take and Use - TANK 9 - Delete conditions (f) and (g) and insert new condition requiring all water permits to be subject to a stream depletion calculation	Amend	Relief sought: Allow the submission point but rename the stream depletion calculator to surface water depletion calculator and ensure that it is updated with more relevant data that includes surface water depletion assessed from the months of November and February. Delete reference to s124 in the activity column. Reasons: The stream depletion calculator is based largely on bore assessments undertaken during the non-irrigation season, and modelling derived from this. It does not reflect an accurate portrayal of more likely scenarios where surface water depletion is more serious than previously thought.
129.11	Water Take and Use - TANK 9 - Amend matter 15 to require a permit review and new conditions to be imposed in respect of contribution to a stream flow maintenance scheme, when applicable	Amend	Relief sought: Delete the reference to section 124 in the rule description. Delete references to stream flow maintenance in matter 15 or require it to be undertaken by the individual seeking consent. Reasons: Existing and expiring consents should be assessed as to their merit with consideration of the nature and scale of their adverse effects and such effects (including cumulative adverse effects), required to be avoided in an over-allocated catchment / water body.
129.12	Water Take and Use - TANK 9 - Include non-notification direction for applications where they are subject to a review	Oppose	Relief sought: Require notification of affected parties including tangata whenua

	condition in respect of flow maintenance and habitat enhancement.		Reasons: HBRC has been lenient in the past which has led to insufficient rigour being applied to decision-making around water takes from the Heretaunga Aquifer System. This has led to the state we are at today where it is now an over-allocated water body.
129.13	Water Take and Use - TANK 10 - Amend condition (c) to include at the end "For all other takes the flows specified in Schedule 31 apply	Support in part	<p>Relief sought: Accept the submission insofar as to refer to Schedule 31 but include flows and rates. Amend Schedule 31 to include the flows as requested in the TToH submission. Include new minimum flow for the Paritua at Raukawa Road. Require notification of tangata whenua as affected parties.</p> <p>Reasons: Current flow minima do not provide sufficient habitat for a range of species, nor protect the life-supporting capacity of surface water bodies and groundwaters. The current minimum flow for the Karewarewa at Turamoe, is insufficient to maintain flows further upstream from the monitoring site.</p>
129.14	Water Take and Use - TANK 10 - Amend condition (h) and matter 15 to be consistent with amendments to TANK 9 and policy 39 for the provisions for flow maintenance where this option is applicable and appropriate	Support in part	<p>Relief sought: Delete reference to s124 in the activity column. enable flow maintenance where an individual consent holder is able to achieve this (requires access to enable). Require notification of tangata whenua as affected parties.</p> <p>Reasons: Flow maintenance schemes are largely untested. Depending at what time of the year flow maintenance is required, some of the flow could be lost directly to groundwater (dependent on cumulative pumping of groundwater).</p>
129.16	Water Take and Use - TANK 11 - Insert new clause iii into condition (ii).Water takes that are non-consumptive	Oppose	<p>Relief sought: Decline the submission.</p> <p>Reasons: there is lack of clarity around what the water take us for if it is made non-consumptive.</p>
129.31	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below underline/strikeout version of chapter 6) - RRMP Rule 62a - Delete Advisory note commencing "Pursuant to s136(3)..."	Oppose	<p>Relief sought: Decline the submission and retain the clause.</p> <p>Reason: The clause is necessary to ensure compliance with the Act and that the transfer is actually going to occur</p>
129.32	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below underline/strikeout version of chapter 6) - RRMP Rule 62a - Condition d.(ii) delete	Oppose	<p>Relief sought: Decline the submission and retain the clause. Remove the reference to the RMA sections in the Activity column</p> <p>Reason: The clause is necessary to ensure compliance with the RPS prevent increase in scale and intensity of adverse effects. The rule should apply to all similar activities not just pursuant to s136(b) (i).</p>
129.33	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below underline/strikeout version of chapter 6) - RRMP Rule 62a - Amend condition (e) so that it requires that no increased drawdown is caused on neighbouring efficient bores groundwater take.	Support in part	<p>Relief sought: Accept the submission with the exclusion of the word "efficient"</p> <p>Reasons: The use of the words "efficient take" in the RRMP require that "For the purposes of this Plan "efficient taking" of groundwater means abstraction by a bore which penetrates the aquifer from which water is being drawn at a depth sufficient to enable water to be drawn all</p>

			year (i.e. the bore depth is below the range of seasonal fluctuations in groundwater level)...” With parts of the Heretaunga Aquifer now in retreat, and/or recording record low levels, this terminology/requirement is unrealistic, and leads to domestic bores that previously were reliable, now becoming less reliable due to increased abstractions for irrigation.
129.36	Schedule 28: Priority Catchments - Amend last paragraph to state that Source Protection Zones are a high priority area for the preparation of Farm Environment, Catchment Collective or Industry Plans in addition to the mapped high, medium and low priority areas.	Support in part	Relief sought: Allow the submission and amend the plan accordingly, except where the lower priority enables less consideration for water quality. Reasons: s30 requires regional councils to maintain and enhance water quality in water bodies and makes no distinction between high priority areas and others.
129.39	Schedule 31: Flows, Levels and Allocation Limits - Schedule 31E Heretaunga Plains - Delete the Zone 1 groundwater areas that are connected to the Ngaruroro River on Schedule 31E and insert onto Schedule 31C Ngaruroro	Oppose	Relief sought: Leave Zone 1 in both schedules, and add a Zone 2, where surface water depletion effects are between 0.5 lps and 2 lps (300 and 1200 m ³ per week) Reasons: These amounts of water when assessed cumulatively for numerous consents add up to a significant amount of depletion, that is not being accounted for, while the PC9 seeks to restrict domestic use.
129.40	Chapter 9 Glossary of Terms Used - Allocation limit - Delete meaning and replace with new meaning as follows: “Allocation limit for surface water means the maximum quantity that is able to be allocated in water permits in a management unit and abstracted for consumptive water use, expressed in L/s and calculated as the average rate required to abstract the maximum weekly or 28 day volume allocated to each water permit and summed for all water permits in the applicable management unit	Oppose	Relief sought: Make the definition more succinct and allow for calculation of allocation limits for the irrigation season (01 November to 30 April). Reasons: this will allow for flexibility for water users who rotate their crops over different years.
129.41	Chapter 9 Glossary of Terms Used - Allocation limit - Insert a new sentence at the end: Allocation limits may apply to takes during low flow periods from October to April or apply to takes during high flows	Support in part	Relief sought: Amend the ending “...during high flow <u>season of June to October</u> ” Reasons: High flow allocations should be outside of the irrigation season.
129.42	Chapter 9 Glossary of Terms Used - Consumptive Water Use - Insert new meaning :Consumptive water use – means any use of fresh water that alters the flows and or levels in a water body on either a temporary or permanent basis, but excludes any non-consumptive use where: a) the same amount of water is returned to the same water body at or near the location from which it was taken; and b) there is no significant delay between the taking and returning of the water. For the purposes of allocation limits and specified rationing provisions in the rules, the term 'consumptive use' does not apply to	Oppose	Relief sought: Decline the submission. Reasons: Consumptive water use should not be restricted to that which alters flows and water levels.

	water used in hydro-electric power generation or water use or diversions which substantially return the water used to the same water body		
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Submitter 135 Ravensdown Limited	Original submission statement (from HBRC summary)	TToH Support/ Oppose	Relief sought and reasons for our position
Anna Wilkes			
135.1	Proposed TANK Plan Change 9 - One of the areas where Ravensdown's submission points, as outlined in the table contained in Attachment A of this submission, is seeking changes relates to the fact that PPC9 is not consistent with the recently gazetted national instruments for healthy waterways, namely the National Policy Statement for Freshwater Management 2020, the National Environmental Standards for Freshwater and the associated regulations (e.g., the Resource Management (Stock Exclusion) Regulations 2020). Given this goal, amendments to PPC9 provisions are being sought by Ravensdown's submission in order to endeavour to achieve alignment with these national instruments.	Support	<p>Relief sought: Amend Change 9 to achieve better alignment with the NPSFM 2020, the Freshwater NES and the Stock Exclusion regulations</p> <p>Reasons: With the constricted timeline for implementing the NPSFM 2020, it would be prudent to amend PPC9 to give effect to it, to the Freshwater NES and Stock Exclusion regulations during this statutory process, rather than go through a separate phase that requires significant additional costs.</p>
135.8	OBJ TANK 9 - Retain OBJ TANK 9 as notified.	Oppose	<p>Relief sought: Amend OBJ TANK 9 as follows “Activities in source protection areas for Registered Drinking Water Supplies are managed to ensure that they do not cause water <u>quality</u> in these zones <u>or their conjunctive zones</u> to <u>degrade</u>, become unsuitable for human consumption and that risks to the supply of safe drinking water are appropriately managed.”</p> <p>Reasons: The operative RPS requires ‘no degradation of existing water quality’ in the Heretaunga Plains Aquifer System, and HBRC’s statutory responsibilities under s30 require them to maintain and enhance water quality in water bodies. The transition of water between zones should not result in contamination of that water.</p>
135.10	OBJ TANK 11 - Amend OBJ TANK 11 as follows: <i>In combination with meeting the water quality states specified in Schedule 26, the use and development of land, the discharge of contaminants and nutrients, and the taking, using damming and diverting of freshwater is carried out in the Ngaruroro River catchment so that the mauri, water quality and water quantity are maintained in the mainstem above the Whanawhana Cableway and in the Taruarau River, and are improved in the tributaries and lower reaches where necessary to enable;</i>	Support in part	<p>Relief sought: In clause g) add “within specified limits” after “primary production”.</p> <p>Reasons: Adherence to water quality limits should be a requirement as it compels compliance to ensure sustainable use of the resource and provides for other values associated with this catchment.</p>

	<i>g) primary production, industrial and commercial water needs and water required for associated processing and other urban activities to provide for community social and economic well-being;</i>		
135.11	OBJ TANK 12 - Amend OBJ TANK 12 as follows: In combination with meeting the water quality states specified in Schedule 26, the use and development of land, the discharge of contaminants and nutrients, and the taking, using damming and diverting of freshwater is carried out in the <i>Tūtaekurī River catchment</i> so that the mauri, water quality and water quantity are maintained in the upper reaches of the mainstem and are improved in the tributaries and lower reaches where necessary to enable: ...g) primary production, <u>industrial and commercial</u> water needs and water required for associated processing and other urban activities to provide for community social and economic well-being;	Support in part	Relief sought: In clause g) add “within specified limits” after “primary production”. Define “lower reaches” and include in maps/schedules Reasons: As above for OBJ TANK 11
135.12	OBJ TANK 13 - Amend OBJ TANK 13 as follows: f) primary production, <u>industrial and commercial</u> water needs and water required for associated processing and other urban activities to provide for community social and economic well-being;	Support in part	Relief sought: : In clause f) add “within specified limits” after “primary production”. Reasons: As above
135.13	OBJ TANK 14 - Amend OBJ TANK 14 as follows: b) primary production, <u>industrial and commercial</u> water needs, and water required for associated processing and other urban activities to provide for community social and economic well-being;	Support in part	Relief sought: : In clause b) add “within specified limits” after “primary production”. Reasons: As above
135.15	OBJ TANK 16 - OBJ TANK 16 as follows: c) Primary production on versatile soils ;	Support	Relief sought: Delete the objective as notified and move in PC9 to include as a policy along with the content of OBJs TANK 17 and TANK 18 and enable the new objectives to also apply to groundwater. Reasons: Te Taiwhenua o Heretaunga support the drafting of new objectives that cover the matters in OBJ TANK 16 and direct towards more definitive outcomes
135.25	POL TANK 19 - Delete Policy 19 in its entirety. In catchments that do not meet objectives for dissolved nutrients specified in Schedule 26, the Council will ensure landowners, landowner	Support	Relief sought: Delete the policy. Reasons: The policy content would sit better within a non-regulatory part of the RRMP.

	collectives and industry groups have nutrient management plans according to the priority order in Schedule 28.		
135.26	POL TANK 20 - Amend Policy 20 as follows: The Council will reduce manage adverse effects on freshwater and coastal aquatic ecosystems from eroded sediment, and from the phosphorus associated with this, by prioritising the following mitigation measures;	Oppose	<p>Relief sought: Amend Policy 20 as: <u>“Sediment loss, erosion and effects on freshwater and coastal ecosystems will be mitigated and reduced to maintain the objectives and meet the targets in Schedule 26 by 2040 by:</u></p> <p><u>a) Controlling cultivation, stock access and vegetation clearance in all catchments</u></p> <p><u>b) Regulating land use in priority catchments vulnerable to erosion listed in Schedule 28 to manage critical source areas at the property and catchments scales</u></p> <p><u>c) requiring and supporting tree planting, afforestation and retirement of land, particularly where multiple water quality objectives and targets can be maintained or met</u></p> <p><u>d) Requiring and supporting improved and sustainable riparian management in all catchments”</u>.</p> <p>Reasons: The amended policy provides a logical pathway and trajectory towards achieving the outcomes in (amended or replaced) objectives.</p>
135.35	<p>POL TANK 30 - Amend Policy 30 as follows:</p> <p><i>Aquatic ecosystem health improvements and community wellbeing and reduced stormwater contamination will be achieved by HBRC working with the Napier City and Hastings District Councils requiring discharges from stormwater networks to meet:</i></p> <p>a) water quality objectives (where they are degraded by stormwater) and the identification of measures that ensure stormwater discharges will achieve at least:</p> <p>— (i) the 80th percentile level of species protection in receiving waters by 1 January 2025; and</p> <p>— (ii) the 95th percentile level³ of species protection by 31 December 2040. and b) except as in (a) above, the management</p> <p>freshwater quality objectives in Schedule 26 for freshwater and estuary health.</p>	Support intent	<p>Relief sought: Include the new text in an amended POL TANK 30 but expand the coverage of the policy to also address other point source discharges of stormwater in the TANK catchments.</p> <p>- Make consequential amendments to the PPC9 and RRMP provisions to incorporate management of all point source discharges within TANK catchments.</p> <p>Reasons: The stormwater provisions only address urban stormwater, so fail to manage a major source of nutrients and contaminants, and their effects.</p>

135.38	<p>POL TANK 35 - Amend Policy 35 as follows: The Council will monitor and report on the effectiveness of the TANK water quality management policies and rules, and to assist in making decisions about reviewing or changing this management framework, the Council will:</p> <p>a) continue to monitor instream water quality and review and report on the progress towards and achievement of the freshwater quality objectives in Schedule 26 and according to Objectives 2 and 3 of this Plan in its regular State of the Environment monitoring;</p> <p>b) monitor and report on the state of riparian land and wetlands, and carry out regular ecosystem habitat assessments, including native fish monitoring and through the application of mātauranga Māori tools and approaches when they are developed;</p> <p>c) monitor the progress towards the milestones listed in Policy 27, according to timeframes specified in Schedule 28, and collate and report annually on information about;</p> <p>(i) the nature and extent of the mitigation measures being adopted to meet water quality and/or quantity outcomes through Catchment Collectives, Industry Programmes and Farm <u>Environment</u> Plans;</p> <p>(ii) the establishment of Catchment Collectives and assess progress in <i>implementing the measures specified in their environment plans</i>;</p> <p>(iii) the preparation of Farm Environment Plans and assess progress in implementing the measures specified in that plan;</p> <p>d) work with Industry Groups to collate information annually on the functioning and success of any Industry Programme in implementing measures specified in the Industry Programme;</p> <p>e) along with the Napier City Council and Hastings District Council, report annually on progress towards the improvement of the stormwater network, including reporting on the preparation of Site Management Plans for activities at risk of contaminating stormwater in urban areas;</p> <p>And f) commence a review of these provisions within ten years of in accordance with section 79 of the RMA</p>		<p>Relief sought: Accept the submission insofar as it provides more rigour around monitoring the implementation and effectiveness of Change 9 in terms of achieving objectives.</p> <p>- Amend Policy 35 so that the monitoring of and reporting on the state of mauri in TANK catchments is specifically required.</p> <p>Reasons: The RPS requires the adverse effects of activities that diminish mauri to be avoided remedied or mitigated. To detect and report on whether the state of mauri has been diminished within freshwater resources, will require monitoring, assessment and reporting on mauri</p>
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135.39	POL TANK 36 - Amend Policy 36 as follows: f) avoiding mitigating further adverse effects by not allowing restricting new water use g) reducing existing levels of water use; h) mitigating the adverse effects of groundwater abstraction on flows in connected water bodies; i) gathering information about actual water use and its effects on stream depletion; j) monitoring the effectiveness of stream flow maintenance and habitat enhancement schemes; k) including plan review directions to assess effectiveness of these measures.	Oppose	Relief sought: Delete Policy 36, 37 and 38, and only retain content where it is likely to give effect to the NPSFM and the RPS. Reasons: The Heretaunga Aquifer System is not being sustainably managed. Existing use and the purported “actual and reasonable use” is having detrimental effects on both water quality, spatial extent of the aquifer, and increasing frequency of low water levels in the aquifer system. Existing use will need to be reduced to get back to a more sustainable level of abstraction. In an over-allocated catchment or where limits are not being achieved, then avoidance should prevail.
135.40	POL TANK 37 - Amend Policy 37 as follows: b) avoid <u>minimise</u> re-allocation of any water that might become available within the interim groundwater allocation limit or within the limit of any connected water body until there has been a review of the relevant allocation limits within this plan; c) manage the Heretaunga Plains Water Management Unit as an over-allocated management unit and prevent <u>restrict</u> any new allocations of groundwater;		
135.41	POL TANK 38 - Delete Policy 38 in its entirety. The Council will restrict the re-allocation of water to holders of permits to take and use water in the Heretaunga Water Management Unit issued before 2 May 2020 and will review permits or allocate water according to the plan policies and rules either: a) upon expiry of the consent; or b) in accordance with a review of all applicable permits within ten years of ; whichever is the sooner		
135.42	POL TANK 39 - Amend policy 39 as follows: a)(ii) enable <u>encourage</u> consent applicants to develop or contribute to stream flow maintenance and habitat enhancement schemes that; 1. contribute flow to lowland rivers where groundwater abstraction is depleting stream flows; and 2. improve oxygen levels and reduce water temperatures; b) assess the relative contribution to stream depletion from groundwater takes and require stream depletion to be off-set	Support in part	Relief sought: Amend the policy so it applies to individual consent applicants, to expired consents, and where consents are being renewed. Include the ability for council to call in consents to ensure parity and co-operation between those whose operation of consent causes surface water depletion of 0.5 lps or more. Ensure that the ability for individual consent holders to access affected surface water to contribute to surface water flows exists. Provide comprehensive assessment and evaluation criteria to quantify the effectiveness and durability of flow enhancement measures in associated rules/methods.

	equitably by consent holders while providing for exceptions for the use of water for essential human health; and		Reasons: There is a lack of rigour around how flow enhancement will occur, and its effectiveness during low flow events in the presence of streambed conductance is uncertain, particularly where groundwater abstraction induces spring reversal in streams/ivers.
135.44	POL TANK 42 - Delete Policy 42 in its entirety.	Oppose in part	Relief sought: Include a date by which excessive abstraction and over-allocation will be phased out. Redraft the policy so that it is more definitive and links better to schedules and methods. Reasons:
135.47	POL TANK 49 - Amend Policy 49 as follows: When making decisions about applications for resource consent to take and use water, the Council will set common expiry dates, <u>or include a review condition</u> , for water permits to take water in each water management zone, that enables consistent and efficient management of the resource and <u>will set durations that provide a periodic opportunity to review effects of the cumulative water use and to take into account potential effects of changes in:</u> a) knowledge about the water bodies; b) over-allocation of water; c) patterns of water use; d) development of new technology; e) climate change effects; f) efficacy of flow enhancement schemes and any riparian margin upgrades; and the Council; g) will impose consent durations of 15 years, <u>or impose review conditions reflecting the same timeframe</u> , according to specified water management unit expiry dates. Future dates for expiry or review of consents within that catchment are every 15 years thereafter. h) will impose a consent duration for municipal supply consistent with the most recent HPUDS and will impose consent review requirements that align with the expiry of all other consents in the applicable management unit; i) may grant consents granted within three years prior to the relevant common catchment expiry date with a duration to align	Support	Relief sought: Amend the policy to include a require a review condition. Amend the duration of consents to ten years maximum, following re-assessment of effects upon expiry. Reasons: There is still too much uncertainty around what the sustainable limits should be for allocation of water. The advent of the NPSFM 2020 re-prioritises matters associated with water use, placing a higher priority on the health of the water resource.

	with the second common expiry <u>or review condition</u> date, except where the application is subject to section 8.2.4 of the RRMP).		
135.60	Schedule 27: Freshwater Quality Objectives - Delete Schedule 27 in its entirety. And, as a consequential amendment, all references to Schedule 27 within PPC9.	Support	Relief sought: Delete Schedule 27 and move some of its content to Schedule 26. Reasons: Schedule 27 and the limits on its application restrict any use it may have in the management of water.
135.61	Schedule 28: Priority Catchments - Amend Schedule 28 by replacing the current content of the schedule with a table or list that clearly identifies the priority catchments, including the timeframes that apply within each catchment.	Support	Relief sought: Amend the schedule in line with the submission. Reasons: Provision of dates in the schedule will ensure better alignment with the objectives, policies and methods relating to water quality management.
135.64	Schedule 31: Flows, Levels and Allocation Limits - Retain Schedule 31 as notified.	Oppose	Relief sought: Ensure that all water bodies that have abstractions where resource consents are required are included in Schedule 31 along with their allocatable volume totals and cumulative rates of abstraction.

Submitter 147 Mihiroa Marae	Original submission statement (from HBRC summary)	TToH Support/ Oppose	Relief sought and reasons for our position
Serene Morrell			
147.2	Proposed TANK Plan Change 9 - No relief sought but raises issues about the mana of the awa, wanting water quality improved, wanting to participate in cultural practices through the gathering and sharing of kai.	Support	<p>Relief sought: Accept the submission and amend Change 9 to give priority to Te Mana o te Wai within plan provisions related to water quality and water quantity.</p> <ul style="list-style-type: none"> - Ensure cultural values of “Mauri”, “Mahinga kai”, “Nohoanga” and “Waahi Taonga” are included in a schedule of values, and spatially defined where they apply. - Include spatial definition of cultural values in Schedules (maps) <p>Reasons: Part 2 of the Act requires the relationships of Māori with their taonga to be recognised as a matter of national importance. Schedule 1 of the RRMP includes the principles of the Treaty of Waitangi which HBRC recognises as being applicable in Hawke’s Bay. These include the principle of active protection.</p>
147.3	Proposed TANK Plan Change 9 - The plan will have adverse effects on us and we will be unable to practice our cultural practices, the Treaty principle of active participation will be breached, and the ability to sustain our aquatic life in the future for our mokopuna will be compromised.	Support	<p>Relief sought: As above (147.2)</p> <p>Reasons: As above (147.2)</p>
147.4	Catchment Objectives - For water allocation provisions in the plan - less water is taken out of our awa, the Kahumoko/Karewarewa, the Turamoe and the Awanui so there is enough left to support our taonga species and provide for their habitat.	Support	<p>Relief sought: Accept the submission and ensure the allocation regime for the stream identified, enables pro rata reductions in volume and rate when the relevant resource consents expire and are renewed.</p> <ul style="list-style-type: none"> - Enable flow enhancement from the Ngaruroro of 200 lps on a permanent basis through PC9 provisions - Include surface water depleting groundwater takes that have a depletion effect of 0.5 lps or greater, in surface water allocation limits/targets. <p>Reasons: Evidence shows groundwater depletion is occurring constantly with the existing rates and volumes of abstraction from the Heretaunga Plains Aquifer System. Surface water depletion is a lot worse than previously thought.</p>
147.5	Water quantity - Less water is taken from the aquifers, so more water is left to support our springs that feed into and replenish our awa.	Support	<p>Relief sought: Amend the interim allocation limit from the Heretaunga Aquifer System to 70 million m³ per ‘irrigation season’ . Include definition, 6-month season and quantity in the relevant rules and schedules. Define spatially the areas where the effects of 0.5 lps or greater, occur within each catchment and sub-catchment. Require consents to take groundwater to be re-assessed</p>

			<p>upon their expiry and add new criteria to groundwater take policies, including effects on Mauri and on life-supporting capacity and associated ecosystems. Make the rule(s) discretionary activities.</p> <p>Reasons: More rigour is required to ensure our groundwater is managed sustainably. Initial assessments of environmental effects for groundwater takes lacked sufficient rigour to determine the nature and extent of adverse effects (including cumulative adverse effects).</p>
147.6	Water quantity - That irrigation is restricted to certain times of the year only.	Support	<p>Relief sought: Amend PC9 to include a designated irrigation season of 6 months maximum. Align this within objectives, policies and methods. Base allocation volumes and rates on the summer 7-day Q95.</p> <p>Reasons: A designated “irrigation season” of 6 months will enable time for resource recovery during the non-irrigation period.</p>
147.7	Water Quality General - For water quality -that the water quality in our awa is improved so that we can carry out our cultural practices in a safe manner, and the kai we harvest from the wai is safe to eat.	Support	<p>Relief sought: Accept the submission and amend PC9 to ensure water quality limits are methodically applied so as to continue to achieve limits where water quality is good, and to achieve water quality targets by 2030.</p> <p>Reasons: The plan needs to be more forceful to attain water quality sufficient for Te Mana o te Wai, and to safeguard life-supporting capacity.</p>
147.8	Water Quality General - For water quality - that the water quality is improved so that when we baptise our tamariki and mokopuna, the wai in our puna is clean and healthy	Support	<p>Relief sought: Amend PC9 to ensure water quality and water allocation (where it affects water quality) in areas where cultural practices occur, are managed so as not to have adverse effects on or restrict such practices and relationships.</p> <p>Reasons: See above reasons for 147.2</p>
147.9	Catchment Objectives - For decision-making around water allocation, that our whanau are able to have a say in processes that allocate water from our awa or from the aquifers within our whenua.	Support	<p>Relief sought: Accept the submission point and amend allocation rules so that they are discretionary activities requiring tangata whenua to be notified and have the choice to lodge submissions and be heard on those submissions.</p> <p>- Add specific criteria to the decision-making processes for allocation of water, to include effects on tangata whenua values associated with surface water and groundwater.</p> <p>Reasons: Past management of water allocations has reduced the ability for tangata whenua to have influence on many resource consent applications</p>

Submitter 180 Horticulture New Zealand	Original submission statement (from HBRC summary)	TToH Support/ Oppose	Relief sought and reasons for our position
Charlotte Drury			
180.5	Proposed TANK Plan Change 9 - These costs associated with managing freshwater resources must be borne by all members of the community that use water – which is arguably almost every person that either lives or works within the TANK Catchments. The costs must not be disproportionately apportioned to irrigators who only use approximately 50% of the water abstracted from the system that influences flows in the Ngaruroro River. The rest of the water abstracted is used for municipal and industrial purposes	Oppose	<p>Relief sought: Decline the submission and place the cost for remediation or mitigation on those whose activities have been the primary cause of the problems. For water quantity issues, the cause in the vast increase in allocation to private enterprise since 1998. There is also a water quality issue associated with excessive abstraction from both surface water and groundwater.</p> <p>Reasons: Excessive abstraction detracts from the general public’s enjoyment of freshwater resources, reduced swimming use for our rivers, diminished mahinga kai sources and cultural uses. Also, a loss of mātauranga Māori in terms of reduced transfer of indigenous knowledge.</p>
180.9	Proposed TANK Plan Change 9 - The scale at which every provision applies (e.g. property, farming enterprise, sub-catchment...) needs to be made clear in every provision, and planning maps prepared and included in the plan that clearly show the extent of each and every ‘scale’ at which provision will apply.	Support	<p>Relief sought: Amend planning maps and schedules to include overlays appropriate to promote understanding of PC9 provisions and where they apply.</p> <p>Reasons: As notified, PC9 and associated schedules are somewhat disconnected due to a lack of detail in the schedules and maps.</p>
180.14	OBJ TANK 4 - It is unclear where the target attribute states are to be achieved – if this includes all current monitoring locations, or at a subset of monitoring sites at a smaller sub-catchment scale. Amend the maps in Schedule 26 to show the location of monitoring sites. It is unclear whether or not modelled state data will be used where actual monitoring data is not available, and if ‘modelled’ state data is used does ‘maintenance’ mean that it cannot decline within the relevant NOF band? This needs to be clarified.	Support	<p>Relief sought: Amend Schedule 26 to show monitoring sites/locations and the extent of catchment/zone/FMU that they are representative of. Include cultural monitoring sites in Schedules.</p> <p>Reasons: This will enable better understanding of the plan by the general public and the data supplied to them through media releases and regular State of the Environment reporting. It will also contribute to pan effectiveness reporting.</p>
180.15	OBJ TANK 7 - Amend to say “Land use is carried out in a manner (that) reduces contaminant loss <u>in accordance with good, or where necessary best management practice, including soil loss...</u> ”	Support in part	<p>Relief sought: Amend OBJ TANK 7 as suggested but omit “where necessary”.</p> <p>Reasons: The proviso creates uncertainty and is subjective as to its application.</p>

180.18	OBJ TANK 17 - Amend to clearly state that subsections a)-d) are not listed in any order of priority.	Oppose	Relief sought: Delete OBJ TANK 17 and rewrite as a policy Reasons: The objective as notified is predicated on methods that are not clearly defined. “agreed reliability of supply standards” are yet to be agreed by anyone as they are not quantified nor backed by a sound methodology. “Efficient water use” is not defined, and the effects of the “use” are not connected to this objective nor considered in the allocation rules.
180.19	OBJ TANK 18 - Amend to state that sub-sections <u>are</u> in order of priority, and reorder to list as follows: a) Water harvesting and storage; b) Flexible water allocation and management regimes; c) Aquifer recharge and flow enhancement; d) Water conservation, water use efficiency, and innovations in technology and management e) Water reticulation	Oppose	Relief sought: Do not amend to state that the matters listed are in a priority. The content of this objective would sit better within the policy referred to above (180.18) Reasons: The NPSFM requires the health and well-being of water to be the first priority. Embedding other priorities over and above this requirement will mean having to amend the plan at a later date.
180.20	POL TANK 1 - Amend f) by adding ‘ <u>and irrigation purposes</u> ’.	Oppose	Relief sought: Change the policy to “ <u>The water quality of surface and groundwater bodies will be maintained where objectives of Schedule 26 are currently met and improved to meet targets in Schedule 26 where these are not met by 2030 by:</u> <u>a) Working with mana whenua, landowners, local authorities... etc</u> <u>b) Managing and regulating land use activities to improve water quality in catchments identified in Schedule 28 as a priority</u> <u>c) Where phosphorus and microbial pathogens are not meeting the objectives of Schedule 26, also regulate and manage land use activities which generate sediment (as a key contaminant pathway)</u> <u>d) Managing and regulating land use activities to reduce sedimentation and macrophyte growth in lowland rivers</u> <u>e) Managing and regulating land use to reduce nutrient loads to the Waitangi and Ahuriri estuaries</u> <u>f) Enable the maintenance of existing and creation of new sustainable riparian margins</u> <u>g) Manage and regulate stormwater networks to reduce contaminants to water</u> <u>h) Manage and regulate land use activities to protect the water quality of domestic and municipal water supplies.</u> <u>i) Manage and regulate point source discharges to reduce contaminants to water.</u> ” Reasons: The policy as notified does not provide adequate connection to other parts of PC9 that it is reliant on for effectiveness and achievement of objectives.

180.22	POL TANK 4 - Amend by adding definition of 'lower Ngaruroro' and planning map outlining extent of area.	Support in part	Relief sought: Add reference to a planning map or schedule that clearly defines the extent of the "lower Ngaruroro". Reasons: This will enable plan users to see where the provisions relating to the lower Ngaruroro apply, and whether they are affected by such provisions.
180.23	POL TANK 6 - Amend by adding as subsection (b) <u>'requiring Registered Drinking Water Suppliers to quantify the vulnerability of the registered drinking water supply to contamination, and then undertake an assessment of options to relocate existing drinking water supplies to less vulnerable locations'</u> .	Oppose	Relief sought: Decline the submission. Reasons: Some drinking water supply bores have been in existence for many years and relocation and associated infrastructure provision could be expensive. HBRC through the RPS are required to prevent degradation of groundwater (in the Heretaunga Plains Aquifer System), and to maintain and enhance the quality of water in water bodies pursuant to s(30)(1)(c).
180.25	POL TANK 8 - Amend by adding an additional subsection to b) as follows: <u>nature of existing land and water use within Source Protection Zone, existing investment in those activities, and the specific locational needs of those activities.</u>	Oppose	Relief sought: Decline the submission. Reasons: As above for 180.23.
180.27	OBJ TANK 16 - Amend by adding a definition of 'flushing flow' to the plan	Support in part	Relief sought: Add definition to the plan for flushing flows. Reasons: This would be useful for providing rigour around the operation and maintenance of water storage should any be developed within the life of this plan.
180.29	POL TANK 18 - Amend as follows: 'The Council will achieve or maintain the freshwater targets or freshwater objectives in Schedule 26 by... c) regulating land use change <u>to manage contaminant loss across a range of contaminants;</u> e) working with industry groups, collectives, landowners and other stakeholders to undertake research and investigation into; (i) nutrient pathways, concentrations and loads in rivers and coastal receiving environments; (ii) nutrient uptake and loss pathways at a property scale; (iii) measures to reduce contaminant losses at a property <u>as well as catchment scale including those delivered through industry programmes and landowner collectives.</u>	Oppose	Relief sought: Delete PPOL TANK 18 as notified and replace with <u>"The maintenance or improvement of water quality to meet freshwater objectives and targets by 2040 will be supported by:</u> <u>a) Collating, analysing and reporting on contaminant loss data provided by all land users (through Policy 17)</u> <u>b) Developing a contaminant allocation regime (nitrogen) in priority catchments</u> <u>c) Further regulation of land use in areas outside of priority catchments where targets are not being achieved by 2030</u> <u>d) Measuring and reporting against the objectives and targets in Schedule 26 every five years</u> <u>e) Working with industry groups, landowners, mana whenua and other stakeholders to research and investigate additional mitigations and actions to meet targets at a property and catchment scale"</u> . Or words to similar effect

			Reasons: The policy as proposed does not connect well to methods and is ambiguous in nature. The amendments above will provide greater clarity of intent.
180.31	<p>POL TANK 21 - Amend as follows: 'The Council will remedy or mitigate the potential impact of diffuse discharge of nitrogen on freshwater quality objectives by regulating land and water use changes that modelling indicates are likely to result in increased contaminant loss (modelled on an <u>average</u> annual, whole of farm or <u>collective</u> basis) and in making decisions on resource consent applications, the Council will take into account:</p> <p>...</p> <p>a) <u>contaminant losses modelled to result from the land use change, in relation to whether freshwater quality objectives or targets are being met in the catchment where the activity is to be undertaken; and will;</u></p> <p>d) avoid land use change that will result in increased nitrogen loss that contributes to water quality objectives and targets in Schedule 26 for dissolved nitrogen not being met.</p> <p>e) <u>support crop rotation across highly productive land to maintain the soil health of highly productive land</u></p> <p>f) <u>Recognise the importance of the TANK catchments for supplying vegetables for domestic food supply</u></p> <p>g) <u>Support the transition to a low emissions economy by enabling land use change that reduces greenhouse gas emissions, improves sequestration and promotes climate change adaptation,</u></p>	Support in part	<p>Relief sought: Amend the POL TANK 21 to <u>"The impacts of diffuse contaminants from intensification of land use will be controlled in all catchments to maintain water quality where freshwater objectives are met and to improve water quality to meet targets by 2040. In making decisions on resource consents, taking into account:</u></p> <p>a) <u>The current state and trends in water quality for the catchment in which intensification is planned</u></p> <p>b) <u>Whether the intensification is in a priority catchment listed in Schedule 28</u></p> <p>c) <u>The efficient use of land to reduce contaminant losses</u></p> <p>d) <u>Planned mitigations and timeframes for actions to reduce contaminant losses from intensive land use</u></p> <p>e) <u>Industry good practice as defined by the standards in Schedule XX</u></p> <p>f) <u>Avoiding land use intensification where water quality objectives will not be maintained, or targets not met</u></p> <p>g) <u>Considering the contribution of intensification to degraded Support water quality, including cumulative contaminant loss in the catchment"</u>. Or words to similar effect</p> <p>Reasons: The policy should be more definitive than what was proposed and focus more on managing effects.</p>
180.36	<p>POL TANK 32 - Amend as follows: 'The Council will support the development of an Ahuriri Estuary Integrated Catchment Management Plan by a <u>representative group of stakeholders, that includes (but is not limited to) representatives from the primary sector;</u></p>	Support	<p>Relief sought: Enable development of an Ahuriri Catchment Management Plan that has legal effect.</p> <p>Reasons: Ahuriri Estuary is constantly subject to inflows of contaminants including human waste and stormwater, that detract from or diminish its cultural and environmental values.</p>

180.38	POL TANK 36 - Amend to ensure consistency with other sections of the plan including f) must be reworded to enable that water to be taken and to 'restrict' new allocations, rather than avoid. Specific wording provided in submission.	Oppose	<p>Relief sought: Delete this policy and redraft a policy to address the issues in line with the NPSFM and the operative RPS. Include allowance for surface water depletion effects. Include avoidance of adverse effects where limits are not being or are not likely to be met.</p> <p>Reasons: There is still an element of uncertainty around what the total allocation should be, and surface water depletion has not been well-managed or accounted for. A precautionary approach to allocation quantum would be preferable in the interim.</p>
180.39	POL TANK 37 - Amend to avoid the policy being unnecessarily restrictive given that our knowledge about what a sustainable groundwater limit might be is still incomplete. Specific wording provided in submission.	Oppose	<p>Relief sought: Amend the policy to include an allocation limit of 70 million m³, delete use of "actual and reasonable use", and require avoidance of adverse effects rather than mitigation.</p> <p>Reasons: See reasons above (180.39) and ensure that as the Heretaunga Plains Aquifer is an over-allocated catchment then adverse effects on it should be avoided.</p>
180.40	POL TANK 38 - Amend as follows: 'The Council will restrict the re-allocation of water to holders of permits to take and use water in the Heretaunga Water Management Unit issued before 2 May 2020 and will review permits or allocate water according to the plan policies and rules either: ...	Oppose	<p>Relief sought: Retain the ability to restrict volumes and rates at the review of water permits when they expire. Amend clause b) with; "b) review of all applicable permits within ten three years of <the operative date>;</p> <p>Reasons: As notified the policy seeks to enable unsustainable use of groundwater.</p>
180.41	POL TANK 39 - Amend as follows: c) enable permit holders to progressively and collectively through Water User Collectives develop and implement flow maintenance and habitat enhancement schemes as water permits are replaced or reviewed, in the order consistent with water permit expiry dates)	Oppose	<p>Relief sought: Redraft the policy so that adverse effects of individual consent holder's operating their consents are required to avoid adverse effects on the water body they are affecting, at the location where the surface water depletion is occurring and in a timely manner. This may require restricting their take at times of low flow so that adverse effects are rendered 'less than minor'. Provide a threshold that limits cumulative adverse effects to a percentage of flow depletion. Provide the ability for individual consent holders to provide their own solutions.</p> <p>Reasons: Contribution to a scheme that may or may not be funded, approved or built does not guarantee the avoidance, remediation or mitigation of adverse effects.</p>
180.42	POL TANK 41 - Amend as follows: The Council will <u>further consider the option of remedying</u> the stream depletion effects of groundwater takes in the Heretaunga Plains Water Management Unit on the Ngaruroro River, in consultation with mana whenua, land and water users and the wider community through:	Oppose	<p>Relief sought: Delete the policy and include policies to manage stream depletion effects through sustainable allocation of water resources</p> <p>Reasons: The adverse effects caused by the operation of a resource consent, should be required to be addressed by the consent holder. The policy implies that regional</p>

	a) further investigating the environmental, technical, cultural, <u>social</u> and economic feasibility of a water storage and release scheme to off-set the cumulative stream depletion effect of groundwater takes;		council will remedy or mitigate adverse effects caused by consent holders who make a profit out of resource use or over-use.
180.43	POL TANK 47 - Amend to better align the policy with terminology as used within the irrigation industry. Specific wording provided in submission.		Relief sought: Amend POL TANK 47 as requested in the submission, but for clause c) add “...on a reliability standard that (i) for surface water <u>is based on the Summer 7-day Q95 so it is likely to meets demand for 95% of the time;</u> <u>(ii) for groundwater from the Heretaunga Plains Aquifer system is based on an interim allocation limit of 70 million m³ per season</u> Reasons: It is difficult to achieve a reliability percentage without a sound scientific method based on actual data.
180.44	POL TANK 48 - Amend as follows: ‘When considering any application to change the water use specified by a water permit, or to transfer a point of take to another point of take, to consider:...g) declining applications for a change of use from frost protection to any other end use <u>except primary production;</u>	Oppose	Relief sought: Decline the submission. Reasons: Frost protection is restricted to short durations at specific times of the year while uses for primary production are more widely spread throughout the year. If frost protection irrigation is to be discontinued, then the water quantity and rate should return to the water body.
180.45	POL TANK 49 - Amend as follows: “...i) <u>except where an application is to take and use water storage projects, consent durations of greater than 15 years will be considered and may be granted if a longer consent term is justified on the basis of the quantum of investment required to construct the scheme.</u>	Oppose	Relief sought: Replace the durations proposed with a maximum of 10 years duration and subject to meeting volume and cumulative rate limits. Reasons: Rolling over existing consents for 10 – 13 years and then enabling a further 15 years is too lenient when there is a lot of uncertainty around what the sustainable amounts should be while giving effect to the NPSFM.
180.46	POL TANK 51 - HortNZ supports the recognition of the need to enable water to be made available to irrigate horticultural tree crops to ensure their survival.	Oppose	Relief sought: Remove reference to horticultural crops and primary production. Reasons: Te Mana o te Wai and the health and well-being of water bodies are a priority consideration. Abstractive uses for economic gain should not trump the health of the resource and safe-guarding life-supporting capacity within water bodies.
180.47	POL TANK 52 - Amend to ensure that new water from high flow allocations can be assessed, and make policy more practically appropriate in its application. Specific wording provided in submission.	Oppose	Relief sought: Delete the words in parentheses in clause a); Delete clause b)(i); Provide definition of ‘water efficiency standard’ in the glossary; Delete “except for authorised uses existing before 2 May 2020” from clause d); Replace “or promoting water augmentation/harvesting” in clause e) with “where the site being transferred to meets limits in abstraction volumes and rates, and the adverse effects of the transfer do not cause additional adverse effects”; Delete clause f) and reference to actual and reasonable use; Delete “or trigger flows” from clause h);

			<p>Reasons: The amendments above will align better with sustainable management principles and Part II of the Act.</p> <p>- The term actual and reasonable use throughout PC9, does not enable the use to be quantified or connect to managing the effects of the “use”..</p>
180.48	POL TANK 53 - Amend to more appropriately reflect the limited scope of any effects that do occur as a result of frost protection takes. Specific wording provided in submission.	Oppose in part	<p>Relief sought: Amend frost protection provisions to ensure that such takes and uses are within specific periods and subject to minimum flows and allocation limits (volumes and rates).</p> <p>Reasons: Frost protection takes typically use large amounts of water over a short period. There are alternatives to irrigation for frost protection and flow limits are put in place to protect values within the water body.</p>
180.49	POL TANK 54 - Amend to delete a) and c).	Oppose	<p>Relief sought: Retain clauses a) and c) in the policy.</p> <p>The clauses are relevant matters to consider when damming rivers or streams.</p> <p>Reasons: As a dam has the capacity to provide for more intensive land uses, the effects of such uses are a result of the dam being built and the water from the dam being made available.</p> <p>- Alternatives are a relevant consideration where it can potentially lead to reduction or elimination of adverse effects caused by a dam and associated infrastructure.</p>
180.52	POL TANK 60 - Amend as follows: ‘When making decisions about resource consent applications to take and store high flow <u>water in accordance with Policy 59</u> , the Council will take into account the following matters:....’	Oppose	<p>Relief sought: Decline the submission.</p> <p>Reasons: Policy 59 is not specifically about storing water. It is more about allocation of water after it has been stored and what it will be used for.</p>
180.53	6.10.1 Use of Production Land - Rule TANK 1 - Amend by replacing (throughout plan) terms farm property/farming enterprises with term ‘farm.	Oppose	<p>Relief sought: Amend Rule 1 so that the use of productive land for farming is a restricted discretionary activity in priority catchments (with water quality issues as specified in Schedule 28) or where water quality targets are not being met. Amend to include the matters of discretion in Rule 2 and include additional provisions for audit and review of all farm plans (including catchment collectives and industry programmes if retained).</p> <p>- Do not replace the term farming enterprise with “farm”. enterprise</p> <p>Reasons: Priority catchments are predominantly where significant adverse effects have been enabled through lenient management, and where more prescriptive</p>

			management is now required. Although a single farm can be a farming enterprise, a farming enterprise is not specifically a single farm or property.
180.54	6.10.1 Use of Production Land - Rule TANK 3 - Add definition of 'active formed channel' to plan	Support	Relief sought: Accept the submission and amend the plan to include a definition. Reasons: Provides clarity of intent for application of the term.
180.56	6.10.1 Use of Production Land - Rule TANK 6 - Amend condition b) to combine the load allowance per farm to provide greater flexibility for collectives. Specific wording provided in submission.	Oppose	Relief sought: Decline the submission. Reasons: Farms or properties under the same management can be located in different management zones or catchments. Combining of load allowances for collectives could disrupt effective management of nutrient/contaminant inputs to meet limits or achieve targets.
180.57	6.10.1 Use of Production Land - TANK 6A - Insert new rule that provides a clear consenting pathway for activities that do not comply with TANK 6. The activity status for this should be discretionary.	Support	Relief sought: Insert new Rule 6A and ensure notification of affected parties. Reasons: Management of land use should cover all eventualities that have the capacity to cause adverse effects
180.58	6.10.2 Water - Rule TANK 7&8 - Amend to include a specific exemption for the ongoing abstraction of up to 20m3 if water is abstracted for the purpose of assisting the survival of permanent horticultural crops.	Support	Relief sought: Allow the submission point and an amendment but ensure that the rule does not enable abstraction that detracts from the health and well-being of the water body. Encourage on-site storage. Reference values in new schedule (Schedule 26-F). Reasons: The NPSFM does not prioritise economics above the health and well-being of water bodies. Strict limits and consideration of alternatives should also be included.
180.59	6.10.2 Water - Rule TANK 9&10 - All references to 'actual and reasonable' are amended to just be to 'reasonable'. An additional matter of discretion is added as follows: <u>'The effects of any take and use for root stock survival on flows in connected surface water bodies.'</u>	Oppose	Relief sought: Delete all references to "actual and reasonable use" and actual and reasonable needs" in PC9. Reasons: use of the term and the definition do not promote the purpose of the Act. In some instances, they tend to subvert the use of sustainable management principles and practices.
180.60	6.10.2 Water - Rule TANK 12 - Amend status to be 'noncomplying'	Oppose	Relief sought: Retain prohibited status for Rule TANK 12. Reasons: Prohibited status is appropriate as we endeavour to constrain water takes and uses to within more sustainable amounts/limits.
180.61	6.10.2 Water - Rule TANK 18 - Amend status to be 'restricted discretionary'	Oppose	Relief sought: Decline the submission and retain discretionary status. Ensure notification of affected parties including tangata whenua.

			<p>Add a new Rule TANK 18A for the “Transfer and Discharge of surface water into groundwater in the Heretaunga Plains Aquifer System (quantity), as a discretionary activity.</p> <p>Reasons: The quality of water being transferred should not result in degradation of the water body being transferred too.</p>
180.63	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below underline/strikeout version of chapter 6) - RRMP 13 - Amend by adding ‘at any one time’ to end of (j).	Support in part	<p>Relief sought: Provide greater clarity in the rule but provide a monthly limit. As drafted the rule is unclear regarding duration.</p> <p>Reasons: As drafted, the rule could enable applications of 100 m³ every day of the year.</p>
180.64	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below underline/strikeout version of chapter 6) - RRMP 32 & 33 - Amendments to 32 and 22 are deleted.	Oppose	<p>Relief sought: Retain Rules 32, 33A and 33. Change the “ten years” to “five years” in the conditions/standards/terms column.</p> <p>Reasons: Not knowing all the effects of drainage water is not a valid reason for not managing its adverse effects. Input of nutrients and contaminants from drainage water should be accounted for in catchment loads and limits.</p>
180.66	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below underline/strikeout version of chapter 6) - RRMP 62a - Amend by deleting (d)(i) (related to groundwater takes in HPWMU). Delete (f). (h) is amended to refer only to ‘reasonable’		<p>Relief sought: Retain clauses d)(i), f) and h) in RRMP Rule 62a as notified. Delete the RMA reference in the rule. Change activity status to restricted discretionary and ensure notification of affected parties including tangata whenua.</p> <p>Reasons: The rule needs to ensure effective management of effects resulting from the transfer and should apply to all transfers.</p>
180.67	Schedule 26: Freshwater Quality Objectives - Add the location of the monitoring and information on the existing state.	Support	<p>Relief sought: Accept the submission and amend Schedule 26. Supply maps of monitoring sites/locations at an appropriate scale.</p> <p>Reasons: Provisions as above will ensure knowledge of monitoring outcomes is better understood by the general public.</p>
180.69	Schedule 29: Land Use Change - Amend by adding definition of ‘production land use change’ to plan. State single N loss load applicable to all land uses and locations, however if current approach is maintained, update kiwifruit and vegetable rotation numbers and other crops, in accordance with evidence HortNZ will submit at hearing	Oppose	<p>Relief sought: Decline the submission at this time.</p> <p>Reasons: The evidence relating to the requested amendments is not provided here.</p>
180.71	Schedule 31: Flows, Levels and Allocation Limits - Amend minimum flow for Tūtaekurī River to 2,000l/s. Delete	Oppose	<p>Relief sought: Decline the submission.</p>

	Note 2. Add <u>volume with root stock survival volume/allocation that can be abstracted below minimum flow.</u>		Reasons: Some orchard and horticulture land has been traded for lifestyle blocks. It does not make sense to support survival of trees (or crops) that are then cut down for subdivisions, or due to market forces.
180.72	Schedule 32: High Flow Allocation - Amend by adding allocation frameworks for the Karamu and possibly Ahuriri Catchments (depending on feasibility), and revisit allocation for Ngaruroro.	Oppose	Relief sought: Decline the submission, and do not include the Karamū or Ahuriri catchments in the High Flow Allocation provisions. Reasons: The Karamu is severely over-allocated. A new allocation regime for the Karamū is required that protects the inherent and cultural values of the river. Both the Karamū and Ahuriri catchments include water-short areas.
180.74	Chapter 9 Glossary of Terms Used - Amend by just referring to 'reasonable' - <u>and in relation to applications to take and use water is the lesser of:</u> <u>a) the quantity specified on the permit due for renewal or any lesser amount applied for; or</u> <u>b) for irrigation takes, the quantity required to meet the modelled crop water demand for the irrigated area with an efficiency of application of no less than 80% as specified by the IRRICALC water demand model (if it is available for the crop and otherwise an equivalent method) and to a 95% reliability of supply.</u>	Oppose	Relief sought: Decline the amendments sought. Remove references to actual and reasonable in the glossary and from the PC9. Relate 95% reliability of supply to a specific methodology that promotes constant sustainable management of the resource. Reasons: The plan does not include a methodology or system that provides and assessment and allocation regime that supports a 95% reliability of supply
180.79	Chapter 9 Glossary of Terms Used - New definition added for 'land holding' - Insert definition as follows: ' <u>one or more parcels of land (whether or not they are contiguous) that are managed as a single operation</u> '.	Oppose	Relief sought: Decline the submission. Reasons: The term is not used in Change 9.
180.80	Chapter 9 Glossary of Terms Used - New definition added for 'nitrogen losses from production land' - Insert definition as follows: ' <u>The modelled estimate of average annual nitrogen load, calculated for each farm. For a commercial vegetable growing rotation, the nitrogen loss estimate must include the full sequence of crops and pasture used as part of that rotation</u> '.	Oppose	Relief sought: Decline the submission. Reason: Modelling does not always reflect reality. Although helpful as an on-farm guide, at the catchment or management zone scale, the setting of limits and targets that then require on-farm adjustments or compliance are a more effective management method, as they then take into account the values that need to be upheld.

Submitter 197 Beef and Lamb NZ Limited	Original submission statement (from HBRC summary)	TToH Support/ Oppose	Relief sought and reasons for our position
Lilly Lawson			
197.1	5.10.1 TANK Objectives - Retain as proposed.	Oppose	<p>Relief sought: Decline the submission point and either delete or amend the proposed objectives or where they lack clarity or alignment with the NPSFM or the operative RPS, redraft them as policies.</p> <p>Reasons: TToH sought significant revision of PC9 as notified. Without getting the objectives right, it is difficult to align the policies and methods (including rules) with higher level planning instruments and the provisions of the Act</p>
197.2	<p>General Objectives</p> <p>Amend existing and include as required new objectives to give effect to the following intent:</p> <ul style="list-style-type: none"> • Provide for a range and flexibility in land use... • Restrict the reach of objectives to the values of the NPS-FW... • Reference to the management of water quality pertains to the achievement of the objectives... • Otherwise water quality is maintained where the objectives are met. • Attribute state should be set to achieve the values.... 	Support in part	<p>Relief sought: Amend the objectives insofar as to give effect to the NPSFM, but do not constrain the values to those within the NPSFM.</p> <p>Reasons: The NPSFM clearly articulates that it contains compulsory values, and that other values can be articulated in regional plans including those identified by regional councils in consultation with their communities.</p> <p>- The operative RPS also directs towards a range of values to be included in regional plans.</p>
197.4	<p>OBJ TANK 15</p> <p>Amend existing and include as required new objectives to give effect to the following intent:</p> <ul style="list-style-type: none"> • Strengthen the requirements to provide for the economic wellbeing of people and communities; and • In formulating freshwater objectives and limits, the economic wellbeing, including productive economic opportunities are provided for in the context of environmental objectives, values and limits. 	Support in part	<p>Relief sought: Amend OBJ TANK 15 insofar as providing for economic well-being, but as a lower priority to the health and well-being of water bodies, other priorities listed in Te Mana o te Wai, and the matters of national importance articulated in s6 of the RMA.</p> <p>Reasons: The NPS prescribes a priority order that must be applied when managing freshwater and water bodies, and economics pursuits are subservient to several other matters.</p>
197.5	<p>Water quantity</p> <p>OBJ 16, 17 and 18 and associated policies and rules -</p> <p>Amend existing and include as required new</p>	Support in part	<p>Relief sought: Allow for stock drinking water as a permitted activity in TANK catchments, but within limits pursuant to s14(3) (b) of the RMA. Enable total allocations above a specific threshold for stock drinking water, to be included in limits where such taking has an adverse effect on the environment or water body.</p>

	<p>objectives, policies and rules to give effect to the following intent:</p> <ul style="list-style-type: none"> • Provide for stock drinking water as a priority (permitted activity) take; • Establish take volumes (e.g. 70L per animal per day) which provide for animal health and wellbeing... • Enable these volumes to be taken as permitted activity; • Enable priority takes below minimum flows; or • Amend minimum flows to 1st limit takes for non-priority uses; and • Enable priority takes down to limits required to safeguard ecological health. 		<p>- restrict water takes below minimum flows where they have capacity to diminish life-supporting capacity, mauri, or inherent values.</p> <p>Reasons: There is a proviso in s14(3)(b) that states <i>"in the case of fresh water, the water, heat, or energy is required to be taken or used for—</i> <i>(i) an individual's reasonable domestic needs; or</i> <i>(ii) the reasonable needs of a person's animals for drinking water,—</i> <i>And the taking or use does not, or is not likely to, have an adverse effect on the environment; ..."</i></p> <p>PC9 needs to give due consideration to s14 and its intent rather than bypass its intent to prevent adverse effects on the environment.</p>
197.7	<p>5.10.2 Policies: Surface Water and Groundwater Quality Management</p> <p>Amend existing and include as required new policies to give effect to the following intent:</p> <ul style="list-style-type: none"> • More explicitly provide for the development and implementation of Farm Environment Plans, Catchment Collectives and Industry Programmes as the preferred approach to environmental management and recognise them as a priority to achieving freshwater targets and objectives. 	Support in part	<p>Relief sought: Allow for the submission insofar as to include FEPs and catchment collectives etc, but through a non-regulatory method. Allow the outcomes from FEPs (or Freshwater Farm Plans) to inform compliance with limits and provide a logical trajectory towards achieving targets.</p> <p>Reasons: Membership of a catchment or industry collective should not be compulsory. The accuracy of FEPs and FFPs is dependent on data inputs and estimates. There are variances in outputs from farm modelling etc.</p>
197.8	<p>5.10.6 Policies: Heretaunga Plains Groundwater Levels and Allocation Limits</p> <p>Include new/ or amend existing Policies for Water quantity and allocation - <u>Water quantity is managed to ensure that the take and use of water is reasonable and justifiable for the intended use. The specific measures to ensure reasonable and justified use of water that must be taken into account when establishing catchment plans and considering consent applications are outlined in the submission.</u></p>	Oppose	<p>Relief sought: Decline the submission.</p> <p>Reasons: 'Reasonable' and 'justifiable' are subjective terms. Allocation and management of water quantity should be based on sustainable management of the resource and adequate management of adverse effects as prescribed by the Act and its subsidiary policies and regulations..</p>

197.9	<p>5.10.3 Policies: Managing Adverse Effects From Land Use on Water Quality (Diffuse Discharges)</p> <p>Policies 17, 18, 19 and 21 - Amend existing and include as required new provisions to give effect to the following intent:</p> <ul style="list-style-type: none"> * Management approaches are tailored to addressing water quality issues identified on a sub catchment basis... * Provide for flexibility in Nitrogen use and discharge where these will not exceed long term determined sub catchment determined loads. * Enable land uses which are leaching at or less than the 'sustainable level' to continue... * Enable changes in land use which occur within the sustainable level for the sub-catchment. <p>Continued in submission.</p>	Support in part	<p>Relief sought: Amend policies to include and address:</p> <ul style="list-style-type: none"> - water quality issues on a sub-catchment basis; - provide for flexibility in nitrogen use and discharge through leaching where limits are met, but require reductions where they are not; and - quantify what the sustainable level of nitrogen leaching is in each sub-catchment or management zone. <p>Make the management units small enough for effective management of nutrient losses.</p> <p>Reasons: Nutrients require more specific management than the policies as notified provide. Some policies are better off as non-regulatory where they apply to holding meetings and doing more research to inform future decisions.</p>
197.10	<p>Schedule 29: Land Use Change</p> <p>Amend existing and include as required new provisions to give effect to the following intent:</p> <ul style="list-style-type: none"> • B+LNZ seek that Table 1 in Schedule 29 is deleted and propose that a 'flat rate per hectare' permitted threshold is applied (e.g. 20 - 25kgN/ha/yr.) irrespective of land use and land use change, or alternatively an approach based on natural capital (appendix 1). • Any Nitrogen risk threshold should be tailored to the catchment and specific to working towards achieving freshwater values. • This approach will ensure that those land uses which contribute unsustainable <p>Continued in submission</p>		<p>Relief sought: Reduce the allowable nitrogen load limits to enhance water quality in catchments that show poor water quality, and/or excessive algae including the Karamū catchment.</p> <p>Reasons: A common threshold is not always suitable given variances in soil type and legacy effects that require more prescriptive management.</p>
197.11	<p>Industry Programmes and Catchment Management Policies 23, 24 and 25 - retain as proposed.</p>	Oppose	<p>Relief sought: Move these to a non-regulatory section of the RRMP.</p>

			Reasons: Although they are useful for informing sustainable management responses, they need to be outcome focussed and achieve positive gains within a reasonable timeframe, particularly in over-allocated catchments (water quality and water quantity)
197.12	6.10.1 Use of Production Land Rule TANK 1 - Schedule 30: Landowner Collective, Industry Programme and Farm Environment Plan. Section C: Farm Environment Plans 1.1 A Farm Environment Plan shall; a) be prepared by a person with the professional qualifications to prepare such a plan or be prepared by the Farm Owner or Manager with assistance/and or review by a suitably qualified and experienced person	Oppose	Relief sought: Decline the submission in terms of the deletion sought. Include terminology that reflects the NPSFM 2020 – “freshwater farm plans” or similar Reasons: Preparation of these plans requires a uniform approach or template, so the outcomes are all similar for the affected freshwater bodies.
197.13	6.10.1 Use of Production Land Rule TANK 2 - retain as proposed.	Oppose	Relief sought: Change the rule description so the words after “TANK catchment” are deleted. Provide a consent duration of ten years. Reasons: There is the ability for farm properties to change ownership and the productive use to alter, with a subsequent change in nature and scale of effects.
197.14	6.10.1 Use of Production Land Rule TANK 3 - B+LNZ seek that the word ‘bed’ in TANK 3 & 4 is defined and included in Chapter 9 Glossary: Bed means the bed of a river that is intermittently flowing and where the bed is predominantly unvegetated and comprises sand, gravel, boulders or similar material .a)The entry into or over the bed of any river lake or wetland by cattle, deer and pigs is a permitted activity provided that; i) stock that are at a stocking rate less than 18su/ha in the paddock adjacent to the river the stock have access to; and ii) The slope over 60% or more of the paddock is greater than 15 degrees of slope. j) <u>The river does not have a bed that is wider than 1m anywhere in a land parcel, and</u>	Oppose	Relief sought: Retain subclauses a)(i) and a)(ii). Decline the addition of new clauses. Reasons: The RMA has specific definitions for riverbed. The rule as notified recognises all lakes, rivers and wetlands, whereas the amendment requested severely restricts application of the rule. Industry groups have agreements amongst their members to keep stock out of waterways (e.g. Fonterra Accord).

	<u>ii) the land slope is greater than 10 degrees as shown by the National Scale Map or as determined at the paddock or farm spatial scale. and iii) stock do not cross the same lake or wide river more than 12 times in any year.</u>		
197.15	<p>6.10.1 Use of Production Land</p> <p>Rule TANK 5 - a) Any change to the production land use activity commencing after 2 May 2020 is over more than 10% of the property or farming enterprise area—20ha or—20% of the property whichever is greater.</p> <p>b) The production land is subject to a Catchment Collective Programme meeting the requirements of Schedule 30B by a TANK Catchment Collective which meets the requirements of Schedule 30A <u>or has a Farm Environment Plan which meets the requirements of Schedule 30</u> (as amended in accordance with this submission).</p>	Oppose	<p>Relief sought: Change the rule description so the words after “TANK catchment” are deleted. Retain clause a) as notified apart from the words “or farming enterprise” Allow the added reference to FEPs (or their equivalent) and the requirements of Schedule 30.</p> <p>Reasons: A farming enterprise could potentially include numerous land parcels within multiple catchments. The effects of a single land parcel or farm should be under the management regime for the catchment it is located in.</p>
197.16	<p>6.10.2 Water</p> <p>Rule TANK 7 and 8 - B+LNZ seek that 6.10.2 is amended so as to preclude water take for stock drinking water from any Take and Use Rules. Water quantity rules are amended in accordance with relief sought above (Obj 16, 17, 18).</p> <p>Water quantity Policies - Water quantity is managed to ensure that the take and use of water is reasonable and justifiable for the intended use, and takes for stock drinking water are permitted to provide for the health and wellbeing of domestic and production animals.</p>	Oppose	<p>Relief sought: Amend the rules so that water for stock drinking is permitted provided the taking does not cause an adverse effect that is more than minor. Or words to like meaning and effect.</p> <p>Reasons: S14(3) (b) takes are subject to the proviso that “the taking and the use, do not have an adverse effect on the environment”. This implies that restrictions should apply where adverse effects are caused by such taking and/or use. The NPSFM and Te Mana o te Wai prioritise the health and well-being of water bodies over the provision of drinking water for commercial gain.</p>

Submitter 198 Environmental Defence Society Inc.	Original submission statement (from HBRC summary)	TToH Support/ Oppose	Relief sought and reasons for our position
Cordelia Woodhouse			
198.2	Proposed TANK Plan Change 9 PC9 will not give effect to the provisions of the National Policy Statement for Freshwater Management (NPSFM) 2017, or the 2020 amendment which comes into effect in September 2020. It also fails to give effect to sustainable management purpose, matters of national importance and other matters in Part 2 Resource Management Act 1991 (RMA).	Support	Relief sought: Amend Change 9 to give effect to the NPSFM 2020 where there is scope within submissions to do so and align provisions in the plan with sustainable management principles and the purpose of the Act. - Consider drafting a variation to Change 9 to address the inconsistencies between it and the NPSFM 2020. Reasons: Amending Change 9 to achieve this will save significant time and resource that would be required for future plan changes. - The timeline for compliance with the NPSFM 2020 is short.
198.4	Water quantity Include clear objectives and policies to phase out over-allocation of surface and groundwater and to avoid future over-allocation, safeguard life-supporting capacity and ecosystem health, protect the significant values of outstanding freshwater bodies and wetlands	Support	Relief sought: Accept the submission and amend the plan accordingly. Make any consequential changes to reflect the amendments. Reasons: Deletion of existing provision to safeguard life-supporting capacity of freshwater and ecosystems does not promote sustainable management.
198.5	Water quantity Ensure that water takes are required to cease at minimum flows (except essential water takes for human water drinking supplies) and that all water takes are within low flow and high flow allocation limits	Support	Relief sought: Accept the submissions and amend the plan to require abstractions for irrigation to cease at minimum flows for all existing consents, as this was one of the consent conditions. In addition, require staged reductions in abstractions pursuant to Change 9, to slow down flow recessions and reduce the risk of minimum flows being reached. Require adherence to elevated (new) minimum flows when they become operative and amend the plan accordingly. Reasons: Minimum flows are supposed to provide sufficient habitat for a range of species, and to uphold attributes and values. Although the adequacy or otherwise of current flow minima is disputed, they should be adhered to for all current resource consents, and those that have expired. A change of consent conditions should not be enabled without due process. Prevention of flows falling below flow minima should be encouraged.
198.6	Set high flow allocations for all rivers that ensure hydrological alteration of the flow regime is	Support	Relief sought: Amend the high flow allocation regime to give effect to this submission. Require flow sharing on a 1:1 ratio with the river/stream for high flow allocations.

	minimised and maintained close to natural flow regimes		Reasons: Maintaining natural flow variability ensures the natural character of the water body is maintained to a certain degree, and adverse effects are minimised.
198.7	OBJ TANK 11 - Significantly increase the minimum flow in the Ngaruroro River to provide more habitat for indigenous fish at low flows	Support	<p>Relief sought: Accept the submission and increase minimum flows on the Ngaruroro as measured at Fernhill Bridge, to 2800 lps, with staged elevations of the minimum flow up to 4200 lps by 2029.</p> <p>Reasons: The eventual attainment of 4200 lps for the Ngaruroro minimum flow will ensure sufficient provision of habitat for indigenous fish species and for trout, and for fish passage at crucial times of the year. The timescale for the staged increases in minimum flow are similar to what occurred in the Tukituki catchment.</p>
198.8	Water quantity Prevent the transfer of water-permits into over-allocated ground and surface water freshwater management units	Support	<p>Relief sought: Allow the submission and amend PC9 to reflect the requested outcome. Make consequential amendments to terminology in PC9 so that the specification and expression of FMUs is clear.</p> <p>Reasons: The prevention of transfers to already over-allocated catchments will reduce the likelihood of further adverse effects.</p>
198.9	Water Quality General Include clear objectives and policies to maintain or improve water quality, safeguard life-supporting capacity, ecosystem health and human health, protect the significant values of outstanding freshwater bodies and wetlands and provide for other instream freshwater values	Support	<p>Relief sought: Accept the submission and in particular, amend PC9 to ensure the life-supporting capacity and ecosystem health receive priority within management of water quality and water quantity.</p> <p>Reasons: As notified, Change 9 objectives, policies and some methods are disjointed, attempt to cover too many issues under one provision, or are not integrated sufficiently with other plan provisions to achieve a definitive outcome. Reliance on further stakeholder, catchment collective or sector group meetings to provide impetus for another plan change should not be encouraged when there is the ability to change the planning regime to address significant issues now.</p>
198.10	Water Quality General Include schedules for FMUs (and the freshwater values that apply) and outstanding freshwater bodies and wetlands	Support	<p>Relief sought: Allow the submission and draft a schedule (similar to that requested by TToH (Schedule 26-F), with each FMU and sub-catchment clearly defined, along with their associated values and attributes. Include mauri as a critical or significant value for all, and mahinga kai sites and areas. Include a schedule or list of outstanding freshwater bodies along with their outstanding values and significant values.</p> <p>Reasons: The plan as notified lacks sufficient detail for effective management, and does not include cultural or tikanga Māori values, relationships with natural resources, or aspirations at a level sufficient to recognise and provide for them.</p>

198.11	Water Quality General Include all water quality objectives in Schedule 26 and identify targets to be achieved by 2040 where objectives are not currently met	Support	<p>Relief sought: Amend PC9 so as to move the provisions in Schedule 27 to Schedule 26, so they have a regulatory function, and clearly define the water quality limits as expressed in the Department of Conservation submission. Amend the target date to 2030.</p> <p>Reasons: Water quality management needs to be more proactive and directive to uphold or improve water quality across the four "TANK" catchments. The direction of PC9 as notified appears to be basically supportive of the status quo and to do the bare minimum in changing behaviours to improve water quality. This will not help improve life-supporting capacity or adherence to Te Mana o te Wai and the NPSFM.</p>
198.12	OBJ TANK 4 Regulate and manage all point source and stormwater discharges and require them to meet water quality objectives and targets in Schedule 26 by 2040	Support	<p>Relief sought: Amend the relevant stormwater provisions in PC9 as sought by the submitter but change the date to 2030</p> <p>Reasons: TToH believe that the decline in water quality over recent years needs more affirmative action to ensure our whānau / Marae can reconnect with our awa and the natural resources they have the capacity to provide. 20 years is too long to wait for significant improvement.</p>
198.13	Water Quality General Control the use of production land for farming in all catchments to maintain water quality.	Support	<p>Relief sought: Amend the rules and methods re land use, so that where limits are not being met, and where target dates are applied, the activity is a restricted discretionary activity, with affected parties, including tangata whenua, required to be notified. Impose a management levy to the use and application of nutrients above a specific threshold.</p> <p>Reasons: The runoff and nutrient leaching from agricultural/farming land has resulted in the decline of water quality which inhibits use and enjoyment of freshwater resources by other sectors of the community.</p>

Submitter 207 Hastings District Council	Original submission statement (from HBRC summary)	TToH Support/ Oppose	Relief sought and reasons for our position
Mark Clews			
207.4	<p>POL TANK 37 Amend Policy 37 to:</p> <ul style="list-style-type: none"> •Treat the interim 'limit' as a target •Still manage the resource as over-allocated (generally) subject to exceptions – particularly those supported by Policy LW2 of the RPS. •Better acknowledge that new allocations based on actual use over previous years may not be a reasonable approach for all replacement processes. Suggested wording provided. 	Support in part	<p>Relief sought: Amend Policy 37 to state 70 million m³;</p> <ul style="list-style-type: none"> - Change the word “limit” to “target” - Manage the Heretaunga Plains Aquifer System as over-allocated; - Enable a sinking lid approach and pro rata reductions upon expiry and renewal of resource consents for irrigation; - Delete reference to “actual and reasonable use’ and replace with reference to ‘sustainable use within limits’; - Allow for a ten-year maximum duration for consents for irrigation; - Enable long-term consents (30 year) for municipal supply but subject to Water Conservation Strategy provisions; - Provide a mechanism for staged reduction in volume (use) for consents for irrigation from groundwater when the water abstraction is such that it reduces storage and aquifer pressures to a level where it causes significant impacts on surface water. <p>Reasons: The aquifer system is over-allocated and too much abstraction is occurring, such that adverse effects on surface water are occurring, despite consented abstractions not using their full allocations.</p> <ul style="list-style-type: none"> - Unused volumes from expiring and current consents need to be surrendered. - Municipal supply should be treated differently to water abstraction and use for profit
207.5	<p>Heretaunga Plains Aquifer Management Introduce an additional Policy (referred to as Policy 37A) to guide situations where the granting of new takes will be considered. Suggested wording provided.</p>	Oppose	<p>Relief sought: Decline the submission</p> <p>Reasons: Allocation of more water from within an over-allocated catchment should be prohibited until all consents have been reviewed and reduced so the limit is not exceeded, and adverse effects managed to minimise their impacts.</p> <ul style="list-style-type: none"> - There is an anomaly that where a plan allows for abstractions as permitted activities, then the effects of those activities can be disregarded. This potentially enables large amounts of water (in total) to be abstracted but not necessarily counted within the limit. - Despite assurances that a parallel plan change would be notified to amend the HBCEP, this has not happened. Volumes of ground water abstracted in the coastal margin are not subject to the proposed limit in Change 9 which does not regulate the coastal margin of TANK catchments.

207.8	POL TANK 40 Amend Policy 40 to enable transfers of allocated but un-used water if this to assist augmentation. Suggested wording provided.	Oppose	Relief sought: Decline the submission. Delete terms like augmentation, mitigation measures and flow enhancement from all assessment criteria for resource consents for irrigation. Reasons: The proposed plan uses terms like augmentation, mitigation measures, flow enhancement etc interchangeably apart from in the rules where “mitigation measures” is used as a default, rather than requiring individual consent holders to avoid the adverse effects that they cause in the first instance. Consents have been granted for irrigation purposes, under specific criteria and conditions, and not for augmentation purposes. The relief sought by HDC would require a change of use and consent conditions for the individual consents concerned.
207.9	POL TANK 41 Amend Policy 41 so there is a clear intention to be working towards this such that its implementation can be considered as part of the Plan review in 10 years when the groundwater limit is to be defined as this is likely to be a very relevant factor. Suggested wording provided.	Oppose	Relief sought: Decline the submission and either delete the policy or move it to a non-regulatory part of the RRMP. Reasons: The policy refers to further investigations, scheme feasibility, funding and construction etc. This implies that there is still significant work to be done on water storage and release schemes and permits from other parties may be required for land use. - Should the onus be placed on HBRC through a policy in a regional plan, to remedy the adverse effects of the numerous disparate activities of individuals?
207.10	Groundwater Management Review Amend Change 9 so that there is a more strategic approach around investigating and establishing flow enhancement schemes to inform/enable this review.	Support in part	Relief sought: Accept the submission insofar as to require further investigations and due diligence for flow enhancement schemes but ensure this occurs before they are included in objectives, policies and methods. Amend Change 9 to enable individual consent holders to implement flow enhancement where they have the means to do so and the affected surface water body is accessible from their property. Reasons: See first reason above (207.9)
207.11	POL TANK 42 Amend the Policy to include consideration of information on the long-term sustainable equilibrium of the groundwater resource. Suggested wording provided.	Support in part	Relief sought: Accept the submission insofar as commencing a review of the interim allocation limit after all relevant consents have been reviewed. Make consequential amendments to PC9 so that the review of consents is completed more expeditiously by call-in or pursuant to the review clause within the conditions (01 May in any year). Reasons: The NPSFM 2020 will require a new regime for freshwater planning, and regional authorities should be proactive in preparing for this within the statutory timeframes in the RMA Amendment Act and the new NPSFM.
207.12	POL TANK 48 Amend the Policy as follows to: •Allow transfers under (e) to food processing uses.	Support in part	Relief sought: Allow the submission where the transfers are for the same or similar activities, and the adverse effects of the new activity are less

	<ul style="list-style-type: none"> •Regarding (f), allow the transfer of allocated but unused water where this enables flow enhancement schemes •Allow transfers to be a tool for managing urban growth. <p>Suggested wording provided.</p>		<p>Reasons: The enabling that HDC proposes would require a change of consent conditions for multiple consents. Change 9 seeks to allow for the rolling over of existing consents for a further 10 years after PC9 becomes operative, potentially 2013. Therefore, what the submitter seeks would require consequential changes to the plan to enable the call-in and alteration of consent conditions to release the unused water for other purposes.</p>
207.13	<p>POL TANK 49</p> <p>Amend the Policy as follows:...</p> <p>h) will impose a consent duration for municipal supply for 30 years to align with the required infrastructure and planning decisions under the NPS-UD 2020 consistent with most recent HPUDS and will impose consent review requirements that align with the expiry of all other consents in the applicable management unit;</p>	Support	<p>Relief sought: Amend Policy 49 h) as per the submission point</p> <p>Reasons: Municipal supply requires surety to enable domestic uses for people’s health and well-being. It should receive priority over abstractive uses for monetary gain.</p>
207.26	<p>6.10.2 Water</p> <p>Amend Activity description in Rule 10 to read: Replacement of an existing Resource Consent to take of water from the Heretaunga Plains Water Management Unit where Section 124 of the RMA applies (applies to existing consents)”</p>	Support	<p>Relief sought: Delete the reference to section 124.</p> <p>Reasons: Existing and expiring consents should be assessed as to their merit with consideration of the nature and scale of their adverse effects and such effects (including cumulative adverse effects), required to be avoided in an over-allocated catchment / water body.</p>
207.27	<p>6.10.2 Water</p> <p>Amend Matter of Discretion 4 in TANK 10 to read: <u>“Where the take is in a Source protection Zone or Source Protection Extent”</u></p>	Support in part	<p>Relief sought: Accept the submission and amend the plan accordingly to include the extent, and enable protection of conjunctive zones</p> <p>Reasons: The whole spatial extent of a SPZ should be protected as well as the conjunctive zones. Regional council’s s30 responsibilities include the maintenance and enhancement of water quality in water bodies, implying that water quality should be protected in its current state.</p>
207.29	<p>6.10.2 Water</p> <p>Amend Rule 11 to EITHER:</p> <p>(a) avoid new takes within the existing allocation as at the date of the plan becoming operative falling to Prohibited, OR</p> <p>(b) consider the introduction of a new Noncomplying activity ‘in-between’ and clarify the effect of the</p>	Oppose in part	<p>Relief sought: Accept the submission insofar as preventing existing takes/consents from falling to Prohibited status, but subject to their review and where necessary, reductions in rate and volume so as to enable quantities to be reset to ensure the total allocations are within set limits or provide a logical trajectory towards achieving targets.</p> <ul style="list-style-type: none"> - Allow for notification of affected parties including tangata whenua. - Remove reference to “low flows” in the rule description.

	interim limit/target and the long-term limit set in line with Policy 42 in relation to this rule.		Reasons: There is uncertainty around the interim limit and whether it is set at the correct level, as record low levels and ban durations are ongoing during irrigation seasons.
207.30	6.10.2 Water Amend Change 9 so that only takes where the existing allocation (as at the date of the Plan becoming operative) will be exceeded or the limit set pursuant to Policy 42, fall to prohibited under Rule 12.	Support	Relief sought: Amend the plan to accommodate the submission point Reasons: The policy will then be more succinct, and the amendment will provide greater clarity of intent in terms of how it relates to or triggers Rule 12.
207.39	POL TANK 6 Amend Policy 6(b) to read: (i) Direct or indirect discharge of a contaminant to the source water including by overland flow and/or percolation to groundwater (iv) Shortening or quickening the connection between contaminants and the source water, including damage to a confirming (confining) layer <u>of the aquifer</u>		Relief sought: Accept the submission and amend clause 6 b) (iv) Reasons: The addition will ensure greater protection for the confining layer of the aquifer(s).
207.46	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below underline/strikeout version of chapter 6) Support subject to amending the rules to fully incorporate the recommendations of the JWG, specifically: •Amend activity description of Rule 1 and Rule 2 to include bore use and maintenance •Delete “upon request” for Rule 4 f) •Add “Measures to prevent or minimise any adverse effects on the quality of the source water used for a Registered Drinking Water Supply, irrespective of any treatment process for the Registered Drinking Water Supply” as a matter of discretion to Rule 7 and Rule 40. •Delete “upon request” for Rule 12 h) •Amend Rules 16, 48, and 49 to exclude activities within SPZs Not all of the recommended amendments have been incorporated into the notified TANK Plan Change. HDC supports the recommendations of the JWG for	Support	Relief sought: Amend the rules (and related plan provisions) accordingly to include better protection for SPZs and drinking water supplies. Reasons: The JWG on Drinking Water spent considerable time and effort discussing and debating the SPZs and the conjunctive zones and were supported by science reports and experts in various fields. PC9 should adopt all of the recommendations from the JWG.

	amendments to the Regional Plan Rules and seeks that the TANK		
207.47	Schedule 28: Priority Catchments Amend the table by adding the words “land within a Source Protection Zone” as a High Priority and “land within a Source Protection Extent” as a Medium Priority.	Support in part	Relief sought: Amend the Schedule as sought apart from the Medium Priority where is amended “High Priority”. Reasons:
207.52	Protection of Source Water Include SPZs Maps as part of the Regional Plan or provide confirmation as to the ability to implement the regulatory provisions of the TANK Plan change. Add all SPZs Maps as attached to this submission for the Hastings supplies as part of the Regional Plan. Specifically, <ul style="list-style-type: none"> •Hastings Urban (Eastbourne, Frimley, Wilson & Portsmouth Road); •Brookvale (noting that this is to be removed as a primary supply once upgrade works are complete, however HDC is currently reviewing whether or not it needs to be maintained for a backup supply); •Omahu; •Whakatu; •Waipatu; •Haumoana (Palomino Road); •Clive (Tuckers Lane & Ferry Road). 		Relief sought: Accept the submission and add the maps to PC9 as requested. Provide an overlay for the Schedules that include the Heretaunga Plains Aquifer System. Reasons: All Drinking Water Sources deserve protection. In addition, the RPS requires “no degradation” of aquifers from their natural state.
207.72	Water quantity Projects investigating flexible management initiatives and initiatives such as augmentation and global consents need to occur ahead of replacement processes so that solutions/options are in place at the time of reassessment to ultimately assist in reducing allocation.	Oppose	Relief sought: Decline any amendments to Change 9 that enable this too occur. Reasons: Some consents have already expired and continue to be exercised under s124. This means that they are subject to the same conditions. Amending them to include augmentation and /or global consent participation would mean a change of consent conditions. The assessment criteria under which many consents were granted, has been found wanting, given the broad discussions around the need for mitigation measures, stream

			flow enhancements and water storage to enable addressing of adverse effects. Renewal and replacement of consents should stand on the ability to avoid, remedy or mitigate adverse effects at the time the consent is due for renewal. It should not be reliant on a scheme that has still to be designed, budgeted for and constructed. The efficacy of such a scheme is still untested.
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Submitter 232 Matahiwi Marae	Original submission statement (from HBRC summary)	TToH Support/ Oppose	Relief sought and reasons for our position
Levi Walford			
232.1	Proposed TANK Plan Change 9 Oppose provisions in Change 9 relating to water quality, water quantity, and impact of land use.	Support	<p>Relief sought: Amend PC9 Objectives, policies and methods so that water quality is improved within a reasonable timeframe, discharges are managed more effectively, and more water is retained within surface water and groundwater systems to better support cultural and environmental values</p> <p>Reasons: As notified, PC9 appears to support the status quo in terms of adverse effects from</p> <ul style="list-style-type: none"> - land use and development; - over-allocation of water; - discharges and leaching of nutrients and contaminants, and - continuation of adverse effects on tangata whenua values and aspiration in terms of freshwater taonga.
232.2	Water quantity A substantial reduction of allocation and abstractions from ground water & surface water that contribute to low flows in - or no water being available to already diminishing streams.	Support	<p>Relief sought: Amend PC9 objectives, policies methods and schedules to reduce water allocation volumes and water abstractions (volumes and rates) to levels that are sustainable and that have minimal adverse effects on tangata whenua values and relationships with freshwater resources.</p> <ul style="list-style-type: none"> - Amend the proposed plan so that allocation rates and volumes for surface water and ground water are based on a sound methodology that promotes sustainable management. <p>Reasons: Proposed PC9 is deficient in providing an allocation method that is based on science and sustainable management.</p>
232.3	OBJ TANK 11 Amend Plan Change 9 to include sustainable allocation volumes and abstraction rates from the Ngaruroro river.	Support	<p>Relief sought: Amend the minimum flows for the Ngaruroro River so that:</p> <ul style="list-style-type: none"> - when operative the minimum flow is 2800 lps; - staged increases are enabled through the plan that result in a minimum flow of 4200 lps for the Ngaruroro River in 2029; - the total instantaneous rate of take (abstraction) is substantially reduced <p>Reasons: Sustainable allocation is directly related to maintaining the health and well-being of the awa and leaving sufficient water within the awa, so its life-supporting capacity and ecosystems are sustained.</p>
232.4	OBJ TANK 13	Support	Relief sought: Amend PC to restrict discharges into the Karamū, and more effectively manage groundwater abstractions so that the adverse effects on springs that contribute

	Harmful nutrients that are discharged into the Karamu causing adverse, affects, on the habitat and aquatic life are 'LIMITED'		<p>flow to the Karamū and its tributaries, are substantially reduced through better management of surface water depletion.</p> <p>Reasons: Surface water depletion is not managed effectively through existing RRMP provisions, and PC9 appears to support a relaxed attitude towards addressing this key issue.</p>
232.5	<p>OBJ TANK 15</p> <p>That an imposition be put in place for abstractions from all Aquifer Systems - especially the Heretaunga Plains, so that the springs that feed into the rivers are not restricted</p>	Support	<p>Relief sought: Apply a more restrictive management regime to surface water depleting groundwater takes within the Heretaunga Plains. Amend the objectives, policies, methods and schedules in PC9 to achieve this and apply an interim limit of 70 million m3 per year for all groundwater takes from the Heretaunga Plains Aquifer System.</p> <p>Reasons: See above for 232.4</p>
232.6	<p>5.10.7 Policies: Surface Water Low Flow Management</p> <p>Elevate the minimum flow in all rivers to provide a 90% habitat provision for the range of aquatic life that prefer fast flowing river reaches</p>	Support	<p>Relief sought: Amend PC9 to give effect to this submission point. Adjust flow minima upwards in a staged approach so that 90 % habitat provision is available at minimum flows for trout and torrent fish. Make consequential amendments to other parts of PC9. (A table of minimum flows and staged increases and dates is provided in the TToH submission).</p> <p>Reasons: The NPSFM and the operative RPS require the protection of the life-supporting capacity, natural ecosystems and ecosystem processes in rivers and streams. Existing minimum flows are insufficient to provide this.</p>

Further Submission on Proposed Plan Change 9 (TANK Plan Change) Hawke's Bay Regional Resource Management Plan

Clauses 8 and 8A of First Schedule, Resource Management Act 1991

To: Hawke's Bay Regional Council
Address: 159 Dalton Street, Napier 4110
Private Bag 6006, Napier 4142
Email: eTANK@hbrc.govt.nz

Submitter: New Zealand Defence Force
Contact Person: Rebecca Davies, Senior Environmental Officer

Address for Service: New Zealand Defence Force
C/- Tonkin + Taylor
PO Box 2083
Wellington 6140
Attention: Sarah Bevin

Phone: +64 21 445 482
Email: rebecca.davies@nzdf.mil.nz / sbevin@tonkintaylor.co.nz

A detailed further submission is attached.

The New Zealand Defence Force (NZDF) represents a relevant aspect of the public interest¹, and also has an interest in the proposed Plan Change to the Hawke's Bay Regional Resource Management Plan for the Tūtaekurī, Ahuriri, Ngaruroro and Karamū (TANK) catchments that is greater than the interest the general public has.

NZDF **does** wish to be heard in support of its further submission.

If others make a similar further submission, NZDF will consider presenting a joint case with them at the hearing.

A copy of this further submission has been sent to each person who made the original submission.

PP



9 December 2020

date

Person authorised to sign
on behalf of New Zealand Defence Force

¹ Set out in section 5 of the Defence Act 1990

Original Submitter	Number	Support or Oppose	Section Reference and Summary of Submission	Reason	Decision Sought
Fire and Emergency New Zealand (FENZ)	13.13	Support	Rule 6.10.2 Take and Use of Water: Rules TANK 7 – 17	NZDF supports the requested changes to the wording of the rules as proposed by FENZ, as the proposed approach would also apply to activities undertaken by Defence fire brigades.	Accept the submitter's relief sought

Further Submission on Proposed Plan Change 9: Hawke's Bay Regional Resource Management Plan
PLEASE NOTE: your submission will become part of a public record of Council documents. This will mean your name, address and contact details will be searchable by other persons.

Name: (required) . Aotearoa New Zealand Fine Wine Estates LP
Organisation: As above
Postal address: (required) PO Box 2817 Havelock North 4157 New Zealand.
Email address: caleb@aonzfinewine.com.
Phone number: 021 767 191.

Contact person and address if different to above:

Caleb Dennis, caleb@aonzfinewine.com
Dean van Mierlo dean@environmentalbarrister.co.nz

Please tick the sentence that applies to you:


I am a person representing a relevant aspect of the public interest. Please specify the grounds for saying that you come within this category:

I am a person who has an interest in the proposal that is greater than the interest the general public has. Please specify the grounds for saying that you come within this category:

Aotearoa New Zealand Fine Wine Estates LP has an interest in the proposal that is greater than the interest the general public has by virtue of its viticultural interests, and by virtue of being a consented user of irrigation water, within the TANK catchments.

Do you wish to be heard in support of your submission? Yes

If others make a similar submission, would you consider presenting a joint case with them at a hearing? Yes

Signature: 

Date: 9 December 2020.

NB: Space for writing submissions is overleaf. Send written submissions to: Hawke's Bay Regional Council Private Bag 6006 NAPIER or fax to: (06) 835-3601 or email to: eTANK@hbrc.govt.nz Deadline for Submissions: 5pm Wednesday 9 December 2020 No submissions will be accepted after this deadline. The deadline will not be further extended.

OFFICE USE ONLY SUBMISSION ID# Date Received: Database Entry Date: Database Entry Operator:

Submission Details Please attach more pages if necessary. If you do not wish to use this form, please ensure that the same information required by this form is covered in your submission. Further information on how to make a further submission and the submission process is available on the Regional Council website.

I **support** the submission of:

Name of original submitter: Gimblett Gravels Winegrowers Association

Address of original submitter: PO Box 7075 Taradale

emmataylor.viti@gmail.com

Submission number of original submission: 238 .

The particular parts of the submission I support are: all of submission

The reasons for my support are: for reasons specified in the submission of Gimblett Gravels Winegrowers Association

I seek that the whole of the submission of Gimblett Gravels Winegrowers Association be allowed.

I **support** the submission of:

Name of original submitter: Hawke's Bay Winegrowers Association Inc.

Address of original submitter: 2091 Maraekakaho Road, RD 1 Hastings 4171.

xan.harding@xtra.co.nz

Submission number of original submission: 29.

The particular parts of the submission I support are: all of submission.

The reasons for my support are: for reasons specified in the submission of Hawke's Bay Winegrowers Association Inc.

I seek that the whole of the submission of Hawke's Bay Winegrowers Association Inc be allowed

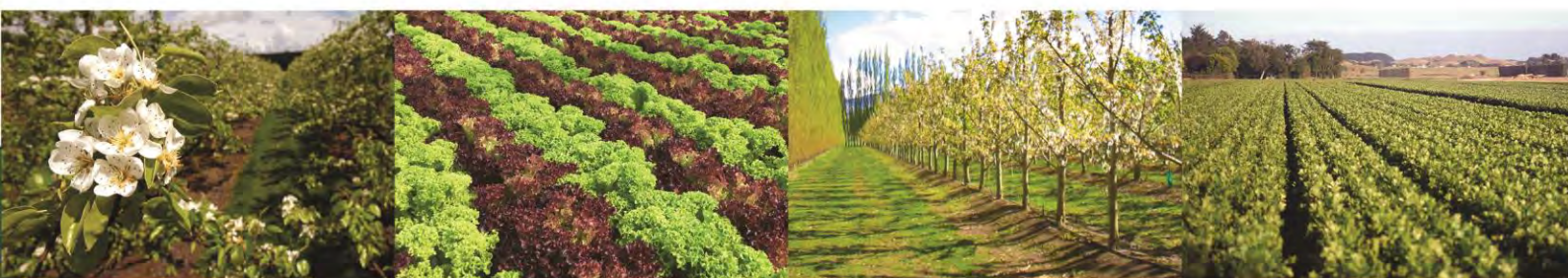
REMINDER: SUBMISSIONS MUST REACH COUNCIL BY 5PM ON 9 DECEMBER 2020 A copy of your submission must be served on the original submitter within 5 working days after it is served to the council.

Further Submission on
Hawke's Bay Regional
Council Proposed Plan
Change 9

9 December 2020

TO: Hawke's Bay Regional Council

NAME OF SUBMITTER: Horticulture New Zealand



CONTACT FOR SERVICE:

Charlotte Drury
Consultant Planner on behalf of Horticulture NZ
View Consultants Ltd
PO Box 239 NAPIER 4140
Ph: 027 3225595
Email: Charlotte.Drury@hortnz.co.nz

HortNZ's Further Submission on Hawke's Bay Regional Council Proposed Plan Change 9

HortNZ would like to thank Hawke's Bay Regional Council (HBRC) for the opportunity to provide comment on the submissions of other parties lodged on Proposed Plan Change 9 through this further submission process, and provide comments on matters of particular interest raised in a number of submissions in the attached table.

As outlined in our original submission, HortNZ represents the interests of around 250 horticultural growers that live within the TANK Catchments. HortNZ wishes to be heard in support of this submission and would be prepared to consider presenting our submission in a joint case with others making a similar submission at any hearing.

For the sake of clarity, it is noted that HortNZ continues to seek all the relief set out in the organisation's original submission, as detailed in the summary table on pages 45-64 of that submission.

Although this further submission focuses primarily on identifying matters raised by other submitters that HortNZ opposes, HortNZ would like it noted that the organisation supports the submissions and matters raised by many other submitters – particularly those representing the views of others parts of the primary sector, such as Hawke's Bay Winegrowers Association Inc (Submission 29), Twyford Water (Submission 99), Heinz Watties Limited (Submission 193) and Federated Farmers of New Zealand (Submission 195). HortNZ also acknowledges and supports the many submissions made by individual horticultural growers, as well as those of the Hawke's Bay Vegetable Growers Association (Submission 214), and New Zealand Apples and Pears (Submission 216) which is one of HortNZ's product groups. However, in the interests of time and efficiency, the detail provided in this further submission has focused on identifying matters raised in submissions that HortNZ opposes.



HortNZ Further Submission on Proposed Plan Change 9

Submitter name & #	Stat #	Provision	Relief sought by submitter	HortNZ support/oppose	Reason/s	Decision sought (allow/disallow)
Hawke's Bay Fish and Game, 58	58.23	Policy 36 & 37	Amend to cap groundwater use at 70 million m ³ until hydrological investigations and aquifer modelling have been undertaken	Oppose	Arbitrarily adopting a new limit until further investigations can be done will have a detrimental impact on the ability of horticultural growers to produce crops. Irrigation systems are designed based on rate and volumes in water permits – changes to these require irrigation system redesign which takes time and may also necessitate other changes to operations. The submitter has not provided an effects based argument in support of this proposal. HortNZ supports the gathering of further information about actual and reasonable water use, but this must be done in a considered way over a realistic timeframe.	Disallow submission
	58.25	Policy 42	Remove Policy 42 in its entirety	Oppose	Linked with the comments in relation to Policies 36 and 37 above, arbitrarily adopting a new limit until further investigations can be done will have a detrimental impact on the ability of horticultural growers to produce crops – many of which are essential for domestic food supply. The proposed approach set out in Policy 42 is the most appropriate way to manage the review of the proposed limit that avoids unnecessary restrictions on groundwater use in the interim. The review of the groundwater allocation limit must be undertaken in a sensible and systematic manner and be based on actual rather than modelled data.	Disallow submission
	58.31	All rules	Matters of control/discretion should also direct notification	Oppose	Sections 95-95G of the RMA set out clear tests for the notification of consent applications. HortNZ does not believe there is any need to add additional direction into PC9 regarding notification.	Disallow submission
	58.32	TANK 17	Seeks multiple additional rivers and tributaries are excluded from damming.	Oppose	The submitter has provided no justification for the need to prohibit damming on these additional rivers and tributaries.	Disallow submission

	58.37	Schedule 29	Remove Schedule 29 and replace with per ha loss rates	Oppose	HortNZ submits that any restriction on land use change needs to be load based not per ha as this reflects the effects based premise of the RMA.	Disallow submission
Napier City Council, 63	63.2	Objective 16	Allow allocation of water in accordance with successive versions of HPU DS (2017) and/or any requirements prescribed under a NPS on Urban Development	Oppose	HortNZ is firmly of the view that all water permit holders must take steps to achieve efficiency gains and the submitters proposed amendment appears to seek an exemption from that for the submitter. The water resource is limited and all water users must learn to manage within limits.	Disallow submission
	63.3 & 63.5	Policy 36 & 37	Amendments to existing wording of Policies 36 and 37 to allow new takes in 'exceptional circumstances'	Support	HortNZ supports the proposed changes as they acknowledge that there are likely to be unprecedented and unforeseen circumstances in which new takes may be necessary and appropriate, and the proposed amendments provides guidance about how decisions on those should be made.	Allow submission
	63.8	Policy 40	Allow transfer of allocated but unused water if it is to be used to assist augmentation	Support	HortNZ supports the proposed amendment as it clarifies the policy.	Allow submission
Hawke's Bay Drinking Water Governance Joint Committee, 119	119.23	Definition of registered drinking water supply or supplies	Seek alignment with Taumata Arowai-Water Services Regulator Bill once enacted	Support in part	HortNZ supports consistency in terminology across regulations where appropriate, but caution that care is needed in adopting terminology from other legislation to ensure that unintended consequences are avoided. In the example provided in the submission it is indicated that anyone other than a domestic self-supplier would become a registered drinking water supplier. The consequences of this would be immense – in the first instance, the location of all such supplies (which would appear to include a farm bore that is used to supply more than one dwelling) would need to be confirmed and mapped to allow the rules to be	Allow in part if and when consequences of doing so have been understood

					enforced which in itself would be a significant piece of work that would need to be undertaken by the regional council.	
Ngati Kahungunu Iwi Incorporated 120	120.11	Whole of PC9	Amend PC9 to give effect to the NPSFM 2020	Support in part	HortNZ supports the alignment of PC9 with the NPSFM2020 where it is within scope.	Allow submission
	120.6	Policy 37	Introduce a groundwater allocation limit of 70 million m ³ per annum	Oppose	Arbitrarily adopting a new limit until further investigations can be done will have a detrimental impact on the ability of horticultural growers to produce crops. Irrigation systems are designed based on rate and volumes in water permits – changes to these require irrigation system redesign which takes time and may also necessitate other changes to operations. The submitter has not provided an effects based argument in support of this proposal. HortNZ supports the gathering of further information about actual and reasonable water use, but this must be done in a considered way over a realistic timeframe.	Disallow submission
	120.52	Policy 48	Do not allow transfer of water permits into over-allocated ground and surface water management units or between catchments	Oppose	The relief sought seems non-sensical, and where other relevant requirements can be met, transfer into over-allocated water management units is something that HortNZ supports.	Disallow submission
	120.42	Policy 51	No takes for primary production to occur below minimum flow and no priority under water shortage directions	Oppose	Provision must be made to enable water to be taken below minimum flow to enable the survival of horticultural tree crops, as the death of these would have far-reaching economic and social effects that impact the entire community. The ability for growers of domestic food to take water for irrigation below minimum flows is also critically important, and arguably essential for the maintenance of public health, and the communities well-being and health, and must also be provided for.	Disallow submission
	120.32	Policy 52	Require proportional clawbacks across all existing consents	Oppose	HortNZ opposes proportional clawbacks as it is not accompanied by any effects based argument.	Disallow submission

	120.54	Policy 56	Do not enable managed aquifer recharge or stream flow maintenance to address depletion and quality effects	Oppose	While HortNZ notes that there is still work to be done to confirm whether or not managed aquifer recharge and stream flow maintenance is feasible within the TANK Catchments, HortNZ is supportive of both options being investigated, and if feasible, enabled, as more regular restrictions on the ability of growers to take water for irrigation (which is one possible implication of such schemes not proceeding) will have widespread detrimental effects across the entire TANK community.	Disallow submission
	120.23	TANK 1-6	Require consent for production land use in priority catchments, and catchments required to meet water quality targets in Schedule 26 within the life of the plan	Oppose	HortNZ has concerns about blanket regulation of all production land use and believe that it should be required only on an effects basis. HortNZ in its own submission raised concerns about the lack of clarity about where and what the extent of the priority catchments were, and until this is clarified, have reservations about the submitters proposed approach, as the scale of what is sought is unclear, and therefore HortNZ is unable to understand the extent of the potential impact on growers – noting also that the nutrient losses of different type of horticulture vary significantly, which further justifies a more nuanced approach based on actual and potential effects.	Disallow submission
	120.24	TANK 1-6	Control use of production land in all other catchments to maintain water quality	Oppose	As highlighted above, HortNZ is opposed to blanket regulation and favours a nuanced approach based on the actual and potential effects of production land use. HortNZ does not believe that regulation of all production land use is necessary nor appropriate, and also would create a huge (and arguably unnecessary) workload for HBRC – which is a practical consideration that should be taken into account.	Disallow submission
	120.25	TANK 1	Require farm plans for all farmers over 4ha in TANK Catchments	Oppose	HortNZ is opposed to the proposal to require farm plans for all properties over 4ha and if alignment with any other regulations is considered to be necessary suggest that alignment with Part 9A of the Resource Management Amendment Act 2020. For the record, HortNZ is also comfortable with the proposed 10ha farm size proposed in PC9 being maintained.	Disallow submission
	120.53	TANK 17	Prohibit all new large run-of-river damming	Oppose	Without a definition of 'run-of-river damming' it is unclear how far-reaching this proposal is. HortNZ is generally opposed to blanket prohibitions unless the basis for this is clearly established, which it is not in this case. The ability to create dams in which high flow water can be stored is critical to the availability of any new water within the TANK catchments,	Disallow submission

					therefore all provisions relating to the take and storage of that water need to be carefully considered.	
	120.26 & 120.31	RRMP Rule 7	Increase setbacks for vegetation clearance and cultivation to 10m	Oppose	HortNZ opposes a blanket 10m setback as it potentially makes tracts of land that could be used for the development of permanent horticultural crops unusable. The more nuanced approach proposed in TANK, based on risk due to slope, is favoured.	Disallow submission
	120.60	TANK rules	Introduce prohibited status for water allocation that does not meet 'the above criteria'.	Oppose	HortNZ is opposed to the introduction of such a rule as a 'catch all' as this removes any ability for future consents to be granted which in HortNZ's experience is problematic because there are always legitimate uses that arise that have not been foreseen at the time of plan drafting. Non-complying activity status provides the ability for the consent authority to approve consent for such uses, in the rare, but arguably foreseeable circumstances that new and justified water use arises.	Disallow submission
	120.19	Schedule 26	Seek that timeframes for achievement are within the life of PC9	Oppose	HortNZ submits that limits and targets set in any catchment specific plan must be achievable. All water users need time to be able to change their behaviour and align it with new regulations. The NPSFM2020 allows a target attribute state to be set that will achieve an outcome, which is what is done in this plan. HortNZ supports the approach adopted by HBRC to take multiple plan iterations to achieve limits, and notes this is consistent with approaches taken in other catchments across the country.	Disallow submission
	120.119	Schedule 30	Believe it is unenforceable and are opposed to managing effects of land use using farm plans	Oppose	HortNZ supports the use of farm plans to manage land use because of their ability to be tailored to a particular property and focus on the risks that are present there. HortNZ also strongly supports a collective approach to managing land use, as again, this allows mitigation efforts to be specifically targeted, and catchment based, rather than focusing on change on individual properties which may not actually be the most effective means of realising freshwater improvements. HortNZ notes that Part 9A of the Resource Management Amendment Act 2020 sets out a regulatory framework for farm plans and establishes consequences if farm plans are not completed and are supportive of farm plans being recognised and used as a tool within PC9 to help achieve improvements in land use practices.	Disallow submission

	120.175	Schedule 31	Outside irrigation season higher minimum flows apply	Oppose	HortNZ opposes the proposal as it is not accompanied by any effects based argument.	Disallow submission
	120.46		Ensure all allocation limits are less than 30% naturalised MALF	Oppose	HortNZ is opposed to the imposition of a blanket based approach to the setting of allocation limits, and supports a bespoke, evidence based approach, as HortNZ understands has been used in the TANK process.	Disallow submission
	Various incl 120.50 etc		Various amendments to minimum flows	Oppose	HortNZ opposes the proposal as it is not accompanied by any effects based argument, nor a thorough assessment across all of the well beings (environmental, cultural, social and economic) of what the effects of the proposal would be. Without that, no one, including the submitter can be cognisant of the effects of the request therefore HortNZ opposes the change sought.	Disallow submission
	120.51	Schedule 32	Set high flow allocations for all rivers that ensure hydrological alteration of the flow regime is minimised and maintained close to natural flow regimes	Oppose	The availability of high flow water provides the only avenue for new takes under the proposed PC9 regime, therefore HortNZ submits that it is critical that the volume available is not unnecessarily restricted. The calculation of allocations should be supported by scientific assessment and focus on the maintenance of values and functions associated with the relevant water body.	Disallow submission
	120.110	Terminology	Terms such as 'good practice' have multiple and unclear meanings and must be replaced with more directive wording and defined performance standards	Oppose	Good management practice is an internationally established concept and is defined through codes and standards at national level. Good management practice does however change over time to reflect new knowledge therefore it is not appropriate to link it to defined regulatory performance standards that cannot be easily amended as new knowledge becomes available that further improves practice.	Disallow submission
Department of	123.18	Whole of PC9	Amend PC9 to give effect to the NPSFM 2020	Support in part	HortNZ supports the alignment of PC9 with the NPSFM2020 where it is within scope.	Allow submission in part

Conservation, 123	123.42	Policy 3	Reword policy	Oppose	HortNZ notes that it is unclear whether regulation is proposed for all land use activities in wetland and lake catchments, or if this is only proposed where effects cannot be managed to reduce sediment and nutrient inputs etc. HortNZ has concerns about blanket regulation of production land use and believe that it should be required only on an effects basis.	Disallow submission
	123.43 & 123.44	Policy 4 & 5	Regulate land use within priority catchments	Oppose	HortNZ has concerns about blanket regulation of all production land use and believe that it should be required only on an effects basis. HortNZ in its own submission raised concerns about the lack of clarity about where and what the extent of the priority catchments were, and until this is clarified, have reservations about the submitters proposed approach, as the scale of what is sought is unclear, therefore HortNZ is unable to understand what the potential impact on growers could be – noting also that the nutrient losses of different type of horticulture vary significantly, which further justifies a more nuanced approach based on actual and potential effects being adopted.	Disallow submission
	123.52	Policy 17	Delete existing and alternative included	Oppose	HortNZ has concerns about blanket regulation of all production land use and believe that it should be required only on an effects basis. HortNZ in its own submission raised concerns about the lack of clarity about where and what the extent of the priority catchments were, and until this is clarified, have reservations about the submitters proposed approach, as the scale of what is sought is unclear, therefore HortNZ is unable to understand what the potential impact on growers could be – noting also that the nutrient losses of different type of horticulture vary significantly, which further justifies a more nuanced approach based on actual and potential effects being adopted.	Disallow submission
	123.53	Policy 18	Develop N allocation framework in priority catchments and additional regulation of land use in 'non-priority' catchments	Oppose	HortNZ submits that the development of any allocation regime needs to be informed by a robust and multi-faceted assessment of its impact, which HortNZ does not understand has been undertaken.	Disallow submission

	123.58	Policies 23 and 24	Seek deletion of both policies	Oppose	HortNZ supports the use of farm plans to manage land use because of their ability to be tailored to a particular property and focus on the risks that are present there. HortNZ also strongly supports a collective approach to managing land use, as again, this allows mitigation efforts to be specifically targeted, and catchment based, rather than focusing on change on individual properties which may not actually be necessary. HortNZ notes that Part 9A of the Resource Management Amendment Act 2020 sets out a regulatory framework for farm plans and establishes consequences if farm plans are not completed and are supportive of farm plans being recognised and used as a tool within PC9 to help achieve improvements in land use practices.	Disallow submission
	123.74 & 123.75	Policy 39 & 40	Delete all references to stream flow maintenance from PC9	Oppose	While HortNZ agrees that there is still work to be done to confirm whether or not stream flow maintenance is feasible within the TANK Catchments, HortNZ is supportive of it being investigated, and if feasible enabled, as more regular restrictions on the ability of growers to take water for irrigation (which is one possible implication of such schemes not proceeding) will have widespread detrimental effects across the entire TANK community.	Disallow submission
	123.88	Policy 51	Seek that all takes cease at minimum flow except takes for human drinking water	Oppose	Provision must be made to take water below minimum flow to enable the survival of horticultural tree crops, as the death of these have ongoing economic and social effects that impact the entire community. The ability for growers of domestic food (fruit and vegetables) to continue to take water for irrigation below minimum flow is also critically important, and arguably essential for the maintenance of public health, and the communities well-being and health.	Disallow submission
	123.90	Policy 53	Frost protection volumes included within allocation limits, and subject to minimum flows	Oppose	HortNZ opposes the proposal as it is not accompanied by any effects based argument. Frost protection is critical for the protection of permanent horticultural crops and can and should not be unnecessarily restricted.	Disallow submission
	123.91	Policy 54 & 58 & TANK 17	Seek prohibition of run of river damming	Oppose	Without a definition of 'run-of-river damming' it is unclear how far-reaching this proposal is. HortNZ is generally opposed to blanket prohibitions unless the basis for this is clearly established, which it is not in this case. As noted above, the ability to create dams in which to store high flow water is critical	Disallow submission

					to the availability of any new water within the TANK catchments, therefore all provisions relating to the take and storage of that water need to be carefully considered.	
123.92	Policy 55	High flow takes are not permitted at anything under three times median flow	Oppose		The availability of high flow water provides the only avenue for new takes under the proposed PC9 regime, therefore HortNZ submits that it is critical that the volume available is not unnecessarily restricted. The calculation of allocations and trigger flows for high flow takes should be supported by scientific assessment and focus on the maintenance of values and functions associated with the relevant water body.	Disallow submission
123.96	TANK 1-6	Regulate productive land use in priority catchments	Oppose		HortNZ has concerns about blanket regulation of all production land use and believe that it should be required only on an effects basis. HortNZ in its own submission raised concerns about the lack of clarity about where and what the extent of the priority catchments were, and until this is clarified, have reservations about the submitters proposed approach, as the scale of what is sought is unclear, and therefore HortNZ is unable to understand what the potential impact on growers could be – noting also that the nutrient losses of different type of horticulture vary significantly, which further justifies a more nuanced approach based on actual and potential effects being adopted.	Disallow submission
123.97	TANK 1-6	Control use of production land for farming in all other catchments to main water quality	Oppose		As highlighted above, HortNZ is opposed to blanket regulation and favours a nuanced approach based on the actual and potential effects of production land use. HortNZ does not believe that regulation of all production land use is necessary nor appropriate, and also would create a huge (and arguably unnecessary) workload for HBRC – which is a practical consideration that should be taken into account.	Disallow submission
123.2	TANK 10	Seek that all takes not essential for the health needs of people and communities cease when minimum flows are reached	Support in part		The ability for growers of domestic food supply to take water for irrigation below minimum flows is arguably essential for the health needs of people and on this basis HortNZ would support in part what the submitters is seeking.	Allow submission in part

	123.106	TANK 11, 12 & 16	Seek that all takes outside of allocation limits (including frost protection) are prohibited	Oppose	HortNZ is opposed to the proposed prohibited activity status because this removes any ability for any further consents to be granted which in HortNZ's experience is problematic because there are always legitimate uses that arise that are not foreseen at the time of plan drafting. Non-complying activity status provides the ability for the consent authority to approve consent for such uses, in the rare, but arguably foreseeable circumstances that legitimate new water uses arise.	Disallow submission
	123.117	RRMP Rule 7	Increase setbacks for vegetation clearance and cultivation to 10m	Oppose	HortNZ opposes a blanket 10m setback as it potentially makes tracts of land that could be used for the development of permanent horticultural crops unusable. The more nuanced approach proposed in TANK, based on risk due to slope, is favoured.	Disallow submission
	123.147	Schedule 30	Outcome sought by submitter is unclear	Oppose	HortNZ supports the use of farm plans to manage land use because of their ability to be tailored to a particular property and focus on the risks that are present there. HortNZ also strongly supports a collective approach to managing land use, as again, this allows mitigation efforts to be specifically targeted, and catchment based, rather than focusing on change on individual properties which may not actually be necessary. HortNZ notes that Part 9A of the Resource Management Amendment Act 2020 sets out a regulatory framework for farm plans and establishes consequences if a farm plan is not completed, and are supportive of farm plans being recognised and used as a tool within PC9 to help achieve improvements in land use practices.	Disallow submission
	123.4	Schedule 31	Ensure all allocation limits are less than 30% MALF	Oppose	HortNZ is opposed to the imposition of a blanket based approach to the setting of allocation limits, and supports a bespoke, evidence based approach.	Disallow submission
	Various incl 123.5	Schedule 31	Seek various amendments to minimum flows and allocation limits	Oppose	HortNZ opposes the proposal as it is not accompanied by any effects based argument, nor a thorough assessment across all of the well beings (environmental, cultural, social and economic) of what the effects of the proposal would be. Without that, no one, including the submitter can be cognisant of the effects of the request therefore HortNZ opposes the change sought.	Disallow submission
	123.148		Seek addition of minimum	Oppose	HortNZ is not aware of any evidential basis that supports this submission and cautions that similar approaches have been taken in other parts of the country that have not worked.	Disallow submission

			groundwater levels			
	123.6	Schedule 32	Set high flow allocation that ensure hydrological alternation of flow regime is minimised and maintained close to natural flow regimes	Oppose	The availability of high flow water provides the only avenue for new takes under the proposed PC9 regime, therefore HortNZ submits that it is critical that the volume available is not unnecessarily restricted. The calculation of allocations should be supported by scientific assessment and focus on the maintenance of values and functions associated with the relevant water body.	Disallow submission
Te Taiwhenua o Te Whanganui a Orotu, 127	127.6	Policy 37	Reduce allocation over 10 years to 70 million m ³ , which includes a cultural allocation to both mana whenua and iwi, and to wai/water	Oppose	Arbitrarily adopting a new limit until further investigations can be done will have a detrimental impact on the ability of horticultural growers to produce crops. Irrigation systems are designed based on rate and volumes in water permits – changes to these require irrigation system redesign which takes time and may also necessitate other changes to operations. The submitter has not provided an effects based argument in support of this proposal. HortNZ supports the gathering of further information about actual and reasonable water use, but this must be done in a considered way over a realistic timeframe.	Disallow submission
	127.18	Tank 1-6	Control the use of production land in all catchments to maintain water quality	Oppose	HortNZ has concerns about blanket regulation of all production land use and believe that it should be required only on an effects basis. HortNZ in its own submission raised concerns about the lack of clarity about where and what the extent of the priority catchments were, and until this is clarified, have reservations about the submitters proposed approach, as the scale of what is sought is unclear, and therefore HortNZ is unable to understand what the potential impact on growers could be – noting also that the nutrient losses of different type of horticulture vary significantly, which further justifies a more nuanced approach based on actual and potential effects being adopted.	Disallow submission
	127.19	TANK 1 & 2	Require farm plans for all properties under 4ha	Oppose	HortNZ is opposed to the proposal to require farm plans for all properties over 4ha, and if alignment with any other regulations is to be sought instead support alignment with Part 9A of the Resource Management Amendment Act 2020. For the record,	Disallow submission

					HortNZ is also comfortable with the proposed 10ha farm size proposed in PC9 being maintained.	
	127.20	RRMP Rule 7	Increase setbacks for vegetation clearance and cultivation to 10m	Oppose	HortNZ opposes a blanket 10m setback as it potentially makes tracts of land that could be used for the development of permanent horticultural crops unusable. The more nuanced approach proposed in TANK, based on risk due to slope, is favoured.	Disallow submission
Hawke's Bay Regional Council, 129	129.2	Policy 39	New wording for policy	Support in part	HortNZ supports PC9 enabling the further investigation, and if feasible, establishment of stream flow maintenance and habitat enhancement schemes, and support the more active role that HBRC proposes to have in the further work related to those, however notes that further refinement of the wording of the policy may be required to make the intent of the policy clearer.	Allow submission
	129.7	TANK 5 & 6	Proposed changes to wording	Support in part	HortNZ supports the proposed wording changes, as they clarify the rule, however still seek an exemption for small areas of vegetable expansion to occur, as set out in HortNZ's original submission.	Allow submission insofar as the drafting of both rules needs to be revisited
	129.37	Schedule 29	Various amendments	Support in part	HortNZ supports further refinement of Schedule 29.	Allow submission insofar as amendments to Schedule 29 are considered necessary to improve its workability
Te Taiwhenua o Heretaunga, 132	132.125	Policy 37	Introduce a capped total groundwater allocation limit of 70 million m ³ per annum	Oppose	Arbitrarily adopting a new limit until further investigations can be done will have a detrimental impact on the ability of horticultural growers to produce crops. Irrigation systems are designed based on rate and volumes in water permits – changes to these require irrigation system redesign which takes time and may also necessitate other changes to operations. The submitter has not provided an effects based argument in support of this proposal. HortNZ supports the gathering of further information about actual	Disallow submission

					and reasonable water use, but this must be done in a considered way over a realistic timeframe.	
132.75 & 132.59	Policy 48	Prevent transfers from unconfined to confined areas of Heretaunga aquifer	Oppose	HortNZ opposes the proposal as it is not accompanied by any effects based argument.	Disallow submission	
132.120	TANK 7 & 8	Limit total volume to 60 m ³ /wk	Oppose	HortNZ opposes the proposal as it is not accompanied by any effects based argument.	Disallow submission	
132.159	TANK 9 & 10	Reduce water on pro-rata basis by 12.5%	Oppose	HortNZ opposes proportional clawbacks as the suggestion is not accompanied by any effects based argument.	Disallow submission	
132.60 & 132.50	TANK 9-11	Require applications for existing and new consents for irrigation to be discretionary, notified to tangata whenua and granted for only 10 years	Oppose	HortNZ opposes the proposal as it is not accompanied by any effects based argument.	Disallow submission	
132.68	New Rule 11A	Create limit of 80 kg/ha/yr for N application from all sources as restricted discretionary activity in sensitive catchments and catchments where water quality objectives are not being met	Oppose	HortNZ opposes the proposal as it is not accompanied by any effects based argument.	Disallow submission	
132.138	New Rule?	Limit N application from all sources in all	Oppose	While HortNZ supports a different allowance for vegetable cropping, in the first instance HortNZ is opposed to the proposal as it is not accompanied by any effects based assessment.	Disallow submission	

			other areas to 120 kg/ha/yr, with allowance for intensive vegetable cropping of 150 kg/ha/yr		.	
132.55	New Rule		Irrigation outside of 1 November-30 April is non-complying activity	Oppose	HortNZ opposes the proposal as it is not accompanied by any effects based argument.	Disallow submission
132.62 & 132.52	New Rule		Prohibit water takes outside of allocations volumes	Oppose	HortNZ is opposed to the introduction of such a prohibited activity rule, as this removes any ability for consents for activities to be granted, which in HortNZ's experience is problematic because there are always legitimate uses that arise that have not foreseen at the time of plan drafting. Non-complying activity status provides the ability for the consent authority to approve consent for such uses, in the rare, but arguably foreseeable circumstances that new, legitimate water uses arise.	Disallow submission
132.189	New Rule		Classify as prohibited activity abstraction for irrigation below minimum flow	Oppose	Provision must be made to take water below minimum flow to enable the survival of horticultural tree crops, as the death of these would have ongoing economic and social effects that impact the entire community. The ability for growers of domestic food to continue to take water below minimum flows is also critically important, and arguably essential for the maintenance of public health and the communities well-being and health, and must be provided for.	Disallow submission
132.115	New Rule?		Charge 0.5 cents per kg of N leached above 12 kg/ha/yr for land use activities where nitrogen is applied directly to land	Oppose	HortNZ opposes the proposal as it is not accompanied by any effects based argument, nor any information outlining what the money collected would be used for. The mechanism by which this could be required is also unclear, and arguably not able to be achieved through a regional plan.	Disallow submission
132.127	New Rule?		Charge all irrigators 10c/m ³	Oppose	HortNZ opposes the proposal as it is not accompanied by any effects based argument, nor any information outlining what the money collected would be used for, or justifying its collection.	Disallow submission

					The mechanism by which this could be required is also unclear, and arguably not able to be achieved through a regional plan.	
	132.97	Schedule 28?	Include sensitive catchment criteria and include restrictions on fertiliser use and nutrient limits of 80kg/ha/yr from all sources	Oppose	HortNZ submits that the identification of priority catchments in Schedule 28 is essentially a more refined approach that seeks to achieve a similar outcome as the identification of sensitive catchments did in the RRMP. HortNZ also notes that any restriction on nutrient use needs to be load based not per ha as this reflects the effects based premise of the RMA.	Disallow submission
	132.113	Schedule 29	Remove any threshold allowance or increase in N leaching calculations and LUC classes	Oppose	HortNZ opposes the proposal as it is not accompanied by any effects based argument.	Disallow submission
	132.55	Schedule 31	Restrict irrigators to 'irrigation season' from 1 Nov to 30 April	Oppose	HortNZ opposes the proposal as it is not accompanied by any effects based argument.	Disallow submission
	132.118		Count surface water depletion effects above 0.5L/s in surface water allocation, and make subject to minimum flows	Oppose	HortNZ opposes the proposal as it is not accompanied by any effects based argument.	Disallow submission
	Various incl 132.128, 132.117, 132.90	Schedule 31, and new Tables and Policies	Various changes to allocation and minimum flow regimes	Oppose	Any changes to minimum flows and allocation limits would need to be supported by a robust, multi-faceted assessment that explored all potential impacts of an changes, and HortNZ is not aware this has been undertaken, therefore impacts on growers at this stage are unknown, and any proposed changes opposed by HortNZ.	Disallow submission
	132.47	Schedule 32	Various restrictions on high flow allocation	Oppose	HortNZ opposes the proposal as it is not accompanied by any effects based argument.	Disallow submission

	132.133	Schedule 35?	Expand Drinking water source Protection Zone 3	Oppose	HortNZ opposes the proposal as it is not accompanied by any effects based argument.	Disallow submission
Ravensdown Limited, 135	135.52 & 135.53	TANK 5 & 6	Amend status to discretionary	Oppose in part	HortNZ disagrees that there is a need for PC9 to align with the NES-F, given that PC9 is a catchment specific framework that has been developed in consultation with the local community. The NES-F essentially provides a default position around intensification until catchment specific plan changes like PC9 are done, therefore HortNZ does not agree with the reason for change cited by the applicant.	Disallow submission
	135.62	Schedule 29	Delete schedule in its entirety	Oppose	HortNZ opposes the proposed deletion of this schedule. While HortNZ suggested amendments to the Schedule in its own submission, HortNZ strongly supports the ongoing inclusion of a catchment specific land use intensification framework within PC9 – particularly given the importance of the TANK catchments as horticultural growing areas.	Disallow submission
Environmental Defence Society Inc, 198	198.13	TANK 1-6	Control the use of production land for farming in all catchments to maintain water quality	Oppose	HortNZ is opposed to blanket regulation and favours a nuanced approach based on the actual and potential effects of production land use. HortNZ does not believe that regulation of all production land use is necessary nor appropriate, and also would create a huge (and arguably unnecessary) workload for HBRC – which is a practical consideration that should be taken into account.	Disallow submission
	198.5	Schedule 31	Require all takes to cease at minimum flows except essential water takes for human drinking water	Oppose	Provision must be made to take water below minimum flow to enable the survival of horticultural tree crops, as the death of these would have ongoing economic and social effects that impact the entire community. The ability for growers of domestic food to continue to take water for irrigation below minimum flows is also essential and must be provided for.	Disallow submission
	198.7		Increase minimum flow on Ngaruroro	Oppose	Any changes to minimum flows would need to be supported by a robust, multi-faceted assessment that explored all potential impacts of an increase, and HortNZ is not aware this has been undertaken, therefore impacts on growers at this stage are unknown	Disallow submission
	198.6	Schedule 32	Set high flow allocations for all rivers that ensure	Oppose	The availability of high flow water provides the only avenue for new takes under the proposed PC9 regime, therefore HortNZ submits that it is critical that the volume available is not	Disallow submission

			that alteration to the hydrological regime is minimised		unnecessarily restricted. The calculation of allocations should be supported by scientific assessment and focus on the maintenance of values and functions associated with the relevant water body.	
Hastings District Council, 207	207.2	Objective 16	Amend to allow allocation of water in accordance with successive versions of HPU DS (2017) and/or any requirements prescribed under a NPS on Urban Development	Oppose	HortNZ is firmly of the view that all water permit holders must take steps to achieve efficiency gains and the submitters proposed amendment appears to seek an exemption from that for the submitter. The water resource is limited and all water users must learn to manage within limits.	Disallow submission
	207.3 & 207.4	Policy 36 & 37	Amendments to existing wording of Policies 36 and 37 to allow new takes in 'exceptional circumstances'	Support	HortNZ supports the proposed changes as they acknowledge that there are potentially unprecedented and unforeseen circumstances in which new takes may be necessary and appropriate, and the proposed amendments provides guidance about how decisions on those should be made.	Allow submission
	207.8	Policy 40	Allow transfer of allocated but unused water if it is to be used to assist augmentation	Support	HortNZ supports the proposed amendment as it clarifies the policy.	Allow submission
Royal Forest and Bird Protection Society of New Zealand, 210	210.105	Policy 22	Seek 10m minimum setback	Oppose	HortNZ opposes blanket 10m setback as it potentially makes tracts of land that could be used for the development of permanent horticultural crops unusable. The more nuanced approach proposed in TANK, based on risk due to slope is favoured.	Disallow submission
	210.72	Policy 51	Delete reference to horticultural crops	Oppose	Provision must be made to take water below minimum flow to enable the survival of horticultural tree crops, as the death of these have ongoing economic and social effects that impact the entire community. The ability for growers of domestic food to	Disallow submission

					continue to take water below minimum flows is also critically important and must be provided for.	
210.74	Policy 53	Make frost protection subject to allocation limits and minimum flows	Oppose	HortNZ opposes the proposal as it is not accompanied by any effects based argument.	Disallow submission	
210.75	Policy 54	Seek prohibition of all dams in river channels	Oppose	HortNZ is generally opposed to blanket prohibitions unless the basis for this is clearly established, which it is not in this case. As noted above, the ability to create dams in which to store high flow water is critical to the availability of any new water within the TANK catchments, therefore all provisions relating to the take and storage of that water need to be carefully considered.	Disallow submission	
210.77	Policy 56	Seek deletion of policy in its entirety	Oppose	As noted above, the ability to take and store high flow water is critical to the availability of any new water within the TANK catchments, therefore all provisions relating to the take and storage of that water need to be carefully considered, and deletion of this policy would not aid the consistent interpretation and application of the high flow storage framework.	Disallow submission	
210.82, 210.83 & 210.86	TANK 1, 2 & 5	Amend to give effect to the NPSFM2020	Support in part	HortNZ supports the alignment of PC9 with the NPSFM2020 where it is within scope, however it is unclear what relief the submitters believe is necessary to align the rules with the NPSFM2020. HortNZ notes that the very general nature of relief sought by the submitter throughout the entire submission made it difficult to provide more specific feedback on.	Allow submission in part	
210.87	TANK 6	Amend to provide more scope for public notification of applications	Oppose	Sections 95-95G of the RMA set out clear tests for the notification of consent applications. HortNZ does not believe there is any need to add additional direction into PC9 regarding notification.	Disallow submission	
210.95 & 210.97	TANK 14 & 16	Prohibited dams unless out of stream	Oppose	HortNZ opposes the proposal as it is not accompanied by any effects based argument.	Disallow submission	
210.98	TANK 17	Amend list to include all water bodies in region	Oppose	HortNZ opposes the proposal as it is not accompanied by any effects based argument.	Disallow submission	
210.99	TANK 18	Delete rule and associated framework	Oppose	HortNZ opposes the proposal as it is not accompanied by any effects based argument.	Disallow submission	

	210.105	RRMP 7	Increase setback to 10m	Oppose	HortNZ opposes a blanket 10m setback as it potentially makes tracts of land that could be used for the development of permanent horticultural crops unusable. The more nuanced approach proposed in TANK, based on risk due to slope is favoured.	Disallow submission
	210.140	Schedule 30	Relief sought is unclear – appears to seek regulation of all farming activities for which a farm plan is required	Oppose	HortNZ has concerns about blanket regulation of all production land use and believe that it should be required only on an effects basis. HortNZ notes that Part 9A of the RMA Amendment Act 2020 sets out a regulatory framework for farm plans and establishes consequences if a farm plan is not completed. HortNZ is supportive of farm plans being recognised and used as a tool within PC9 to help achieve improvements in land use practices but sees no justification for regulation of all activities that require a farm plan.	Disallow submission
	210.142	Schedule 31	Various changes to minimum flows and allocations	Oppose	Any changes to minimum flows and allocation limits would need to be supported by a robust, multi-faceted assessment that explored all potential impacts of an increase, and HortNZ is not aware this has been undertaken by the applicant, therefore impacts on growers at this stage are unknown	Disallow submission
	210.147	Schedule 32	Increase flow at which high flow allocation is allowed. Reduce allocation amount.	Oppose	The availability of high flow water provides the only avenue for new takes under the proposed PC9 regime, therefore HortNZ submits that it is critical that the volume available is not unnecessarily restricted. The calculation of allocations and trigger flows should be supported by scientific assessment and focus on the maintenance of values and functions associated with the relevant water body.	Disallow submission
Hawke's Bay District Health Board, 233	233.11	Policy 6	Seek to extend definition of water source protection zone to include all registered water supplies serving 25 persons or more.	Oppose in part	HortNZ has concerns about the relief sought by the submitter given the potentially large number of registered drinking water supplies located near horticultural growing operations, and the impact that the proposed change would have on those growers. HortNZ would need to know the locations of all supplies that would be picked up if this change was to be made, before it could understand the potential impact on growers, and be comfortable that the request would not potentially render productive soils that are limited in their extent unusable for horticultural growing purposes.	Disallow submission unless further information is provided.

	233.25	Schedule 30	Specify frequency of farm plan auditing	Oppose in part	While HortNZ recognises and agrees that the auditing of farm plans is and will continue to be an important part of realising improvements in farm management practices, HortNZ has concerns about auditing frequency being specified within Schedule 30, when the regulations relating to freshwater farm plans that are currently being drafted by central government are expected to specify auditing frequencies, and there seems no benefit in potentially creating an inconsistency between those impending regulations and PC9.	Disallow submission
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Further Submission on Proposed Plan Change 9: Hawke's Bay Regional Resource Management Plan

PLEASE NOTE: your submission will become part of a public record of Council documents. This will mean your name, address and contact details will be searchable by other persons.

Name: (required) Ezekiel Hudspith
Organisation: Pernod Ricard Winemakers New Zealand Limited
Postal address: (required) 89 the Terrace, Wellington, 6011
.....
Email address: ezekiel.hudspith@dentons.com
Phone number: +64 4 498 0849
Contact person and address if different to above:

Please tick the sentence that applies to you:

I am a person representing a relevant aspect of the public interest.

Please specify the grounds for saying that you come within this category:

.....
.....

I am a person who has an interest in the proposal that is greater than the interest the general public has.

Please specify the grounds for saying that you come within this category:

.....
.....

Do you wish to be heard in support of your submission?

Yes / No

If others make a similar submission, would you consider presenting a joint case with them at a hearing?

Yes No

Signature:  Date: 9.12.2020

NB: Space for writing submissions is overleaf.

Send written submissions to:

Hawke's Bay Regional Council
Private Bag 6006
NAPIER

or fax to:
(06) 835-3601

or email to:
eTANK@hbrc.govt.nz

Deadline for Submissions:

**5pm Wednesday 9 December
2020**

No submissions will be accepted after this deadline. The deadline will not be further extended.

OFFICE USE ONLY

SUBMISSION ID#

Date Received:

Database Entry Date:

Database Entry Operator:

Submission Details

Please attach more pages if necessary. If you do not wish to use this form, please ensure that the same information required by this form is covered in your submission. Further information on how to make a further submission and the submission process is available on the Regional Council website.

I support oppose the submission of:

Name of original submitter:

Address of original submitter:

Submission number of original submission:

The particular parts of the submission I support oppose are:

Please see details of further submissions attached.

The reasons for my support opposition are:

[Clearly indicate whether you support or oppose the specific provisions or wish to have them amended along with reasons]

Please see details of further submissions attached.

I seek that the whole or part of the submission be allowed disallowed

[Please give precise details to ensure your views are accurately represented]

Please see details of further submissions attached.

REMINDER: SUBMISSIONS MUST REACH COUNCIL BY 5PM ON 9 DECEMBER 2020

A copy of your submission must be served on the original submitter within 5 working days after it is served to the council.

HBRC proposed Plan Change 9 – Further submissions for Pernod Ricard Winemakers New Zealand Limited

FURTHER SUB. NUMBER	PRIMARY SUBMITTER NAME	SUBMISSION NUMBER	PC7 PROVISION	SUPPORT OR OPPOSE PRIMARY SUBMISSION	THE REASONS FOR PRW'S SUPPORT/OPPOSITION FOR THE PRIMARY SUBMISSION ARE:	PRW SEEKS THAT THE RELIEF SOUGHT IN THIS PART OF THE PRIMARY SUBMISSION BE:
1.	Delegat Limited	8.31	POL TANK 36	Support	Pernod Ricard supports the relief sought, for the reasons set out in the Delegat submission.	Granted, or such similar / alternative amendments made as would address the submission in a manner consistent with the relief sought by Pernod Ricard.
2.	Delegat Limited	8.32	POL TANK 36	Support	Pernod Ricard supports the relief sought, as it also has concerns with the use of unqualified or indefinite requirements to reduce usage or effects.	Granted or such similar / alternative amendments made as would address the submission in a manner consistent with the relief sought by Pernod Ricard..
3.	Delegat Limited	8.33	POL TANK 36	Support in part	Pernod Ricard supports the relief sought, or other changes to similar effect in order to clarify that such abstraction and storage is possible.	Granted or such similar / alternative amendments made as would address the submission in a manner consistent with the relief sought by Pernod Ricard.
4.	Delegat Limited	8.34	POL TANK 37	Support	Pernod Ricard also has concerns with the arbitrary August 2017 cut-off date, and considers that the relevant date should be up until the time that the plan change was notified.	Granted, or such similar / alternative amendments made as would address the submission in a manner consistent with the relief sought by Pernod Ricard.

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5.	Delegat Limited	8.35, 8.36, 8.37, 8.38 and 8.39	POL TANK 37, 39, 40, 45. Schedule 36	Support	Pernod Ricard supports the use of stored water to mitigate stream depletion.	Granted.
6.	Delegat Limited	8.44	POL TANK 47	Support in part	Pernod Ricard supports these amendments or comparable amendments to clarify that the IRRICALC water demand model is one of many possible options, and also to note the importance of having accurate crop type, soil type, climactic conditions, and other inputs for the use of such models.	Granted or such similar / alternative amendments made as would address the submission in a manner consistent with the relief sought by Pernod Ricard.
7.	Delegat Limited	8.45	POL TANK 53	Oppose in part	Pernod Ricard considers that in some instances frost protection is most appropriately carried out with water. This requirement may be an undue burden on irrigators.	Declined.
8.	Delegat Limited	8.50, 8.51, 8.52	Chapter 6 New Regional Rules – 6.10.1 Rule 9, 10. Plan Change 9	Support	Pernod Ricard also opposes the use of 1 August 2017 as a cut-off date, and supports this being brought forward to the time that PC9 was notified.	Granted.
9.	Delegat Limited	Other submission points not specifically listed		Support in part	Pernod Ricard supports the balance of Delegat's submission points insofar as they are consistent with: - the concerns raised and relief sought by Pernod Ricard in its primary	Granted, insofar as this is consistent with the relief sought by Pernod Ricard, and the NPSFM 2020.

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					submissions, or these further submissions; and - the NPSFM 2020.	
10.	Hawke's Bay Winegrowers Association Inc.	29.1	Proposed TANK Plan Change 9	Support	Pernod Ricard also supports the overall intent of PC9 in implementing the NPS Freshwater 2014 (amended 2017).	Granted.
11.	Hawke's Bay Winegrowers Association Inc.	29.5	OBJ TANK 2	Support in part.	Pernod Ricard supports the relief sought, or similar amendments to this objective, noting the need to nonetheless give effect to the NPSFM 2020.	Granted, insofar as relief sought gives effect to the NPSFM 2020.
12.	Hawke's Bay Winegrowers Association Inc.	29.6	OBJ TANK 7	Support	Pernod Ricard agrees that OBJ TANK 7 should be qualified so as not to require absolute or indefinite reductions in contaminant loss. Any such requirements should be proportional to the actual degree of nutrient leeching.	Granted.
13.	Hawke's Bay Winegrowers Association Inc.	29.7	OBJ TANK 16	Support in part	Pernod Ricard also submitted on OBJ TANK 16 to similar effect, and considers that the suggested amendment by Hawke's Bay Winegrowers as one way in which to address the concerns in its submission. Pernod Ricard also agrees with this classification/prioritisation of Water bottling.	Granted, or such similar / alternative amendments made as would address the submission in a manner consistent with the relief sought by Pernod Ricard.

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14.	Hawke's Bay Winegrowers Association Inc.	29.8	OBJ TANK 18	Support	Pernod Ricard supports the relief sought because it is the use or application of water that provides for the current and foreseeable future water needs of future generations, not simply just the storage of that water.	Granted, or such similar / alternative amendments made as would address the submission in a manner consistent with the relief sought by Pernod Ricard.
15.	Hawke's Bay Winegrowers Association Inc.	29.9	POL TANK 34 Priority Management Approach	Support	Pernod Ricard supports the relief sought by Hawke's Bay Winegrowers, as it would result in a more collaborative management process.	Granted.
16.	Hawke's Bay Winegrowers Association Inc.	29.10	POL TANK 6, 7, and 8.	Support	Pernod Ricard supports the relief sought, as the provisions as currently drafted result in unnecessary cost and duplication. The assessment of actual or potential effects of activities in the SPZs on Registered Drinking Water Supplies can be adequately considered in Farm Environment Plans, Catchment Collectives and Industry Programmes.	Granted, or such similar / alternative amendments made as would address the submission in a manner consistent with the relief sought by Pernod Ricard.
17.	Hawke's Bay Winegrowers Association Inc.	29.11	POL TANK 17	Support	Pernod Ricard supports the wording sought (or similar wording to the same effect) as providing greater flexibility for the structures that may be required to establish these programmes.	Granted, or such similar / alternative amendments made as would address the submission in a manner consistent with the relief sought by Pernod Ricard.

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18.	Hawke's Bay Winegrowers Association Inc.	29.12	POL TANK 21	Support	Pernod Ricard supports the relief sought, as Policy 21.d unnecessarily fetters land use change, and disproportionately affects viticulture as a low nitrogen source land use.	Granted.
19.	Hawke's Bay Winegrowers Association Inc.	29.13	Heading – 'Industry Programmes and Catchment Management'	Support	Pernod Ricard agrees that the heading "Industry Programmes and Catchment Collectives" better reflects the contents of Policies 23-25.	Granted.
20.	Hawke's Bay Winegrowers Association Inc.	29.14	POL TANK 23, 24, and 25.	Support	Pernod Ricard agrees that references should be to something other than 'landowners', given that it will not always be the owner of the land who is involved in this process (for example where land is leased).	Granted.
21.	Hawke's Bay Winegrowers Association Inc.	29.15	POL TANK 25	Support in part	Pernod Ricard supports the intention of this change, but suggests that references to landowners should be updated to provide for circumstances where farms are not owned and operated by the landowner.	Granted, insofar as the relief sought is consistent with that sought in Pernod Ricard's primary submission.
22.	Hawke's Bay Winegrowers Association Inc.	29.16	POL TANK 26	Support	Pernod Ricard considers that the relief sought better reflects the operation of the Catchment Collective or Industry Programme compliance mechanisms,	Granted.

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					and provides clarity in the operation of Policy 26.	
23.	Hawke's Bay Winegrowers Association Inc.	29.17	POL TANK 27	Support	Pernod Ricard in its primary submission (25) also sought a more consistent approach to the timeframes in Table 1.	Granted, insofar is the relief is consistent with that sought by Pernod Ricard in its primary submissions.
24.	Hawke's Bay Winegrowers Association Inc.	29.19	POL TANK 36	Support	Pernod Ricard also sought amendments to Policy 36.f and g in its primary submission (27-28), seeking drafting to encourage greater efficiency in groundwater abstraction. The drafting sought by Hawke's Bay Winemakers reads to the same effect.	Granted, insofar is the relief is consistent with that sought by Pernod Ricard in its primary submissions.
25.	Hawke's Bay Winegrowers Association Inc.	29.20	POL TANK 37	Support	Pernod Ricard considers that the amendment proposed more accurately reflects the status of the 90m m ³ total.	Granted, or such similar / alternative amendments made as would address the submission in a manner consistent with the relief sought by Pernod Ricard.
26.	Hawke's Bay Winegrowers Association Inc.	29.21	POL TANK 37	Support in part	Pernod Ricard supports the change suggested, but maintains the view that further clarification is required as to what 'reallocation' means.	Granted, or such similar / alternative amendments made as would address the submission in a manner consistent with the relief sought by Pernod Ricard.

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27.	Hawke's Bay Winegrowers Association Inc.	29.22	POL TANK 37	Support	Pernod Ricard supports this submission, for the reasons set out in Hawkes Bay Winegrowers' submission.	Granted, insofar as the relief sought is consistent with that sought by Pernod Ricard in its primary submission.
28.	Hawke's Bay Winegrowers Association Inc.	29.23	POL TANK 37	Support	As set out in Pernod Ricard's primary submission i.e. to provide a more fulsome basis for comparison of past use.	Granted or such similar / alternative amendments made as would address the submission in a manner consistent with the relief sought by Pernod Ricard.
29.	Hawke's Bay Winegrowers Association Inc.	29.24	POL TANK 38	Support	Pernod Ricard supports this submission, for the reason set out in the Hawke's Bay Winegrowers submission.	Granted, insofar as the relief sought is consistent with that sought by Pernod Ricard in its primary submission.
30.	Hawke's Bay Winegrowers Association Inc.	29.25	POL TANK 39	Support in part	Pernod Ricard supports (subject to refinements) the proposed Policy 39 of Hawke's Bay Regional Council, as specified at further submission 100, below. Pernod Ricard supports the relief sought in the submission of Hawke's Bay Winegrowers insofar as it is consistent with its own relief sought.	Granted, insofar as the relief sought is consistent with that sought by Pernod Ricard in its primary submission and further submission.
31.	Hawke's Bay Winegrowers Association Inc.	29.26	POL TANK 41	Support	Pernod Ricard supports this addition, or amendments to similar effect to better describe the course of action at clause a.	Granted, or such similar / alternative amendments made as would address the submission in a manner

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						consistent with the relief sought by Pernod Ricard.
32.	Hawke's Bay Winegrowers Association Inc.	29.27	POL TANK 42	Support	Pernod Ricard sought similar amendments in its primary submissions in order to better clarify that the proposed actions could include ground water augmentation.	Granted, insofar is the relief is consistent with that sought by Pernod Ricard in its primary submissions.
33.	Hawke's Bay Winegrowers Association Inc.	29.28	POL TANK 45	Support	Pernod Ricard agrees that Policy 45 will need to be revised to reflect any changes to Policy 39.	Granted, insofar is the relief is consistent with that sought by Pernod Ricard in its primary submissions.
34.	Hawke's Bay Winegrowers Association Inc.	29.29	Glossary	Support	Pernod Ricard considers it important that the IRRICALC (or version of the model being used) is fit for purpose, and in this regard having a Hawke's Bay specific model would assist.	Granted, or such similar / alternative amendments made as would address the submission in a manner consistent with the relief sought by Pernod Ricard.
35.	Hawke's Bay Winegrowers Association Inc.	29.31	POL TANK 49	Support	Pernod Ricard supports the relief sought for the reasons set out in Hawke's Bay Winegrower's submission.	Granted.
36.	Hawke's Bay Winegrowers Association Inc.	29.32	POL TANK 49	Support in part	Pernod Ricard supports greater specificity being added to this clause, but queries whether 'Aqua recharge' schemes are intended to be different to 'ground water augmentation' schemes.	Granted, subject to reservations regarding aqua recharge schemes.

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37.	Hawke's Bay Winegrowers Association Inc.	29.33	POL TANK 51	Support	Pernod Ricard agrees that is crucial to have affected primary sector groups involved in decisions relating to priority water uses when levels have fallen below minimum standards. The considerations of the emergency water management group listed in Policy 51 include animal welfare, survival of horticultural crops, and minimum business uses.	Granted, or such similar / alternative amendments made as would address the submission in a manner consistent with the relief sought by Pernod Ricard.
38.	Hawke's Bay Winegrowers Association Inc.	29.34	POL TANK 52	Support	Pernod Ricard supports this as a consequential change to other changes that are sought.	Granted.
39.	Hawke's Bay Winegrowers Association Inc.	29.35	POL TANK 59	Support	Pernod Ricard considers it is appropriate for Policy 59 to distinguish between water for environmental enhancement, and water for Maori development, rather than simply combining in the same category.	Granted, insofar as the relief sought gives effect to the agreements in TANK.
40.	Hawke's Bay Winegrowers Association Inc.	29.36	POL TANK 60	Support in part	Pernod Ricard supports the amendments sought as an alternative to the relief sought in Pernod Ricard's own submission (which was to clarify that the matters set out in Policy 60 clauses c-f only apply to water takes contemplated under Policy 59).	Granted, or alternative relief consistent with the relief sought in Pernod Ricard's primary submission.
41.	Hawke's Bay Winegrowers Association Inc.	29.37 29.38	TANK 1 TANK 2	Support	Pernod Ricard supports changes to PC9 to better align with the Freshwater Farm Plan regime introduced by the Resource	Granted, or such similar / alternative amendments made as would address the

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					Management Amendment Act 2020, as set out in Pernod Ricard's primary submission (61).	submission in a manner consistent with the relief sought by Pernod Ricard.
42.	Hawke's Bay Winegrowers Association Inc.	29.39	TANK 4/5/6/9/10		Pernod Ricard agrees with Hawke's Bay Winegrowers that the rules create unnecessary duplication, as the risk of actual or potential effects of activities in the SPZs on Registered Drinking Water Supplies is required to be considered under Farm Environment Plans / Collectives.	Granted or such similar / alternative amendments made as would address the submission in a manner consistent with the relief sought by Pernod Ricard.
43.	Hawke's Bay Winegrowers Association Inc.	29.40	TANK 5	Support	Pernod Ricard agrees that Tank Rule 5 needs to be clarified (Presuming the summary is incorrect in referencing 'OBJ TANK 5').	Granted, or such similar / alternative amendments made as would address the submission in a manner consistent with the relief sought by Pernod Ricard.
44.	Hawke's Bay Winegrowers Association Inc.	29.41	TANK 6	Support	Again Pernod Ricard presumes this submission is directed at the Rule Tank 6 rather than OBJ Tank 6, and agrees that the numbers in Schedule 29 could be revised to provide more specific assistance.	Granted, or such similar / alternative amendments made as would address the submission in a manner consistent with the relief sought by Pernod Ricard.
45.	Hawke's Bay Winegrowers Association Inc.	29.42	TANK 11	Support	Pernod Ricard supports this exclusion being extended to include takes of water associated with release from a managed aquifer recharge scheme, as is this is essentially the equivalent of a take of	Granted.

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					water associated with independent releases of water from a water storage impoundment.	
46.	Hawke's Bay Winegrowers Association Inc.	29.43	TANK 22	Support	Pernod Ricard supports this change, in order to better clarify the relationship between the two rules.	Granted.
47.	Hawke's Bay Winegrowers Association Inc.	29.44	RRMP Rule 1	Support	Pernod Ricard suggests that this exclusion is appropriate.	Granted.
48.	Hawke's Bay Winegrowers Association Inc.	29.46	Schedule 29	Support	Pernod Ricard considers this is a sensible exclusion for the reasons given in Hawke's Bay Winegrowers submission, and further supports the clarification of the definition of 'soil disturbance'.	Granted.
49.	Hawke's Bay Winegrowers Association Inc.	29.47	RRMP new Rule 62a	Support	Pernod Ricard supports the relief sought as it also seeks amendment to Rule 62a to provide a more nuanced and clear guide as to when and to what extent water takes are considered to be stream depleting.	Granted, insofar as the relief sought is consistent with that sought by Pernod Ricard in its primary submission.
50.	Hawke's Bay Winegrowers Association Inc.	29.48	Schedule 29	Support	Pernod Ricard supports these changes as per further submission 44 above.	Granted, insofar as the relief sought is consistent with that sought by Pernod Ricard in its primary submission.

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51.	Hawke's Bay Winegrowers Association Inc.	29.49	Schedule 30	Support	Pernod Ricard supports for the reasons above at further submission 41.	Granted, insofar as the relief sought is consistent with that sought by Pernod Ricard in its primary submission.
52.	Hawke's Bay Winegrowers Association Inc.	29.50	Glossary	Support	Pernod Ricard supports for the reasons above at further submission 28.	Granted, insofar as the relief sought is consistent with that sought by Pernod Ricard in its primary submission.
53.	Hawke's Bay Winegrowers Association Inc.	29.64	Schedule 32	Support	Pernod Ricard supports the relief sought, for the reasons set out in Hawke's Bay Winegrower's submissions.	Granted, insofar as the relief sought is consistent with that sought by Pernod Ricard in its primary submission.
54.	Hawke's Bay Winegrowers Association Inc.	Other submission points not specifically listed		Support in part	Pernod Ricard supports the balance of Hawke's Bay Winegrowers Association Inc. submission points insofar as they are consistent with: <ul style="list-style-type: none"> - the concerns raised and relief sought by Pernod Ricard in its primary submissions, or these further submissions; and - the NPSFM 2020. 	Granted, in so far as this is consistent with the relief sought by Pernod Ricard, and the NPSFM 2020.
55.	Kent Griffiths	32.32	POL TANK 51	Support	Pernod Ricard supports these amendments in order to provide root stock protection to assist the survival of permanent horticultural crops, in the	Granted, in addition to the relief sought by Pernod Ricard in its primary submission.

FURTHER SUB. NUMBER	PRIMARY SUBMITTER NAME	SUBMISSION NUMBER	PC7 PROVISION	SUPPORT OR OPPOSE PRIMARY SUBMISSION	THE REASONS FOR PRW'S SUPPORT/OPPOSITION FOR THE PRIMARY SUBMISSION ARE:	PRW SEEKS THAT THE RELIEF SOUGHT IN THIS PART OF THE PRIMARY SUBMISSION BE:
					manner set out in Pernod Ricard's submission.	
56.	Kent Griffiths	32.33	POL TANK 52	Support	Pernod Ricard supports these amendments in order to provide root stock protection to assist the survival of permanent horticultural crops.	Granted, in addition to the relief sought by Pernod Ricard in its primary submission.
57.	Kent Griffiths	32.34	TANK 7	Support	Pernod Ricard supports these amendments in order to provide root stock protection to assist the survival of permanent horticultural crops.	Granted, in alternative (or addition) to the relief sought by Pernod Ricard in its primary submission.
58.	Kent Griffiths	32.35	TANK 8	Support	Pernod Ricard supports these amendments in order to provide root stock protection to assist the survival of permanent horticultural crops.	Granted, or such similar / alternative amendments made as would address the submission in a manner consistent with the relief sought by Pernod Ricard..
59.	Kent Griffiths	Other submission points not specifically listed		Support in part	<p>Pernod Ricard supports the balance of Kent Griffiths' submission points insofar as they are consistent with:</p> <ul style="list-style-type: none"> - the concerns raised and relief sought by Pernod Ricard in its primary submissions, or these further submissions; and - the NPSFM 2020. 	Granted, in so far as this is consistent with the relief sought by Pernod Ricard, and the NPSFM 2020.

FURTHER SUB. NUMBER	PRIMARY SUBMITTER NAME	SUBMISSION NUMBER	PC7 PROVISION	SUPPORT OR OPPOSE PRIMARY SUBMISSION	THE REASONS FOR PRW'S SUPPORT/OPPOSITION FOR THE PRIMARY SUBMISSION ARE:	PRW SEEKS THAT THE RELIEF SOUGHT IN THIS PART OF THE PRIMARY SUBMISSION BE:
60.	Hawke's Bay Fish and Game Council	58.6	OBJ TANK 4	Support in part	Pernod Ricard agrees that clarification of how past, current and future stakes in streams will be ascertained would be useful.	Granted, insofar as this is consistent with the relief sought in Pernod Ricard's wider submissions.
61.	Hawke's Bay Fish and Game Council	58.23	POL TANK 36 POL TANK 37	Oppose	Pernod Ricard has already raised concerns with the evidential basis for the interim 90 million m ³ limit, and as such is opposed to the use of a 70 million m ³ limit.	Declined.
62.	Hawke's Bay Fish and Game Council	58.24	POL TANK 39 POL TANK 40	Oppose in part	Pernod Ricard opposes the suggestion, particularly in the absence of further detail as to how a 'numeric assessment' might be carried out	Declined.
63.	Hawke's Bay Fish and Game Council	58.27	POL TANK 47	Oppose in part	Pernod Ricard supports the use of a 95% reliability standard as specified in policy 47.c, and as such opposes the relief sought.	Declined.
64.	Hawke's Bay Fish and Game Council	Submission points: all others not specifically referred to		Oppose in part	Pernod Ricard generally opposes the balance of the relief sought by Hawke's Bay Fish and Game, insofar as it is: <ul style="list-style-type: none"> - Inconsistent with the concerns raised and relief sought by Pernod Ricard in its original submission or these further submissions; and/or - It goes further than is required to 'give effect' to the NPSFM 2020. 	Declined.

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65.	Napier City Council	63.2	OBJ TANK 16	Support	It will be appropriate for the final plan provisions to reflect the HPUDS 2017 provisions.	Granted, or such similar / alternative amendments made as would address the submission in a manner consistent with the relief sought by Pernod Ricard.
66.	Napier City Council	63.3	POL TANK 36	Support	Pernod Ricard considers it may be appropriate to allow some further takes in 'exceptional circumstances' in the manner set out in Napier City Council's submission.	Granted, or such similar / alternative amendments made as would address the submission in a manner consistent with the relief sought by Pernod Ricard..
67.	Napier City Council	63.4	POL TANK 37	Support in part	Pernod Ricard agrees that new allocations based on actual use of previous years may not be a reasonable approach in all cases.	Granted, or such similar / alternative amendments made as would address the submission in a manner consistent with the relief sought by Pernod Ricard.
68.	Napier City Council	63.5	Heretaunga Plains Aquifer Management – New Policy 37A	Support in part	Pernod Ricard agrees in principle with the wording proposed for assessing new allocations.	Granted, subject to further consideration as to the application of Policy 37A.
69.	Napier City Council	63.7	POL TANK 39		Pernod Ricard agrees with proposed reordering given the Council should	Granted, or such similar / alternative amendments made as would address the

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					logically access and enable before it requires action. Pernod Ricard also supports a proposed water conservation strategy as outlined in the submission.	submission in a manner consistent with the relief sought by Pernod Ricard.
70.	Napier City Council	63.8	POL TANK 40	Support	Pernod Ricard considers that enabling transfers of this kind would facilitate more efficient water use.	Granted or such similar / alternative amendments made as would address the submission in a manner consistent with the relief sought by Pernod Ricard.
71.	Napier City Council	63.12	POL TANK 48	Support in part	Pernod Ricard supports aspects of the amendments sought, but considers the policy direction to prioritise water for primary production irrigation is appropriate. Pernod Ricard also has queries regarding the prioritisation of food processing.	Granted, insofar as relief is consistent with Pernod Ricard's concerns raised.
72.	Napier City Council	63.14	POL TANK 50	Support in part	Pernod Ricard supports the relief sought in future proofing the reference to the HPUDS 2017, and expanding the scope of consideration under the Policy beyond the ILI 4 tool.	Granted or such similar / alternative amendments made as would address the submission in a manner consistent with the relief sought by Pernod Ricard.
73.	Napier City Council	63.24	TANK 10	Support in part	Pernod Ricard broadly supports TANK 10 as drafted, however sees there may be	Granted, subject to further refinement and Pernod Ricard's primary submission.

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					value in refinement to refer to 'replacement' consents.	
74.	Napier City Council	63.27	TANK 11	Support	Pernod Ricard supports the relief sought insofar as it relates to removing prohibited activity status from activities which do not breach the existing allocation limit.	Granted.
75.	Napier City Council	63.30	Chapter 6.9 – Rule 62a	Support	Pernod Ricard agrees that the focus should be broader than human health needs, in that the amendment sought would better give effect to Policy 15 of the NPSFM 2020.	Granted.
76.	Napier City Council	63.53	5.10.6 Policies: Heretaunga Plains Groundwater Levels and Allocation Limits	Support in part	Pernod Ricard supports the relief sought to properly treat the interim aquifer limit as a target. Pernod Ricard has sought relief to similar effect in its primary submission (30).	Granted, insofar as relief is consistent with that sought by Pernod Ricard in its primary submission.
77.	Napier City Council	Other submission points not specifically listed		Support in part	Pernod Ricard supports the balance of Napier City Council's submission points insofar as they are consistent with: <ul style="list-style-type: none"> - the concerns raised and relief sought by Pernod Ricard in its primary submissions, or these further submissions; and - the NPSFM 2020. 	Granted, insofar as this is consistent with the relief sought by Pernod Ricard, and the NPSFM 2020.

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78.	Department of Conservation	123.2	'Water quantity'	Oppose	Pernod Ricard opposes the relief sought insofar as this would be contrary to the relief that is sought with respect to 'root protection water'.	Declined.
79.	Department of Conservation	123.4	'Water quantity'	Oppose in part	Pernod Ricard queries whether an arbitrary limit across the board of the percent MALF is appropriate, or whether a more nuanced set of controls is consistent with the national objectives framework of the NPSFM 2020 is required.	Declined, except where relief sought is consistent with the NPSFM 2020.
80.	Department of Conservation	123.5	OBJ TANK 11	Oppose	Pernod Ricard considers that the currently proposed minimum flows are sufficient, and has supported OBJ TANK 11 as set out in its primary submission.	Declined.
81.	Department of Conservation	123.52	POL TANK 17	Oppose in part	While Pernod Ricard broadly supports the outcomes being sought, it is not clear how feasible it will be to meet all of the Schedule 26 objectives by 2040 (and notably the NPSFM is flexible about when environmental outcomes are to be achieved).	Declined, or any amendments of the kind proposed in the submission are tested for feasibility in terms of when the various objectives and targets in Schedule 26 are realistically achievable.
82.	Department of Conservation	123.74 and 123.75	POL TANK 39 POL TANK 40	Oppose	Pernod Ricard supports the concept of stream flow maintenance.	Declined.

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83.	Department of Conservation	123.83	POL TANK 48	Oppose	Pernod Ricard opposes the blanket ban on transfers suggested by the submitter: there should be a pathway to show that a proposed transfer will not have a material adverse effect on instream values, and/or as effectively already deemed to be part of the existing environment because the original water permit has already been granted.	Declined.
84.	Department of Conservation	123.84	POL TANK 47	Support	Pernod Ricard agrees that applicants should be allowed to use their own more detailed soil information within IRRICALC, where available.	Granted, insofar as relief is consistent with that sought by Pernod Ricard in its primary submission.
85.	Department of Conservation	123.85	POL TANK 48	Support	Pernod Ricard supports recognition of the option of transferring surface water to ground water permits, and the allowance of alternative defensible models and methods.	Granted, insofar as relief is consistent with that sought by Pernod Ricard in its primary submission.
86.	Department of Conservation	123.86	POL TANK 49	Oppose	Pernod Ricard considers that the timeframes in PC9 are already fairly short in duration.	Declined.
87.	Department of Conservation	123.88	POL TANK 51	Oppose	Pernod Ricard opposes the removal of reference to horticultural crops and primary production, as has elsewhere sought for expanded recognition of the use of water towards those ends during times of water shortage.	Declined.

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88.	Department of Conservation	123.90	POL TANK 53	Oppose	Pernod Ricard considers the Policy is appropriate as it stands, subject to amendments sought by Pernod Ricard in its primary submissions.	Declined.
89.	Department of Conservation	123.91	POL TANK 54	Oppose in part	Pernod Ricard has some concerns about controls on damming, subject to how damming is defined in the Plan (noting that quite restrictive definitions have been sought elsewhere e.g. in the water conservation order context).	Declined, subject to concerns around the definition of damming.
90.	Department of Conservation	123.104	TANK 9	Oppose in part	Pernod Ricard agrees with a requirement to determine/demonstrate that a groundwater take has a 'high' or 'direct' connection to surface water before the take is required to cease, however, greater clarity is still considered necessary in relation to what a 'high' or 'direct' connection to surface water would be.	Declined.
91.	Department of Conservation	123.106	TANK 11	Oppose	Pernod Ricard opposes the relief sought and underlying rationale, which will effectively preclude any stream augmentation schemes (i.e. where takes are associated with and dependent on release of water from a water storage impoundment).	Declined.

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92.	Department of Conservation	123.108, 123.109 and 123.110	TANK 13 TANK 14 TANK 15	Oppose in part	Pernod Ricard does not understand why the submitter is proposing 'matters of discretion' for a unrestricted discretionary activity. If the proposal is to make these activities restricted discretionary, then it is necessary to include counterbalancing matters of discretion such as wider Part 2 consideration, including the benefits of the proposed activity for considered.	Declined.
93.	Department of Conservation	123.111	TANK 16	Oppose	Pernod Ricard considers that non-complying activity status is still appropriate in these situations, subject to the usual section 104D tests.	Declined.
94.	Department of Conservation	123.117	RRMP Rule 7	Oppose	Pernod Ricard considers that the specified 5m is adequate.	Declined.
95.	Department of Conservation	123.152	Schedule 31	Oppose	Pernod Ricard considers that minimum flows for Ngaruroro are sufficient.	Declined.
96.	Department of Conservation	123.154	Schedule 32	Oppose	Pernod Ricard considers that the more restrictive regime sought in relation to high flow allocation is unnecessary.	Declined.
97.	Department of Conservation	123.159	Schedule 36, Section C	Support in part	Pernod Ricard supports the amendments sought at 5.a in terms of the plan providing more information about the stream depletion calculator or other suitable alternative method for assessing surface water depletion, and Pernod	Granted, insofar as relief is consistent with that sought by Pernod Ricard in its primary submission.

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					Ricard has also sought greater clarity as to how surface water depletion is classified.	
98.	Department of Conservation.	Submission points: all others not specifically referred to		Oppose in part	<p>Pernod Ricard generally opposes the balance of the relief sought by DOC, insofar as:</p> <ul style="list-style-type: none"> - It is inconsistent with the concerns raised and relief sought by Pernod Ricard in its original submission or these further submissions; and/or - It goes further than is required to 'give effect' to the NPSFM 2020. 	Declined.
99.	Hawke's Bay Regional Council	129.1	POL TANK 9	Support	Pernod Ricard agrees that (g) is an unnecessary duplication of (a).	Granted.
100.	Hawke's Bay Regional Council	129.2	POL TANK 39	Support in part	<p>Pernod Ricard opposed Policy 39 in its primary submission, and considers that the revised policy by HBRC may be an improvement in some respects. However, Pernod Ricard considers further refinement of this policy is required, including to:</p> <ul style="list-style-type: none"> - specify that irrigators/water users will be considered among 'other relevant parties'; and - provide certainty as to what would happen where such a scheme was 	Granted, subject to refinements and insofar as this is consistent with the concerns raised in Pernod Ricard's primary submission.

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					not yet in place at the time an application was considered.	
101.	Hawke's Bay Regional Council	129.5	'Chapter 6 New Regional Rules'	Oppose	Pernod Ricard agrees that it is necessary to avoid conflict with the NES for Freshwater 2020. It is noted that this does not necessarily require duplicating the NES provisions in their entirety, however it may be appropriate to include a reference to the NES requirements so that plan users are aware that these apply.	Granted, but without unnecessary duplication.
102.	Hawke's Bay Regional Council	129.7	TANK 5 and TANK 6	Support in part	Pernod Ricard also raised concerns with the certainty of TANK 5 and TANK 6 in its primary submission. Pernod Ricard considers that the changes sought would be positive insofar as they are consistent with Pernod Ricard's submission, and clarify what constitutes that 'change of use' by reference to Schedule 29 of Table 1.	Granted, insofar as relief is consistent with that sought in Pernod Ricard's primary submission.
103.	Hawke's Bay Regional Council	129.10	TANK 9	Support in part	Pernod Ricard considers it is appropriate for all water takes to be subject to a stream depletion calculation. However Pernod Ricard considers that greater guidance and certainty is required regarding how this will be carried out and when, and by what degree water will be considered 'hydraulically connected'.	Granted, insofar as this is consistent with the relief sought in Pernod Ricard's primary submission.

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104.	Hawke's Bay Regional Council	129.11	TANK 9	Support in part.	Pernod Ricard supports this addition provided it is done in a manner consistent with Pernod Ricard's primary submission.	Granted, provided consistent with Pernod Ricard's primary submission.
105.	Hawke's Bay Regional Council	129.12	TANK 9	Support in Part	Pernod Ricard agrees that non-notification will generally be appropriate for these kinds of applications, but further consideration is needed of the detail and whether there should be any exceptions to this.	Granted, subject to further consideration of drafting, and insofar as this is consistent with the relief sought in Pernod Ricard's primary submissions.
106.	Hawke's Bay Regional Council	129.14	TANK 10	Support in part	Pernod Ricard supports consequential amendments being made, provided these are consistent with the relief sought in its primary submission in relation to ground water takes, including in terms of the taking of water for the sole purpose of avoiding the death of horticultural or viticultural root stock or crops.	Pernod Ricard supports consequential amendments being made, provided these are consistent with the relief sought and its primary submission in relation to ground water takes, including in terms of the taking of water for the sole purpose of avoiding the death of horticultural or viticultural root stock or crops.
107.	Hawke's Bay Regional Council	129.15	TANK 11	Support in part	Pernod Ricard agrees that clarification is required as to when different 'conditions/standards/terms' apply in determining an activity status. However, this is still considered to be unclear; for example, whether it is necessary for an activity to comply (or not comply, as the	Granted, subject to other refinements to clarify the application of the different rules.

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					case may be) with all 3 listed items, or just any one of them.	
108.	Hawke's Bay Regional Council	129.16 and 129.19	TANK 11 TANK 14	Support	Pernod Ricard supports the relief in clarifying the application of these rules.	Granted.
109.	Hawke's Bay Regional Council	129.27	RRMP Rule 2	Support	As discussed at further submission 101 above, Pernod Ricard agrees that the RRMP must not conflict with the NES for Freshwater 2020. However, this does not require NES to be duplicated in the plan.	Granted, insofar as relief is consistent with the sought in Pernod Ricard's primary submission.
110.	Hawke's Bay Regional Council	129.37	Schedule 29	Support in part	Pernod Ricard supports the amendments/alternatives provided, insofar as they are consistent with and address the concerns set out in Pernod Ricard's primary submission in relation to this Schedule.	Granted, insofar as relief is consistent with the sought in Pernod Ricard's primary submission.
111.	Hawke's Bay Regional Council	129.38	Schedule 30	Support in part	Pernod Ricard does not oppose the intent of this amendment, however considers it is necessary to ensure that any requirements for 'good management practice' are tailored to the particular industries in question (e.g. viticulture) and that overall the requirements to manage contaminant losses are proportional to the actual level of those losses.	Granted, subject to refinements to address Pernod Ricard's concerns.
112.	Hawke's Bay Regional Council	129.39	Schedule 31:	Support in part	Pernod Ricard supports the relief sought to amend Schedule 31E Heretaunga	Granted, insofar as relief is consistent with that sought by

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					Plains to delete the zone 1 groundwater areas that are connected to the Ngaruroro River on Schedule 31e and insert into Schedule 31c Ngaruroro. Pernod Ricard considers this amendment provides greater clarity in identifying Zone 1.	Pernod Ricard in its primary submission.
113.	Hawke's Bay Regional Council	129.40 Definition of 'allocation limit'	Glossary	Support in part	Pernod Ricard supports this amended definition insofar as it provides greater clarity.	Granted, insofar as relief is consistent with that sought by Pernod Ricard in its primary submission.
114.	Hawke's Bay Regional Council	129.41	Glossary	Support in part	Pernod Ricard supports this clarification, but queries why the time period for surface water allocation limits is different to that for groundwater.	Granted, subject to queries regarding timeframes.
115.	Hawke's Bay Regional Council	129.42	Glossary	Support	Pernod Ricard considers this proposed definition of 'consumptive water use' is helpful.	Granted, insofar as relief is consistent with that sought by Pernod Ricard in its primary submission.
116.	Hawke's Bay Regional Council	129.43	'Glossary	Support in part	Pernod Ricard considers that providing a definition of 'Overseer' is likely to be useful, however queries whether the intention was to incorporate the online version of the tool into the Plan by reference (in terms of clause 34 of the 1 st Schedule of the RMA), and if so, the implications in this regard if and when the	Granted, subject to clarification of the 'incorporation by reference' point.

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					<p>online version of the model changes over time.</p> <p>The same query applies to references to the 'IRRICALC' model.</p>	
117.	Hawke's Bay Regional Council	Other submission points not specifically listed		Support in part	<p>Pernod Ricard supports the balance of Hawke's Bay Regional Council's submission points insofar as they are consistent with:</p> <ul style="list-style-type: none"> - the concerns raised and relief sought by Pernod Ricard in its primary submissions, or these further submissions; and - the NPSFM 2020. 	Granted, in so far as this is consistent with the relief sought by Pernod Ricard, and the NPSFM 2020.
118.	Horticulture New Zealand	180.4	Catchment Objectives	Support	Pernod Ricard considers it is appropriate to have flexibility to enable collectives to form at a sub- catchment or multiple catchment level if desired.	Granted.
119.	Horticulture New Zealand	180.5 – 180.8	General	Support	Pernod Ricard shares many of the concerns highlighted in these submissions, as also addressed in its own primary submission.	Granted, or such similar / alternative amendments made as would address the submission in a manner consistent with the relief sought by Pernod Ricard.

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120.	Horticulture New Zealand	180.9	General	Support	Pernod Ricard agrees that more specificity and clarity is required in relation to the scale for which provisions apply.	Granted, or such similar / alternative amendments made as would address the submission in a manner consistent with the relief sought by Pernod Ricard.
121.	Horticulture New Zealand	180.14	OBJ TANK 4	Support	Pernod Ricard considers the greatest specificity and clarity is required in the ways set out in the Horticulture New Zealand submission, either in OBJ Tank 4 or in the supportive policies and schedules.	Granted, or consequential / alternative amendments to related provisions.
122.	Horticulture New Zealand	180.18	OBJ TANK 17	Support	Pernod Ricard considers that the subsections in this objective should not be read as indicating a priority (compare the wording with Objective Tank 16 for example), but agrees with Horticulture New Zealand that this should be clarified.	Granted, insofar as relief is consistent with that sought by Pernod Ricard in its primary submission.
123.	Horticulture New Zealand	180.19	OBJ TANK 18	Support in part	Pernod Ricard considers it may be useful (though equally may not be necessary) to indicate an order of priority for these methods. However, Pernod Ricard considers further thought is required in relation to what that order (if any) should be. Support relief sought that further consideration is given to whether there should be a priority order, and if so what that is.	Granted, or such similar / alternative amendments made as would address the submission in a manner consistent with the relief sought by Pernod Ricard.

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124.	Horticulture New Zealand	180.20	POL TANK 1	Support	Pernod Ricard considers it would be useful to specify how this policy relates to irrigation.	Granted.
125.	Horticulture New Zealand	180.21	POL TANK 2	Support in part	Pernod Ricard supports this addition, which should also be made to the next Policy 3, subject to confirming the final definition for the collectives in question (Pernod Ricard has elsewhere argued that they should not be limited to landowners, given land is not always operated or managed by the legal owner).	Granted with amendments as appropriate to the terminology.
126.	Horticulture New Zealand	180.27	OBJ TANK 16	Support	Pernod Ricard agrees that a definition of 'flushing flow' would be helpful, as well as greater indication of the rules and/or schedules that are intended to achieve this outcome.	Granted.
127.	Horticulture New Zealand	180.28	OBJ TANK 17	Support in part	Pernod Ricard agrees it would be useful to include reference to engagement with the collectives, subject to confirming what they should be called (Pernod Ricard considers that for example irrigating collectives may be more appropriate than 'land owner collectives', for the reasons set out elsewhere in these further submissions.	Granted, or consequential / alternative amendments to related provisions.

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128.	Horticulture New Zealand	180.29	POL TANK 18	Support in part	Pernod Ricard supports the relief sought as industry programmes and collectives have a role to play in delivering measures to reduce nutrient loss at the property and collective scale.	Granted, or such similar / alternative amendments made as would address the submission in a manner consistent with the relief sought by Pernod Ricard.
129.	Horticulture New Zealand	180.31	POL TANK 21	Support in part	Pernod Ricard generally supports the amendments suggested, particularly the change at clause a which more appropriately focuses the enquiry onto the effects of the proposed land use in question, rather than the bigger picture question of whether freshwater quality objectives have been met in that catchment at the time. Pernod Ricard has also sought amendments to clause d which Horticulture NZ has sought to remove. Pernod Ricard supports the deletion of clause d as an alternative to its own relief.	Granted, or such similar / alternative amendments made as would address the submission in a manner consistent with the relief sought by Pernod Ricard.
130.	Horticulture New Zealand	180.34	POL TANK 26	Support in Part	While Pernod Ricard understands the point being made in the original submission, it considers that conflict resolution may nonetheless be useful in other scenarios (e.g. with catchment collectives as opposed to Industry programmes, but could perhaps be provided on a voluntary basis	Amended to address the concern raised by Horticulture NZ while preserving the ability to access conflict resolution if appropriate.

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131.	Horticulture New Zealand	180.44	POL TANK 48	Support	Pernod Ricard supports the relief sought, for the reasons set out in Horticulture NZ's primary submission – there is no reason to distinguish between the primary production uses of irrigation and frost protection.	Granted, or such similar / alternative amendments made as would address the submission in a manner consistent with the relief sought by Pernod Ricard.
132.	Horticulture New Zealand	180.46	POL TANK 51	Support	Pernod Ricard supports essential water being available for the survival of horticultural, and also viticultural, tree crops, but has also sought this protection be expanded to resource consent processes and allocations as well as water shortage directions.	Granted, or such similar / alternative amendments made as would address the submission in a manner consistent with the relief sought by Pernod Ricard.
133.	Horticulture New Zealand	180.57	Chapter 6 New Regional Rules – 6.10.1 Rule 6A	Support	Pernod Ricard supports greater flexibility to allow changes in use, where effects can be appropriately managed, and has expressed concerns in its original submission about the inflexibility of PC9 in this regard.	Granted or such similar / alternative amendments made as would address the submission in a manner consistent with the relief sought by Pernod Ricard.
134.	Horticulture New Zealand	180.58	Chapter 6 New Regional Rules – 6.10.2 Rule 7, and 8.	Support	Pernod Ricard agrees with the need to provide 'crop protection water'.	Granted, or such similar / alternative amendments made as would address the submission in a manner consistent with the relief sought by Pernod Ricard.

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135.	Horticulture New Zealand	180.59	TANK 9, and 10	Support in part	Pernod Ricard agrees that the concept of 'actual and reasonable use in the Plan' has to be revisited, and also supports the additional matter for consideration proposed (in relation to root stock protection).	Granted, provided this is consistent with the relief in Pernod Ricard's submission.
136.	Horticulture New Zealand	180.60 and 180.61	TANK 12, and 18.	Support in part	Pernod Ricard agrees that it may be appropriate to revisit the activity statuses in PC9 to provide greater flexibility, for the reasons set out in the Horticulture NZ submission.	Granted.
137.	Horticulture New Zealand	180.62	RRMP 7	Support in part	Pernod Ricard supports the relief sought, for the reasons in Horticulture NZ submission.	Granted.
138.	Horticulture New Zealand	180.65	TANK 19, 20, 22 & 23.	Support	Pernod Ricard agrees that the rules regarding stormwater discharges are not fit for purpose, and greater clarity is needed around the meaning of 'rural building'.	Granted, subject to review of particulars of relief.
139.	Horticulture New Zealand	180.69	Schedule 29	Support in part	Pernod Ricard supports the amendments sought or alternative amendments (as proposed in Pernod Ricard's original submission and submissions Pernod Ricard has supported) to provide greater certainty and guidance in Schedule 29.	Granted, or such similar / alternative amendments made as would address the submission in a manner consistent with the relief sought by Pernod Ricard.

FURTHER SUB. NUMBER	PRIMARY SUBMITTER NAME	SUBMISSION NUMBER	PC7 PROVISION	SUPPORT OR OPPOSE PRIMARY SUBMISSION	THE REASONS FOR PRW'S SUPPORT/OPPOSITION FOR THE PRIMARY SUBMISSION ARE:	PRW SEEKS THAT THE RELIEF SOUGHT IN THIS PART OF THE PRIMARY SUBMISSION BE:
140.	Horticulture New Zealand	180.70	Schedule 30	Support in part	Pernod Ricard agrees that Schedule 30 could benefit from clarification and refinement, including in the manner suggested in the Horticulture NZ submission.	Granted, or such similar / alternative amendments made as would address the submission in a manner consistent with the relief sought by Pernod Ricard.
141.	Horticulture New Zealand	180.71	Schedule 31	Support	Pernod Ricard supports the relief sought particularly the additional volume for root stock protection being specified.	Granted, or such similar / alternative amendments made as would address the submission in a manner consistent with the relief sought by Pernod Ricard.
142.	Horticulture New Zealand	180.74	Glossary	Support in part	While Pernod Ricard is not convinced that water allocations can be completely divorced from existing quantity taken, it agrees that the concept of actual and reasonable use needs to be revisited and the relief sought by Horticulture NZ can be considered as part of that.	Granted, or such similar / alternative amendments made as would address the submission in a manner consistent with the relief sought by Pernod Ricard.
143.	Horticulture New Zealand	180.77	Glossary	Support	Pernod Ricard supports the relief sought, as the definition for 'farm' proposed is consistent with the NES for Freshwater 2020.	Granted.
144.	Horticulture New Zealand	180.79	Glossary	Support	Pernod Ricard supports the relief sought, as the definition for 'landholding' proposed is consistent with the NES for Freshwater 2020.	Granted.

FURTHER SUB. NUMBER	PRIMARY SUBMITTER NAME	SUBMISSION NUMBER	PC7 PROVISION	SUPPORT OR OPPOSE PRIMARY SUBMISSION	THE REASONS FOR PRW'S SUPPORT/OPPOSITION FOR THE PRIMARY SUBMISSION ARE:	PRW SEEKS THAT THE RELIEF SOUGHT IN THIS PART OF THE PRIMARY SUBMISSION BE:
145.	Horticulture New Zealand	180.81	Glossary	Support	Pernod Ricard supports the relief sought, for the purposes set out in Horticulture NZ's submission.	Granted.
146.	Horticulture New Zealand	180.82	Glossary	Support in part	Pernod Ricard agrees with the broader need for greater flexibility such that internal changes within a landholding would not trigger a 'land use change unnecessarily'. However, query whether this concept could be expanded beyond 'baseline commercial vegetable growing rotation'(and query whether the relief sought in this submission point is intended to refer to the full definition of 'baseline commercial vegetable growing rotation' as sought at Submission point 180.76).	Granted, subject to queries noted by Pernod Ricard.
147.	Horticulture New Zealand	Other submission points not specifically listed		Support in part	Pernod Ricard supports the balance of Horticulture New Zealand submission points insofar as they are consistent with: <ul style="list-style-type: none"> - the concerns raised and relief sought by Pernod Ricard in its primary submissions, or these further submissions; and - the NPSFM 2020. 	Granted, in so far as this is consistent with the relief sought by Pernod Ricard, and the NPSFM 2020.

FURTHER SUB. NUMBER	PRIMARY SUBMITTER NAME	SUBMISSION NUMBER	PC7 PROVISION	SUPPORT OR OPPOSE PRIMARY SUBMISSION	THE REASONS FOR PRW'S SUPPORT/OPPOSITION FOR THE PRIMARY SUBMISSION ARE:	PRW SEEKS THAT THE RELIEF SOUGHT IN THIS PART OF THE PRIMARY SUBMISSION BE:
148.	Federated Farmers of New Zealand	195.8 – 195.16	Introduction	Support in part	Pernod Ricard generally supports the suggestions for refinement made to the introduction of the plan change in so far as these are consistent with Pernod Ricard's submission.	Granted, insofar as the relief sought is consistent with that sought by Pernod Ricard in its primary submission.
149.	Federated Farmers of New Zealand	195.23	OBJ TANK 7	Support in part	Pernod Ricard also sought amendments to this objective to provide a more nuanced direction, given that indefinite reductions may be limited to feasibility and value	Granted, or such similar / alternative amendments made as would address the submission in a manner consistent with the relief sought by Pernod Ricard.
150.	Federated Farmers of New Zealand	195.90	TANK 12	Support in part	Pernod Ricard considers that in some circumstances it may be that noncompliant activity status is appropriate.	Granted, or such similar / alternative amendments made as would address the submission in a manner consistent with the relief sought by Pernod Ricard.
151.	Federated Farmers of New Zealand	195.108	RRMP Rule 13	Support	Pernod Ricard also considers these rules to be appropriate, as stated in its primary submissions (77).	Granted, or such similar / alternative amendments made as would address the submission in a manner consistent with the relief sought by Pernod Ricard.
152.	Federated Farmers of New Zealand	195.118	RRMP Rule 61	Support in part	Pernod Ricard considers that the relief sought may be more enabling of efficient use of water.	Granted, or such similar / alternative amendments made as would address the submission in a manner

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						consistent with the relief sought by Pernod Ricard.
153.	Federated Farmers of New Zealand	195.120	RRMP Rule 62a	Support in part	Pernod Ricard supports this relief insofar as it would sustainably enable greater efficiency and water transfers among irrigation users.	Granted, or such similar / alternative amendments made as would address the submission in a manner consistent with the relief sought by Pernod Ricard.
154.	Federated Farmers of New Zealand	195.144	Schedule 30	Support in part	Pernod Ricard agrees that great consideration is required in terms of what the position is during the interim while catchment collective plans are getting up and running.	Granted, or such similar / alternative amendments made as would address the submission in a manner consistent with the relief sought by Pernod Ricard.
155.	Federated Farmers of New Zealand	Submission points: all others not specifically referred to		Oppose in part	<p>Pernod Ricard generally opposes the balance of the relief sought by Federated Farmers, insofar as it is:</p> <ul style="list-style-type: none"> - Inconsistent with the concerns raised and relief sought by Pernod Ricard in its original submission or these further submissions; and/or - It goes further than is required to 'give effect' to the NPSFM 2020. 	Declined.

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156.	Environmental Defence Society	198.5	'Water quality'	Oppose	Pernod Ricard considers issue being limited exceptions to the requirements to cease water takes at minimum flows, such as essential water takes for crop protection.	Declined.
157.	Environmental Defence Society	198.6	'Water quality' Schedule 32	Oppose	Pernod Ricard considers that the 'high flow allocation' as drafted are sufficient, subject to further discussion on the matter.	Declined.
158.	Environmental Defence Society	198.7	OBJ TANK 11	Oppose	Pernod Ricard considers the minimum flow levels for the Ngaruroro River already appropriate as set out in the proposed plan change.	Declined.
159.	Environmental Defence Society	198.8	'Water quality'	Oppose in part	Pernod Ricard understands the concern, however limiting transfers within such catchments should still be allowed.	Declined.
160.	Environmental Defence Society	Submission points: all others not specifically referred to		Oppose in part	Pernod Ricard generally opposes the balance of the relief sought by EDS, insofar as it is: <ul style="list-style-type: none"> - Inconsistent with the concerns raised and relief sought by Pernod Ricard in its original submission or these further submissions; and/or 	Declined.

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					- It goes further than is required to 'give effect' to the NPSFM 2020.	
161.	Hasting District Council	207.3		Support	Pernod Ricard agrees that there may be some exceptional circumstances where further water allocations are appropriate.	Granted.
162.	Hastings District Council	207.5	Heretaunga Plains Aquifer Management – New Policy 37A	Support in part	Pernod Ricard agrees in principle with the wording proposed for assessing new allocations.	Granted, subject to further consideration as to the application of Policy 37A.
163.	Hasting District Council	207			<p>Pernod Ricard generally supports the relief sought by Hastings District Council insofar as it is consistent with:</p> <ul style="list-style-type: none"> - The relief sought in Napier City Council's submissions (see further submissions above) and the concerns raised by Pernod Ricard in relation to those submissions; - Relief sought by Pernod Ricard in its primary submissions; and - The NPSFM 2020. 	Granted, subject to Pernod Ricard's relief sought in its primary submissions, and further submissions regarding Napier City Council.
164.	Royal Forest and Bird Protection	210.13	5.10.7 Policies: Surface Water	Oppose	Pernod Ricard considers that the stream or flow augmentation / management / enhancement measures may be	Declined.

FURTHER SUB. NUMBER	PRIMARY SUBMITTER NAME	SUBMISSION NUMBER	PC7 PROVISION	SUPPORT OR OPPOSE PRIMARY SUBMISSION	THE REASONS FOR PRW'S SUPPORT/OPPOSITION FOR THE PRIMARY SUBMISSION ARE:	PRW SEEKS THAT THE RELIEF SOUGHT IN THIS PART OF THE PRIMARY SUBMISSION BE:
	Society of New Zealand		Low Flow Management		appropriate when paired with appropriate controls and mechanisms.	
165.	Royal Forest and Bird Protection Society of New Zealand	210.16	5.10.7 Policies: Surface Water Low Flow Management	Oppose	Pernod Ricard considers that minimum flows for Ngaruroro River are already appropriate.	Declined.
166.	Royal Forest and Bird Protection Society of New Zealand	210.72	POL TANK 57	Oppose	Pernod Ricard considers the current policy approach has merit, and should be extended to other instances of low flow restrictions where there is a need to preserve horticultural crops (particularly viticulture).	Declined.
167.	Royal Forest and Bird Protection Society of New Zealand	210.74	POL TANK 53	Oppose	Pernod Ricard does not understand the objection to TANK 53, and seeks that this policy is retained, subject to the minor amendments sought by Pernod Ricard in its primary submission (57), specifically excluding takes for frost protection from the total allocation limits in schedule 31.	Declined.
168.	Royal Forest and Bird Protection Society of New Zealand	210.87	TANK 6	Oppose	TANK 6 sets up a restricted discretionary activity and is silent as to notification; as such the normal statutory tests for public notification in the RMA apply. Pernod Ricard does not consider that any change is needed to provide 'more scope' for notification in these circumstances.	Declined.

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169.	Royal Forest and Bird Protection Society of New Zealand	210.95	TANK 14	Oppose	Pernod Ricard considers that prohibited status is not appropriate, and also has concerns with the proposed use of 'natural character/habitat quality index' as the basis for standards and conditions in the plan (including in light of evidence produced in the water conservation order process as to the suitability of such measures).	Declined.
170.	Royal Forest and Bird Protection Society of New Zealand	210.122	Schedule 26	Oppose	Pernod Ricard has concerns with the use of 'natural character/habitat quality index' as an attribute to attach numerical standards to, particular in light of evidence in the water conservation order proceedings which jointly (including by the submitters own expert) concluded that 'trigger values' were not appropriate as for the basis for standards or conditions.	Declined.
171.	Royal Forest and Bird Protection Society of New Zealand	210.140	Schedule 30	Oppose	Pernod Ricard considers that stream maintenance schemes are appropriate with sufficient management and control measures.	Declined.
172.	Royal Forest and Bird Protection Society of New Zealand	210.142	Schedule 31	Oppose	Pernod Ricard considers that the current levels are appropriate.	Declined.

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173.	Royal Forest and Bird Protection Society of New Zealand	210.148	Schedule 36	Oppose	Pernod Ricard considers that stream flow enhancements/magnets/augmentation mechanisms may be an appropriate tool for future use.	Declined.
174.	Royal Forest and Bird Protection Society of New Zealand	Submission points: all others not specifically referred to		Oppose in part	<p>Pernod Ricard generally opposes the balance of the relief sought by Forest and Bird, insofar as it is:</p> <ul style="list-style-type: none"> - Inconsistent with the concerns raised and relief sought by Pernod Ricard in its original submission or these further submissions; and/or - It goes further than is required to 'give effect' to the NPSFM 2020. 	Declined.

FURTHER SUBMISSION



TELEPHONE 0800 327 646 | WEBSITE WWW.FEDFARM.ORG.NZ

To: **Hawkes Bay Regional Council**

From: Federated Farmers of New Zealand

On the: **Proposed Plan Change 9 (Proposed TANK Plan Change)**
Hawkes Bay Regional Resource Management Plan

Date: 9 December 2020

Further submission by: Federated Farmers of New Zealand

JIM GALLOWAY
HAWKES BAY PROVINCIAL PRESIDENT
Federated Farmers of New Zealand

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Please find Federated Farmers of New Zealand Further Submission on the Proposed Plan Change 9 – TANK Plan Change detailed in the table in the attached Schedule.

Where Federated Farmers submitted on the same point as any other submitter it stands by its original submission. This Further Submission seeks only to provide Federated Farmers views on points raised by other submitters that are not already covered in our original submission.

Federated Farmers has an interest in the proposal that is greater than the interest the general public has. The grounds for saying that I come within this category are that:

- Federated Farmers of New Zealand is a representative body for all farmers. The subject matter of the appeal is a matter of interest for the farmers of the **Hawkes Bay Region** and

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
5.10 Introduction					
120.3 120.4 120.66 120.70 120.79 120.80 120.81	Ngati Kahungunu Iwi	Amend	Amend PC9 to explicitly provide for the re-establishment, restoration and protection of the relationship of Ngati Kahungunu with water and waterways within the TANK catchments including a new objective/s (which reference Ngati Kahungunu values in a new schedule within PC9), policy/policies and rules/methods including attributes and provision for the resourcing, development and implementation of indicators and monitoring using matauranga Maori. Reduce the number of objectives and policies in the plan. If retained in PC9, a set of refined, clear and concise Issue statements could be developed which would assist in guiding the objectives to improve the use and implementation of the Plan. Redraft or delete the background discussion Tangata whenua indicators add value and provide a strong foundation and framework for sound holistic assessment	Oppose in part	FFNZ supports the introduction and sought it to be retained as notified. FFNZ considers the background discussion is useful in that it provides an overview of freshwater management issues in the catchment, along with contextual information such as reference to higher order documents the Plan Change needs to give effect to. FFNZ is concerned that the relief sought would fundamentally change PC9, potentially resulting in a Plan Change that would not achieve sustainable management or give effect to the relevant higher order documents. FFNZ agrees that there are a lot of detailed objectives and policies and they could benefit from a review to reduce or refine them as proposed in FFNZ's submission
123.19 123.20 123.21	DoC	Oppose	Delete the background statement and water management overview from PC9. TANK issues - Clearly articulate or delete the TANK issues from PC9. 5.10 Introduction - Delete the introduction to 5.10 and provide a schedule of the identified values and where they apply in respect of each FMU within the body of PC9 as Schedule X. Include objectives and/or policies which consider and recognise Te Mana o te Wai with particular reference to Te Hauora o te Taiao, Te Hauora o te Wai and Te Hauora o te Tangata. Provide consequential track changes to Table 2A of the RRMP to reflect the values of PC9 and where they apply.	Oppose	FFNZ considers the background discussion is useful and therefore should be retained in the Plan. Similarly, FFNZ seeks retention of the issues proposed, consistent with the amendments proposed in FFNZ's submission to the Plan Change. FFNZ considers that PC9 recognises Te Mana o Te Wai as required under the NPSFM 2014 (as amended in 2017). In respect of the NPSFM 2020, to the extent that Te Mana o te Wai may be different from the use of that concept in the previous NPSFM, Council will need to give effect to the NPSFM 2020 in subsequent plan changes (and a Schedule 1 process).
132.2 132.3 132.7 132.33 132.80 132.81 132.82 132.190	Te Taiwhenua o Heretaunga	Amend	Delete the "TANK VALUES Attributes for water quality" and delete or amend the interpretation part of Figure 2 to express the broader aspects of each wariu in the main diagram Amend issue statements to be brief, clear and concise, followed by one or two objectives, then policies. Delete introductory comments on TANK plan change processes that are superfluous and do not contribute anything meaningful or constructive. Rearrange Issue Statements' content by specific topic or theme and condense. Separate Mauri and other tikanga Maori values and issues and combine them into two distinct issue statements and include acknowledgment of the principles of the Treaty of Waitangi. Move the Issue statements so where they relate to a specific objective, each of the statements immediately precede the relevant objective and associated policies. Provide for an "Implementation Plan" for PC9, that includes a summary of specific actions and their timing to meet certain dates and commitments in the plan, and full implementation of different parts of the plan. Include monitoring of Mauri and budget provision through reference to long-term plans, and achievement of targets and elements of the NPS-FM 2020.	Oppose	FFNZ seeks to retain the background section as drafted and seeks amendment to the issues consistent with the relief sought in our submission to the Plan Change. In principle, FFNZ would support the development of an implementation plan, in consultation with stakeholders. However, FFNZ is concerned that the submitter's proposal goes beyond implementing the plan by referring to matters that ought to be part of a Schedule 1 process (if they were to be part of the plan). FFNZ is also concerned that the submission point would inappropriately constrain future councils (by constraining decision making on long term plans and future budgets). FFNZ also does not agree that it is appropriate to attempt to give effect to the NPSFM 2020 (which ought to be subject to a robust community process).
5.10.1 TANK Objectives					
90.5	S Millington	Not Stated	The TANK Plan needs to specify objectives, policies and targets that set up an effective and directive regulatory system with firm bottom lines to monitor and enforce the requirements of the NPS FW. With regards to effects of land use and water takes.	Oppose in part	FFNZ seeks amendments to TANK appropriate to freshwater management in the catchment and does not agree that there is a need for "firm bottom lines."

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
120.12 120.13 120.64 120.78	Ngati Kahungunu	Amend	<p>Include a new objective and policy relating to restoring and revitalising the mauri and te mana o te wai of the TANK catchments and Heretaunga muriwaihou; recognising and providing for Ngati Kahungunu's relationships, tikanga and beliefs with their ancestral waters and taonga; and repatriate and protect tangata whenua values, customs, culture and relationships with these waters. Wording provided.</p> <p>Amend Change 9 to include clear objectives and policies to maintain or improve water quality, safeguard life-supporting capacity, ecosystem health and human health, protect the significant values of outstanding freshwater bodies and wetlands and provide for other instream freshwater values (including tangata whenua values).</p> <p>Re-order the objectives so that the key priorities are first, then objectives relating to the values for each water body, then the methods based (actions) and consideration (decision making) objectives.</p>	Oppose	FFNZ seeks amendment to the objectives consistent with the relief sought in our submission to the Plan Change. FFNZ does not consider the Plan to be structured according to priority. Doing so may overly complicate the consenting process and create unintended consequences.
202.8	Māori Climate Commission	Amend Oppose	Supports a specific objective providing for Tangata Whenua to undertake monitoring throughout the life of the plan to enable the application of a diversity of systems of values and knowledge, such as matauranga Maori to the management of freshwater within the TANK catchments.	Oppose	FFNZ considers Tangata Whenua to be able to monitor without the need for this to be provided for as a specific objective in the Plan.
210.2 210.3 210.15 210.24	Forest and Bird	Amend/ Oppose	<p>No specific relief requested but raises concerns with the way objectives are drafted.</p> <p>Remove all 18 objectives from the plan and replace with new objectives.</p> <p>Clarify the "freshwater objectives" in respect of all FMUs. Consider a table similar Waikato Regional Council in their decisions on PC1.</p> <p>Remove from the plan and replace with the objectives suggested earlier in our submission.</p>	Oppose	FFNZ seeks amendment to the objectives consistent with the relief sought in our submission to the Plan Change. FFNZ does not agree with the wording for the 6 new objectives (they will not achieve sustainable management, are not within scope and/or will not give effect to the relevant higher order documents) or that these objectives are freshwater objectives).
General Objectives					
197.2	BLNZ	Amend	<p>Amend existing and include as required new objectives to give effect to the following intent:</p> <ul style="list-style-type: none"> • Provide for a range and flexibility in land use... • Restrict the reach of objectives to the values of the NPS-FW... • Reference to the management of water quality pertains to the achievement of the objectives... • Otherwise water quality is maintained where the objectives are met. • Attribute state should be set to achieve the values.... 	Support in part Oppose in part	In principle, FFNZ agrees with the relief sought, however FFNZ considers the amendments proposed in the FFNZ submission, more appropriately address the concerns raised.
Objective TANK 1					
135.3	Ravensdown Limited	Amend	Amend Tank OBJ 1 - "support good decision making by resource users including rural and urban communities through marae and hapu initiatives, community or other catchment management programmes and monitoring initiatives, urban stormwater programmes, landowner collectives, farm management environment plans and industry good practice programmes."	Support in part	FFNZ seeks amendments to OBJ TANK 1 consistent with our submission to the Plan Change. FFNZ also agrees that the focus ought to be on all sectors of the community and land use activities, and that a range of options ought to be provided for managing contaminants and improving practices.
Objective TANK 2					
58.4	HB Fish and Game	Amend	Amend Clause b to insert "the habitat of trout and salmon" after "indigenous biodiversity"	Oppose	FFNZ does not agree that it is appropriate to provide for trout and salmon or that they are consistent with the intent of OBJ 2.
120.87 120.88 132.71 132.72	Ngati Kahungunu Te Taiwhenua o Heretaunga	Amend	<p>The proposed TANK plan should recognise and provide for the values of Outstanding Water Bodies [PC7], and should not compromise or influence the values of Outstanding Water Bodies.</p> <p>Heretaunga Aquifer Muriwaihou should be recognised as Taonga and an Outstanding Water Body.</p>	Oppose	FFNZ considers that outstanding water bodies are more appropriately addressed in PC9 and does not agree to the inclusion of the aquifer (inclusion or not of that aquifer ought to be considered through PC7).

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
135.4	Ravensdown	Amend	Amend OBJ TANK 2 as follows: <i>When setting objectives, limits and targets; b) A continuous-improvement approach to the use and development of natural resources and the protection of indigenous biodiversity is adopted and the collective sustainable management of freshwater is enabled;</i>	Support in part	FFNZ agrees that the focus should not be on continuous improvement. Such an approach would not recognise that some catchments or waterbodies might not require improvement in water quality or that one or more contaminants may not be of issue.
123.9	DoC	Not Stated	Include schedules of FMUs and freshwater values and clearly define where they apply.	Oppose	FFNZ considers that the FMUs and freshwater values have been addressed in PC9 in a way that is tailored to the particular catchments to which the plan change applies.
Climate Change					
210.22 210.23 229.4	Forest and Bird Ahuriri Estuary Protection Society	Amend	Integrate the consideration of potential causes of and impacts from climate change clearly throughout the objectives and policies to provide council scope to consider these in making resource management decisions. Consider PC9 in light of the recent MFE climate risks report, the Adapting to Climate Change in NZ report, the Coastal Hazards and Climate Change Guidance for Local Councils, and any other relevant work and ensure PC9 is consistent.	oppose in part	While, in principle, FFNZ considers that climate change ought to be considered, it considers that this needs to be in a way that is based on robust science and data, as well as takes into account social, economic and cultural wellbeing. FFNZ considers that the amendments it seeks to OBJ TANK 2 will appropriately recognise the effects of climate change.
224.3	Mission Estate	Oppose	Realistic to cap water use based on the driest season (noted as 2019/20). Climate change will require cap to be periodically reviewed	Support in part	The relief sought is consistent with the amendment sought by FFNZ to OBJ TANK 2.
Objective TANK 3					
58.5	HB Fish and Game	Amend	Amend Clause (b) to insert "the habitat of trout and salmon" after "indigenous biodiversity"	Oppose	FFNZ does not agree that it is appropriate to provide for trout and salmon or that they are consistent with the intent of OBJ 3.
123.24	DoC	Not Stated	Amend in a way that: - the mauri of waterbodies is protected and restored to provide for Te Hauora o te Taiao, Te Hauora o te Wai and Te Hauora o te Tangata and to provide for the values in Schedule X, - safeguards life-supporting capacity and aquatic ecosystem processes -the connectivity between land, surface water, groundwater, freshwater and the coast - Ki uta, ki tai is recognised, - provides for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga	Oppose in part	FFNZ seeks amendments to OBJ TANK 3 to recognise the relationship between the social, economic and cultural wellbeing of communities to the freshwater resource. FFNZ opposes the relief sought by these submitters on the basis that it does not appropriately provide for social, economic and cultural wellbeing and considers that the amendments sought in its submission more appropriately balance these matters (whilst giving effect to the relevant higher order documents)
Water Quality General					
198.9 198.10 198.11 198.13	EDS	Amend	Include clear objectives and policies to maintain or improve water quality, safeguard life-supporting capacity, ecosystem health and human health, protect the significant values of outstanding freshwater bodies and wetlands and provide for other instream freshwater values. Include schedules for FMUs (and the freshwater values that apply) and outstanding freshwater bodies and wetlands. Include all water quality objectives in Schedule 26 and identify targets to be achieved by 2040 where objectives are not currently met. Control the use of production land for farming in all catchments to maintain water quality.	Oppose	FFNZ considers that PC9 (as amended in its submission) will appropriately focus on maintaining or (where appropriate) improving water quality. FFNZ does not agree that schedules for FMUs need to be provided or that targets ought to be hard wired and achieved by 2040. FFNZ considers that all sources of contaminants need to be considered and, where appropriate managed and does not agree that production land for farming must be "controlled" in all catchments to maintain water quality.
Objective TANK 4					
58.6	HB Fish and Game	Amend	Clarify how the determination of past, current, or future state instream applies.	Oppose in part	In principle, FFNZ would support clarifying how instream states are determined. However, FFNZ has concerns about how that may then be applied (e.g. will it be used to allocate contaminants or require changes in practices or to impose limits) and therefore opposes the relief sought.
131.11 131.12	Ballance Agri-Nutrients	Amend	Supports aspirational goals for water quality and recommends that the evidence for the chosen attribute values is clearly identified. Should the achievability of any of these water quality values be in question, the plan change should include allowance for confirming	Support in part Oppose in	FFNZ agrees that robust data ought to be relied on, a realistic timeframe ought to be provided and that goals need to be practical and re-evaluated as things change. However, FFNZ has concerns

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
			progress toward the attribute 'goals' in 2030 to allow re-setting of attributes or policies in order to meet practical goals.	part	that if goals are too aspirational or timeframes too short, they will either impose significant cost or set the community/catchment up for failure.
135.5	Ravensdown	Amend	Amend OBJ TANK 4 as follows: <i>Land and water use, contaminant discharge and nutrient loss activities are carried out so that the quality of the TANK freshwater bodies is maintained where the freshwater quality objectives in Schedule 26 are currently being met, or is improved in degraded waterbodies so that they meet the fresh water quality attribute states targets in Schedule 26 by 2040, provided that: a) For any specific water body where the fresh water quality attribute state is found to be higher than the freshwater quality objective that given in Schedule 26, the existing higher state is to be maintained; and</i>	Support in part	FFNZ agrees that the focus ought to be on maintaining targets rather than states and maintaining within a band (as opposed to a specific numeric state). FFNZ agrees with clarifying that the freshwater quality objectives in Schedule 26 are what is attempting to be achieved, and not broad and ambiguous "objectives." However, FFNZ considers that Schedule 26 needs amendment (and refers to its submission).
180.14	Horticulture New Zealand	Amend	It is unclear where the target attribute states are to be achieved – if this includes all current monitoring locations, or at a subset of monitoring sites at a smaller sub-catchment scale. Amend the maps in Schedule 26 to show the location of monitoring sites. It is unclear whether or not modelled state data will be used where actual monitoring data is not available, and if 'modelled' state data is used does 'maintenance' mean that it can't decline within the relevant NOF band? This needs to be clarified.	Support in part	FFNZ supports an approach of maintaining water quality within a band (as opposed to a specific numeric attribute state at a specific site). FFNZ also agrees that actual data ought to be relied on and where this is not available that should be clearly stated but there should not be the same obligation to maintain a modelled state (as the actual state may or may not have been modelled correctly).
198.12	EDS	Amend	Regulate and manage all point source and stormwater discharges. Requirement: meet water quality objectives and targets in Schedule 26 by 2040	Oppose	While FFNZ considers that all sources of contaminants and land uses ought to be managed, it does not agree that they should be regulated or that water quality objectives and targets ought to be achieved by 2040 (for reasons including that there will be natural and other sources of contaminants contributing to the water quality state that are not able to managed, and it does not take into account any load to come or groundwater travel time).
233.6	HBDHB	Amend	Add bullet point c): <u>"Where measured states require improvement to meet the attribute stated in Schedule 26, improvement must be measurable within 5 years of this Plan becoming operative. For measured states that have not improved within 5 years, a review of Plan effectiveness should be completed with policy and rules review to be commenced."</u>		FFNZ does not agree that a requirement to "measure" specific attribute states and achieve within 5 years is realistic or appropriate. It will also impose significant social and economic cost and is unlikely to be achievable (even with wholesale land use change)
Objective TANK 5					
123.25	DoC	Oppose	Amend in a way that: the mauri of waterbodies is protected and restored to provide for Te Hauora o te Taiao, Te Hauora o te Wai and Te Hauora o te Tangata and to provide for the values in Schedule X, -safeguards life-supporting capacity and aquatic ecosystem processes -the connectivity between land, surface water, groundwater, freshwater and the coast - Ki uta, ki tai is recognised, -provides for the relationship of Maori culture and traditions with ancestral lands, water, sites, waahi tapu, and other taonga	Oppose	FFNZ seeks to have OBJ TANK 5 retained as notified. FFNZ considers the objective is appropriate to freshwater management in the catchment. FFNZ considers that OBJ TANK 5 has appropriately provided for sustainable management and gives effect to the higher order documents.
Objective TANK 6					
29.41	HB Winegrowers	Amend	Adjust the Grape kg/ha/yr for all soils to recognise winter sheep grazing rotation. Include details of crop model versions used to derive the crop loss figures in Schedule 29 and include a mechanism to address the effects of model and/or version changes to modelled outputs.	Support in part	FFNZ seeks to have OBJ TANK 6 deleted as long term goals should be a part of implementing the NPSFM 2020. However, if the objective is not deleted, FFNZ would support changes to ensure it more appropriately reflects the activities it manages. FFNZ also supports the use of alternative models to estimate contaminant loss and mechanisms to provide for version changes.
Objective TANK 7					

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
120.71	Ngati Kahungunu	Amend	Increase the level of regulation with regard to nutrient and sediment loss from land use and farm plans by setting clear environmental standards for these activities in the plan, in line with the identified water quality issues across TANK in a way that the actual effects are able to be managed and measured now and into the future.	Oppose	FFNZ considers that an approach that focuses on managing the contaminants at issue and sources ought to be adopted (based on good catchment forensics and robust data) and does not support approaches that require reductions of all contaminants everywhere (especially in a blanket/non-tailored way, or in a way not supported by robust data and science). FFNZ considers that any regulatory intervention needs to be the least intervention needed to achieve the particular outcome and does not support an approach of increasing regulation in the TANK catchments.
123.29	DoC	Oppose	<u>“Freshwater bodies, estuaries and the coastal environment are healthy and free from sedimentation and land use is sustainably managed in an integrated way ki uta ki tai to achieve this”</u> or words to similar effect.		
Objective TANK 8					
58.7	HB Fish and Game	Amend	Insert “the habitat of trout and salmon” as an additional clause	Oppose	FFNZ does not agree that it is appropriate to provide for trout and salmon or that they are consistent with the intent of OBJ 8.
123.30	DoC	Oppose	<u>“Riparian margins are healthy and contribute to achieving the objectives in Schedule 26 and providing for the freshwater values in Schedule X, including ecosystem health, human health and mauri”</u> or similar words.	Oppose	FFNZ seeks amendment to OBJ TANK 8 so that water quality is improved where there is degradation of water quality or where water quality attributes are within the NOF ‘D’ Band. FFNZ does not agree that there ought to be a blanket requirement for riparian margins and considers they ought to be considered on a case by case basis where appropriate (but without obligation to consider in every farm plan, for example).
180.16	Horticulture NZ	Amend	Query what ‘appropriate management’ entails. Amend to say ‘is improved by appropriate management of riparian margins <u>that</u> to: a) reduces effects of contaminant loss from land use activities etc.....’	Support	FFNZ supports the relief sought to delete appropriate. FFNZ agrees that the addition of appropriate does not add any further clarity to the provision.
Objective TANK 9					
203.4	The Oil Companies	Amend	Amend to clarify that the objective is to protect source water. <i>Activities in source protection areas for Registered Drinking Water Supplies are managed to ensure that they do not cause source water in these zones to become unsuitable for human consumption, and that risks to the supply of safe drinking water are appropriately managed.</i>	Support	FFNZ considers that the relief sought by the Oil Companies to include ‘source’ is a helpful clarification.
Catchment Objectives					
120.36 120.47 120.132	Ngati Kahungunu Iwi	Amend	Place a limit on each river and stream both for total instantaneous rate of take and weekly volume which are supported by policies and rules. Set allocation limits for the Karamu and Ahuriri catchments Amend Change 9 to enable a specific management plan in partnership with tangata whenua and Maori landowners for Lake Poukawa	Oppose	FFNZ seeks to retain objectives 10, 11, 12, 13, and 14 as notified. FFNZ considers the objectives are appropriate to freshwater management in the catchment. FFNZ considers that there is insufficient data/science to place a limit on all waterbodies and does not agree that doing so would achieve sustainable management. FFNZ does not agree that further regulation of production farming is necessary or appropriate or that farm plans should be required for all farms over 10ha. Doing so would impose unnecessary and unreasonable cost for uncertain benefit. FFNZ does not agree that catchments are overallocated or that overallocation ought to be phased out or controlled by capping takes.
123.13 123.15 123.32	DoC	Not Stated/ Oppose	Control the use of production land for farming in all other catchments to maintain water quality. Require farm plans for all farms >10ha in the TANK catchments. Objectives 10, 11, 12 & 13 - Delete and include (reworded) as a policy for the associated catchment. Include all catchment specific values in a Schedule in PC9. Alternatively, redraft a catchment-specific objective which concisely and clearly captures the management intent and goals for the catchment.		
180.4	Horticulture New Zealand	Not Stated	All references to ‘catchment collectives’ should be amended to refer more broadly to ‘collectives’ and any other necessary changes be made to ensure that collective groups are enabled and recognised at any and every scale they form at.		

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197.3	BLNZ	Amend	Catchment objectives - amend existing and include as required new objectives to give effect to the following intent: Replace words 'improve' & 'enhanced' in the context of water quality and quantity with 'managed or where degraded enhanced' or words to that effect. So as to achieve a shift in intent of objectives to be driven by the achievement of the end state values associated with freshwater. Replace objectives which seek to 'enable' with objectives which seek to 'provide for'.	Support in part	FFNZ supports an approach that focuses on maintaining within a NOF band or improving where below the national bottom line (or where the community determines it needs to be improved). FFNZ supports the intent of the amendments sought but has concerns about how "degraded" is defined (and considers it should be consistent with FFNZ's view on maintain/improve).
123.13 123.15 123.32 198.3	DoC EDS	Oppose Amend	Control the use of production land for farming in all other catchments to maintain water quality. Require farm plans for all farms >10ha in the TANK catchments. Objectives 10, 11, 12 & 13 - Delete and include (reworded) as a policy for the associated catchment. Include all catchment specific values in a Schedule in PC9. Alternatively, redraft a catchment-specific objective which concisely and clearly captures the management intent and goals for the catchment. Set allocation limits, minimum flow and high flow limits for all catchments	Oppose	FFNZ does not agree that production land for farming needs to be necessarily "regulated" or "controlled." Practices can be improved, for example, through non regulatory measures or industry programmes. FFNZ does not support all farms above 10ha having farm plans. FFNZ does not agree that it is necessary, appropriate or reasonable to set limits for all catchments. FFNZ is concerned that this will not achieve sustainable management and that there is insufficient data/science to do this.
216.6 216.7	NZ Apples & Pears	Not Stated	Water bans on a single minimum flow point is a very crude water management tool, a better approach could be staged reductions to maintain flow regimes and provide some water to maintain crops/rootstock in dry. Allocation based on the 'lesser amount of actual and reasonable' will directly impact land use change, land value, and growth, effectively locking the plains into historic patterns of water and land use. PC9 needs to provide opportunities for change that will enable improvements in freshwater management to be achieved and without adverse effects of the industry's potential for growth.	Support	FFNZ agrees that water restrictions based on single minimum flow points are crude and can have significant social and economic cost. FFNZ considers that restrictions ought to be based on robust data/science. FFNZ agrees that existing, lawfully established land uses ought to be recognised.
Objective TANK 10					
12.2	Ministry of Ed	Amend	Amend OBJ TANK 10 - ... healthy and diverse indigenous aquatic plant, fish and bird populations; c) people and communities to safely meet their domestic water needs and provide for the social infrastructure necessary to support these people and communities; primary production water for community social and economic well-being; and provide for; ...	Support in part	FFNZ agrees that domestic water needs, infrastructure to support people and communities and primary production water needs to be recognised and provided for.
58.8	HB Fish and Game	Amend	Amend (c) to insert "the habitat of trout and salmon" as additional wording	Oppose	FFNZ does not agree that it is appropriate to provide for trout and salmon or that they are consistent with the intent of OBJ 10.
180.12	Horticulture New Zealand	Not Stated	The provisions proposed in the plan may not be sufficient to address the issues challenging the ecosystem health of the Ahuriri Estuary. Sediment inflow to the estuary, at least in recent times, have largely been the consequence of recent, large scale subdivisions on the hills of the catchment. It is unclear how the rules of this plan change will tackle such activities.	Support	FFNZ agrees that there is a need for proper catchment forensics based on robust data/science to identify issues and to control the activities contributing to the issues. There should not be a requirement for primary production, for example, to have to make further reductions in sediment if this has been caused by urban subdivision.
Objective TANK 11					
29.42	HB Winegrowers	Amend	Amend to Rule TANK 11a) (ii) ii read: "takes of water associated with and dependant on release of water from a water storage impoundment <u>or from a managed aquifer recharge scheme.</u> " or similar wording to achieve the outcome sought in this submission. Amend OBJ 11 to read: "...and the taking, using, damming...".	Oppose in part	FFNZ is concerned about how "managed aquifer recharge scheme" is defined and that it may be beyond the scope of the plan change. Therefore it opposes the submission point.
123.5	DoC	Amend	Significantly increase the minimum flow in the Ngaruroro River to provide more habitat for indigenous fish at low flows (e.g., 80 - 90% of habitat at MALF).	Oppose	FFNZ is concerned about the reliability of setting minimum flows for the catchment as a whole and is concerned about the lack of robust science/data to set such allocation limits/volumes.
135.10	Ravensdown	Amend	Amend OBJ TANK 11 as follows: <i>g) primary production, industrial and commercial water needs and water required for associated processing and other urban activities to provide for</i>	Support	FFNZ agrees that all water needs, not just primary protection, need to be considered and subject to the same requirements.

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
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3.13	Limestone Properties	Oppose	Mend clause (g): "primary production water needs and water required for associated processing and other urban and rural residential activities to provide for community social and economic well-being"		
Objective TANK 13					
117.5	Silver Fern Farms	Amend	Considers that retention of the operative limit under Band B would be appropriate as it is suitable in the Karamu Catchment.	Support in part	FFNZ supports an approach that focuses on maintaining within a band. However, it has some reservations about the appropriateness of the proposal without better understanding the science and implications.
Objective TANK 14					
120.41	Ngati Kahungunu	Amend	Limit groundwater allocation to 70 million m3 per year from the Heretaunga Plains Aquifer Impose limits of abstractions from the Heretaunga plains aquifer system so that Springs that feed into the Karamu are not restricted.	Oppose	FFNZ considers that limits ought to be based on robust data/science.
123.33 123.34 123.35	DoC	Oppose Amend	Delete objective 14 and replace with new objectives C and D (see points 123.34 and 123.35). Objective C - include as new objective. " <u>The mauri and quality of groundwater is maintained, enhanced or restored, to protect the health of groundwater dependent ecosystems, improve surface water quality, and make groundwater suitable for human drinking consumption</u> " Objective D - include as new objective. "Groundwater levels are maintained, enhanced or restored to protect the health of groundwater dependent ecosystems, future overallocation is avoided, and existing overallocation is phased out by 2040" or words to similar effect. Alternatively, overallocation could be addressed as one objective across surface water and groundwater (see new objective 'J' below). This would be more concise drafting but may not have the desired level of detail to direct the policies and rules.	Oppose	FFNZ considers that the amendments will likely impose significant economic and social costs for unknown or uncertain environmental benefit. FFNZ does not agree to a requirement that overallocation is phased out or that it is phased out by 2040.
124.23	Brownrigg Agriculture	Amend	Add after clause (f): and in doing so will: (g) continue to enable existing primary production land use activities adjacent to wetlands	Support	FFNZ agrees that existing primary production land use activities need to be enabled.
216.15 216.16	NZ Apples & Pears	Not Stated	As newer / lower consented allocation information numbers become available they should be used to update the different HBRC assessment models (e.g. over allocation, stream depletion impact assessment). Stream or river depletion assessments - provision for individuals to manage their own effects.	Support	FFNZ agrees that data around takes needs to be updated as it changes.
Objective TANK 15					
123.36	DoC	Oppose	Delete and redraft as an outcome " <u>Wetlands and lakes are maintained or restored and their extent in the TANK catchments is increased to support the freshwater values in Schedule X including healthy ecosystems, indigenous species and their habitats, mahinga kai (etc)</u> " or words to similar effect. Redraft policies on the management of activities (land use, damming, diversion and the taking of water) and on increasing wetland extent to support this objective. Clarify use of Waahi Taonga	Oppose	FFNZ does not agree that there should be a blanket requirement to increase wetland extent and considers that the proposed changes will likely impose significant economic and social cost. FFNZ is concerned about the social and economic costs of such changes.
58.9	HB Fish and Game	Amend	Insert "recreational" into the list of values	Support in part	FFNZ supports the relief to include recreational in the list of values, to ensure that HBRC wetland construction should be a notified consent with public input and also the placement of detailed wetland targets
145.5	Awanui	Amend	HBRC wetland construction should be a notified consent with public input. A proviso to		

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	Station		protect landowners from such issues needs to be included		further into the Plan. We also support the relief sought to provide evidence with regard to evidence and transparency with regard to areas of concern. We consider these are helpful clarifications to the Objective along with the relief sought by FFNZ (inclusion of a note to clarify that wet, damp, or boggy ground, not intended to be captured within the meaning of 'Wetland and Lake waahi taonga.
29.54	Hawke's Bay Winegrowers	Not Stated	OBJ 15.g: Consider relocating detailed wetland targets into a policy for drafting consistency.		
180.17	Horticulture New Zealand	Oppose	Delete specific areas specified in (g) to be restored and created, unless evidence can be provided that shows where these areas are, and that no adverse off-site effects will result from the work.		
197.4	BLNZ	Amend	Amend existing and include as required new objectives to give effect to the following intent: Strengthen the requirements to provide for the economic wellbeing of people and communities; and In formulating freshwater objectives and limits, the economic wellbeing, including productive economic opportunities are provided for in the context of environmental objectives, values and limits.	Support in part	FFNZ supports the relief sought, to include in the objectives, recognition of the importance of primary production to the communities (economic and social wellbeing). We consider these amendments appropriate along with that sought from FFNZ (and submitters noted immediately above).
124.21	Brownrigg Ag	Oppose	Add as clause (g): primary production water needs and water required for associated processing and other urban activities to provide for community social and economic well-being		
Water Quantity					
145.11	Awanui Station	Not Stated	Water storage by way of a series of smaller dams sited beside the Ngaruroro River upstream is a simple and practical solution.	Support in part	FFNZ supports encouraging/enabling water storage
11.1, 11.2, 11.4, 11.5, 11.7, 11.8, 11.9	Matt Edwards	Oppose	Telemetry for all consents taking above 5l/sec appropriate for large takes. Smaller takes should be able to report directly to Council. Ninety-five percent reliability of water availability, lacks evidence. No information about reduction of available water for irrigation into the future as a result of urban requirements. Reduction of existing Resource Consent water allocation for cropping. The plan is to reduce the allocated amount to an 'actual and reasonable' annual amount – generally as verified by 10 years of water meter records prior to 2017. Urban not required to be efficient.	Support in part	FFNZ agrees with the concerns about ensuring that the obligation to install telemetry is reasonable (with an alternative option for smaller takes) and that minimum flow limits ought to be based on robust science/data. FFNZ also agrees that all takes need to be considered i.e. urban and rural.
22.1 22.2	PB & BG Clayton	Amend	Recommend the irracalc model is used for water allocation purposes and the 90% allocation level be raised, preferably to 100%. High flow allocation and water harvesting - Greater direction be given to minimising residual flows in high flow periods whilst water harvesting.	Support in part	FFNZ agrees that there should be flexibility to use the most appropriate and reliable model.
219.76	M & J Russell	Oppose	Changing land use needs to be provided for (e.g from orchard or horticulture- concern will not be able to do this if our water supply is limited by volume). Also the ability to store water to irrigate pasture in dry seasons.	Support	FFNZ agrees that land use change ought to be provided for.
54.2	Apatu Farms	Amend	Amend Change 9 to ensure that sufficient water is available to provide for the critically important role of horticulture (some submitters focus on agriculture or farming) to the future sustainability of the TANK Catchments (a number of submitters discuss economic consequences in particular)	Support in part	FFNZ agrees that sufficient water ought to be provided , noting that s 14(3)(b) specifically recognises animal drinking needs. FFNZ considers that sufficient water could be addressed in a range of ways e.g. enabling water storage, reasonable minimum flows or water restrictions, greater certainty around when water shut down would occur etc.
24.9, 133.3, 49.75, 138.5, 207.70, 207.71, 207.73, 207.76,		Not Stated	Retain opportunities for wider initiatives (rural, urban, infrastructure). A number of submitters also propose that existing water right holders need to reapply.	Support in part	FFNZ agrees that all water takes ought to be considered (not just rural). FFNZ does not agree that all consent holders should apply (and considers they should only have to re-apply for consent upon expiry of consent)
29.4	HB Winegrowers	Oppose	PC9's approach to allocation of water and control of farming emissions unfairly penalises viticultural landowners as very low water users and very low emitters compared to other major primary production systems (some submissions also refer to efficient users shouldn't be punished).	Support in part Oppose in part	FFNZ considers that all land uses (urban and rural) need to do their part to improve water quality. FFNZ also considers that any controls ought to be effects based and tailored to the particular land use and water quality issue

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46.4 46.10 46.12 46.13 46.14	Peter Beaven & Tom Belford	Support/ Amend	Water harvesting and on-land storage schemes will be permitted, but these will need to proceed through normal RMA review processes to establish their environmental suitability. Water storage is not just a matter of interest to irrigators. The need is to store water in every conceivable way and venue.	Support in part	FFNZ agrees that a range of water storage options ought to be considered and encouraged.
230.2, 232.2		Amend	Water allocation for irrigation developments must be reduced to keep all of our Tributaries full to capacity – to feed rivers. A substantial reduction of allocation and abstractions from ground water & surface water that contribute to low flows in – or no water being available to already diminishing streams.	Oppose	FFNZ considers this a blunt approach that does not consider the particular irrigation/activity or the efficiency of the take or the water flows.
237.5, 237.6, 237.7	Whitewater NZ	Amend	Include limits and rules to maintain or improve water quality. Prohibit damming on the mainstem of the Ngaruroro and in all tributaries above Whanawhana and further abstraction of water (other than as provided for under section 14(3)) from the Ngaruroro River and tributaries above Whanawhana.	Oppose	FFNZ considers this a blunt approach that does not consider the particular activity or water quality issue.
16.13, 209.2, 209.3, 209.4	B Hamlin W Davis	Oppose	Amend Change 9 so that when river, streams, groundwater levels artesian pressure is depleted there are strategies implemented to restore (sub point 16.13 suggests to original state).	Oppose	FFNZ agrees in principle that when water is low there ought to be strategies to improve flows (and this could include water storage and options to conserve water). However, FFNZ considers that the proposal is too vague and blunt.
123.2, 123.3 123.4, 123.6, 123.7 123.37, 123.3, 123.39 198.4, 198.5, 198.6 198.8	DoC EDS	Oppose/ Amend	Ensure all water takes are required to cease at minimum flows except essential water takes for human drinking water supplies (which should be required to reduce during water shortage and at minimum flows). Abstractions which deplete streams should cease when minimum flows are reached in all cases. Ensure all water takes (including those for water storage and stream flow maintenance schemes) are within low flow and high flow allocation limits. Ensure all allocation limits are less than 30% MALF. Set high flow allocations for all rivers that ensure hydrological alteration of the flow regime is minimised and maintained close to natural flow regimes. Do not allow transfer of water permits into over-allocated ground and surface water management units. Objectives 16, 17 and 18. Delete from objectives and move in PC9 to include as a policy and apply also to groundwater. Add new objectives E and F (see points 123.38 and 123.39). Objective E - include as a new objective. "Flows and levels in surface waterbodies are maintained or enhanced to safeguard lifesupporting capacity and ecosystem health, recognise Te Mana o te Wai and to provide for the values in Schedule X and water is allocated efficiently within the limits in Schedules 31 and 32 and all water is used efficiently" Objective F - include as a new objective. "Future overallocation of surface water will be avoided and any existing overallocation will be phased out by 2040" or words to similar effect. Alternatively, this objective could be combined with the suggested objective relating to overallocation of groundwater Include clear objectives and policies to phase out over-allocation of surface and groundwater and to avoid future overallocation, safeguard life-supporting capacity and ecosystem health, protect the significant values of outstanding freshwater bodies and wetlands Ensure that water takes are required to cease at minimum flows (except essential water takes for human water drinking supplies) and that all water takes are within low flow and high flow allocation limits Set high flow allocations for all rivers that ensure hydrological alteration of the flow regime is minimised and maintained close to natural flow regimes Prevent the transfer of water-permits into over-allocated ground and surface water freshwater management units	Oppose	FFNZ considers that the proposal is too restrictive, will impose significant economic and social cost, and there are no grounds for adopting a precautionary approach. FFNZ considers the most appropriate activity status ought to be adopted and prohibited is unreasonable. FFNZ does not agree with the way the submitters propose to prioritise streams or determine over allocation. FFNZ does not agree with imposing more stringent minimum flows or water restrictions or limits on takes.

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
120.6 120.7 120.8 120.9 120.32 120.33 120.34 120.39 120.45 120.46 120.55 120.57 120.58 120.61 120.67 120.68 120.69 120.76	Ngati Kahungunu Iwi	Amend	<p>Amend Change 9 to</p> <ul style="list-style-type: none"> include a capped total groundwater allocation limit of a maximum of 70 million m3 per annum cease mining groundwater and phase out overdrafting within the Heretaunga Plains Aquifer System, reduce over abstraction and allocation of TANK surface waters (see Attachment 2 for numerical values). to introduce (over the 10 year life of the Plan) a new system of allocation of water in the TANK catchments that does not rely exclusively on "first in, first served" and "grandparenting"; and that enables allocation of water in a way that provides for tikanga, whakapapa, recognition of rangatiratanga and Ngati Kahungunu's native title and proprietary interests in the TANK catchments and wider sustainable management – water permits should be discretionary ensure that Te Mana o Te Wai is given full and proper effect and that the Mauri and other cultural values of the waterbodies within the TANK catchments are restored and protected <p>And to ensure alignment between PC9 and the RRMP</p> <ul style="list-style-type: none"> Consider all groundwater (including shallow groundwater) within the allocation limits and stream depletion provisions. Ensure all water takes are within low flow, cultural allocation to Ngati Kahungunu and high flow allocation limits (less than 30% naturalised MALF) Protect and enhance lowland springs so no negative effects on spring flows from water allocation Restore depleted surface water flows and extent of streams, wetlands and springs through sustainable and precautionary allocation limits Phase out, during the life of PC9, the grand-parenting and first in, first served regime in favour of an improved allocative model that enables recognition of the cultural and biodiversity values identified. Ensure commercial water takes (particularly groundwater) do not compromise existing private drinking water bores (existing infrastructure) and human health is the priority consideration. Remove presumption that existing consent holders will be able to renew water take permits regardless of use or volume and require all takes to be within sustainable (high and low) allocation limits and takes will cease at minimum flow except provision for explicitly prioritised essential uses e.g community supply Implement a framework by which existing takes will be phased out (along with over-allocation and over abstraction) and consequently enable a (low flow) tangata whenua allocation to be provided for. Any cultural allocation to Ngati Kahungunu shall not have a stipulation as to its use and the policy should not be used as a tokenistic method of addressing the cultural needs and aspirations of Maori. 	Oppose	<p>FFNZ does not agree with the way the submitters propose to prioritise streams or determine over allocation.</p> <p>FFNZ does not agree with imposing more stringent minimum flows or water restrictions or limits on takes.</p> <p>FFNZ does not support phasing out grand parenting or first in first served and considers that any over allocation ought to be address through a community and future plan change process.</p>
180.1 180.2 180.8	Horticulture New Zealand	Not Stated	<p>Critically important Plan Change 9 maintains sufficient flexibility in water use moving forward to allow other technological advancements to be facilitated.</p> <p>It is critical that the harvesting of water at high flows, and storage for later utilisation, is provided for by the TANK plan change. The total allocation of high flow water identified in the plan must be able to be harvested, and further work also needs to be done to identify whether or not additional water can be taken for this purpose.</p> <p>PC9 also effectively locks everyone into historic patterns of water and land use, which arguably is a pattern of water and land use that has resulted in some adverse effects on the environment. This plan change needs to provide opportunities for change that will enable</p>	Support	FFNZ agrees that flexibility is important and that water storage/harvesting ought to be enabled.

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
			improvements in freshwater management to be achieved. If the changes set out in this submission are incorporated into the plan change, then that could potentially be addressed.		
193.18 193.20 193.21 193.23 193.24	Heinz Wattie's Limited	Not Stated	<p>Policies concerning consent renewal reliant on good water allocation records should not be enacted unless those records exist</p> <p>There is little opportunity to effect change, especially around new water use, even from storage</p> <p>The policies that support water storage are laudable, but the policies around harvesting, reticulating and utilising that stored water are inconsistent with the objectives. If a significantly greater proportion of irrigation was provided from storage, that would lessen the perceived impact on surfacewater bodies. Augmentation of these waterways may not be necessary.</p> <p>The consequence of policies as worded regarding reallocation of consents on the basis of "Actual and Reasonable" will not allow the use of previously allocated but not utilised water to be used to augment surface water flows (as is currently practiced by the Twyford Water Users group) because there will no longer be un-utilised water. The Global consents model that has been lauded a success by the HBRC will no longer be effective, unless as a collective they seek to augment with water from elsewhere (Storage).</p>	Support in part	FFNZ agrees that consent renewal should be based on efficient and actual water use.
197.5 197.6	BLNZ	Amend Oppose	<p>OBJ 16, 17 and 18 and associated policies and rules - Amend existing and include as required new objectives, policies and rules to give effect to the following intent:</p> <ul style="list-style-type: none"> • Provide for stock drinking water as a priority(permitted activity) take; • Establish take volumes (eg 70L per animal per day) which provide for animal health and wellbeing... • Enable these volumes to be taken as permitted activity; • Enable priority takes below minimum flows; or • Amend minimum flows to 1st limit takes for non priority uses; and <p>Enable priority takes to down to limits required to safeguard ecological health.</p> <p>Include new or amend existing objectives for Water quantity and allocation - Water quantity is managed to enable people, industry and agriculture to take and use water to meet their reasonable needs while ensuring</p> <p>a) For surface water:</p> <ol style="list-style-type: none"> i. minimum flows and allocation regimes are set for the purpose of maintaining or enhancing (where degraded) the existing life supporting capacity of rivers and their beds, and providing for communities' values for freshwater. These values include community wellbeing, cultural values, economic values, and existing use and investment; ii. in times of water shortage where limits are being approached or are breached, takes are restricted to those that are essential to the health or safety of people and communities, and drinking water for animals, and other takes are progressively reduced; the amount of water taken from waterbody does not compromise its existing life-supporting capacity or physical form and function; 	Support in part Oppose in part	<p>FFNZ agrees that priority ought to be given to animal drinking and welfare needs (such as dairy shed washdown). However, FFNZ has concerns about specifying limits for animal drinking needs as this will vary depending on season and should not result in an obligation to install telemetry just for that take.</p> <p>FFNZ does not agree with the proposals to set more stringent minimum flows.</p>
Objective TANK 16					
25.6	Xan Harding	Amend	<p>Amend OBJ TANK 16.c to read "Primary production on versatile and viticultural soils", or similar wording to achieve the outcome sought in this submission.</p> <p>Amend OBJ TANK 16.e to read "Water bottling and other non-commercial end uses", or similar wording to achieve the outcome sought in this submission.</p>	Support in part Oppose in part	FFNZ supports an approach which enables and provides for primary production and under which all activities or land uses play their part

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
58.1	HB Fish and Game	Amend	Amend objective to state "subject to limits, targets, and flow regimes that reflect Te Mana o Te Wai or the mauri of the waterway" or as recommended by tangata whenua.	Oppose	FFNZ does not agree that the objective should be subject to limits, targets and flow regimes and is concerned that such an approach may result in no activity being able to obtain consent (which would involve significant social and economic cost).
63.2, 63.3	Napier City Council	Amend	Amend subclause (b) to read: (b) The allocation and reservation of water for domestic supply including for marae and papakainga, and for municipal supply so that existing and future demand as described in HPUDS (2017) and successive versions and/or any requirements prescribed under a NPS on Urban Development can be met within the specified limits; Amend Objective 16 to ensure that sufficient water is allocated for domestic and municipal supplies to allow for future and existing growth demands.	Oppose in part	FFNZ is concerned that water should not be allocated for existing or future growth demands given that these are not present water needs but forecast future needs that may or may not eventuate. It could also result in an existing agricultural water need not obtaining consent on the basis of a future need that may or may not happen.
135.15	Ravensdown	Amend	Amend OBJ TANK 16 as follows: c) <i>Primary production on versatile soils</i> ;	Support	FFNZ agrees that priority ought to be given to primary production, irrespective of where that occurs.
207.2	HDC	Amend	Amend subclause (b) to read: The allocation and reservation of water for domestic supply including for marae and papakainga, and for municipal supply so that existing and future demand as described in HPUDS (2017) <u>and successive versions and/or any requirements prescribed</u> under a NPS on Urban Development can be met within the specified limits;	Oppose	FFNZ considers that PC9 should provide for the current NPS and any future NPS for Urban Development should require amendment through a plan change (and Schedule 1 process)6
Objective TANK 17					
180.18, 180.28	Hort NZ	Amend	Amend to clearly state that subsections a)-d) are <u>not</u> listed in any order of priority. Amend as follows: 'The Council will achieve or maintain the freshwater targets or freshwater objectives in Schedule 26 <u>by working with</u> landowners, <u>landowner collectives</u> , industry groups, and other stakeholders and will implement the following measures; a) <u>establishing</u> programmes and processes through Farm Environment Plans, <u>Catchment Landowner</u> Collectives and Industry Programmes to ensure land managers; (i) <u>adopt industry good management practice</u> ; (ii) identify critical source areas of contaminants at all relevant scales; (iii) <u>adopt effective measures to mitigate or reduce contaminant loss where this is necessary to achieve good management practice</u> ; prepare nutrient management plans in catchment not meeting targets for dissolved nitrogen;	Support	FFNZ agrees that the matters are not prioritised and agrees that the proposed wording changes improve readability and clarity.
Objective TANK 18					
29.8	HB Winegrowers	Amend	Amend OBJ TANK 18.e to read "water harvesting, storage and <u>controlled release</u> ." or similar wording to achieve the outcome sought in this submission.	Support	FFNZ agrees that a range of water harvesting and storage activities or practices ought to be provided for.
58.12	HB Fish and Game	Amend	Amend to place the present and future mauri of the waterway ahead of the needs of future generations or as recommended by tangata whenua.	Oppose	FFNZ does not agree that priority should be given to the mauri, particularly when this has not been defined or the implications assessed, and the focus of the objective is on matters like water storage (which would help to increase water flows)
180.19	Hort NZ	Amend	Amend to state that sub-sections <u>are</u> in order of priority, and reorder to list as follows: a) Water harvesting and storage; b) Flexible water allocation and management regimes; c) Aquifer recharge and flow enhancement; d) Water conservation, water use efficiency, and innovations in technology and management; e) Water reticulation	Oppose	FFNZ is concerned that requiring a-d to be considered in priority would unduly constrain options for improving water security.
233.9	HBDHB	Amend	Add new bullet point a) Sustainable water allocation	Oppose	FFNZ considers the focus of the policy is not on water allocation.
5.10.2 Policies: Surface Water and Groundwater Quality Management					

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
120.37 120.38 120.59 120.131	Ngati Kahungunu	Amend	Consents for groundwater abstraction near Maraekakaho should be aligned with total surface water depletion quantum and accounted for in the Ngaruroro management regime. Surface water depletion effects of groundwater takes near Maraekakaho need to be regulated through Fernhill OR the monitoring site could be moved to the actual confluence. Increase minimum flow requirements for the TANK catchment to address the cultural and biodiversity issues identified in this submission. Totally review land drainage and wetland management provisions to give effect to national policy direction and regulation and adequate protect groundwater	Oppose	FFNZ does not support changing allocation limits or increasing minimum flows. FFNZ does not agree that a different management regime is required.
197.7	BLNZ	Amend	Amend existing and include as required new policies to give effect to the following intent: More explicitly provide for the development and implementation of Farm Environment Plans, Catchment Collectives and Industry Programmes as the preferred approach to environmental management and recognise them as a priority to achieving freshwater targets and objectives.	Support	FFNZ supports a tailored approach and flexibility to provide for farm plans and improved farming practices through a range of regulatory and non regulatory options
Priority Management Approach					
29.9	HB Winegrowers	Amend	Amend Policy 34 to require Council to establish and maintain a community catchment governance body to oversee subcatchment activities within the TANK catchments. We suggest that this should comprise representatives from the Regional Planning Committee, together with representatives from each of the subcatchments and should meet at least bi-annually.	Support in part	FFNZ supports the use of catchment groups and catchment management plans as non regulatory methods to improve water quality.
142.15	Big Hill Station	Amend	Amend Policies 1 and 4: No regulatory impositions on sediment control until accurate data sets are available for defined catchments. With reference to accurate data sets establish reasonable and separate sediment and phosphorus outcome criteria for land users to abide by	Support in part	FFNZ agrees that regulatory requirements to reduce contaminants ought to be based on robust data/science
120.73 120.91	Ngati Kahungunu	Amend	Provide for consideration of the appropriateness and efficiency of an activity within the TANK catchments in terms of its water use and contaminant loss aspects by removing the presumption that all existing water takes will automatically be renewed and that land uses will continue unchecked by regulation. Amend policies 1-5 to make it clear that improvement is needed in all TANK catchments wherever water quality objectives are not currently met, to achieve targets by 2040, and detail the means by which decision makers and plan users are guided to achieve this (e.g., through regulating activities).	Oppose	FFNZ does not support an assumption that all land use must be regulated or reduce takes or that targets ought to be met by 2040.
192.2	T&G Global Limited	Amend	Sufficient water must be made available to provide for horticulture. If water becomes available for reallocation, priority should be given to the use of water for horticulture.	Oppose	FFNZ does not agree that priority for ought to be given to horticulture above all other land uses.
POL TANK 1					
14.4, 15.3, 20.6		Amend	Amend Policy 1 - Amend to require Council to establish and maintain a community catchment governance body to oversee subcatchment activities within the TANK catchments.	Support in part	FFNZ agrees that clear rules or structure needs to be provided for catchment collectives but is concerned to ensure this is not unduly bureaucratic and is able to be tailored to the particular catchment/community
58.13	HB Fish and Game	Amend	Amend Policy to include nitrogen in Policy 1 and/or in all other policies that recursively reference Policy 1.	Oppose	FFNZ does not agree that there should be a focus on nitrogen
123.4	DoC	Amend	The water quality of surface and groundwater bodies will be maintained where objectives of Schedule 26 are currently met and improved to meet targets in Schedule 26 where these are not met by 2040 by: a)Working with mana whenua, landowners, local authorities... etc b)Managing and regulating land use activities to improve water quality in catchments identified in Schedule 28 as a priority c)Where phosphorous and microbial pathogens are not meeting the objectives of Schedule	Oppose	FFNZ does not agree that there should be a requirement to achieve Schedule 26 by 2040 and does not support actions proposed to meet targets.

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
			26, also regulate and manage land use activities which generate sediment (as a key contaminant pathway) d) Managing and regulating land use activities to reduce sedimentation and macrophyte growth in lowland rivers e) Managing and regulating land use to reduce nutrient loads to the Waitangi and Ahuriri estuaries f) Enable the maintenance of existing and creation of new sustainable riparian margins g) Manage and regulate stormwater networks to reduce contaminants to water h) Manage and regulate land use activities to protect the water quality of domestic and municipal water Manage and regulate point source discharges to reduce contaminants to water		
126.14	James Lyver	Amend	Amend Policy 1 under the heading "Water Management Overview" to read: The Council will regulate or Manage land use activities and surface and groundwater bodies in the <u>Tutaekuri, Ahuriri, Ngaruroro and Karamu catchments</u> so that water ... n in <u>Freshwater Objectives in Schedule 26 are met by focussing on:</u> a) <u>requiring a general improvement in farming practice to reduce the diffuse discharge of contaminants;</u> b) <u>requiring a greater level of scrutiny on the management of farming enterprises located within 'High' and 'Medium' priority catchments water quality .. subcatchments</u> (as described in Schedule 28) <u>where current state water quality is not meeting specified freshwater quality targets objectives in Schedule 26;</u> c) <u>focussing on the enhancement and management of riparian margins;</u> d) <u>requiring a greater level of scrutiny for the management of urban stormwater networks to and the reduction reduce of contaminants in urban stormwater discharges into TANK waterbodies and TANK estuarine systems;</u> e) <u>requiring the protection of water quality for domestic and municipal water supply;</u> f) <u>recognising reductions in the discharge of contaminants will need to continue more than 10-years after PC9 is operative to achieve freshwater objectives in Schedule 26.</u> b) sediment management as a key <u>Waitangi estuaries;</u>	Oppose	FFNZ is concerned that the proposed amendments have the effect of requiring everyone to improve everywhere (not just where water quality is degraded or farming practices are "poor"). FFNZ does not agree that the objectives are freshwater objectives or that there should be a focus on riparian margins or that it is appropriate to signal reductions beyond the lifetime of this plan.
201.32	Heretaunga Tamatea	Amend	The Council will regulate land use activities and activities affecting surface and ground water bodies so that water quality attributes are maintained at their current state or where required show an improving trend towards the water quality targets shown in Schedule 26 by focussing on (matters outlined in submission).	Oppose	FFNZ considers that Policy 1 (as amended in its submission) better achieves sustainable management and is concerned that the proposed changes do not provide for a "maintain within a band" approach or appropriately take into account social and economic cost.
210.25	Forest and Bird	Amend	Reword the policy to make it clear that water quality improvements are needed wherever objectives are not currently met, and targets should be achieved by 2040, then state the way decision makers will achieve this. Care should be taken to reflect national planning standards format and the NPS Freshwater Mgmt. Also remove the interdependency between this policy and Policy 6, and format the policies in a clear way so that decision makers are not required to move back and forward through the plan in making decisions.	Oppose	FFNZ does not agree that water quality improvements are required everywhere or that they have to be achieved by 2040
POL TANK 2					
99.104, 180.21		Amend	Amend by adding 'landowner collectives' to the start of the policy, and add to the end of a)j) and biosecurity requirements of adjacent land use'	Oppose in part	FFNZ is not sure what is meant by "landowner collectives" and is concerned about the governance of such groups and how they would be responsible achieving the required outcomes. FFNZ is also concerned about what is meant by "biosecurity requirements" and the obligaitons this would impose.

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
210.26	Forest and Bird	Oppose	Remove parts of the policy that would be better in a 'methods' section (e.g. "establishment of riparian vegetation to shade the water and reduce macrophyte growth while accounting for flooding and drainage objectives"). Reword to provide more direction on what the water quality objectives are, and how and when they will be achieved (without writing methods).	Oppose in part	FFNZ would support removing matters that are better described as methods but does not support changing the wording of the policy to specific the water quality objectives and how they should be achieved.
POL TANK 3					
58.14	HB Fish and Game	Amend	Amend to refer to catchments where a lake or wetland is a receiving environment, including most sensitive receiving environment for catchments above the lake or wetland.	Oppose	FFNZ does not agree that a different management approach should be adopted where a lake or wetland is the receiving environment
123.42	DoC	Amend	Policy 3 - The significant values and ecosystem health of wetlands and lakes will be protected and enhanced where necessary by: a) <u>Working with landowners in wetland and lake catchments</u> b) <u>Managing and regulating land use activities in wetland and lake catchments to reduce sediment and nutrient inputs, improve water quality and support indigenous macrophyte growth in shallow lakes</u> c) as currently worded d) <u>Meet water quality objectives and targets in Schedule 26 in downstream waterbodies affected by wetland or lake water quality</u> <u>Enable landowners to protect, increase and restore existing wetland and create new wetlands</u> Add attribute states for lakes to Schedule 26	Oppose	FFNZ considers the policy ought to be amended as proposed in its submission. It does not agree with the amendments proposed by DoC.
210.27	HB Forest and Bird	Amend	Remove parts of the policy that would be better in a 'methods' section. Reword the policy to focus on what is to be protected/restored (i.e. the outcome) rather than what council will do. E.g. "The values and ecosystem health of wetlands and lakes will be protected and enhanced by..."	Oppose in part	FFNZ would support removing matters that are better described as methods but does not support changing the wording of the policy to specific the water quality objectives and how they should be achieved.
POL TANK 4					
123.43	DoC	Amend	<u>Manage and regulate land use in priority catchments in Schedule 28 to address priority water quality issues in Schedule 28 and to maintain objectives and achieve targets in Schedule 26 by 2040.</u>	Oppose	FFNZ supports a prioritised approach but considers that the amendments proposed will not appropriately prioritise catchments/water quality issues and it is not appropriate to require this to be achieved by 2040.
180.22	Hort NZ	Amend	Amend by adding definition of 'lower Ngaruroro' and planning map outlining extent of area.	Support	FFNZ agrees that it would improve certainty if "lower Ngaruroro" was defined.
210.28	Forest and Bird	Amend	Remove parts of the policy that would be better in a 'methods' section Reword to provide more direction on what the water quality objectives are, and how and when they will be achieved (without writing methods).	Oppose in part	FFNZ would support removing matters that are better described as methods but does not support changing the wording of the policy to specific the water quality objectives and how they should be achieved.
POL TANK 5					
123.44	DoC	Amend	Manage and regulate land use in priority catchments in Schedule 28 to address priority water quality issues in Schedule 28 and to maintain objectives and achieve targets in Schedule 26 by 2040. Insert point E) to work with Napier city to improve fish passage and restore spawning habitat.	Oppose	FFNZ supports a prioritised approach but considers that the amendments proposed by DoC will not appropriately prioritise catchments/water quality issues and it is not appropriate to require this to be achieved by 2040
210.29	Forest and Bird	Amend	Remove parts of the policy that would be better in a 'methods' section. Reword to provide more direction on what the water quality objectives are, and how and when they will be achieved (without writing methods).	Oppose in part	FFNZ would support removing matters that are better described as methods but does not support changing the wording of the policy to specific the water quality objectives and how they should be achieved.
Protection of Source Water					

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
29.10, 29.39	HB Winegrowers	Amend	Amend Policies 6, 7 and 8 – Remove the references to assessment of actual or potential effects of activities in the SPZs on Registered Drinking Water Supplies from Rules TANK 4/5/6/9/10. Address risks via Farm Environment Plans, Catchment Collectives and Industry Programmes.	Support	FFNZ agrees that the focus should be on reducing risks using farm plans etc and not on assessing actual and potential effects (which can be very difficult to quantify and assess)
207.67, 207.77	HDC	Amend	TANK Plan Change needs to ensure that it is not inconsistent with the legislative requirements and regulatory framework for source water protection. The specific wording and provisions may need to be amended as the Water Services Bill process progresses.	Oppose	Any amendment as a result of a new Act should occur through a future plan change process
POL TANK 6					
180.23	Hort NZ	Amend	Amend by adding as subsection (b) <u>'requiring Registered Drinking Water Suppliers to quantify the vulnerability of the registered drinking water supply to contamination, and then undertake an assessment of options to relocate existing drinking water supplies to less vulnerable locations'</u> .	Support	FFNZ agrees that drinking water suppliers ought to have an obligation to look for less vulnerable locations for sourcing water.
123.45	DoC	Amend	Policy 6 - Source protection zones need to be clearly identified in Schedule 28.	Oppose	FFNZ does not agree that it is appropriate to add the zones to Schedule 28
233.11	HBDHB	Amend	Extend the definition of Water Source Protection Zone to all registered water supplies serving 25 persons or more.	Oppose	FFNZ considers this is too broad
POL TANK 7					
180.24	Hort NZ	Amend	Amend by adding subsection e) as follows: <u>require applications to include an assessment of the vulnerability of the location to contaminants from existing activities, and sites that are vulnerable are avoided where possible.</u>	Support	FFNZ agrees that drinking water suppliers ought to have an obligation to look for less vulnerable locations for sourcing water.
POL TANK 8					
180.25	Hort NZ	Amend	Amend by adding an additional subsection to b) <u>as follows: nature of existing land and water use within Source Protection Zone, existing investment in those activities, and the specific locational needs of those activities.</u>	Support	FFNZ agrees that existing land and water use ought to be taken into account
207.41	HDC	Amend	Amend Policy 8 to read: (v) any risks to the proposed landuse, <u>water takes</u> or discharge activity has either on its own or in combination with other existing activities as a result of non-routine event. (vi) <u>any risks ensuring the water supplier is aware</u> of any abstraction of groundwater where abstraction has the potential to have more than a minor impact on flow direction and speed and/or hydrostatic pressure (viii) <u>outcomes of consultation with the Registered Drinking Water Supplier with respect to the risks to source water from the activity, including measures to minimise risk and protocols for notification to the Registered Drinking Water Supplier in the event of an event which would present a risk to source water."</u>	Oppose	FFNZ does not agree it is appropriate to consider water take risks in this policy
Managing Point Source Discharges					
120.106	Ngati Kahungunu	Amend	Amend so that all point source discharges are subject to the objectives and targets in Schedule 2, timeframes to achieve those targets, and continuous improvement.	Support in part	FFNZ considers that all land use activities or discharges ought to be subject to the same objectives and targets
POL TANK 10					
58.15	HB Fish and Game	Amend	Amend to state a no greater than 20% change in QMCI downstream (after reasonable mixing) of the point source discharge site when compared with a reference site immediately upstream of the discharge site.	Oppose	FFNZ is concerned this is an unreasonably high standard.

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
123.46	DoC	Amend	Amend to include reference to reducing contaminant from point source discharges where objectives in Schedule 26 are not being met currently in order to meet targets by 2040.	Oppose	For same reason as FFNZ opposes this requirement of diffuse discharges (see above)
210.31	Forest and Bird	Amend	Amend to reference meeting Schedule 26 targets where objectives are not currently being met and include timeframe.	Oppose	FFNZ does not agree that there should be a requirement to meet specific numeric attribute targets or that a timeframe should be imposed on this
135.22	Ravensdown	Amend	Amend Policy 10 as follows: <i>c) when it is an existing activity, identification of the mitigation measures, where necessary, and timeframes for their adoption that contribute to the meeting of fresh water quality objectives.</i>	Support in part	FFNZ agrees that activities will “contribute” to meeting objectives but does not agree that they should be specified as “freshwater” objectives
Riparian Land Management					
17.6, 21.6, 40.6, 45.8, 112.6, 114.3,		Amend	Support with amendments objectives to increase riparian planting and wetlands. Seek that these provisions are implemented through non regulatory methods and not regulation. We seek more information as to how Council intends to facilitate meeting the targets specified i.e. funding assistance and support.	Oppose	FFNZ does not support a blanket requirement to increase riparian planting and wetlands. FFNZ considers that a tailored approach ought to be adopted.
106.10, 120.56, 120.128, 120.129, 120.130		Amend	Restore and revegetate immediate area surrounding lowland springs, and ensure access to these springs for cultural reasons is Improved. Amend to link to stock exclusion, cultivation, and setbacks from water and address catchment-wide land use. Require riparian management, adequate setbacks and wider catchment management where there are specific water quality issues or targets. Suggestions for other sediment control mechanisms provided. Specifically link riparian management to providing for freshwater values.	Oppose	FFNZ considers tailored solutions ought to be adopted and not a blanket approach or requirement to restore and revegetate everywhere, for example
141.6, 145.7		Amend	To be accessed case by case. Maybe not fencing in difficult terrain but just planting trees. The planting of trees and shrubs by waterways should not affect or interfere with drain efficiency or waterflow. Riparian planting may well limit access by drain clearing machinery or may be an impediment to the widening or deepening of drains that could be required. This needs to be signalled in PC9.	Support in part	FFNZ supports a tailored approach that considers a range of options to address a critical source area or risk. FFNZ is also concerned that solutions/options need to be practicable and workable.
POL TANK 11					
123.47	DoC	Amend	Amend to include reference to reducing contaminant from point source discharges where objectives in Schedule 26 are not being met currently in order to meet targets by 2040. 11b - Amend to include shading of other catchment tributaries	Oppose	FFNZ does not agree that there should be an obligation to achieve Schedule 26 by 2040 or a blanket approach to contaminant management or to the actions required.
210.32	Forest and Bird	Amend	Support in part. Amend as per our comments (move to methods)		
POL TANK 13					
180.26	Hort NZ	Support	HortNZ supports and encourages the council to work alongside growers to improve riparian management (where it is appropriate taking into account biosecurity matters), and as highlighted earlier, encourage the council to start providing this support as soon as they can, to enable landowners to start making improvements ahead of this plan change becoming operative. HortNZ also notes a need to potentially clear indigenous vegetation for biosecurity purposes, which is addressed in relation to the specific rules later in this submission.	Support	FFNZ agrees that council should work with growers (and farmers and other land uses) and that actions needs to be practicable and workable (including recognising that addressing biosecurity risks might require clearance of indigenous vegetation).
123.49	DoC	Amend	Values are not listed in Policies 11 and 12. PC9 needs a schedule of identified freshwater values and where they apply (Schedule X) which can then be referenced by this policy.	Oppose	FFNZ considers that tailored solutions (regulatory and non-regulatory) are required and does not support blanket requirements to do things like riparian planting. FFNZ does not agree with adopting a schedule of freshwater values.
201.35	Heretaunga Tamatea	Amend	Amend bullet points and add new bullet points starting with a) working with industry groups and land owner collectives to identify where riparian management needs to be improved; and additional points to align with broader submission		

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
210.34	Forest and Bird	Amend	Move to a 'methods' section, or reword to better reflect best practice policy frameworks. Remove 'significant' from (c) – i.e. "regulating cultivation, stock access and indigenous vegetation clearance activities that have an significant adverse effect on functioning of riparian margins in relation to water quality and aquatic ecosystem" Create a schedule of freshwater values with a note on where they apply (Schedule X) which can then be referenced by this policy.		
Wetland and Lake Management					
113.9, 113.1	Te Tumu Paeroa	Amend	Land utilisation and management practices could be more appropriately determined by an individual or site specific plan rather than a generic approach as signalled by the provisions of schedule 24 - wetland mapping area for Poukawa (2015). The determination of the setback area from the water edge (and incoming freshwater requirements) is unclear when viewed in conjunction with the lake (verge) and the outline of the wetland as shown in schedule 24 (Pc5). Recommends the following; That council engage directly with Te Tumu Paeroa and the Poukawa 13B Trust to develop and determine a site specific plan for Poukawa Waiu, including land utilisation and improvement of the water quality of the lake; Mitigation and alignment of the restoration plan to Te Mana o te Wai	Oppose	FFNZ does not consider it appropriate or necessary to amend the policies and schedules relating to lakes and wetlands.
123.5	DoC	Amend	Policy 14 & 15 - Include description of wetland and lake values in Policy 3. Policy 14e - Amend to include enhancement of lake water quality and include attributes for lakes in Schedule 26.		
POL TANK 14 & 15					
58.16	HB Fish and Game	Amend	Amend (a) to state "as a habitat for indigenous and valued introduced" species. This may also require a subsequent change to the definitions.	Oppose in part	FFNZ considers Policies 14 and 15 ought to be retained as notified.
210.35	Forest and Bird	Support	Reword and merge with Policy 3 or split into method/policy components. Amend to include reference to wetlands' value in creating drought resilience, for soil moisture retention, and for groundwater recharge. Amend (f) to read "f) fish habitat and spawning"		
58.17	HB Fish and Game	Amend	Amend to include Hawke's Bay Fish and Game Council on the list	Oppose in part	FFNZ sought to amend Policies 14 and 15 to be retained as notified. We accept the relief sought by Fish and Game to be included.
210.36	Forest and Bird	Amend	Reword and merge with Policy 3 or split into method/policy components.		
Phormidium Management					
POL TANK 16					
123.51	DoC	Amend	Amend as: To meet benthic cyanobacteria objectives and targets by 2040 and to support the values in Schedule X Delete all references to Phormidium and replace with potentially toxic benthic cyanobacteria as this is no longer the correct name for this genus.	Oppose	FFNZ does not agree with broadening the scope of Policy 16 to new contaminants and requiring new actions.
210.37	Forest and Bird	Amend	Consider what might be better placed in a 'methods' section. Amend to read: "The Council will address the risks to human health and dogs from <u>potentially toxic benthic cyanobacteria phormidium</u> by; (e) <u>maintaining flushing flows</u> (g) <u>regulating land use activities and diffuse discharges to assist in preventing the occurrence</u>		

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
			of blooms” Refer to Schedule 26 targets and timeframes for achievement.		
5.10.3 Managing Adverse Effects From Land Use on Water Quality (Diffuse Discharges)					
120.23, 120.24, 120.72, 120.107	Ngati Kahungunu	Amend	Regulate (require consent for) production land in priority catchments to resolve water quality issues in Schedule 28 and in catchments required to meet water quality targets in Schedule 26 within the life of the plan. Control the use of production land all other catchments to maintain water quality. Require Farm Environment Plans within specified, short term timeframes and within a consenting (not a permitted activity) framework with defined performance, monitoring and auditing standards. These policies must be subject to the objectives and targets in Schedule 26 and the priority water quality issues in Schedule 28.	Oppose	FFNZ does not agree that all production land needs to be regulated by resource consents
197.9	BLNZ	Amend	Policies 17, 18, 19 and 21 - Amend existing and include as required new provisions to give effect to the following intent: * Management approaches are tailored to addressing water quality issues identified on a sub catchment basis... * Provide for flexibility in Nitrogen use and discharge where these will not exceed long term determined sub catchment determined loads. * Enable land uses which are leaching at or less than the ‘sustainable level’ to continue... Enable changes in land use which occur within the sustainable level for the sub-catchment. Continued in submission.	Support in part Oppose in part	FFNZ supports a flexible and tailored approach to managing land use and targeting contaminants that are an issue for the particular sub-catchment. FFNZ does not support an approach that determines that activities above a “sustainable level” must reduce because this typically involves allocation and there is no reliable basis to determine what a “sustainable level” is or to measure how much a particular farm is above that level
240.21	Ngati Parau	Not stated	Ensuring that all agricultural land use activities utilise best management practices to minimise erosion, sediment supply, and nutrient losses.	Oppose	FFNZ supports the adoption of good management practices for all farmers. However, it considers that best management practice is a completely different concept based on actions intended to achieve a specific limit or target. As no property scale allocation or limits have been set, FFNZ considers that BMP is not appropriate.
Adaptive Approach to Nutrient and Contaminant Management					
99.83	Twyford Water	Oppose	Amend Change 9 so that all provisions that relate to industry schemes to better align requirements with existing and established industry programs such as GAP schemes.	Support in part	FFNZ sought amendment to provide a more balanced approach to nutrient management and implies support for a staged adaptive management approach and provided recommendations regarding successful implementation.
29.11	HB Winegrowers	Amend	Amend 17.a to read “establish programmes and processes through Farm Environment Plans, Catchment Collectives and , Industry Programmes <u>and other catchment-based groups</u> ”, or similar wording to achieve the outcome sought in this submission.	Support	FFNZ supports an approach that is inclusive and provides as many options for improving practices as possible
58.18	HB Fish and Game	Amend	Amend by directly referencing “rules that govern land use intensification”	Oppose	FFNZ consider that the amendment is not appropriate.
120.1081 20.11012 0.111120 112	Ngati Kahungunu	Amend	Where targets for water quality are not being achieved, clear management of land use activities which contribute to degraded water quality must be included in the plan with a timebound pathway of improvement to achieving targets. Replace terms like 'good practice' with more directive wording, and define with regulatory performance standards Critical source areas, nutrient budgeting, contaminant loss, reduction and mitigation, must all be required to meet performance standards Action to reduce nutrient (and sediment) contamination of waterbodies is needed in PC9 now	Oppose	FFNZ does not support an approach that allocates contaminants or requires properties to meet specific limits for reasoning including that there is no reliable or equitable basis to allocate contaminants. FFNZ also considers that good management practice ought to be the requirement and does not support performance standards (which are non-tailored and not appropriate).

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
216.18	NZ Apples and Pears	Amend	There are currently limited options available for modelling nutrient loss, particularly from horticultural systems, so it is important that flexibility is incorporated to allow the applicant to use an approved model to calculate their land use change impact.	Support in part	FFNZ sought amendment to provide a more balanced approach to nutrient management and implies support for a staged adaptive management approach and provided recommendations regarding successful implementation.
POL TANK 17					
99.9	Twyford Water	Amend	Many horticultural growers have already adopted industry good practice, and in some cases operate above it, and this should be acknowledged in the wording of (a)(i) and (iii). With regards to (a)(ii), catchment groups, existing and established industry programmes should be recognised as being an important party and key to the achievement of this policy, and the wording at the start of the policy should be amended to reflect that.	Oppose in part	FFNZ considers that the appropriate standard is that everyone should adopt good management practice
123.52	DoC	Oppose	Delete Policy 17 and replace with: "Schedule 26 freshwater quality objectives will be maintained where they are currently met, and targets will be achieved by 2040 through regulating the use of land in priority catchments for the water quality issues in Schedule 28, the intensification of all land, and requiring farm plans in all catchments that: a) Meet industry good practice as defined in Schedule XX b) Manage all critical source areas c) Mitigate and reduce contaminant losses to water d) Meet nutrient budgets for nitrogen in priority catchments in Schedule 28 e) All land users providing contaminant loss and nutrient budget information annually, or on request by the Council" F) Provide for appropriate nforcement actions Or similar words Include a regulatory implementation pathway to achieve objectives and targets by 2040 Include regulation of land use in priority catchments and for waterbodies where contaminants are not currently meeting objectives in Schedule 26 as a minimum and require FEPs for all farming land use >10ha.	Oppose	FFNZ does not agree that Schedule 26 objectives must be achieved by 2040 or that all contaminants must be reduced everywhere.
126.17, 126.18	Maungaharu ru Tangitu Trust	Amend	Insert new Policy 17A to read: <u>In addition to Policy 1, require land use activities located within 'Low' and 'Long term' priority catchments (as described in Schedule 28) to prepare a Farm Environment Plan for;</u> <u>a) farming enterprises in accordance with Section C of Schedule 30;</u> <u>b) TANK catchment collectives, TANK industry programmes, catchment collectives and industry groups in accordance with Section A and B of Schedule 30; within 6 years of PC9 becoming operative.</u> Amend Policy 17 to read: The Council will achieve or maintain the freshwater targets or freshwater objectives in Schedule 26 with landowners, industry groups, and other stakeholders and will implement the following measures <u>In addition to Policy 1, require land use activities located within 'High' or 'Medium' priority catchments (as described in Schedule 28) to (iv) prepare nutrient management plans in catchment not meeting targets for dissolved nitrogen. prepare a Farm Environment Plan for;</u> <u>a) farming enterprises establish programmes and processes through Farm Environment Plan in accordance with Section C and B of Schedule 30 inclusive of the matters set out in Policies 11, 14, 20, 21, 22 and 27;</u> <u>b) TANK catchment collectives, TANK industry programmes, catchment collectives and industry groups in accordance with Section A and B of Schedule 30 inclusive of the matters set out in Policies 11, 14, 20, 21, 22 and 27; within 3 years of PC9 becoming operative</u>	Oppose	FFNZ does not support expanding the scope of the policies or requiring additional farms to do farm plans. FFNZ is also concerned that the effect is to allocate contaminant discharges to a property scale and FFNZ does not support such an approach.

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
135.23	Ravensdown	Amend	Amend Policy 17 as follows: a) (iv) <i>implement measures for prepare nutrient management plans in catchments not meeting targets for dissolved nitrogen.</i>	Oppose in part	FFNZ is concerned that the obligation created by the proposed amendments is to require the implementation of actions in farm plans and that that will result in obligations that cannot be tailored to the particular farm.
210.38	Forest and Bird	Oppose	Delete Policy 17. Take components to a methods section. Replace with a policy that better reflects the requirements of the NPSFM, RMA, and NES FW, and references the targets and timeframes in Schedule 26.	Oppose in part	In principle, FFNZ would support moving parts of the policy to a method. However, it does not support re-writing the policy as proposed by this submitter
POL TANK 18					
126.19	Maungaharu ru-Tangitū Trust	Oppose	Amend Policy 18 to read: The Council will <u>work with landowners, industry groups, and other stakeholders to assist with achieving or maintaining the short-term numerical attribute targets in Schedule 26AA</u> or freshwater objectives in Schedule 26 by; a) gathering information to determine sustainable nutrient loads; a) <u>establishing and operating a publicly available freshwater quality accounting system in each FMU;</u> b) <u>Collating and analysing contaminant loss data provided through Farm Environment Plans prepared in accordance with Policy 17A and Policy 17;</u> c) a) gathering information necessary to determine sustainable nutrient loads <u>develop nutrient limits and a nutrient an allocation regime for discharge of nitrogen in 'High' priority catchments; if the management framework in Policy 17 is not leading to improved attribute states by the time this plan is reviewed;</u> d) <u>signalling further regulation of land use activities</u> where there is a significant risk of increased nitrogen loss; e) gathering and assessing information about environmental state and trends and the impact of land use activities on these; f) working into; <u>additional measures to reduce nutrient losses at a property and catchment scale.</u> i) nutrient pathways, nitrogen att; .. programmes.	Oppose in part	While there are discreet elements of the proposed amendments that could improve the policy (such as council working with a range of stakeholders and the actions "assisting" with achieving targets, as opposed to achieving the targets themselves), FFFNZ does not agree that there should be a requirement to meet the numerical targets (FFNZ supports an approach to maintaining within a NOF band) and is concerned that the actions of collaging data at farm scale will lead to property scale allocation of contaminants/nutrients. FFNZ does not support allocation for reasons including that there is no robust, reliable or equitable way of allocating them. FFNZ considers that water quality can be improved by management of land use activities without the need to allocate contaminants/nutrients. For these reasons FFNZ opposes the amendments sought by this submitter.
123.53	DoC	Oppose	"The maintenance or improvement of water quality to meet freshwater objectives and 123.53 targets by 2040 will be supported by: a) Collating, analysing and reporting on contaminant loss data provided by all land users (through Policy 17) b) Developing a contaminant allocation regime (nitrogen) in priority catchments c) Further regulation of land use in areas outside of priority catchments where targets are not being achieved by 2030 d) Measuring and reporting against the objectives and targets in Schedule 26 every five years e) Working with industry groups, landowners, mana whenua and other stakeholders to research and investigate additional mitigations and actions to meet targets at a property and catchment scale"	Oppose	FFNZ does not support allocation of contaminants/nutrients for reasons including that there is no robust, reliable or equitable way of allocating them. FFNZ considers that water quality can be improved by management of land use activities without the need to allocate contaminants/nutrients. FFNZ does not support a requirement to achieve numeric targets by 2040 or to apply a limit/target at a property scale. For these reasons FFNZ opposes the amendments sought by this submitter.
210.39	Forest and Bird	Oppose	Replace with a policy that better reflects the requirements of the NPSFM, RMA, and NES FW, and references the targets and timeframes in Schedule 26. A clear regulatory pathway is needed to achieve 2040 targets. That must include nutrient management – either via inputs or outputs.	Oppose	FFNZ does not support allocation of contaminants/nutrients for reasons including that there is no robust, reliable or equitable way of allocating them. FFNZ considers that water quality can be improved by management of land use activities without the need to allocate contaminants/nutrients. FFNZ does not support a requirement to achieve numeric targets by 2040 or to apply a limit/target at a property scale. For these reasons FFNZ opposes the amendments sought by this submitter.

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
135.24	Ravensdown	Amend	Amend Policy 18 as follows: <i>The Council will achieve or maintain the freshwater targets or freshwater objectives in Schedule 26 by;</i> a) <i>gathering information to determine sustainable nutrient loads;</i> b) <i>developing nutrient limits and a nutrient allocation regime if the management framework in Policy 17 is not <u>achieving the freshwater quality objectives leading to improved attribute states</u> by the time this plan is reviewed;</i>	Oppose	FFNZ does not support allocation of contaminants/nutrients and is concerned that “hardwiring” a requirement to allocate if the targets in Schedule 26 are not met will make allocation more of an imperative than if the requirement was “improved attribute states” as notified.
180.29	Hort NZ	Amend	Amend as follows: ‘The Council will achieve or maintain the freshwater targets or freshwater objectives in Schedule 26 by... c) regulating land use change to manage contaminant loss across a range of contaminants; e) working with industry groups, collectives, landowners and other stakeholders to undertake research and investigation into; (i) nutrient pathways, concentrations and loads in rivers and coastal receiving environments; (ii) nutrient uptake and loss pathways at a property scale; measures to reduce contaminant losses at a property as well as catchment scale including those delivered through industry programmes an landowner collectives.	Support in part Oppose in part	FFNZ agrees that paragraph (c) focuses on nitrogen and there might be reason to consider land use change due to other contaminant losses. However, FFNZ is concerned that “regulating” land use change on the basis of nitrogen or any other contaminant is a very strong and paternalistic regulatory response and should be the last response. FFNZ considers there would need to be robust evidence/science/data to make such a decision and compensation and appropriate transition periods would need to be considered. FFNZ agrees that a focus on contaminants is broader than just nutrients and may be appropriate to appropriately and fully consider the effects associated with diffuse discharges on water quality.
POL TANK 19					
180.30	Hort NZ	Amend	Amend as follows: ‘In catchments that do not meet objectives for dissolved nutrients-nitrogen specified in Schedule 26, the Council will ensure landowners, landowner collectives and industry groups have nutrient management plans according to the priority order in Schedule 28.’	Oppose	FFNZ does not agree that the focus should be solely on nitrogen and considers that management plans are an appropriate response to managing dissolved nutrients that do not meet objectives.
194.37	Pernod Ricard	Amend	PRWM seeks that 5.10.3.19 be amended to differentiate between high and low nitrogen loss land uses. This could be amended through reference to Schedules 29/30 which may themselves require consequential amendments. In addition, PC9 should acknowledge the requirements for FMPs under Part 9 RMA and ensure the plan provisions are not inconsistent or more stringent than these.	Oppose	FFNZ does not agree with a focus solely on nitrogen.
Sediment Management					
120.124 120.125 120.126	Ngati Kahungunu	Amend	Amend Policy 20 AND/OR add new provisions to set out a clear plan for managing sedimentation Amend Policy 20 to be more directive and directly reference achieving the water quality objectives and targets in Schedule 26 (including all of the objectives of Schedule 27) Control both sources of sediment (adjacent to waterbodies and broader land use in highly erodible catchments)	Oppose	While FFNZ considers it appropriate to manage sediment (where that is causing water quality issues), it does not agree that there should be a regulatory response (a management approach through things like catchment plans or farm plans is more appropriate) or that there should be a direct reference or link to water quality objectives and targets in Schedule 26.
Policy 20					
123.55	DoC	Oppose	Amend Policy 20 as: “Sediment loss, erosion and effects on freshwater and coastal ecosystems will be mitigated and reduce to maintain the objectives and meet the targets in Schedule 26 by 2040 by: a) Controlling cultivation, stock access and vegetation clearance in all catchments b) Regulating land use in priority catchments vulnerable to erosion listed in Schedule 28 to manage critical source areas at the property and catchments scales c) requiring and supporting tree planting, afforestation and retirement of land, particularly where multiple water quality objectives and targets can be maintained or met Requiring and supporting and improved and sustainable riparian management in all	Oppose	FFNZ does not support a requirement to meet the objectives by 2040. FFNZ does not support changes to “control” a range of activities in all catchments and “regulate” activities or require tree and riparian planting. FFNZ considers these to be blunt planning responses to issues that are more appropriately addressed in a tailored way through catchment management plans or farm plans.

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
			catchments”		
135.26	Ravensdown	Amend	Amend Policy 20 as follows: <i>The Council will reduce manage adverse effects on freshwater and coastal aquatic ecosystems from eroded sediment, and from the phosphorus associated with this, by prioritising the following mitigation measures;</i>	Support	FFNZ agrees that the focus ought to be on managing adverse effects as opposed to requiring reduction.
210.41	Forest and Bird	Oppose	Amend to make more directive towards management measures and bottom lines.	Oppose	FFNZ does not support an allocation or limit or bottom line approach. FFNZ considers that to be a blunt approach that does not provide for tailoring the appropriate solution to the specific situation and will cause unnecessary and unreasonable social and economic cost. FFNZ also considers that there is insufficient data/science to support such a position.
Land Use Change and Nutrient Losses					
29.12	HB Winegrowers	Amend	Amend so that Catchment Collectives and Industry Programmes may manage land use change in accordance with the 2040 timeline for meeting water quality objectives. Amend 21.d to read “ <u>subject to Policy 21 a)-c)</u> , avoid land use change ” or similar wording to achieve the outcome sought in this submission.	Support in part Oppose in part	It is not clear what the role or mandate would be for catchment collectives or industry programmes, but FFNZ has concerns about giving catchment collective and industry programmes the power to manage land use change and how that might impact on individual land owners. FFNZ has concerns that “avoid” in policy (d) is too strong and supports amendments to qualify or soften this.
29.16	HB Winegrowers	Amend	Add a new clause 26.a to read “work initially with the Catchment Collective or Industry Programme to achieve compliance through the Catchment Collective or Industry Programme rules;” or similar wording to achieve the outcome sought in this submission. Amend 26.c (now 26.d) to read “ <u>where the processes in Policy 26.a-c have been exhausted</u> , take appropriate enforcement action.” or similar wording to achieve the outcome sought in this submission.	Support in part Oppose in part	It is not clear what the role or mandate would be for catchment collectives or industry programmes, but FFNZ has concerns about giving catchment collective and industry programmes the power to manage land use change and how that might impact on individual land owners. FFNZ has concerns that enforcement action is a strong step and supports amendments to qualify this.
POL TANK 21					
10.3	David Renouf	Amend	Amend Policy 21 - Add (e) "encourage farmers and growers to have a humus content in cropping and orchard soils with Target set of at least 4 percent of 'humus content in soils' by 2030" Add (f) "encourage farmers and growers to achieve nitrogen leaching loss target of less than the kg per hectare per year of the eight soil type figures set out in Plan Change 6 of Land Use Capability by 2025"	Oppose	FFNZ considers that a timeframe of 2025 or 2030 is unrealistic and there is insufficient data/science to support a requirement to achieve the soil content or nitrogen leaching loss rates.
66.1, 70.2		Oppose	Delete Policy 21 (d). Failing that, the wording of 21 (d) should be amended so that the word “avoid” retains its common meaning i.e. “to minimise” or “prevent as far as practical” rather than simply “not allow” as interpreted in the Supreme Court decision for Environmental Defence Society Inc v New Zealand King Salmon Company Limited (2014) NZSC 38 .	Support in part	FFNZ agrees that the word “avoid” is not appropriate and supports amendments to use a more appropriate term. FFNZ is concerned that, while better than avoid, the terms “minimise” or “prevent as far as practicable” may not be appropriate either and considers that the focus ought to be on “managing or reducing” nutrients where these are an issue.
180.31	HortNZ	Amend	Amend as follows: ‘The Council will remedy or mitigate the potential impact of diffuse discharge of nitrogen on freshwater quality objectives by regulating land and water use changes that modelling indicates are likely to result in increased <u>contaminant</u> loss (modelled on an <u>average</u> annual, whole of farm or <u>collective</u> basis) and in making decisions on resource consent applications, the Council will take into account: ...	Support in part Oppose in part	FFNZ supports the amendments so that the focus is on land use change as opposed to diffuse nitrogen discharges. It may also be appropriate to provide for consideration of contaminant loss at a farm and collective basis. However, FFNZ has concerns to ensure that there is still an effects based assessment.

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
			<p>a) <u>contaminant losses modelled to result from the land use change, in relation to whether freshwater quality objectives or targets are being met in the catchment where the activity is to be undertaken; and will;</u></p> <p>d) avoid land use change that will result in increased nitrogen loss that contributes to water quality objectives and targets in Schedule 26 for dissolved nitrogen not being met.</p> <p>e) <u>support crop rotation across highly productive land to maintain the soil health of highly productive land</u> f) <u>Recognise the importance of the TANK catchments for supplying vegetables for domestic food supply</u></p> <p>g) <u>Support the transition to a low emissions economy by enabling land use change that reduces greenhouse gas emissions, improves sequestration and promotes climate change adaptation.</u></p>		<p>FFNZ recognises that the diffuse discharges associated with crop rotation and the activity itself are different from pastoral grazing activities. However,</p> <p>FFNZ is concerned that crop rotation should not be given a higher priority than other primary and food production and considers that there should still be an effects based assessment.</p>
	DoC	Oppose	<p>Delete and reword as:</p> <p>“The impacts of diffuse contaminants from intensification of land use will be controlled in all catchments to maintain water quality where freshwater objectives are met and to improve water quality to meet targets by 2040. In making decisions on resource consents, taking into account:</p> <p>a) The current state and trends in water quality for the catchment in which intensification is planned</p> <p>b) Whether the intensification is in a priority catchment listed in Schedule 28</p> <p>c) The efficient use of land to reduce contaminant losses</p> <p>d) Planned mitigations and timeframes for actions to reduce contaminant losses from intensive land use</p> <p>e) Industry good practice as defined by the standards in Schedule XX</p> <p>f) Avoiding land use intensification where water quality objectives will not be maintained, or targets not met</p> <p>Considering the contribution of intensification to degraded water quality, including cumulative contaminant loss in the catchment”</p>	Oppose	<p>FFNZ does not support hard wiring the 2040 timeframe into the policy. FFNZ considers an approach of “controlling” land use change or intensification in all catchments is too blunt an approach and does not support a requirement to allocate or meet targets at a property scale or to reduce all contaminants everywhere.</p> <p>FFNZ also has concerns about how “efficient use of land” would be determined, but does support the adoption of industry agreed good farming practices.</p>
216.8	NZ Apples and Pears	Not Stated	<p>Question nitrogen loss being used as a trigger for resource consent to allow a land use change to occur. Land use change should consider and encourage change based on land use suitability and overall environmental impact and against broader benefits / impacts for the area or region, and not on nitrogen loss alone.</p>	<p>Support in part</p> <p>Oppose in part</p>	<p>FFNZ agrees that nitrogen is a blunt instrument for assessing effects and determining resource consent. However, FFNZ has concerns that land use suitability is not a term/assessment that has been developed and does not support an approach of assessing suitability based on LUC.</p> <p>FFNZ does agree that where they are able to be assessed, the whole environmental footprint should be considered as well as the regional and community benefits, and social and economic costs.</p>
Stock Exclusion					
120.120 120.123	Ngati Kahungunu	Amend	<p>Support the need to exclude stock from waterways</p> <p>Amend to include provisions with respect to break-feeding of stock and setbacks from water, which may need to be more stringent than the regulations.</p>	Oppose	<p>FFNZ does not agree that setbacks for these activities need to be more stringent than the regulations.</p>
POL TANK 22					
123.14, 123.57	DoC	Oppose	<p>Exclude stock from all wetlands, lakes and riparian margins used for fish spawning (specifically including inanga (<i>Galaxias maculatus</i>)) regardless of slope with minimum setbacks of at least 10 metres.</p> <p>Exclude break feeding from all waterbodies regardless of slope. Include defined setbacks from water for all stock exclusion provisions.</p> <p>Delete and amend as:</p> <p>“<u>To maintain water quality where objectives are met or to meet targets in Schedule 26 and to</u></p>	Oppose	<p>FFNZ considers that the proposed minimum setbacks are too blunt as a minimum standard to be applied everywhere and will cause significant cost for uncertain benefit. FFNZ supports a tailored approach whereby the appropriate setback can be tailored through a farm plan.</p> <p>FFNZ does not support a requirement for stock to be excluded from</p>

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
			provide for the values in Schedule X, stock will be excluded from all waterbodies and their margins by 2023”		all waterbodies and margins by 2023 for reasons including that this will result in significant cost and better environmental outcomes can be achieved through a tailored approach.
239.3	Mangaone Catchment	Amend	Change stock exclusion requirements to land less than 10 degrees in slope.	Support in part	FFNZ supports the submission point if the implication is that the requirement to consider stock exclusion applies to land less than 10 degrees in slope but would oppose it if there was a requirement to exclude stock on all land less than 10 degrees in slope.
Industry Programmes and Catchment Management					
120.113 120.114 120.115 120.116 120.117	Ngati Kahungunu	Amend	Introduce an element of discretion (e.g., through consenting pathways) into the Farm Environment Plan process Amend Change 9 so that no contaminant loss is acceptable All groundwater must be considered when considering the effects of land use on waterbodies. Management of land use activities (and land use change) must be clearly linked to the water quality objectives and targets in Schedule 26 Ambitious but reasonable timeframes for regulating activities must be linked to a clear improvement pathway to maintain and achieve the water quality objectives and targets in Schedule 26 and to resolve the water quality issues in Schedule 28.	Oppose	FFNZ supports a FEP and consenting process that is clear and certain, and recognises that these are existing farming activities (as opposed to new activities). FFNZ does not support the proposal to introduce discretion. FFNZ does not support proposals that no contaminant loss is acceptable because that does not recognise the economic and social costs/benefits or that these are existing activities. FFNZ does not support imposing a timeframe on this or linking regulation of activities to water quality objectives and targets (for reasons including that there is insufficient data/science to do so and FFNZ does not support allocation of contaminants).
123.58	DoC	Oppose	Delete policies 23 and 24	Oppose	FFNZ supports the use of farm plans and catchment collectives, subject to the amendments proposed in its submission.
POL TANK 23					
135.28	Ravensdown Limited	Amend	Amend Policy 23 as follows. <i>d) support catchment and farm scale decision making to meet freshwater <u>quality</u> objectives and encourage local solutions and innovative and flexible responses to water quality issues;</i>	Support in part	FFNZ agrees that there may be merit in focusing this policy on the water “quality” objectives as opposed to all of the water objectives.
210.44	Forest and Bird	Oppose	Delete and/or move components to a ‘methods’ section. Replace with a system that gives effect to NPSFM.	Oppose	FFNZ considers that policy 23 requires amendment (as set out in its submission) but does not support the deletion of it and does not agree that an entirely new approach is required to give effect to the NPSFM.
POL TANK 24					
135.29	Ravensdown	Amend	Amend Policy 24 as follows: <i>The Council will continue to work with landowners, industry groups and other stakeholders to manage land and water use activities so that they meet objectives for freshwater/aquatic ecosystems by:</i> <i>a) further supporting the development of Industry Programmes that contribute to meeting applicable freshwater <u>quality</u> objectives and that:</i> <i>(i) identify practices that contribute to meeting applicable freshwater <u>quality</u> objectives;</i> <i>(ii) specify timeframes for completion or adoption of measures to <u>manage</u> mitigate contaminant losses;</i> <i>(iii) ensure individual performance under an Industry Programme is monitored;</i> <i>(iv) provide annual reports to the Council on progressive implementation of measures identified in Industry Programmes established under Schedule 30 and progress towards meeting applicable <u>freshwater quality</u> objectives for water quality;</i> <i>(v) promote adoption of good industry practice;</i> <i>(vi) ensure that Industry Programmes are consistent with the requirements of Schedule 30;</i> <i>b) supporting landowners to establish Catchment Collectives to develop and implement environmental management plans that contribute to meeting applicable freshwater <u>quality</u> objectives and that;</i>	Support in part	FFNZ agrees that there may be merit in focusing this policy on the water “quality” objectives as opposed to all of the water objectives. FFNZ also agrees that the focus should be on managing or reducing as opposed to mitigating contaminant losses.

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
			<p>(i) identify and adopt measures at a property scale and collectively with other land managers that reduce contaminant losses or remedy or mitigate the effects of land uses on freshwater objectives;</p> <p>(ii) specify timeframes for completion or adoption of measures to reduce mitigate contaminant losses;</p> <p>(iii) ensure individual performance under a catchment collective is monitored; provide annual reports to the Council on progressive implementation of measures identified in landowner collectives established under Schedule 30 and progress towards meeting applicable freshwater quality objectives for water quality;</p>		
180.33	Hort NZ	Amend	Amend to more accurately reflects the functional capability of industry programmes to better reflect how industry programmes, such as GAP work in practice, so that those industry schemes can be used by growers to satisfy the farm planning requirements of this proposed plan. Specific wording provided in submission.	Support in part	FFNZ supports the role of industry in withing with farmers and growers to improve practices and to help to tailor the best solution to the particular situation. However, FFNZ has concerns to ensure that an effects based approach is adopted and that all land uses are doing their part to improve water quality.
210.45	Forest and Bird	Oppose	Delete and/or move components to a 'methods' section	Oppose	FFNZ considers that policy 24 requires amendment (as set out in its submission) but does not support the deletion of it.
POL TANK 25					
1.1	Ben Goodwin	Amend	Provision needs to be made for farms on the boundary of two catchments, such that the rules of catchment in which the majority of a farming enterprise is in, should apply to the whole farm and the rules of the minor part don't apply. This would reduce the confusion and cost if rules differ from catchment to catchment.	Support	FFNZ supports clarification of which rules apply where a property straddles two catchments and supports an approach that results in a fair and cost effective solution for the farmer.
58.22	HB Fish and Game	Amend	Amend so that the dates and timeframes within this comply with any new NPS-FM changes.	Oppose	FFNZ considers that giving effect to the NPSFM will require a community consultation and new freshwater farm plan process. It does not consider it appropriate to retrospectively change PC9 to make parts of it comply with the NPSFM without consideration of the NPSFM as a whole and through the freshwater plan change process.
123.59	DoC	Oppose	Delete policy 25– already included in policy 17 relief	Oppose	FFNZ considers that policy 25 requires amendment (as set out in its submission) but does not support the deletion of it. FFNZ does not agree that an entirely new approach is required to give effect to the NPSFM.
210.46	Forest and Bird	Oppose	Delete. Replace with a system that gives effect to NPSFM.		
Management and compliance					
POL TANK 26					
123.60	DoC	Oppose	If a catchment collective or industry programme are included as methods for implementing PC9 then this policy will be needed in some form and should require resource consent application and the Council should take enforcement action.	Oppose	FFNZ does not agree that a regulatory approach to catchment collectives is necessary and considers that all options (regulatory and non regulatory) ought to be provided for.
180.34	Hort NZ	Amend	Amend as follows: Where individuals are members of a Catchment Collective or Industry Programme but do not undertake their activity in accordance with the approved plan prepared in accordance with Schedule 30, or do not follow the agreed terms of membership the Council will; a) provide a conflict resolution service; where an If a property/enterprise owner is not a member of a landowner collective or industry programme individual is no longer, or is deemed through conflict resolution processes not to be, a member the Council will;	Oppose	FFNZ considers that there is merit in Council providing a process for resolving disputes that arise in catchment collectives or industry programmes.
210.47	Forest & Bird	Not Stated	Move to a 'methods' section if required.	Oppose	FFNZ considers that policy 26 requires amendment (as set out in its submission) but does not support the deletion of it.
Timeframes; Water and Ecosystem Quality					

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
POL TANK 27					
123.61	DoC	Amend	Delete Policy 27 and reframe into associated other policy relief	Oppose	FFNZ considers that Policy 27 requires amendment to be consistent with the NES (Stock Exclusion) 2020, further define wetland, and include dates from when the plan is operative. However it does not agree it should be deleted or that it should be reframed as the submitter proposes.
126.21	Maungaharuru-Tangitū Trust	Amend	Re-word the header of Policy 27 as a non-regulatory Method to read: <u>The Council will work collectively with industry groups, landowners, water permit holders, tangata whenua, and other stakeholders to prepare and fund an implementation plan for PC9.</u> Amend Policy 27 so that the timeframes in Table 1 are re-worded and merged into proposed Policies 11 [Riparian land management], 14 [wetland and lake management], 20 [sediment control], 21 [land use change and nutrient losses], 22 [stock exclusion] and 27 [timeframes: water and ecosystem quality]	Support in part Oppose in part	FFNZ supports the development of an implementation plan but does not support hard writing timeframes into the policy
180.35	Hort NZ	Oppose	Move table to Schedule 30, and then delete remainder of policy in its entirety	Support in part	FFNZ considers that there may be merit in moving the table to Schedule 30 but this is contingent on how the rest of the policy section of the plan is worded.
Ahuriri Catchment, POL TANK 32					
120.139	Ngati Kahungunu	Amend	Amend to require an integrated catchment management for the Ahuriri (and the Waitangi) Estuary, which specifies a near future date	Oppose	FFNZ does not support hardwiring in timeframes and seeks retention of the policy as notified.
210.53	Forest & Bird	Oppose	Rework to remove circular nature. Consider moving to a methods' section. Amend to include a timeframe.		
123.66	DoC	Amend	Amend as: "HBRC will support the development of an Ahuriri Integrated Catchment Management Plan to be implemented by 1 January 2025 by..."		
180.32 180.36	Hort NZ	Amend	Amend as follows: 'The Council will support the establishment and operation of Industry Programmes and Catchment landowner Collectives and: <ul style="list-style-type: none"> ensure any relevant information or expertise for making sustainable land management decisions is available to land managers; support development and use of catchment scale models that assist in identification and management of critical source areas; support catchment collective and farm scale decision making to meet freshwater objectives and encourage local solutions and innovative and flexible responses to water quality issues;... Amend as follows: 'The Council will support the development of an Ahuriri Estuary Integrated Catchment Management Plan by <u>a representative group of stakeholders, that includes (but is not limited to) representatives from the primary sector;</u>	Support	FFNZ agrees that the focus should be on better understanding the catchments and critical source areas, providing for flexible and innovative responses and including the primary sector representatives as stakeholders
5.10.5 Policies: Monitoring and Review					
16.14	B Hamlin	Oppose	Amend Change 9 so that there are yearly reviews of adherence to plans.	Oppose	FFNZ considers that annual reviews of farm plans is too frequent and will impose significant cost (on council and farmers) for no or uncertain benefit
120.40 120.94 120.95 120.97 120.98	Ngati Kahungunu	Amend	Resource and support the development and implementation of a matauranga Maori framework to monitor the mauri of the Heretaunga Aquifer and its groundwater dependent ecosystems. There should be a clear separation between monitoring and review of the plan between knowledge systems (i.e., matauranga Maori and Western science).	Support in part Oppose in part	While FFNZ recognises the role and importance of matauranga Maori, it is concerned about what this would involve and the associated cost/benefit. It is also not clear how this would relate to the objectives/targets in PC9 and FFNZ is concerned that this should not lead to limits that are applied on a property basis or to require

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
120.99 120.100			Monitoring policies in PC9 should specifically support and resource the development and implementation of matauranga Maori frameworks and tools (led by tangata whenua/hapO) to monitor the success of the Plan in improving Maori relationships with the environment and protection of mauri. Amend to include matauranga Maori monitoring of the mauri of the Heretaunga Aquifer, including all of its groundwater dependent ecosystems. Any implementation should be subject to clear policies and regulation which do not abdicate council statutory duties or functions to a third party and ideally are co-managed or co-governed in partnership with Ngati Kahungunu (e.g., under Mana Whakahono a Rohe or other mechanisms). Amend all monitoring and review provisions to ensure that cumulative effects are adequately monitored and reported on and that appropriate feedback loops are in place to ensure that cumulative effects are taken into account in decision making and plan review Data from monitoring as it becomes available is used to inform Council to refine targets and limits and subsequently how management might be adapted.		amendments to farm plans or resource consents.
Monitoring and Review					
29.18	HB Winegrowers	Amend	Amend Policy 34 to require Council to establish and maintain a community catchment governance body to oversee subcatchment activities within the TANK catchments. We suggest that this should comprise representatives from the Regional Planning Committee, together with representatives from each of the subcatchments and should meet at least bi-annually.	Support	FFNZ agrees that it council could play a role in overseeing and coordinating sub-catchment groups.
POL TANK 33					
123.67	DoC	Amend	Reword and include as two separate nonregulatory methods specific to mana whenua and then the local community Amend PC9 to include policy on how mana whenua will be involved in freshwater management and decision making, not only with respect to monitoring and matauranga Maori.	Support in part Oppose in part	While FFNZ recognises the role and importance of matauranga Maori, it is concerned about what this would involve and the associated cost/benefit. It is also not clear how this would relate to the objectives/targets in PC9 and FFNZ is concerned that this should not lead to limits that are applied on a property basis or to require amendments to farm plans or resource consents.
135.37	Ravensdown Limited	Amend	Amend Policy 33 as follows: <i>c) assessing effectiveness of mitigation measures adopted to meet freshwater quality objectives;</i>	Support in part	As above, FFNZ considers that may be merit in limiting the application of the policy to freshwater "quality" objectives
5.10.6 Policies: Heretaunga Plains Groundwater Levels and Allocation Limits					
48.2 48.21	Alpha Domus	Oppose	Allow new water use if it is used to enhance the current business or maintain / improve a level of business supporting the local community. Do not reduce current levels of water usage. Allow business with existing land use enough water to be able to continue farming in the way that it has been operating in the past 10 years.	Support in part	FFNZ agrees that the social and economic impacts/benefits need to be considered
63.53	Napier City Council	Amend	Amend Change 9 so that the current wording of an 'interim' aquifer limit of 90 million m3 is treated as a target, with a view to developing a formal limit in accordance with policy 42	Support in part	FFNZ agrees that PC9 should focus on targets and any limits should be set through a future process
123.71	DoC	Oppose	Policy 36, 37, 38, 39 and 42 - considers the actual and reasonable use of groundwater and the maximum sustainable abstraction from a groundwater system are two separate things (see point 123.72 and 123.73).	Oppose	FFNZ does not agree with the concerns raised about actual and reasonable use and maximum sustainable abstraction
179.2	Otawhao Farms Ltd	Oppose	Seeks a more scientific approach to determine the amount of water that can sustainably be extracted from the aquifer. A reconsideration of the IRRICALC calculations and an allocation for planting and/or replanting.	Support in part	FFNZ agrees that any approach to determining sustainable abstraction ought to be based on robust data/science and agrees that riparian planting ought to be based on a tailored or some other approach as opposed to a blanket minimum standard.

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
197.8	Beef + Lamb New Zealand Ltd	Oppose	Include new/ or amend existing Policies for Water quantity and allocation - <u>Water quantity is managed to ensure that the take and use of water is reasonable and justifiable for the intended use. The specific measures to ensure reasonable and justified use of water that must be taken into account when establishing catchment plans and considering consent applications are outlined in the submission.</u>	Support in part Oppose in part	FFNZ agrees that water take and use ought to be reasonable but has concerns about how the amendments to this policy relate with amendments sought elsewhere in this submitter's submission.
Heretaunga Plains Aquifer Management					
58.23	HB Fish and Game Council	Amend	Amend Policies 36 and 37 to cap groundwater use at 70M cubic metres until the hydrological investigations and aquifer modelling have been undertaken.	Oppose	FFNZ is concerned that a cap of 70m3 is arbitrary and too conservative and could result in significant and unnecessary social and economic cost.
63.5, 207.5		Amend	Introduce an additional Policy (referred to as Policy 37A) to guide situations where the granting of new takes will be considered. Suggested wording provided.	Support in part Oppose in part	FFNZ considers there may be merit in providing more guidance about when new takes will be considered. FFNZ's concern is to avoid increasing a situation of overallocation.
123.70, 210.57		Oppose	Policy 36, 37 and 38 - Delete and include policy to give effect to the NPSFM 2014 section B	Oppose	While FFNZ considers that Policies 36, 37 and 38 require amendment (as set out in its submission), FFNZ does not agree that the policies ought to be deleted or that a new policy is required, as proposed.
POL TANK 36					
123.71 123.72	DoC	Oppose	Policy 36 - Add "Groundwater dependent ecosystems" to list. Policy 36 a) - Delete "aquifer depletion", means the same thing. Policy 36 b) – include water levels in wetlands Policy 36 d) - Stop at seawater intrusion, delete words after this, not needed. • Add a clause – to include leaching of pollutants into groundwater	Oppose	FFNZ is concerned that the proposed restrictions go beyond the intent of the policy and would likely impose significant cost.
124.24	Brownrigg Agriculture Group Ltd	Oppose	Amend clause (g) to refer to reducing existing levels of irrigation water use to reasonable crop water needs, as provided for in • 5.10.6 Policy 37(d)(ii).	Support	FFNZ agrees that the focus ought to be on mitigating and restricting, as opposed to avoiding/not allowing. FFNZ is concerned that the current wording may impose significant cost in situations where it may be appropriate to allow some takes.
135.39	Ravensdown Limited	Amend	Amend Policy 36 as follows: • <i>f) avoiding <u>mitigating</u> further adverse effects by <u>not allowing restricting</u> new water use</i> • <i>k) including plan review directions to assess effectiveness of these measures.</i>		
180.38	Hort NZ	Amend	Amend to ensure consistency with other sections of the plan including f) must be reworded to enable that water to be take and • to 'restrict' new allocations, rather than avoid. Specific wording provided in submission.		
POL TANK 37					
25.10	Xan Harding	Amend	Amend Policy 37.d(ii) to read "(ii) apply an assessment of actual and reasonable use that reflects land use and water use authorised in the ten years up to August 2017 <u>30 June 2020</u> (the end of the 2020 water year)...". or similar wording to achieve the outcome sought in this submission.	Support in part	FFNZ agrees that if the 10 year period to 2017 is not the appropriate timeframe, and 2020 is more reasonable, that would justify choosing that time period

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
54.9 54.42 54.44 54.46 54.50 54.74	Apatu Farms Ltd	Oppose	<p>Amend every reference to 'actual and reasonable' to read "actual and reasonable".</p> <p>Amend Change 9 so that the re-allocation of any water that might become available within the interim groundwater allocation limit or within the limit of any connected water body is enabled (ie. can be re-allocated before a review of the relevant allocation limits in the plan is undertaken) where it is to be used for primary production purposes (and would be allocated in accordance with proposed definition of 'reasonable' outlined above), or used for a stream flow maintenance and augmentation scheme.</p> <p>Amend Change 9 so that water can be re-allocated to any applicant - not restricted to existing water permit holders (as at 2020).</p> <p>Amend Change 9 so that Schemes can be developed by the regional council in a progressive manner based on when water permits expire, in an equitable manner over a reasonable timeframe that apportions the cost equally and concomitantly across all takes affecting groundwater levels rather than relying on consent applicants to develop schemes.</p> <p>Amend Change 9 to ensure that flow maintenance requirements only apply to lowland streams where it is feasible.</p> <p>Amend Change 9 to remove the presumption that the mainstem of the Ngaruroro River will be augmented in whole or in part and reflect the TANK collaborative group's position that augmentation should be investigated.</p>	Support in part	FFNZ supports changes that would result in a more efficient allocation and use of water (including re-allocation where water becomes available) and reduces costs for water users and council.
59.1 59.2 59.3 59.4 59.5 59.6	WaterForce Limited	Oppose	<p>Amend Policy 37(a) to read: ... reasonable water use prior to 2017 <u>2 May 2020</u>.</p> <p>Amend Policy 37 to specify a clear time-frame/deadline for a confirmation of the new permanent limit.</p> <p>Amend Policy 37(b) to read: avoid the re-allocation of any water that might become available within the interim groundwater allocation limit or within the limit of any connected water body until there has been a review of the relevant allocation limits within this plan;</p> <p>Delete Policy 37(c).</p> <p>Amend Policy 37(d)(ii) to read: apply an assessment of actual and reasonable use but will not grant water if the take exceeds the allocation limit for the catchments as stated in a and b that reflects land use and water use authorised in the ten years up to August 2017 (except as provided by Policy 50);</p> <p>No specific decision requested but states support for Policy 37(e) with the following recommendation: Reference to proposed stream flow maintenance schemes.</p>	Support in part Oppose in part	FFNZ supports changes that would result in a more efficient allocation and use of water (including re-allocation where water becomes available) and reduces costs for water users and council.
63.4 207.4	Napier City Council, HDC	Amend	<p>Amend Policy 37 to:</p> <ul style="list-style-type: none"> • Treat the interim 'limit' as a target • Still manage the resource as over-allocated (generally) subject to exceptions – particularly those supported by Policy LW2 of the RPS. • Better acknowledge that new allocations based on actual use over previous years may not be a reasonable approach for all replacement processes. Suggested wording provided 	Support in part Oppose in part	<p>FFNZ agrees that the interim limits should be a target (particularly as they are interim in nature).</p> <p>FFNZ has some concerns about how renewal of consents will be treated when more is sought than actual use over previous years, particularly where this is justified by projected growth that may or may not happen.</p>

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
66.2 66.3 66.4 66.5 66.6	Ngaruroro Irrigation	Oppose	Amend Policy 37(a) so that date of 2017 is 2 May 2020 and there is a timeframe specified for confirmation of the new permanent limit. Amend Policy 37(b) to read: “avoid <i>the</i> re-allocation of any water surrendered to the Council that might become available within if the interim groundwater allocation limit or within the limit of any connected water body remains in excess of the interim limit until there has been a review of the relevant allocation limits within this plan; Delete Policy 37(c) Amend Policy 37(d)(ii) to read: “apply an assessment of actual and reasonable use <u>but will not grant water</u> if the take exceeds the allocation limit for the catchment as stated in a and b reflects land use and water use authorised in the ten years up to August 2017 (except as provided by Policy 50); Amend Policy 37(e) reference to proposed stream flow maintenance schemes	Support in part Oppose in part	FFNZ supports changes that would result in a more efficient allocation and use of water (including re-allocation where water becomes available) and reduces costs for water users and council.
76.21	Te Mata Estate Winery Ltd	Not Stated	We ask that council take into account the fact that grapes have a very low water requirement and that many grape growers already employ a range of techniques to ensure that they only supply their vines with exactly the amount of water they require. Grape growers should not be penalised for efficiently managing a crop with an inherently low water requirement . The 2019/20 season would provide a reasonable baseline for the highest potential water use in any future season. The Irricalc model should be used in conjunction with 2019/20 data to provide a baseline for future allocations of water to vineyards.	Support in part	FFNZ agrees that if 2017 was not the appropriate season or timeframe, then a more appropriate season/timeframe ought to be adopted.
123.73	DoC	Oppose	Policy 37 – provide evidence to support that the allocation limit is less than the maximum sustainable yield of the groundwater system, and will not result in adverse effects, particularly to connected surface water bodies. This assessment should also include a comparison of the maximum sustainable yield against all groundwater abstraction, no just irrigation lakes. Policy 37 e) - insert mitigate stream depletion effects on lowland stream and wetlands.	Oppose	FFNZ considers that this would be an onerous obligation and not necessarily achieve sustainable management.
210.58	Forest & Bird	Oppose	Delete and replace with a new policy that gives effect to the NPSFM.	Oppose	FFNZ considers that Policy 37 requires amendment but does not support the deletion and replacement with a new policy as proposed.
134.5	Patoka Trust	Not Stated	Policy 37a - annual allocation of 90M3 should NOT be the limit. Does not leave room for augmentation against stream depletion over and above adequate irrigation needs (as per Irricalc modelling). It is a round number not based on science. All restrictions need to identify the adverse effect and leave an opportunity for mitigation of that adverse effect. Disagree with treating the Heretaunga plains water management as an over-allocated unit preventing any further allocations of ground water without reference to adverse effects, mitigation and actual water usage.	Support in part	FFNZ shares this submitter’s concerns about the limit being arbitrary and potentially too conservative. However, FFNZ has concerned about how future allocations would be managed.
135.40	Ravensdown Limited	Amend	Amend Policy 37 as follows: avoid <u>minimise</u> re-allocation of any water that might become available within the interim groundwater allocation limit or within the limit of any connected water body until there has been a review of the relevant allocation limits within this plan; <i>manage the Heretaunga Plains Water Management Unit as an over-allocated management unit and prevent restrict any new allocations of groundwater;</i>	Support	FFNZ agrees that the words “avoid and prevent” are unduly restrictive and an appropriate alternative could be “minimise and restrict”

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
180.39	Hort NZ	Amend	Amend to avoid the policy being unnecessarily restrictive given that our knowledge about what a sustainable groundwater limit might be is still incomplete. Specific wording provided in submission.	Support	FFNZ agrees that "avoid" is unduly restrictive and would support appropriate alternative wording.
194.46 194.47 194.48 194.49 194.50 194.51	Pernod Ricard	Oppose/ Amend	<p>Policy 37 - general approach - Amend the definition of 'actual and reasonable' to provide for the efficient allocation and use of water.</p> <p>Policy 37(a) - 5.10.6.37(a) should be amended along the lines of 'adopt an interim allocation limit of 90 million cubic meters per year based on <i>estimated/modelled</i> water use prior to 2017'.</p> <p>Clarification on how the interim allocation limit of 90 million cubic meters aligns with the provisions of PC9, particularly Schedule 31.</p> <p>Policy 37(b) - 5.10.6.37(b) should be amended along the lines of 'restrict or limit re-allocation of any allocated but unused groundwater that might become available within the interim groundwater allocation limit'.</p> <p>The term 're-allocation' also needs to be either defined or clarified in the provisions; PRWM submits that in the context of this policy it should be confined to redistribution of previously allocated water to new users, and not apply to standard replacement consent applications.</p> <p>Policy 37(c) - 5.10.6.37(c) should be amended along the lines of 'manage the Heretaunga Plains Water Management Unit as an overallocated management unit (based on cumulative consented volume) and prevent any new allocations of groundwater above the interim allocation limit'.</p> <p>Policy 37(d)(i) - 5.10.6.37(d) should be amended to reflect its intent more clearly.</p> <p>Policy 37(d)(ii) - 5.10.6.37(d) should also be expressed as a standalone policy so as to apply to all applications rather than just those located within the HPWMU.</p>	Support in part Oppose in part	FFNZ shares this submitter's concerns that the wording and limits of this policy may be unduly and unnecessarily restrictive. However, it considers that alternative wording needs to be carefully considered and thought through.
233.13	HBDHB	Amend	Clarify point d) i) to reconcile differences between maximum quantity able to be extracted under an existing permit and the assessment of actual and reasonable use.	Support in part	FFNZ would support clarification of this policy but not if the intent was to make it more restrictive.
POL TANK 38					
135.41	Ravensdown Limited	Oppose	Delete Policy 38 in its entirety.	Support in part	FFNZ has concerns about this policy and has suggested alternatives in its submission. It would support deleting the policy, in the alternative.
180.40	Hort NZ	Amend	Amend as follows: 'The Council will restrict the re-allocation of water to holders of permits to take and use water in the Heretaunga Water Management Unit issued before 2 May 2020 and will review permits or allocate water according to the plan policies and rules either: ...	Support in part	FFNZ has concerns about Policy 38 and sought amendments to it. It would support the submitter's proposal in the alternative, and in the event that FFNZ's amendments were not made.
194.52	Pernod Ricard	Amend	Policy 38 should be amended along the lines of 'restrict the reallocation of allocated but unused groundwater...' It is also necessary to define or clarify the meaning of the term 're-allocation'.	Support in part	FFNZ has concerns about this policy and has suggested alternatives in its submission. It would support limiting the policy to allocated but unused water, in the alternative.
207.6	HDC	Amend	Amend the Policy to outline what is proposed to be investigated/enabled prior to replacement processes to achieve a reduction in allocation as a result of those processes.	Support in part	FFNZ has concerns about this policy and has suggested alternatives in its submission. It would support clarifying this policy to restrict its application and/or create greater certainty for water users, in the alternative.

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
210.59	Forest & Bird	Oppose	Delete and replace with a new policy that is clearer and gives effect to the NPSFM.	Oppose	FFNZ considers that Policy 38 requires amendment but does not support the deletion and replacement with a new policy as proposed.
Flow Maintenance					
29.25 29.26	HB Winegrowers	Amend	<p>HBWG understands that HBRC will be submitting a proposed alternative approach to the requirements in Policy 39. HBWG supports, in principle, jointly-funded collective stream flow maintenance schemes on suitable lowland streams, facilitated by HBRC.</p> <p>Note that consequential changes in the TANK rules 9 & 10 will be required, to remove the Stream Flow Maintenance Scheme membership condition.</p> <p>Amend Policy 41 to read: "The Council will remedy the stream depletion effects of groundwater takes in the Heretaunga Plains Water Management Unit on the Ngaruroro River, in consultation with mana whenua, land and water users and the wider community through:</p> <p>a) further investigating the environmental, technical, cultural and economic feasibility of a water storage and release scheme to off-set the cumulative stream depletion effect of groundwater takes <u>to the extent required to maintain the Ngaruroro River at or above the Minimum Flow specified in Schedule 31;</u>"</p> <p>Note that consequential changes in the TANK rules 9 & 10 will be required, to remove the Stream Flow Maintenance Scheme</p>	Support in part	FFNZ would support a wide range of options for flow maintenance and management
54.47 54.51 54.54	Apatu Farms Ltd	Oppose	<p>Amend Change 9 so that Schemes can be developed by the regional council in a progressive manner based on when water permits expire, in an equitable manner over a reasonable timeframe that apportions the cost equally and concomitantly across all takes affecting groundwater levels rather than relying on consent applicants to develop schemes.</p> <p>Amend Change 9 to ensure that flow maintenance requirements only apply to lowland streams where it is feasible.</p> <p>Amend Change 9 to remove the presumption that the mainstem of the Ngaruroro River will be augmented in whole or in part</p> <p>and reflect the TANK collaborative group's position that augmentation should be investigated.</p>	Support in part	FFNZ would support a wide range of options for flow maintenance and management, as well as an equitable basis and appropriate timeframe for reviewing any consents that expire.
58.24	Hawkes Bay Fish and Game Council	Amend	<p>Amend policies 39 and 40 to include clauses that read:</p> <p>"A numeric assessment of the degree of aquifer/streamflow depletion at the point of take versus the length and value of the habitat restored by streamflow enhancement"</p>	Oppose	FFNZ is concerned that there is insufficient science/data to support the change proposed and that it would likely result in significant cost and uncertainty for water users.
120.54 120.75	Ngati Kahungunu	Amend	<p>Remove and do not enable managed aquifer recharge or flow maintenance policies and schemes.</p> <p>Remove provisions relating to 'stream flow maintenance and enhancement' and the ability to transfer water take permits between catchments. Instead address the effects of stream depletion and over-abstraction and require riparian habitat</p> <p>enhancement through consent standards for Farm Environment Plans</p>	Oppose	FFNZ is concerned that the proposed changes would likely result in significant cost and uncertainty for water users.

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
54.48 54.52 54.55	Apatu Farms Ltd	Oppose	Amend Change 9 so that Schemes can be developed by the regional council in a progressive manner based on when water permits expire, in an equitable manner over a reasonable timeframe that apportions the cost equally and concomitantly across all takes affecting groundwater levels rather than relying on consent applicants to develop schemes. TANK 18: Amend Change 9 to ensure that flow maintenance requirements only apply to lowland streams where it is feasible. TANK18: Amend Change 9 to remove the presumption that the mainstem of the Ngaruroro River will be augmented in whole or in part and reflect the TANK collaborative group's position that augmentation should be investigated.	Support in part	FFNZ would support a wide range of options for flow maintenance and management.
104.55	Rockit Global Limited	Oppose	TANK18: Amend Change 9 to remove the presumption that the mainstem of the Ngaruroro River will be augmented in whole or in part and reflect the TANK collaborative group's position that augmentation should be investigated.	Support in part	FFNZ agrees that augmentation should be investigated and better understood.
210.99	Forest & Bird	Oppose	TANK 18: Delete rule and associated framework for stream flow compensation schemes. Delete all references to maintenance/enhancement/augmentation throughout the plan.	Oppose	FFNZ considers that an appropriate regime based on maintenance, management etc needs to be retained.
POL TANK 39					
36.10	Mr Apple New Zealand Ltd	Amend	Clarify/amend Policy 39. b) It is understood that domestic takes are to be reduced from 20m3 to 5m3/day. Does this include Recognised Seasonal Employer (RSE) accommodations? If not, then are these accommodation sites taken into consideration when calculating reasonable water allocations? What is an individual's water use considered to be daily? We can have 90 or more seasonal employees staying on-site. They generally use water from our "general" commercial water-takes, which can add up. We would want to make sure that water remains available for them, and that our commercial use is not unduly penalised, because in response to worker accommodation issues, we are providing that on-site.	Support	FFNZ considers that such takes ought to be addressed by s 14(3) of the RMA but to the extent they are not (or there is uncertainty) FFNZ supports clarifying this in the plan
99.15	Twyford Water	Not Stated	Supports maintaining (a)(i) and providing ongoing ability for individuals to manage their own effects. Twyford Water also supports the ability for stream depletion effects to be managed collectively, but believes it will be extremely difficult for schemes to be developed by consent applicants, and therefore submits that these schemes are developed in a progressive manner by HBRC – based on water permit expiry dates . It is critical that HBRC takes on a central role in their development. Important to ensure that the stream depletion calculator, that will be used to calculate the stream depletion effect of each take, has been developed using robust scientific approaches, and it has been adequately peer reviewed, given how significant the impact of its calculations are going to be for water permit holders.	Support in part	FFNZ supports provision of a range of options for flow maintenance and management
123.74	DoC	Oppose	Delete all references to stream flow maintenance from PC9. Policy 39 a) - Insert wording to the effect that flows need to be above cut off trigger when schemes start.	Oppose	FFNZ supports provision of a range of options for flow maintenance and management and does not support a requirement for flows to be above cut off when schemes start
124.25	Brownrigg Agriculture Group Ltd	Oppose	Amend Policy 5.10.6 Policy 39 to also enable individual consent holder stream augmentation mitigation or offsetting actions.	Support in part	FFNZ supports provision of a range of options for flow maintenance and management

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
129.2	Hawke's Bay Regional Council	Oppose	<p>Delete policy 39 and replace with new policy in relation to assessing applications to take groundwater in the Heretaunga Plains that includes the following direction:</p> <p>A commitment by Council to:</p> <p>consult with iwi and other relevant parties to investigate the environmental, technical, cultural and economic feasibility of options for stream flow maintenance and habitat enhancement schemes including water storage and release options and groundwater pumping and discharge options that: maintain stream flows in lowland rivers above trigger levels where groundwater abstraction is depleting stream flows and: improve oxygen levels and reduce water temperatures. determine the preferred solutions taking into account whether: wide-scale aquatic ecosystem benefits are provided by maintaining stream flow across multiple streams multiple benefits can be met including for flood control and climate change resilience the solutions are efficient and cost effective scheme design elements to improve ecological health of affected waterbodies have been incorporated opportunities can be provided to improved public access to affected waterways. develop and implement a funding mechanism that enables the Council to recover the costs of developing, constructing and operating stream flow maintenance and habitat enhancement schemes from permit holders, including where appropriate, management responses that enable permit holders to manage local solutions and commitment to develop any further plan change within an agreed timeframe if necessary to implement a funding solution. ensure that stream flow maintenance and habitat enhancement schemes are constructed and operating within ten years of the operative date of the Plan while adopting a priority regime according to the following criteria: solutions that provide wide-scale benefit for maintaining stream flow across multiple streams solutions that provide flow maintenance for streams that are high priority for management action because of low oxygen levels. review as per Policy 42 if no stream flow maintenance and habitat enhancement schemes are found to be feasible</p>	Support in part Oppose in part	FFNZ is concerned about the wording of Policy 39 potentially requiring offsetting to be provided (as opposed to volunteered by the applicant). FFNZ is also concerned about providing a range of options for flow maintenance and management. FFNZ would support amendment to the policy to clarify that and create greater certainty for water uses but not amendments that would make the policy more restrictive.
135.42	Ravensdown Limited	Amend	<p>Amend policy 39 as follows: a)(ii) enable <i>encourage</i> consent applicants to develop or contribute to stream flow maintenance and habitat enhancement schemes that;</p> <p>b) <i>assess the relative the contribution to stream depletion from groundwater takes and require stream depletion to be off- set equitably by consent holders while providing for exceptions for the use of water for essential human health; and</i></p>	Support in part Oppose in part	FFNZ would support the use of the word “encourage” but has concerns that offsetting ought to be a voluntary option and therefore does not support retention of that policy as notified.
193.6	Heinz Wattie's Limited	Amend	Policy 39 b) - There should be a stated volume per head per day, thereafter municipal authorities are responsible to offset equitably the cost of these “unknown” schemes. Develop the stream depletion maintenance and enhancement programmes based on water supply originating from stored water. Begin the programme with the most responsive and cost effective surface water bodies, and monitor effectiveness. Policy needs to be considered in terms of possible financial impacts on water users.	Support in part	FFNZ agrees that all water users ought to do their part, including municipal authorities, and that economic costs ought to be taken into account.
210.60	Forest & Bird	Oppose	Delete policy and all references to stream flow maintenance in the plan	Oppose	FFNZ supports provision of a range of options for flow maintenance and management

POL TANK 40

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
63.8	Napier City Council	Amend	Amend Policy 40 to enable transfers of allocated but un-used water if this to assist augmentation. Suggested wording provided.	Support in part	FFNZ supports provision of a range of options for flow maintenance and management (as long as transfer of allocated but unused water is an option, not a requirement).
123.75, 210.61	Oppose		Delete policy and all references to stream flow maintenance from PC9.	Oppose	FFNZ supports provision of a range of options for flow maintenance and management
POL TANK 41					
66.8	Ngaruroro Irrigation Society	Support	Amend Policy 40(e) to read: “further investigating the environmental, technical, cultural and economic feasibility of a water storage and release scheme to offset the <u>effects of flow below the minimum flow (2400L/s) cumulative stream depletion effect of groundwater takes</u> ”	Support in part/oppose in part	It is not clear whether the proposed amendment is intended to make the policy more or less restrictive. If the intent is that only effects are investigated on those below a minimum flow (i.e. less restrictive) then FFNZ would support the amendment.
123.76, 210.62	Oppose		Delete and include policies to manage stream depletion effects through sustainable allocation of water resources	Oppose	FFNZ supports the regime notified in PC9 (subject to the amendments in its submission0 and does not support writing new policies from scratch.
180.42	Hort NZ	Oppose	Amend as follows: The Council will <u>further consider the option of remedying</u> the stream depletion effects of groundwater takes in the Heretaunga Plains Water Management Unit on the Ngaruroro River, in consultation with mana whenua, land and water users and the wider community through: a) further investigating the environmental, technical, cultural, <u>social</u> and economic feasibility of a water storage and release scheme to off-set the cumulative stream depletion effect of groundwater takes;...	Support	FFNZ agrees this should be an option for Council to consider an that social costs need to be taken into account.
Groundwater Management Review					
29.27	HB Winegrowers	Amend	Amend Policy 42.d to read “the extent of any stream flow maintenance, <u>groundwater augmentation</u> and habitat enhancement schemes...” or similar wording to achieve the outcome sought in this submission. Amend Policy 42.e(ii) to read “effectiveness of <u>any</u> stream flow maintenance schemes and <u>groundwater augmentation schemes</u> in maintaining water flows <u>and levels...</u> ” or similar wording to achieve the outcome sought in this submission.	Support in part	FFNZ would support the amendments to the extent that they provide greater clarity
63.1, 201.10	Amend		Amend Change 9 so that there is a more strategic approach around investigating and establishing flow enhancement schemes to inform/enable this review.	Support	FFNZ agrees that there needs to be a strategic approach to flow enhancement schemes.
84.21	Redmetal Vineyards Ltd	Oppose	Amend the policy to give efficient users of the resource a greater proportion of their calculated needs and also to allow some leeway in the event of a crop change that would require higher water use. This could be achieved by an “averaging” of water use so that inefficient users would need to become significantly more efficient and already efficient users would not have their property values constrained by a lack of allocation for more water intensive crops. This particularly applies to smaller blocks where water storage is impractical and they are more likely to convert to more intensive high value crops.	Support in part Oppose in part	While FFNZ would support a regime that focuses on efficiency and encouraging efficiency, FFNZ is concerned that the proposal will require an objective determination of efficiency (which is likely to be difficult) and may result in significant cost.
POL TANK 42					
47.8	John Bostock & Eddie Crasborn	Amend	Amend Policy 42 g) - The plan change should not be based on theoretical over-allocation but on actual use and real-world adverse effects and mitigation.	Support	FFNZ agrees that any requirement for change or imposition of cost should be based on actual overallocation, and based on robust science/data.

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
58.25	HB Fish and Game	Amend	Remove Policy 42 in its entirety.	Oppose	FFNZ considers that Policy 42 should be retained, with amendment as set out in its submission
3.11, 207.11	Amend		Amend the Policy to include consideration of information on the long term sustainable equilibrium of the groundwater resource. Suggested wording provided.	Support in part	FFNZ would support in principle amendments to focus on long term approach rather than short term (to remove the impact of seasonal fluctuations and events)
123.77, 210.63	Oppose		42 g) - Provide a date when the over allocation of groundwater will be phased out.	Oppose	FFNZ considers that more data/science is required to determine actual over allocation, it is premature to require overallocation to be phased out and when such a requirement is approach an appropriate transition time is required.
135.44	Ravensdown Limited	Oppose	Delete Policy 42 in its entirety.	Oppose	FFNZ considers that Policy 42 should be retained, with amendment as set out in its submission
194.58	Pernod Ricard	Amend	Policy 5.10.6.42(d) should be amended along the lines of 'the extent of any stream flow maintenance, augmentation, or habitat enhancement schemes'. Policy 5.10.6.42(e)(ii) should be amended along the lines of 'effectiveness of stream flow maintenance schemes and augmentation schemes in maintaining water flows and improving water quality'.	Support in part	FFNZ agrees that there should not be a requirement to consider such schemes but where they exist they can be considered.
5.10.7 Policies: Surface Water Low Flow Management					
120.42 120.44	Ngati Kahungunu	Amend	Ensure all water takes are required to cease at minimum flows, except essential water takes for human drinking water supplies (which should be required to reduce during water shortages and at minimum flows). Abstractions which deplete streams should cease when minimum flows are reached in all cases	Oppose	FFNZ is concerned that such a requirement would place significant cost on water users, particularly in the context of minimum flows and the science/data being poorly understood
210.13 210.16 210.17	Forest & Bird	Amend	Remove any provisions for 'stream flow augmentation/maintenance/enhancement' Insert increased minimum flows, for the Ngaruroro River in particular, with interim timeframes to achievement (like that for the Tukituki River in PC6) Insert minimum flows for the Ahuriri catchment (and other omitted waterbodies).	Oppose	FFNZ is concerned that the changes proposed will significantly restrict the policy, are not based on robust data/science and will impose significant cost.
Flow Management Regimes; Tutaekuri, Ahuriri, Ngaruroro and Karamu					
POL TANK 43					
36.11	Mr Apple New Zealand Ltd	Amend	Clarify/amend Policy 43. e) No other catchments are increasing. This is an increase from 2000L/s to 2500L/S. What is the science behind this change as 2700L/s has been the lowest flow rate seen in the past? We are concerned at the need for the increase. We are also aware that a number of orchards have been planted recently, and may not have been factored into the analysis.	Support	FFNZ would support amendments to clarify the policy and to ensure that more recent data/science/monitoring is taken into account
42.12	Glenmore Orchard	Oppose	Amend Change 9 so that historical low flow river bans are taken into account when determining actual use of individual permit holders.	Support in part	FFNZ would support the amendment if the intention is to clarify that permit holders are using less water due to the impact of shut down periods
51.2 51.3	Wairua Dairies Ltd	Oppose	Oppose Policy 43.b. Reducing the effects of abstraction from the mainstem and connected groundwater in Zone 1 by reducing allocation limit for the Ngaruroro River.	Support in part	FFNZ agrees that the economic cost and practical effects of the application of this policy needs to be taken into account and amendments are required to manage/reduce/mitigate these costs

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
			<p>If the proposed allocation reduction, was implemented, we believe the maximum effective take would reduce from 650,000 m³/week (68% of current allocation) to 534,643 m³ /week 56% of current allocation and 68% of the recommended 786,240 m³/week allocation. I.e. (786,240 m³/week x 68% = 534,643 m³/week). This would place further stress on irrigation reliant crops not only in drought years. Low flow limits and rates of take are effectively an allocation limit. To further reduce the volume of water by reducing the allocation limit would put further stress on existing irrigators and their business viability and viability of downstream infrastructure in future dry years.</p> <p>Policy 43.b. - The Agfirst and Nimmo Bell economic analysis presented to TANK specifically looked at the effects of increasing low flow ban settings on the Ngaruroro and Tutaekuri rivers. We suggest it would be beneficial to investigate the financial effects of this change to allocation in the same way. This type of economic analysis may also help to inform better decision making with less community stress.</p> <p>We believe a new methodology and terminology should be developed to maximise water availability at the same time as protecting the environment. The current system fails to maximise the economic benefit of this resource, which is a requirement of Regional Council under the Resource Management Act along with environmental protection.</p> <p>If the Twyford Zone 1 was to be included as part of the Ngaruroro River allocation the current Twyford Zone allocation should be added to the Ngaruroro River allocation limit. In the past, Zone 1 has been affecting river flows, but has not been included in the river allocation limits or the actual river take figures.</p> <p>Consent holders facing a reduction in allocation of 2400 l/sec water should be offered at least an equivalent volume of high flow water in compensation.</p>		
123.78, 210.64	Oppose		Delete and amend to cease takes at minimum flows in Schedule 31.	Oppose	FFNZ is concerned that this would be a blunt policy response that would impose significant cost.
129.3 129.4	Hawke's Bay Regional Council	Amend	<p>Insert into clauses (b) and (e) reference to the allocation limit being for consumptive water use at times of low flow.</p> <p>Insert into clause (j) reference to the allocation limit being for consumptive use and the total of all abstraction throughout the year.</p>	Support in part	FFNZ would support the amendments if the intention is to provide greater clarity of actual water use
Paritua/Karewarewa Streams					
120.49	Ngati Kahungunu	Amend	Recognise the Karewarewa and Paritua as separate distinct streams with separate characteristic hydrology and mauri with each having their own individual minimum flows, and respective flow monitoring sites.	Support in part	FFNZ agrees that a tailored approach may be appropriate but its support would depend on how this is developed or provided for in PC9
POL TANK 44					
123.79	DoC	Oppose	The Council "will recognise" should be reframed as "the Council recognises".	Oppose	FFNZ considers "will recognise" is more appropriate
210.65	Forest & Bird	Oppose	<p>Reframe as "The Council will recognises..."</p> <p>Amend as "investigate opportunities for <u>create</u> wetlands creation to..." Delete provisions d-f</p> <p>Amend to be consistent with RMA and NPSFM requirements to manage effects.</p>	Oppose	FFNZ considers "will recognise" may be more appropriate does not support the other amendments sought

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
General Water Allocation Policies					
203.19	The Oil Companies	Amend	Provide a permitted activity pathway for temporary construction dewatering takes to avoid a technical requirement for water metering which is not practicable given the nature of these takes.	Support in part	FFNZ would support a practicable and workable regime but considers that if water metering is not practicable there should be clear criteria for any exemption
POL TANK 45					
8.38	Delegat Limited	Oppose	Oppose Policy 45(d) - Amend Policies 39, 40 and 45 and Schedule 36 to enable an individual consent holder to mitigate their stream depletion effects, including though the use of stored water captured at times of high river flow.	Support in part	FFNZ agrees an individual consent holder should be able to choose how to mitigate their effects (provided that any offsetting/compensation remains voluntary)
58.26	Hawkes Bay Fish and Game C	Amend	Remove Policy 45(a) and/or clarify to ensure it is not misused.	Oppose	FFNZ considers that paragraph (a) is appropriate and creates appropriate incentives for water harvesting and storage etc
59.10	WaterForce Limited	Support	Amend Policy 45(b) to include reference to the installation and verification of water meters to be completed by a person with suitable qualifications and that the work is completed to the industry agreed code of practice The New Zealand Water Measurement Code of Practice.	Oppose in part	FFNZ is concerned that a requirement for water meters to be installed by suitably qualified persons may unduly restrict this policy but would support greater certainty about water metering
123.80	DoC	Oppose	Requiring metering and telemetry of water takes is supported and is consistent with national regulations. However, the regulations do not allow metering exceptions (e.g., in cases of technical limitations) and this part of the clause should be deleted.	Oppose	FFNZ considers that it is appropriate to provide reasonable exceptions (in appropriate circumstances) to recognise it is not physically or technically possible everywhere
210.66	Forest & Bird	Oppose	Amend the provisions around high flows to clearly state that allocation of high flows will be managed in a way that gives effect to the NPSFM, protects Te Mana o te Wai and ecosystem health, and meets Schedule 26 targets. Retain requirements for telemetric monitoring and ensure they are consistent with recent NPS/NES direction.	Oppose	FFNZ considers that the policy needs amendment but does not support deletion and replacement with a new policy
224.7	Mission Estate Winery	Oppose	Where telemetry equipment is operating to specification and needs to be replaced this cost should be subsidised.	Support	FFNZ agrees that this would be appropriate for metering is effective but for some reason needs to be upgraded or replaced
Water Use and Allocation – Efficiency					
29.29 29.3	HB Winegrowers	Amend	Include a definition of "IRRICALC water demand model" in the Glossary that reflects the agreement to develop a Hawke's Bay- specific model. Amend 5.10.7.47.f to read "...maintained and operated to ensure on- going efficient water use in accordance with any <u>the most relevant</u> applicable industry codes of practice." or similar wording to achieve the outcome sought in this submission.	Support in part	FFNZ agrees that this would provide greater certainty and may be a more appropriate metric
POL TANK 46					
8.43	Delegat Limited	Oppose	Amend clause (a) to read: ensuring allocation limits and allocations of water for abstraction are calculated with known security of supply, <u>including an irrigation reliability standard that meets demand 95% of the time.</u>	Support in part	FFNZ would support appropriate amendments to ensure that irrigation needs are taken into account

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
74.2	Bayley Produce Ltd	Amend	Amend Policy 46 - The wording in c) above specifically states the Council will ensure efficient allocation by "encouraging and supporting flexible management of water by permit holders..." 2, yet the proposed policy around transfers contradicts this statement. Regarding d) on---going data collection and monitoring of water use, we would like to see effective and meaningful use of this data, not only to verify actual use information, but to ensure the investment made on behalf of the landowner is justified.	Support in part	FFNZ agrees that if there are requirements for telemetry the data ought to be used. However, has concerns about privacy of such data and that it is used for appropriate purposes.
123.81, 210.67	DoC	Oppose	Delete policy 46	Oppose	FFNZ considers the policy ought to be retained as notified.
124.26	Brownrigg Agriculture Group Ltd	Oppose	Amend clause (a) to read: ensuring allocation limits and allocations of water for abstraction are calculated with known security of supply, <u>including an</u> irrigation reliability standard that meets demand 95% of the time.	Support in part	FFNZ would support appropriate amendments to ensure that irrigation needs are taken into account
POL TANK 47					
8.44	Delegat Limited	Oppose	Oppose Policy 47(b) - Amend clause (b) to read: "using the IRRICALC water demand model if available for the land use being applied for (or otherwise by a suitable equivalent approved by Council) or a similar reasonable use model that utilises crop type, soil type and climatic conditions to determine efficient water allocations for irrigation uses;	Support in part	FFNZ would support the use of alternative models to calculate irrigation need where this will result in a more reliable or robust estimate
51.4	Wairua Dairies Ltd	Oppose	Policy 47. C & d. Opposes the current wording and recommend the following wording. It is recommended that HBRC adopt the definition "80% of applied water is retained within the root zone, after an irrigation event and/or for the irrigation season".	Support in part	FFNZ would support the use of methods to calculate irrigation need where this will result in a more reliable or robust estimate
58.27	Hawkes Bay Fish and Game Council	Amend	Replace with 90% reliability to reflect other regions or explain why 95% is required.	Oppose	FFNZ considers that such a change would be unduly restrictive
123.82 123.84	DoC	Amend/ Oppose	Reliability standards to meet demand are not water use efficiency measures and should be deleted, otherwise clauses a-f are supported. 47 b) - Allow applicants to use their own more detailed soil information within Irricalc when this data is of higher resolution and quality than existing available data.	Support in part Oppose in part	FFNZ would support the use of alternative models to calculate irrigation need where this will result in a more reliable or robust estimate but does not support deleting the other clauses of this policy
180.43	Hort NZ	Amend	Amend to better align the policy with terminology as used within the irrigation industry. Specific wording provided in submission.	Support in part	FFNZ agrees that the wording ought to reflect industry use
192.13	T&G Global Limited and ENZIL	Amend	Amend Policy 47(b) to say: "using the IRRICALC water demand model or a suitable equivalent approved by Council to determine efficient water allocations for irrigation uses;"	Support in part	FFNZ would support the use of alternative models to calculate irrigation need where this will result in a more reliable or robust estimate
194.66	Pernod Ricard Winemakers	Support	The relief sought is that the Glossary and Policy 47 are amended to 'as specified by a consistent and appropriate water demand model', where IRRICALC can be included as an example.	Support in part	FFNZ would support the use of alternative models to calculate irrigation need where this will result in a more reliable or robust estimate

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
	New Zealand Limited				
210.68	Forest & Bird	Amend	Amend to state "best practice" Delete reference to reliability standard.	Oppose	FFNZ supports Policy 47 as notified
Water Use Change/Transfer					
63.56	Napier City Council	Amend	Amend Change 9 so that where the policy wording allows transfer to municipal supplies but excludes transfers to industrial uses above 15m3, this option be reinstated.	Oppose in part	FFNZ supports an equitable approach to allocation and transfer
120.52	Ngati Kahungunu	Amend	Do not allow transfer of water permits into over-allocated ground and surface water management units or between catchments	Oppose in part	FFNZ considers that if a transfer can be made to a more efficient use or achieve a better environmental outcome it ought to be provided for
POL TANK 48					
36.12	Mr Apple New Zealand Ltd	Amend	Clarify/amend Policy 48. e) - If the water allocation of 90 million cubic meters is achieved, why would consent holders be disallowed to transfer water volumes between consent within the same zone? Even if the target is not achieved, or while it is in progress, it is not unreasonable to allow transfer of water from one site to another within the same catchment. It is often the case that different users have different water demands at different times, and so can "share" their allocations so as to enable efficient use. Surely this would be better than having some producers with insufficient water so as to reduce their production.	Support in part	FFNZ agrees with the issues raised by this submitter in respect of Policy 48
37.36	Dartmoor Estate Ltd	Oppose	Amend Change 9 so that transfers of all water permits that have been exercised should be enabled.	Support	FFNZ agrees that transfers should be provided for, especially if they can be made to a more efficient use or achieve a better environmental outcome
123.83 123.85	DoC	Oppose	Water use change or transfer should not be allowed in any overallocated waterbody – applications to transfer into overallocated waterbodies should be declined (and supported by a prohibited activity status in the rules of PC9). Transfers should be declined wherever significant adverse effects on life-supporting capacity, ecosystem health and other instream freshwater values are likely. References to flow enhancement or ecosystem improvement schemes should be deleted as these are inappropriate measures to manage adverse effects. The needs of people and communities for water supply for drinking and domestic use should be prioritised above water used for irrigation. Clause g is supported – water used for frost protection generally is not used when rivers and streams are under the most flow stress (e.g., summer). 48 a) - Make the transfer of surface water to groundwater a separate line item to make people more aware of this option. Also allow the use of alternative defensible models/methods.	Oppose	FFNZ considers that transfers should be provided for, especially if they can be made to a more efficient use or achieve a better environmental outcome and is concerned that the proposed amendments will result in a more stringent regime at significant cost.
180.44	Hort NZ	Amend	Amend as follows: 'When considering any application to change the water use specified by a water permit, or to transfer a point of take to another point of take, to consider:...g) declining	Support	FFNZ agrees that primary production should be excluded from this paragraph

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
			applications for a change of use from frost protection to any other end use <u>except primary production</u> ;		
210.69	Forest & Bird	Amend	Amend to make it clear that applications for transfer to overallocated zones and waterbodies will be declined. Delete reference to stream flow augmentation/maintenance schemes Increase consistency with NPSFM and RMA direction on allocation Elevate status of ecosystem health, te mana o te wai, and human health over irrigation and other uses. Include provision for mana whenua consultation when considering transferring use and takes Retain clause (g)	Oppose	FFNZ supports policy 48 (with amendment as proposed in its submission) and does not agree that it needs to be changed to increase consistency with higher order documents or that there should be a blanket direction to decline consents in overallocated catchments.
Water Allocation - Permit Duration					
29.31	HB Winegrowers	Amend	Amend 5.10.7.49 to ensure that public notification of consents is not required, if the requirement is triggered only by the cumulative effect of consents that individually have no more than minor effect.	Support	FFNZ agrees that public notification should not be required in the circumstances suggested by the submitter
29.32	HB Winegrowers	Amend	Amend 5.10.7.49.f to read “ <u>efficacy operation of flow enhancement and aquifer recharge schemes and any riparian margin upgrades;</u> ” or similar wording to achieve the outcome sought in this submission.	Support	FFNZ agrees the additional wording proposes improves certainty
POL TANK 49					
63.13 207.13	Napier City Council, HDC	Amend	Amend the Policy as follows: ... h) will impose a consent duration for municipal <u>supply for 30 years to align with the required infrastructure and planning decisions under the NPS-UD 2020</u> consistent with most recent HPUDS and will impose consent review requirements that align with the expiry of all other consents in the applicable management unit;	Oppose in part	FFNZ is concerned that the proposed amendments lock in consents for a long time
123.86	DoC	Oppose	Impose shorter water permit durations	Oppose	FFNZ considers that the consent terms should not be shorter
135.47	Ravensdown Limited	Amend	Amend Policy 49 as follows: <i>When making decisions about applications for resource consent to take and use water, the Council will set common expiry dates, <u>or include a review condition</u>, for water permits to take water in each water management zone, that enables consistent and efficient management of the resource and will set durations that provide a periodic opportunity to review effects of the cumulative water use and to take into account potential effects of changes in:</i> ... <i>g) will impose consent durations of 15 years, <u>or impose review conditions reflecting the same timeframe</u>, according to specified water management unit expiry dates. Future dates for expiry or review of consents within that catchment are every 15 years thereafter.</i> ...	Support in part Oppose in part	FFNZ considers that review conditions may be a way of managing consents and consent durations but is concerned about how such a condition would be exercised

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
			<i>i) may grant consents granted within three years prior to the relevant common catchment expiry date with a duration to align with the second common expiry or review condition date, except where the application is subject to section 8.2.4 of the</i>		
141.9	Kereru Station	Oppose	Strongly oppose. This needs to be a minimum of 25years	Support in part	FFNZ would support longer durations for consents
180.45	Hort NZ	Amend	Amend as follows: "...i) <u>except where an application is to take and use water storage projects, consent durations of greater than 15 years will be considered and may be granted if a longer consent term is justified on the basis of the quantum of investment required to construct the scheme.</u>	Support in part	FFNZ would support longer durations for consents
193.8	Heinz Wattie's Limited	Amend	Consents that required significant investment either in water storage, or improved technology or in other areas should be considered at terms up to 35 years.	Support in part	FFNZ would support longer durations for consents
210.70	Forest & Bird	Amend	Amend to explicitly state that consent reviews allow council to change allocated amounts of water. Shorten consent duration or remove this reference to 15 years.	Oppose	FFNZ does not support shorter consent durations or consent reviews to change allocated water
Water Allocation - Priority					
29.33	HB Winegrowers	Amend	Amend 5.10.7.51 to read "...emergency water management group that shall have representatives from Napier City and HDCs, NZ Fire Service, DHB, iwi, <u>affected primary sector groups</u> and MPI, to make decisions ..." or similar wording to achieve the outcome sought in this submission.	Support	FFNZ agrees affected primary sector groups ought to be consulted
POL TANK 50					
53.22	CD & CM Howell Partnership	Amend	Amend to require territorial authority applicants to promote water conservation in the urban community by way of metered supplies at the consumer level Amend to ensure territorial authorities have a continuous improvement model for reducing water reticulation losses rather than a broad statement of an Infrastructure Leakage Index of 4 or better	Support in part	FFNZ agrees that municipals ought to also be subject to water conservation and improvement requirements
82.3	Lowe Corporation Limited	Amend	Amend Policy 50 to refer in the first line to resource consent applications for regionally significant industry and insert a new Policy 50(aa) worded as follows: "Allocate water for the operational needs of existing and future regionally significant industry not supplied as part of a municipal water supply based on existing and likely demand for that purpose, while requiring water use by regionally significant industry to meet or exceed best industry practice, including for efficiency of water supply and water use." Alternatively, provide at a policy level for water allocation enabling continuity of supply to regionally significant industry.	Oppose	FFNZ is concerned about how "regionally significant industry" would be defined and the implications for primary sector takes
210.71	Forest & Bird	Support	Retain	Support in part	FFNZ would support investigating water metering for urban water use, depending on cost, feasibility and benefit

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
			Introduce a new clause "(d) investigate water metering for all residential and commercial urban water users"		
POL TANK 51					
123.88, 210.72	Amend		Remove reference to horticultural crops and primary production.	Oppose	FFNZ considers that animal welfare and survival of horticulture ought to be provided for
135.48	Ravensdown Limited	Amend	Amend Policy 51 as follows: <i>e) uses where water uses is subject to <u>required to meet the seasonal demands for of primary production</u>;</i> <i>f) uses for which water is essential for the continued operation of a business (commercial or industrial activity) and primary production not provided for by (e) above. , except where water is subject to seasonal demand for primary production or processing.</i> <i>The following uses will not be authorised under a water shortage direction:</i> <i>use of water not associated with the continued operation of a business (<u>commercial or industrial activity</u>) or community</i>	Support	FFNZ would support amendments to clarify the provision of water for primary production
180.46	Hort NZ	Support	HortNZ supports the recognition of the need to enable water to be made available to irrigate horticultural tree crops to ensure their survival.	Support	FFNZ agrees
Over Allocation					
29.34	HB Winegrowers	Amend	Amend 5.10.7.52 to read "...any new allocation of water (not including any reallocation in respect of permits issued before 2 May 2020 <u>and new water made available by high flow take and release and by offset or managed aquifer recharge</u>)" or similar wording to achieve the outcome sought in this submission.	Support	FFNZ agrees that the policy should not capture allocations during high flows
210.12	Forest & Bird	Amend	Provide clear policy direction to phase out over allocation within 5 years	Oppose	FFNZ considers there is insufficient data/science and that if there was overallocation ought to be phased out over an appropriate length of time
POL TANK 52					
51.6	Wairua Dairies Ltd	Oppose	Policy 52b)(i) - oppose. Many consents have been sort with multi-year developments planned. Unused allocation averaged over the past 10 years up to 2 May 2020 will be deducted from a consent to enable the total river allocation to be reduced by 17.8%. This is in-equitable for those planning long term development. A further 14.2 % of current allocation could be extracted without exceeding the new allocation limit. First an economic assessment of the impact of this allocation change should be commissioned, then alternative options for implementation of this allocation change should be investigated. Consent holders who face losing 2400 l/sec water under this allocation change should be granted an equivalent volume of high flow water to compensate for their loss.	Support in part	FFNZ would support consideration of a range of alternative options

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
58.28	HB Fish and Game	Amend	Amend to place primacy on the total allocation volume as driving the consent consideration.	Oppose	FFNZ considers that there is insufficient data/science
63.15	Napier City Council	Amend	Amend the Policy if it applies from the outset so as to better align with other areas of relief sought in relation to concerns raised. Suggested wording provided	Oppose in part	It is not clear what is meant by having this policy apply from the outset or how it would affect other water takes
82.12	Lowe Corporation Limited	Amend	Amend Policy 52(b)(ii) to refer to conditions “that require implementation of industry good practice standards for efficiency of water use, including through alterations in the volume, rate or timing of water take where necessary to achieve industry good practice standards”, or words to like effect. Add new subclause (iii) allowing for imposition of conditions requiring information sufficient to verify efficiency of water use relative to industry good practice standards.	Support in part Oppose in part	FFNZ supports the adoption of good management practice but has concerns about how this is interpreted and applied and about relying on it to review existing consents
123.89	DoC	Oppose	Include clear methods with timeframes to phase out overallocation.	Oppose	FFNZ is concerned there is insufficient data/science to phase out allocation now and that if there was an appropriate transition period would be required (along with alternatives such as water storage and harvesting)
135.49	Ravensdown Limited	Amend	Amend Policy 52 as follows: <i>The Council will phase out over-allocation by;</i> <i>a) preventing <u>restricting</u> any new allocation of water (not including any reallocation in respect of permits issued before 2 May 2020);</i> <i>c) provide for, within the duration of the consent <u>or review conditions</u> , meeting water efficiency</i> <i>f) prevent <u>restrict</u> site to site transfers of allocated but unused water that does not meet the definition of actual and</i>	Support	FFNZ agrees that “restrict” is a better term than “prevent” and that instead of reducing the consent duration, concerns could be addressed through review conditions
180.47	Hort NZ	Amend	Amend to ensure that new water from high flow allocations can be assessed, and makes policy more practically appropriate in its application. Specific wording provided in submission.	Support	FFNZ agrees that the policy ought to provide for high flow water takes and ought to be more practicable
207.15	HDC	Amend	Amend the Policy if it applies from the outset so as to better align with other areas of relief sought in relation to concerns raised. Suggested wording provided	Oppose in part	It is not clear what is meant by having this policy apply from the outset or how it would affect other water takes
210.73	Forest & Bird	Oppose	Include clear methods for how overallocation will be addressed with timeframes.	Oppose	FFNZ is concerned there is insufficient data/science to phase out allocation now and that if there was an appropriate transition period would be required (along with alternatives such as water storage and harvesting)
POL TANK 53					
5.10.8 Policies: High Flow Allocation					
120.51 120.53 120.63 120.133	Ngati Kahungunu	Amend	Set high flow allocations for all rivers that ensure hydrological alteration of the flow regime is minimised and maintained close to natural flow regimes Prohibit all new large run-of-river damming and require safe fish passage for all new small dams (catchment <50ha).	Oppose	FFNZ is concerned there is insufficient data/science to support the changes sought and that this would impose significant cost

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
120.134 120.135 120.136			Ensure to streams and rivers for the purposes of diverting water for impoundment does not alter the natural character of the area, does not impede fish passage or recruitment processes, and does not significantly adversely effect the ability of tangata whenua to exercise Kaitiakitanga, and conduct their cultural practices. Offline storage activities should be considered on a case by case basis and not enabled through objectives and policies Any allocation to storage must also be captured within allocation limits and minimum flows, not exempt from them New, large run of river damming should be prohibited The focus of this policy should be on water retention and not simply water storage.		
Adverse Effects - Water Damming					
POL TANK 54					
108.2	Jet Boating New Zealand	Support	Support retention of this clause as it is worded because flows three times above the median are extremely important for maintaining the intensity and frequency of the braided river characteristics.	Oppose	FFNZ is concerned about the robustness of the statement the submitter relies on
123.91	DoC	Oppose	Prohibit run of river damming as adverse effects are permanent. Run of river damming should not be enabled by PC9.	Oppose	FFNZ does not consider it appropriate to adopt a prohibited activity status
180.49	Hort NZ	Amend	Amend to delete a) and c).	Support in part	FFNZ would support reasonable amendment to Policy 54
210.75	Forest & Bird	Oppose	Delete. Replace with a policy that clearly states dams in river channels will be prohibited. Allow instead for 'off-line' water storage with a clear provision for the consideration of those effects, including 'end use' effects (policy 55 could be amended to do this).	Oppose	FFNZ does not consider it appropriate to adopt a prohibited activity status
Adverse Effects - Water Take and Storage					
POL TANK 55					
58.29	Hawkes Bay Fish and Game Council	Amend	Insert 50:50 flow sharing to ensure that blocks of water between median and FRE3 are fairly allocated. Further information on this is in the Rules and Schedules.	Oppose	FFNZ has concerns about how this may impact on water takes and the additional cost or uncertainty
123.92	DoC	Not Stated	Water taken for offline storage should be subject to minimum flows and allocation limits (including high flow allocation limits). 55b- request clarification of this point.	Oppose	FFNZ is concerned that this may disincentivise water storage and impose additional cost
180.5	Hort NZ	Amend	Amend to more appropriately reflect the water take focus of the policy, and the fact it relates to offstream dams, which have less effects than in-stream dams. Specific wording provided in submission.	Support	FFNZ agrees that the policy ought to adopt an effects based approach

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
210.76	Forest & Bird	Amend	Add (viii) "the physical condition of the active channel, riparian areas, and floodplain, and the habitat they provides" Amend (ix) to state that takes are subject to minimum flows and allocation limits, and state where the allocation limits and cease takes are situated in the plan (i.e. what schedule). Insert limit on the proportion of flow that can be taken above the median flow and reflect that in a relevant schedule.	Oppose	FFNZ considers that restricting the policy in this way will impose additional cost and is not justified
Benefits of Water Storage and Augmentation					
POL TANK 56					
123.93	DoC	Not Stated	All reference to flow or water augmentation should be removed from PC9 as it is an inappropriate way to manage the effects of overallocation and abstraction. This policy should be redrafted as a method (if included at all).	Oppose	FFNZ does not support removal of flow or water augmentation from PC9
133.5	Wi Huata	Not Stated	Support water storage being owned by Tangata Whenua. 56c - this rule provides for capture, storage and use of surface water at times of high flow. Given the refusal of council to end the free transfer of wealth to those who already have water consents, then the next choice is to allow Maori in particular to achieve the remedies we seek from generations of discrimination and allocation of water rights to the privileged.	Oppose	FFNZ does not agree that water storage should be owned by tangata whenua
201.45	Heretaunga Tamatea	Oppose	Amend plan to ensure security of supply is 90%. Introduce new provision to enable replacement of resource consents to abstract groundwater, with consents for abstraction from water storage.	Oppose in part	While FFNZ supports encourage water storage and considering a range of options, it does not agree that there should be a requirement to replace groundwater consents with water storage consents
207.16	HDC	Amend	Amend the Policy to provide discretion as to the type of activity and scale of activity that is to be subject to the full extent of the Policy. Suggested wording provided.	Oppose in part	FFNZ would support a greater range of activities but is concerned that if too much discretion is provided there will be a lack of certainty
210.77	Forest & Bird	Oppose	Delete policy.	Oppose	FFNZ considers the policy ought to be retained
POL TANK 57					
63.17	Napier City Council	Amend	Amend the policy to read: To support and inform the review under Policy 42, the Council will carry out further investigation to understand the present and potential future regional water demand and supply...	Support	The additional wording helps to provide greater clarity
123.94	DoC	Not Stated	This is method not a policy	Support in part	FFNZ considers that it is appropriate as a policy but would also support it as a method, in the alternative
207.17	HDC	Amend	Amend the policy to read: To support and inform the review under Policy 42, the Council will carry out further investigation to understand the present and potential future regional water demand and supply...	Support	The additional wording helps to provide greater clarity
210.78	Forest & Bird	Oppose	Move to a methods section and amend to clarify what is meant by environmental enhancement (and ensure that reference is to managing allocation, not compensating for adverse effects).	Oppose	FFNZ does not agree with how this submitter has defined environmental enhancement or how it has focused on allocation and removing the ability to provide environmental compensation

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
POL TANK 58					
123.95	DoC	Support	Support in part - all run of river dams should be prohibited	Oppose	FFNZ does not agree that a prohibited activity status is appropriate
210.79	Forest & Bird	Support	Amend to prohibit all run of river dams (i.e. only allow 'off line' storage).	Oppose	FFNZ does not agree that a prohibited activity status is appropriate
High Flow Reservation					
	HB Winegrowers	Oppose	Policy 59 needs significant re-write to address the above inconsistencies between the policy as it now stands and the framework agreed in TANK. It should distinguish clearly between water for environmental enhancement and water for Maori development, reduce the proposed Maori development reservation for the Ngaruroro River from 1600L/s to 1200L/s in line with the 20% new-water allocation agreed at TANK and remove the presumption that the private sector will fund the infrastructure costs in relation to exercise of the Maori development portion of the high flow allocation.	Support in part	FFNZ agrees that the policy could be clarified and amended to be more consistent with the TANK framework
29.36	HB Winegrowers	Amend	Amend Policy 60 to read "When making decisions about resource consent applications to take and store high flow water, the Council will <u>may</u> take into account the following matters: a) whether water allocated <u>any benefits</u> for development of Maori well-being." [deleting the wording in clauses b-f], or similar wording to achieve the outcome sought in this submission.	Support	FFNZ agrees with the addition of the words "may" and "any benefits"
POL TANK 59					
108.5	Jet Boating New Zealand	Oppose	Oppose policy 59, the allocation of 20% of the total water available. JBNZ is concerned about the changes to riverbed morphology that will result from high flow takes beyond those specified in Schedule 32 and seeks a change to the policy so that the schedule reflects the policy. Schedule 32 sets an acceptable take when the river exceeds the high flow trigger. The massive gap between the sensible schedule 32 and the policy it sits under must be resolved. <i>Wording like the following is proposed Abstraction at high flows will limit the amount of flow alteration so that the take, either on its own or in combination with other takes in the catchment does not cumulatively adversely affect the frequency of flows above three times the median flow by more than a minor amount.</i>	Oppose	FFNZ is concerned that this would impose significant cost and discourage takes during high flow
133.4	Wi Huata	Amend	Policy 59 needs to be changed so that the 20% is for Maori development full stop. Concern that where council staff are involved in allocating resources, water or finance, then Pakeha will take the resources meant to right an injustice through the environmental enhancement loophole or through Pakeha paying for the "Maori development" water and funds used for Maori goods.	Oppose	FFNZ supports an equitable and effects based approach to allocation
180.51	Hort NZ	Amend	Amend by deleting c).	Support	FFNZ agrees that removing this paragraph would result in a more effects based approach
193.12	Heinz Wattie's Limited	Amend	Policy 59 c) - Has inadvertently created a "price" for water, that being "the commercial returns resulting from the application. The reservation of some allocation is not opposed in principle, however the opportunity to "sell" that reservation and apply that financial benefit to a sector of our society (for Maori land) is opposed.	Support	FFNZ agrees that creating a price for water would not be an appropriate outcome
210.8	Forest & Bird	Amend	Revise with iwi input Make it clear that any allocation to iwi is independent of allocations to address environmental issues (i.e. low flows). Ensure consistency with NPSFM and RMA.	Oppose	FFNZ is concerned that this would not achieve an effects based regime

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
POL TANK 60					
63.18	Napier City Council	Amend	Amend the Policy to link it to takes considered under Policy 59. Suggested wording provided.	Support in part	FFNZ would support the amendment if it meant that all takes were considered and an effects based approach adopted
99.22	Twyford Water	Amend	Submits that an amendment is required to make clear that Policy 60 is only relevant to consideration of applications under Policy 59.	Support	FFNZ would support the amendment if it meant that all takes were considered and an effects based approach adopted
180.52	Hort NZ	Amend	Amend as follows: 'When making decisions about resource consent applications to take and store high flow water <u>in</u> accordance with Policy 59, the Council will take into account the following matters:...'.	Support	FFNZ would support the amendment if it meant that all takes were considered and an effects based approach adopted
194.77	Pernod Ricard Winemakers New Zealand Limited	Amend	Amend 5.10.8.60 in order to clarify that (b)-(f) only relate to decisions about applications relating to 5.10.8.59, and for all other applications to take and store high water flow – only 5.10.8.60(a) applies. Or conversely, if it is intended to apply more generally, clarify this and also consider whether it would be appropriate to confine these requirements to takes over a certain threshold.	Support	FFNZ would support the amendment if it meant that all takes were considered and an effects based approach adopted
207.18	HDC	Amend	Amend the Policy to link it to takes considered under Policy 59. Suggested wording provided.	Support in part	FFNZ would support the amendment if it meant that all takes were considered and an effects based approach adopted
210.81	Forest & Bird	Amend	Revise with iwi input	Oppose	FFNZ does not agree that Policy 60 needs to be revised as suggested
Chapter 6: New Regional Rules					
29.44	HB Winegrowers	Amend	TANK Rule 1 - Add a Condition to 6.3.1 Rule 1 reading: "c. The bore is located within a Source Protection Zone but is a replacement for an existing bore that will be decommissioned." or similar wording to achieve the outcome sought in this submission.	Support in part	FFNZ would support the amendment if it was an alternative condition and not a standalone requirement
58.31	Hawkes Bay Fish and Game Council	Amend	Amend all rules to state matters of control/discretion/ <u>notification</u>	Support in part	FFNZ would agree to amendment if "notification" provided more certainty and did not change the intention of the rules as notified
120.103	Ngati Kahungunu	Amend	Amend Change 9 so that it does not permit the discharge of contaminants to water from land use (TANK 1)	Oppose	FFNZ supports an effects based approach and one that manages effects as opposed to requiring no effects
129.5 129.6	Hawke's Bay Regional Council	Amend	Amend the provisions of the proposed TANK Plan Change so that they are consistent with the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (Freshwater NES), Amend the provisions of the proposed TANK Plan Change so that they are consistent with the Resource Management (Stock Exclusion) Regulations 2020.	Support in part	FFNZ agrees that it would be efficient and certain for the provisions to be consistent with the NES. FFNZ reserves its position on the stock exclusion rules depending on how they are amended to be "consistent" with the regulations
210.82	Forest & Bird	Oppose	TANK 1: Amend to make consistent with the NPSFM and to increase Council's scope to assess whether an activity and associated discharge is appropriate. This could be achieved by making the use of productive land for farming a restricted discretionary activity in some catchments or where water quality targets are not met a full discretionary activity. Amend to include matters of discretion.	Oppose	FFNZ does not agree that more stringent activity statuses should be adopted or that wholesale changes are needed to make the rules consistent with the NPSFM

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
			Provide scope for council reviews of all farm plans.		
10.1 Use of Production Land					
25.15 25.16	Xan Harding	Amend	<p>Rule TANK 5 - The rule needs further development to give more guidance on what changes are intended to be controlled and to control change by farming enterprises within a water quality management unit more appropriately.</p> <p>Rule TANK 6 - Adjust the Grape kg/ha/yr for all soils to recognise winter sheep grazing rotation.</p> <p>Include details of crop model versions used to derive the crop loss figures in Schedule 29 and include a mechanism to address the effects of model and/or version changes to modelled outputs.</p>	Support in part	FFNZ considers that the rules need to reasonably provide for the activities, including sheep grazing rotation
27.1	Richmond Beethan	Oppose	Rule TANK 3 - That the permitted activity rule around grazing cattle on land above 15 degrees is removed specifically the 18SU/Ha on a paddock basis Threshold which captures any sort of rotational grazing of cattle on hill country with permanent and intermittent streams.	Support	FFNZ supports a pragmatic and workable approach to stock exclusion
29.37 29.38 29.62	HB Winegrowers	Amend	<p>TANK 1 - Amend all references to Farm Environment Plan in this Plan Change to “freshwater farm plan” and otherwise align the Plan Change requirements to those of the Resource Management Amendment Act 2020 and related S.360 regulations.</p> <p>TANK 2 - Amend all references to Farm Environment Plan in this Plan Change to “freshwater farm plan” and otherwise align the Plan Change requirements to those of the Resource Management Amendment Act 2020 and related S.360 regulations.</p> <p>Amend TANK 5 conditions/standards/terms to read “...subject to a Catchment Collective Programme meeting the requirements of Schedule 30B or by a TANK Catchment Collective...</p>	Oppose	FFNZ is concerned that it will not necessarily improve practicality and workability to refer to FEPs and FW-FPs
51.8	Wairua Dairies Ltd	Amend	<p>Amend Rules TANK 5&6 - “Any change to production land use activity over more than 50 ha or 10% of the enterprise or farm area whichever is greater commencing from 2 May 2020”</p> <p>Our reasons regarding this, are included in comments on Schedule 29 in submission point 51.10.</p>	Support in part	If there was a more appropriate threshold, FFNZ would support it
66.17	Ngaruroro Irrigation Society Incorporated	Oppose	Amend TANK 5(a) to read: a) Any change to the production land use activity commencing after 2 May 2020 is <u>either over more than 10 hectares or 10% of the property or farming enterprise area, whichever is the greater</u>	Support in part	If there was a more appropriate threshold, FFNZ would support it
66.18		Oppose	Amend TANK 6(b) to read: b) Any change to a production land use activity over more than either, 10ha or 10% of the property or enterprise area <u>whichever is the greater</u> , commencing after 2 May 2020 that results in the annual nitrogen loss increasing by more than the applicable amount shown in Table 2 in Schedule 29.		
83.8	Jim Galloway	Not Stated	Rule TANK 1 - Amend Change 9 so that the minimum area to need a Farm Environment Plan to be lifted to 50ha	Support	FFNZ agrees that FEPs should be required to properties 50ha or larger
85.2 85.3 85.6	M Truebridge	Oppose Amend	<p>Rule TANK 5 - oppose land use specific Nitrogen Loss restrictions. Famers should be able to remain flexible and adaptive to change in circumstances. I support more flexibility and amendment so that the land use threshold for change is 20ha or 20% of the property whichever is greater.</p> <p>Rule TANK 3 - Clarification and some certainty is required that farm access is not compromised by the need for expensive engineered bridges and crossings. I support a more practical approach</p>	Support	FFNZ agrees that nitrogen loss restrictions are not necessarily practical or appropriate and supports flexibility for land management and land use change

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
			where a measure of frequency would be far more reasonable. I seek further clarification for this rule. I further seek the me frame to comply with this rule is extended to 2025.		
89.1 118.4		Amend Oppose	Please choose the yearly stocking rate and make this explicit in the regulations. It is essential that it is average stocking rate for the whole year NOT stocking rate on any one day. Tank 3 -;Remove limit of 18SU/Ha.	Support in part	FFNZ agrees that the stock exclusion rules need to be workable and practicable
120.26 120.27 120.28	Ngati Kahungunu	Amend	Exclude stock from all wetlands, lakes and rivers and from riparian margins used for fish spawning (specifically including inanga) regardless of slope with minimum setbacks of at least 10 metres. Rule TANK 3 - Exclude breakfeeding from all waterbodies regardless of slope. Include defined setbacks from water for all stock exclusion provisions	Oppose	FFNZ is concerned that these requirements would impose significant cost for uncertain or little benefit
RULES: Land Use Change					
54.65 54.70	Apatu Farms Ltd	Oppose	Amend Plan Change 9 to provide a definition of what a change to production land use is to clarify what the provisions actually relate to. Amend Plan Change 9 so that some land use change is enabled by requiring the management of nutrients to be done at the collective level.	Support	FFNZ supports an effects based approach and flexibility for land use change
118.5	Hugo Beamish	Amend	Tank 6 ;Suggest that the criteria should be 10Ha or 10%, whichever is greater. Schedule 29 - Currently schedule 29 does not provide the necessary Nitrogen loss detail to determine what land use changes are permitted (ie how changes from dry stock or dairy to arable/vegetation rotation).	Support in part	FFNZ would support a higher threshold
129.7	Hawke's Bay Regional Council	Amend	TANK 5 and TANK 6 - Either Insert at the end of condition (a): <i>"that results in the annual nitrogen loss increasing by more than the applicable amount shown in Table 2 in schedule 29."</i> Or Delete TANK 5 and TANK 6 and replace with a new rule that requires a restricted discretionary application to be made where a land use change on properties that are greater than 10 ha in size results in a change to the predominant land use which is the land use over more than 50% of the property or farm enterprise area changes from a lower leaching category to a higher category as shown in Table 1 of Schedule 29. The matters for discretion are as proposed for TANK 6 and includes matter 2 from TANK 5 where a Landowner collective is relevant.	Support in part	FFNZ would support a higher threshold and an effects based approach and flexibility for land use change
6.10.2 Water					
8.50 8.51	Delegat Limited	Oppose	Oppose Rule TANK 9(e) - Amend clauses (e)(ii) and (g)(iii) to refer to "preceding 1 August 2017 2 May 2020".	Support in part	FFNZ would support a time period of preceding 2 May 2020 if that was appropriate

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
			Oppose Rule TANK 10(g) - Amend clauses (e)(ii) and (g)(iii) to refer to “preceding 1 August 2017 2 May 2020”.		
12.15	Ministry of Education	Amend	Amend Rule TANK 7 - ... (i) Takes existing as at 2 May 2020 may continue to take up to 20 cubic metres per property per day and to meet the reasonable needs of animals for drinking water; (iii) (ii) Takes occurring for a period of less than 28 days within any 90 day period, the total volume taken on any property shall not exceed 200 cubic metre per 7 day period. (iii) Takes existing as at 2 May 2020 may continue to take up to 20 cubic metres per property per day and to meet the reasonable needs of social infrastructure. c) The taking of water does not cause any stream or river flow to cease. ...	Oppose	It is not clear what takes of 20m3 pr day for “social infrastructure” would provide for
12.16	Ministry of Education	Amend	Amend Rule TANK 8 - ... (iii) The taking of water for aquifer testing is not restricted (iv) <u>Takes existing as at 2 May 2020 may continue to take up to 20 cubic metres per property per day and to meet the reasonable needs of social infrastructure.</u> c) The rate of take shall not exceed 10 l/s other than aquifer testing for which the rate of take is not restricted. ...	Oppose	It is not clear what takes of 20m3 pr day for “social infrastructure” would provide for
21.13	Newstead Farm Ltd	Oppose	Rule TANK 8 - Propose that the taking of water for reasonable domestic needs and the needs of animals for drinking water is appropriately provided for and that taking of water for these purposes is prioritised above other nonessential takes.	Support	FFNZ considers domestic and animal drinking needs ought to be provided for
47.13	John Bostock & Eddie Crasborn	Amend	Amend Rule TANK 9 - This condition is too restrictive and may have the perverse effect of incentivising growers to stay with high water demand crops. BF believe water allocation should be based on the Irricalc calculator model for crop types in place or planned. The last water metres were required to be installed in 2016 therefore taking the maximum in last 10 years will use incomplete data.	Support in part	FFNZ supports a practicable and workable rule and the use of appropriate models to estimate irrigation demand
50.20	Olrig Limited	Oppose	Rule TANK 16, 17 - strongly oppose the proposed limits reducing water for these purposes from 20cm3 to 5cm3. The right to take water for those purposes is critical to survival and health of stock on farm, and normal human behaviour. Analysis we have seen suggests this falls materially below sustainability levels. There appears to be no basis for this proposed reduction. Due to its critical nature, we see no reason for any caps/limits to be imposed. HBRC has remedies it can pursue if it finds any property abusing the right.	Support	FFNZ shares this submitter’s concerns about reducing water limits
58.32	Hawkes Bay Fish and	Amend	Amend TANK 17 to also include the following rivers and tributaries Gold Creek, Donald River Otakarara Stream Kiwi Creek, Rocks Ahead Stream Ngaawapurua (Harkness) Stream Panoko	Oppose	FFNZ does not support broadening the scope of TANK 17 to include additional rivers

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
	Game Council		Stream (Gold Creek) Mangamingi Stream, Te Waiotupuritia Stream Poporangi Stream, Ohara Stream Waikonini Stream		
66.26	Ngaruroro Irrigation Society Incorporated	Oppose	Amend TANK 9 matter for control/discretion 4) to ensure the rate of take and therefor the system flow rate is protected.	Oppose	FFNZ is concerned about the impact of this on other water users
66.27			Opposes TANK 9 matter for control/discretion 7	Oppose	FFNZ considers this matter of control ought to be retained
66.30			Amend TANK 10(g)(iii) to include a definition for Accurate Water Use Data.	Support in part	FFNZ would support a reasonable definition to provide greater certainty but has concerns that the proposed definition requires further refinement
66.32			Amend TANK 10 matters for control/discretion to clarify the definition of the completeness of the water use record.		
66.33			Amend TANK 10 matters for control/discretion to ensure the rate of take and therefor system flow rate is protected.	Oppose	FFNZ is concerned about the impact of this on other water users
66.34			Opposes TANK 10 matters for control/discretion 10	Oppose	FFNZ considers this matter of control ought to be retained
99.25	Twymford Water	Not Stated	<p>Rule TANK 7 & 8 - In general supports the reduction of permitted water takes . However, during periods of low flow when water permits linked to minimum flows have been unable to be us the permitted take of up to 20m3 could be used to irrigate to ensure the survival of horticultural tree crops.</p> <p>An exclusion should be provided within both TANK 7 & 8. Such takes could be considered to be existing, because they have occurred prior to 2 May 2020 . However it is not clear if this will remain in place when consents are renewed. Therefore an additional exclusion should be added to subsection b) takes up to 20 cubic meter's per property per day to aid the survival of permanent horticultural crops and or for stock water use</p>	Support in part	FFNZ supports a permitted take of at least 20m3 per day
99.26			<p>Rule TANK 9&10 - the quantity of water taken and used for irrigation should be the actual and reasonable amount – as determined based on the quantity specified on the expiring water permit, or Irricalc – whichever is the lesser. Supports the inclusion of the option to cease take when trigger level is reached, although questions why the cease take is not linked to the minimum flow . The inclusion of options is important, and while there are clearly advantages to joining a stream maintenance and habitat enhancement scheme.</p>	Support	FFNZ supports a range of options for determining irrigation demand and the ability to consider a range of options for effects management
99.27			<p>Rule TANK 18 - questions the discretionary status of such applications, and suggests that this doesn't incentivize joining a stream flow maintenance and habitat enhancement scheme. A restricted discretionary status provides a slightly higher level of comfort for an applicant, and also through identification of matters of discretion, provides clearer guidance about what information needs to be provided in a consent application, which has material impacts on cost and me associated with preparing them.</p>	Support	FFNZ agrees that a RDA activity status would create better incentives and the matters of discretion ought to be able to be clearly identified.
116.5	A J Macphee	Not Stated	<p>Rule TANK 7 (b) - This is unworkable, and even with the existing allowance of 20m3 per day, it is simply not possible on manyfarms. The rule makes no allowance for properties of differing sizes and assumes that a 10 ha property has the same requirements as a 100 or even 1000 ha property. There should be no limit on the amount of water that can reasonably be taken for both stock water and domestic use.</p> <p>The right to take water for irrigation purposes on hill country - the landowner, through perhaps a controlled activity, should have a right to use a percentage of that water for their commercial use.</p>	Support	FFNZ agrees that the rules need to be workable and practicable and ought to recognise property size and location of take

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
			That should not add to the overall take from the catchment as a whole, but may mean a reduction as to the take of those “downstream”		
120.60	Ngati Kahungunu	Amend	Rule TANK 9 - Introduce prohibited status for allocations that do not meet the above criteria	Oppose	FFNZ does not support the use of a prohibited activity status
123.102 123.103 123.104 123.105 123.106 123.107 123.108 123.109 123.110 123.111 123.113	DoC	Oppose	<p>Rule TANK 7 - Retain as notified with amendment to clarify that Rule 7(b)(i) AND (ii) apply together</p> <p>Rule TANK 8 - Change to:e) <u>The take shall not cause changes to the flows or levels of water in any connected wetland or surface water body.</u></p> <p>Rule TANK 9 f) (i) and (ii) - f) <u>The water permit holder either:contributes to or develops an applicable stream maintenance and habitat enhancement scheme that complies with the requirements of Schedule 36 at a rate equivalent to the stream flow depletion (in l/sec) which will be calculated using the Stream Depletion Calculator and based on the allocated amount of water; or an alternative method where it can be demonstrated to provide a more realistic prediction of effects. OR where a groundwater take is demonstrated as having a high or direct connection to surface water, the water take ceases when the flow or level of water in the surface water body falls below the trigger level specified in Schedule 31. Where a groundwater take is predicted to have a moderate or lesser connection to surface water, the surface water depletion effect must be offset using an applicable water scheme instead as outlined in (i) above.</u></p> <p>Rule 10 (g)(iii) may allow maximum annual water use in the last 10 years to become the reallocated volume As currently drafted it appears as though water will be able to be taken under minimum flow when it is an existing take and meets reasonable and actual use.</p> <p>Rule TANK 11 - Delete reference to water storage. All takes outside of the allocation limits should be prohibited.</p> <p>Rule TANK 12 - Consequential to amendment of Rule 11 (submission point 123.106)</p> <p>Rules TANK 13, 14, 15 - Include in matters of discretion - significant values of outstanding waterbodies and wetlands</p> <p>Rule TANK 16 - Amend activity status to prohibited.</p> <p>Rule TANK 18 - Include as a matter of control whether water quality targets in Schedule 26 or water quality issues in priority catchments (Schedule 28) will be achieved or addressed as a result of the quality of discharged groundwater to surface water.</p>	Oppose	FFNZ is concerned that the proposed amendments significantly raise the bar and will impose significant cost on water users as well as uncertainty
124.28	Brownrigg Agriculture	Oppose	Rule TANK 9 - Amend TANK Rule 9 condition (f) to make it clear that individual consent holder stream augmentation mitigation or offsetting actions are acceptable.	Support	FFNZ agrees that a full range of mitigation and offsetting options ought to be able to be considered
131.7	Ballance Agri-Nutrients	Amend	Rule TANK 7 or 8 - Amend to provide clarity over the supply of water for domestic and stock water. Specific wording provided.	Support	FFNZ agrees that water supply for domestic and animal drinking needs ought to be provided for
141.4 141.5	Kereru Station	Oppose	Opposes Rule 7. Water for domestic and stock should be a permitted activity and not limited to 5 cubic metres for new takes or 20 cubic metres for existing takes. Disagrees with Rules 11 and 18		
180.58 180.59	Hort NZ	Amend	Rule TANK 7&8 - Amend to include a specific exemption for the ongoing abstraction of up to 20m3 if water is abstracted for the purpose of assisting the survival of permanent horticultural crops.	Support in part	FFNZ agrees that a small take for root survival would appear to be appropriate. FFNZ also agrees that the focus should be on reasonable

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
180.60 180.61			<p>Rule TANK 9&10 - All references to 'actual and reasonable' are amended to just be to 'reasonable'.</p> <p>An additional matter of discretion is added as follows: '<u>The effects of any take and use for root stock survival on flows in</u> connected surface water bodies.</p> <p>Rule TANK 12 - Amend status to be 'noncomplying'</p> <p>Rule TANK 18 - Amend status to be 'restricted discretionary'</p>		takes (and efficiency). FFNZ also agrees that a prohibited activity status is not appropriate
192.15 192.17	T&G Global Limited and ENZIL	Amend	<p>A specific exemption should be provided in TANK 7 and 8 to allow up to 20m3 per day to be taken to assist in survival of permanent horticultural crops and rootstock.</p> <p>Condition TANK 9 (e)(iii) should be amended to refer to "the maximum annual water use in any one year within the 10 years preceding 2 May 2020 (including as demonstrated by accurate water meter records)."</p>	Support in part	FFNZ agrees that a small take for root survival would appear to be appropriate. FFNZ would also support a 10 year period up to 2 May 2020 if that was appropriate
194.84 194.85 194.86 194.87 194.88 194.89 194.90 194.91 194.92 194.93 194.96 194.97	Pernod Ricard	Amend/ Oppose	<p>Rule TANK 10 - Actual and Reasonable Reallocation</p> <p>e) The quantity taken and used, other than provided for under d) is:</p> <p>(i) the actual and reasonable amount; or</p> <p>(ii) any lesser quantity applied for.</p> <p>f) The quantity taken and used for municipal, community and papakainga water supply is:</p> <p>(i) the quantity specified on the permit being renewed; or</p> <p>(ii) any lesser quantity applied for</p> <p>Rule TANK 10(e) - Amend the definition of 'actual and reasonable' to provide for the efficient allocation and use of water.</p> <p>Rule TANK 10(h) - Amend TANK 10 to: 1) allow that the taking of water for the sole purpose of avoiding the death of horticultural or viticultural root stock or crops should be exempt from cease takes; 2) take into account the extent to which groundwater takes have a stream depleting effect on surface water and apply restrictions in a proportional way.</p> <p>Rule TANK 10(h) - Clarify how Zone 1 takes relate to stream flow maintenance schemes and how they are to be provided for under TANK 18 and Schedule 36.</p> <p>Rule TANK 11 - Amend TANK 11 to clarify that frost protection is exempt from complying with the allocation limits in Schedule 31. It would also be clearer to include paragraph (a) of the conditions/terms as part of the description in the 'Activity' column – as these are not requirements to be met under Rule TANK 11 but the circumstances (activity) for which the rule is triggered. Amend the 'Activity' column of TANK 11 to recognise that this rule applies to s124 and new takes.</p> <p>TANK 12 should be amended to be a Non-Complying activity rather than a Prohibited Activity.</p> <p>Rule TANK 15 - Amend to clarify application of this rule and what would need to be assessed.</p> <p>Rule TANK 18 - Amend Schedule 36 to provide more comprehensive guidance about how the schemes would operate and the extent to which (and circumstances in which) water takes would be able to continue once minimum flow (or flow maintenance) levels were reached.</p>	Support in part Oppose in part	FFNZ would support an appropriate definition of actual and reasonable take that focuses on efficiency. FFNZ also agrees that a prohibited activity status is not appropriate

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
197.16	Beef + Lamb New Zealand Ltd	Oppose	<p>Rule TANK 7 and 8 - B+LNZ seek that 6.10.2 is amended so as to preclude water take for stock drinking water from any Take and Use Rules.</p> <p>Water quantity rules are amended in accordance with relief sought above (Obj 16,17,18) Water quantity Policies - Water quantity is managed to ensure that the take and use of water is reasonable and justifiable for the intended use, and takes for stock drinking water are permitted to provide for the health and wellbeing of domestic and production animals</p>	Support in part	FFNZ agrees that takes for animal drinking needs ought to be provided for. FFNZ would support a focus on reasonable and efficient use but has concerns with (and does not agree with) how "justifiable" intended use are defined
132.160	Te Taiwhenua o Heretaunga	Amend	<p>Oppose TANK Rules 9, 10, 11, and Schedule 33 until the objectives and policies have been more integrated with the RPS and NPS-FM provisions, and the rules have been amended to:</p> <ul style="list-style-type: none"> delete all references to "actual and reasonable" use and other provisions relating to this criteria, and make the rules for water abstraction for irrigation purposes discretionary activities. Delete all "Stream Flow Maintenance Scheme" provisions. Require consent renewals to occur upon consent expiry or when PC9 becomes operative, whichever occurs first. Reduce total consent volumes for groundwater takes (Heretaunga Plains Groundwater) so the total is within a 70 Million m3 per year limit. Require groundwater takes to operate within a cumulative rate of take limit in litres per second. Require high flow allocation to operate within both volumetric and cumulative rate of take limits. Include stream depletion rates of 0.5 lps and above, and associated depletion volumes, within surface water take limits (for the affected surface water body). Prescribe seasonal irrigation restrictions from 1 November to 30 April for each consent to take groundwater or surface water for irrigation. Amend schedule 33 to reflect the changes above Restrict takes within Water Management Zones identified in Operative Schedule Via and link this Schedule to TANK rules. Amend Rule 54 to include PC9 provisions where relevant 	Oppose	FFNZ considers that there ought to be references to "actual and reasonable" use and flow maintenance schemes. FFNZ does not support reducing groundwater takes to 70million m3 on the basis that this is not support by data/science and will result in significant cost
RULES: Damming and Storage					
54.29 54.30	Apatu Farms Ltd	Oppose	TANK 14 and 15: Amend Change 9 so that high flow allocations are specified for the Karamu, and Ahuriri Catchments (if storage is physically feasible within the Ahuriri Catchment).	Support in part	FFNZ would support revising allocation limit for high flow takes to provide for greater takes during times of high flow
146.4	New Zealand Defence Force	Oppose	<p>Rule TANK 17 - Oppose Section 6.10.2 - Insert a new rule to provide for temporary dams as a permitted activity, subject to standards, as requested below:</p> <p><u>The construction of a temporary dam and associated take and use of surface water for use of water treatment units. a) The activity must be undertaken by the New Zealand Defence Force;</u></p> <p><u>b) The temporary dam must not intersect groundwater;</u></p> <p><u>c) The temporary dam must not be built within 500m upstream of a dwelling, formed public road or designated rail infrastructure; and</u></p> <p><u>d) The dam must be constructed to enable dismantling at the completion of each use. e) The dam must not be on the mainstem of the following rivers:</u></p>	Support in part Oppose in part	FFNZ seeks an effects based regime. If the NZDF could demonstrate that the proposed take would not have adverse effects then FFNZ

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
			(i) Ngaruroro River (ii) Taruarau River (iii) Omahaki River (iv) Tutaekuri River: (v) Mangaone River (vi) Mangatutu River		
210.95	Forest & Bird	Oppose	TANK 14: Amend to prohibited status, except where that dam is constructed 'offline'. Address ecological effects of offline dams by adding ecological considerations in the conditions and a standard for maintaining the natural character / habitat quality of the river water is taken from using the Natural Character / Habitat Quality Index. We also suggest an acknowledgement within the plan of the potential impact of dams on riverine ecosystems.	Oppose	FFNZ does not consider a prohibited activity status to be appropriate
210.96	Forest & Bird	Oppose	TANK 15: Amend to give effect to the NPSFM and RMA.	Oppose	FFNZ does not support replacing the rule with a new rule/regime
210.97	Forest & Bird	Amend	TANK 16: Strengthen to prohibited status	Oppose	FFNZ does not consider a prohibited activity status to be appropriate
210.98	Forest & Bird	Support	TANK 17: Amend the list to include all water bodies in the region.	Oppose	FFNZ does not support extending this rule to all waterbodies in the region
221.30	W Scott	Oppose	TANK 15: Amend Change 9 so that high flow allocations are specified for the Karamu, and Ahuriri Catchments (if storage is physically feasible within the Ahuriri Catchment).	Oppose in part	FFNZ is concerned that this change may limit the application and/or flexibility provided for in this rule
6.10.3 Stormwater					
10.15 10.16 10.17	David Renouf	Amend	Amend TANK Rule 19, 20, 21	Oppose	FFNZ is concerned that the proposed amendments will make the rules more stringent and impose significant cost and uncertainty. FFNZ also does not agree that the objectives/targets should be standards that are required to be met by 2025
58.33	HB Fish and Game Council	Amend	Amend TANK22 to include a requirement for no greater than 20% MCI/QMCI change between upstream and downstream of the discharge of stormwater.	Oppose	FFNZ is concerned that this may be difficult to measure/monitor, the threshold is not based on data/science and it will likely impose significant cost and uncertainty on water and land uses.
63.38 63.39 63.40 63.41 63.42 63.43 63.44 207.56 207.57 207.58	Napier City Council, HDC	Amend	Amend TANK 19 to clarify the implementation of Condition (b) in relation to what 'planned reticulation' is defined as. Amend Clause 7 of Matters for Control/Discretion in TANK 20 to read: "The actual or potential effects of the activity on the quality of source water for Registered Drinking Water Supplies irrespective of treatment " Amend TANK 20 to add the following matter of discretion: "Where consent is required because TANK 19(b) cannot be met due to a planned reticulation network not being available, conditions requiring connection to the network when that network becomes available." Amend Conditions in TANK 21 to read: "a)(ii) cause or contribute to flooding of any property except where flooding occurs over a watercourse or designated secondary flow path a)(vi)(v) cause to occur or continue to the destruction or degradation of any habitat, mahinga kai, plant or animal in any water body or coastal water (vi)(vi) Cause to occur or continue to the exceedance of water quality targets for discharge of microbiological contaminants including sewerage, blackwater, greywater or animal effluent " b)(xi) Where the stormwater network (or part thereof) of discharge locations are situated within a	Oppose in part	FFNZ would supports amendments to ensure the rules are workable and practicable but is concerned about how the proposed amendments will be applied

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
207.59 207.60 207.61 207.62			<p>Source Protection Zones of a registered drinking water supply, a description of measures to prevent or minimise adverse effects on the quality of the source</p> <p>Amend TANK 22 conditions to read: a) An application for resource consent must include an Urban Site Specific Stormwater management Plan Schedule 34. ...d)(ii) the <u>exceedance of water quality targets</u> for discharge of microbiological contaminants including sewerage, blackwater, greywater or animal effluent</p> <p>Amend TANK 22, Clause 1 Matters for Control/Discretion to read: 1. the efficacy of the Urban Site Specific Stormwater Management Plan</p> <p>Amend TANK 22 Clause 3 of Matter for Control/Discretion to read: 3 The actual or potential effects of the activity on the quality of source water for Registered Drinking Water Supplies irrespective of treatment...</p>		
120.29	Ngati Kahungunu	Amend	Regulate and manage all stormwater discharges and require them to meet water quality objectives and targets in Schedule 26 within the life of the plan.	Oppose	While FFNZ agrees that all discharges and adverse effects on water quality ought to be appropriately managed, FFNZ is concerned that it may not be practicable or appropriate to manage all stormwater discharges
123.114 123.115 123.116	DoC	Amend	<p>Rule TANK 19 - Include reference to significant adverse effects on aquatic life</p> <p>Rule TANK 21 - Include a condition/standard to exclude stormwater discharges into inanga spawning habitats</p> <p>Rule TANK 22 - Include as a matter of discretion reference to the water quality objectives and targets in Schedule 26 and inanga spawning habitats.</p>	Oppose	FFNZ is concerned that adding these requirements to these rules will create additional cost and uncertainty
127.22	Te Taiwhenua o Te Whanganui a Orotu	Not Stated	<p>Regulate and manage all stormwater discharges and require them to meet water quality objectives and targets in Schedule 26 by 2040.</p> <p>Regulate and manage all point source discharges and require them to meet water quality objectives and targets in Schedule 26 by 2040.</p>	<p>Support in part</p> <p>Oppose in part</p>	FFNZ agrees that all sources of contaminants or adverse effects ought to be appropriately managed. However, FFNZ has concerns with requiring targets to be met by 2040 and considers that any targets and timeframes ought to be reasonable and appropriate

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
129.20 129.21 129.22 129.23 129.24 129.25	Hawke's Bay Regional Council	Amend	<p>TANK 19 - Provide definition for rural buildings</p> <p>TANK 19 - Provide more guidance for what small scale means, by including a threshold for impervious area or a maximum number of lots in a new subdivision</p> <p>TANK 19 - Provide definition for what a planned reticulated stormwater network in clause (b) means and criteria to establish how compliance with the condition can be assessed or delete reference to planned reticulation.</p> <p>TANK 20 - Delete reference to industrial areas in activity description.</p> <p>TANK 21 - Amend condition (b) so it states an Integrated Catchment Plan must be prepared and delete following clauses(i) – (xii).</p> <p>Insert a new definition for Integrated Catchment Plan as follows: Integrated Catchment Plan with respect to stormwater management in local authority stormwater networks means a plan that includes:</p> <ul style="list-style-type: none"> a) Maps showing the spatial extent of the stormwater network b) Identification of the priority streams or catchments where stormwater discharges currently result in receiving water quality below the standards specified in Schedule 26 and the programme of mitigation measures including timeframes and milestones for the enhancement of streams c) A monitoring programme to assess existing stormwater discharge quality and level of impact on receiving water quality standards d) Identification of any industrial or trade sites, that use, store, or produce the discharge of any contaminant of concern (as defined in Table 3.1 of Hawke's Bay Waterway Guidelines Industrial Stormwater Design) and the programme for ensuring Urban Site-Specific Stormwater Management Plans are prepared and implemented so that stormwater quality risks are managed. (Schedule 34) e) Identification of sites within catchments that have a high risk of contaminants entering the stormwater network or land where it might enter surface or groundwater, including areas subject to new urban development and a description of measures to reduce the risks to water quality. f) Identification of areas at risk of flooding, and where levels of service to protect communities from flooding are not being met and a description of how these risks are to be managed, including as a result of climate change or land use change. g) Any measures necessary to ensure discharges do not cause scouring or erosion of land or any water course beyond the point of discharge <p>Maps showing locations of any Source Protection Zone and any additional measures needed to protect source water quality</p> <p>TANK 21 - Amend Matters 1 so it reads:1. The content and efficacy of the Integrated Catchment Management Plan including, but not limited to:</p> <ul style="list-style-type: none"> a) Its contribution to achieving water quality objectives b) its implementation programme and milestones, <u>The programme of work and mitigation measures necessary, for preparation of Site-Specific Stormwater Management Plans, aquatic ecosystem improvement, water contamination reduction and flood management including milestones and timeframes.</u> c) The comprehensiveness and reliability of the monitoring regime 	Support in part Oppose in part	FFNZ supports an approach that understands the land uses, discharges and sources of contaminants in a sub-catchment, and consider that gathering more information via the consenting process may assist with this. However, FFNZ has concerns that the proposed amendments may result in onerous obligations and significant cost

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
132.122 132.123	Te Taiwhenua o Heretaunga	Amend	<p>Rule TANK 21 - Elevate the activity status for stormwater discharges in the TANK catchments, to restricted discretionary where they are from an urban reticulated stormwater system or discretionary where they discharge to a site, river, or area of cultural significance.</p> <p>Add new stormwater Rule 21A- to manage stormwater discharges from tile drainage, Novaflow drainage systems (or similar), and farm drainage systems in the rural areas of the TANK catchments, and stormwater discharges from roadside drains into land or water, as a restricted discretionary activity. Specific wording provided.</p>	Oppose in part	While FFNZ considers that all sources of discharges and contaminants ought to be appropriately managed, FFNZ has concerned that the changes sought may result in onerous obligations and impose significant cost on land and water uses.
135.56 135.58 135.59	Ravensdown Limited	Amend	<p>Amend controlled activity Rule TANK 21 as follows:</p> <p>Conditions/Standards/Terms</p> <p><i>a) The diversion and discharge shall not: (iv) contain hazardous substances or, be from a site used for the storage, use or transfer of hazardous substances</i></p> <p>Amend discretionary activity Rule TANK 23 as follows:</p> <p>Conditions/Standards/Terms - The activity does not comply with Rules TANK 19 to TANK 22</p> <p>Matters for Control/Discretion - The Council may at any time, by written notice to the owner or occupier (following a reasonable period of consultation), review a consent in light of new information that has become available or any change in circumstances that has occurred, and vary any condition of consent as a consequence</p> <p>Retain new Conditions (f) to (i) of Rule 7 as notified, while making the following amendment in Conditions (f)(i) and (i)(i): ... <u>Farm Environment Plan</u>, <u>Catchment Collective Plan</u> or <u>Industry Programme prepared in accordance with Schedule 30</u>.</p>	Support in part	FFNZ agrees that if industry programmes are to be part of the plan then they ought to be provided for in this rule
10.65	Hort NZ	Not Stated	<p>Rule TANK 19, 20, 22 & 23 - The term rural building is too broad, and not defined therefore it is very difficult to understand what the impact of these rules will be on horticultural growers, who own many buildings in rural areas. With regards to the wording of Condition b) in TANK 19, unless a reticulated stormwater network is available, then an onsite stormwater discharge must occur – even until a planned network is constructed. Condition b) needs to be amended to reflect this.</p>	Support	FFNZ would support amendments to clarify “rural building” and to also limit the rule to where there is a reticulated stormwater network
210.100 210.101 210.102 210.103 210.104	Forest & Bird	Amend/ Oppose	<p>TANK 19: Amend to include limits and restrictions to address te mana o te wai, and ensure that any adverse effects are no more than minor on ecosystem health, and to refer to schedule 26 objectives/targets</p> <p>TANK 20: Amend the rule for consistence with changes sought to Rule 19.</p> <p>TANK 21: Make restricted discretionary. Include current matters of control as matters of discretion and add impacts on native fish spawning areas.</p> <p>TANK 22: Amend to include reference to schedule 26 and associated timeframes.</p> <p>TANK 23: Amend the rule for consistence with changes sought to Rule 19 to 22.</p>	Oppose	FFNZ does not agree that amendments and restrictions are needed to address Te Mana o Te Wai or that the activity status ought to be made more stringent.
Chapter 6.9 Amendments to Regional Resource Management Plan Rules					
10.8 - 10.11	David Renouf	Amend	Amendments to rules – combined rate of nitrogen	Oppose	FFNZ does not agree that the rules should focus on nitrogen or that the rules should impose a nitrogen limit on properties

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
29.46 29.63	HB Winegrowers	Amend	Add a further exclusion to the definition of "Soil disturbance" in 6.3.3 Rule 7 ". <u>Cultivation required to facilitate machinery movements for permanent crops.</u> " or similar wording to achieve the outcome sought in this submission. Further amend the definition of "Soil disturbance" in 6.3.3 Rule 7 to remove the existing contradiction and to clarify what forms of cultivation are included. Amend Transfer of Water Permits Rule 62a to read "...f. The transfer does not result in an increase in nitrogen loss <u>exceeding the amounts</u> as specified in Table 2 in Schedule 29"	Support in part	FFNZ would support amendments to ensure the rules are workable and practicable
50.21	Olrig Limited	Oppose	RRMP Rule 67- Strongly oppose the limits set on permitted dams. Consider the parameters to be unnecessarily constraining. If we comply with maintenance of minimum average flows in these areas such that downstream is unaffected, we can see no rationale for constraining storage of winter surpluses in areas which have non-permanent streams for use in the summer dry experienced at Olrig. There is ample opportunity to do so at Olrig in natural storage areas in excess of 20,000 cm ³ , without detriment to the environment, and no downstream consequences. We have received separate advice that this is part of existing national legislation. We urge HBRC to review and recommend amendments to this legislation, to ensure their appropriateness for rural environments.	Support in part	FFNZ would support amendments to ensure the rules are workable and practicable
54.38 54.39 54.40 54.41	Apatu Farms Ltd	Oppose	RRMP 61, 62, 62a, 62b : Amend so that transfers of all water permits that have been exercised should be enabled.	Support	FFNZ supports amendments that will provide greatest flexibility whilst still appropriately managing effects
58.34	HB Fish and Game	Oppose	Opposes Rule 70 in its entirety, and wishes to see such works fall to the default discretionary activity standard.	Oppose	FFNZ considers that Rule 70 ought to be retained to provide a pathway for appropriate and necessary river and drainage works and structures.
120.31	Ngati Kahungunu	Amend	Increase setbacks for vegetation clearance and cultivation to 10 metres to avoid sedimentation	Oppose	While it may be appropriate to provide a larger setback to manage sediment in some locations, FFNZ considers that this is better addressed in a tailored FEP and not a blanket minimum standard that would apply everywhere
123.118 123.119 123.120 123.121	DoC	Amend/ Oppose	RRMP rules 32, 33 and new RRMP rule 33A - Include reference to the water quality objectives and targets in Schedule 26 RRMP Rule 62 - Change to: e) The transfer shall not cause any reduction in the flow or level of a surface water body connected to groundwater Add to the list of adverse effects that a transfer shall not cause: Seawater intrusion, Adverse effects on groundwater dependent ecosystems, Adverse effects on structures as a result of subsidence groundwater abstraction and uplift / liquefaction from groundwater injection / recharge. RRMP Rule 67 - Include provisions to maintain and/or improve fish passage as conditions/standards/terms 67h – clarification RRMP Rule 71 - Include reference to the Ngaruroro, Tutaekuri and Ahuriri catchments.	Oppose	FFNZ is concerned that the amendments proposed are too stringent and will create significant additional cost

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
210.105 210.106 210.107 210.108 210.109 210.110 210.111	Forest & Bird	Amend/ Oppose	<p>RRMP 7: Retain (f) - Amend to increase setback distances to minimum of 10m and state that no cultivation should occur in critical source areas (e.g. swales where runoff will easily enter nearby waterways).</p> <p>Include as a matter for control where water quality targets are not being met.</p> <p>Clarify how cultivation can lead to improvements in riparian condition (clause i). Is it referring to cultivation of permanent native plants?</p> <p>RRMP 32, 33, and 33A: Amend to refer directly to schedule 26 targets</p> <p>RRMP 62a: Amend to give effect to NPSFM - I.e. Amend as: "for transfers that enable the operation of a flow enhancement scheme (ref Policy 38)"</p> <p>RRMP 67: Amend to have a higher activity status threshold. Amend to state that the dam must be solid and have no capacity to kill fish migrating downstream (or words to that effect).</p> <p>RRMP 68: Amend to include provision for fish passage.</p> <p>RRMP 70: Amend to require consent for river works.</p> <p>RRMP 71: Amend to provide for ecological enhancement planting in other catchments.</p>	Oppose	FFNZ considers that the matters raised by the submitter are better addressed in tailored FEPs, where appropriate and are not appropriate to apply as blanket minimum standards everywhere
124.29 124.30	Brownrigg Agriculture	Oppose	<p>RRMP Rule 7 - Amend new condition (f) to make provision for necessary drain maintenance activities.</p> <p>RRMP Rule 33 - Amend new condition (g) so that it is exactly the same as new RRMP Rule 33A condition (i)</p>	Support	FFNZ agrees that drain maintenance ought to be provided for
129.28 129.29 129.30 129.31 129.32 129.33 129.34 129.35	Hawke's Bay Regional Council	Amend	<p>RRMP 2 - Amend matter (f) to clarify that notification is a consent holder advising a water supply manager (not notification of the consent application).</p> <p>RRMP 33 - Delete condition (g)</p> <p>RRMP Rule 62a - Delete Condition b. i. "To any person or occupier of the site in respect of which the permit is granted,</p> <p>RRMP Rule 62a - Delete Advisory note commencing "Pursuant to s136(3)..."</p> <p>RRMP Rule 62a - Condition d.(ii) delete</p> <p>RRMP Rule 62a - Amend condition (e) so that it requires that no increased drawdown is caused on neighbouring efficient bores groundwater take.</p> <p>RRMP 71 - Delete new bullet point referring to Karamu catchments and replace with "this rule does not apply to rivers in the Karamu catchment". Insert new permitted activity rule 71A</p> <p>Activities affecting river control and drainage schemes</p> <p>"The introduction or planting of any plant including any tree in or on the bed of a river, lake or artificial watercourse or within 6 metres of the bed of any river within the Heretaunga Plains Flood Control and Drainage Scheme.</p> <p>Conditions: (a) The planting complies with the planting design, including species, setbacks and density requirements specified in the Council's Water Way Planting Guide for the Heretaunga Plains Flood Control and Drainage Scheme (date)</p>	Support in part	FFNZ supports the changes to clarify provisions and remove ambiguity.

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
132.119 132.162 132.163 132.164	Te Taiwhenua o Heretaunga	Amend	<p>Amend Rule 53 so takes for stock water purposes within the water-short areas in the Tutaekuri, Ahuriri, Ngaruroro and Karamu catchments, as specified in Schedule VI, are controlled activities and required to be 60 m3 per week or less. Above this limit require these to be assessed as Restricted Discretionary</p> <p>Amend operative Rule 54 to include water bodies within the areas specified in Schedule Via, restrict surface water allocation to a 60 m3 per week threshold for stock water provision, and add the Mangateretere Stream, the Paritua Stream and the Karewarewa Stream to the water body exclusions in the second column</p> <p>OR draft a similar rule for application in TANK catchments.</p> <p>Add new Rule 54A as a restricted discretionary activity for minor takes in those TANK water bodies excluded from Rule 54 and located in TANK catchments. Acknowledge tangata whenua as affected parties and restrict takes so any water abstraction for irrigation is seasonal 23 . Matters for control/discretion provided.</p> <p>Make the new rule and criteria applicable from the date when PC9 becomes operative and call-in all relevant consents (refer to consent expiry dates for Karamu and surface water depleting takes).</p> <p>Amend the permitted activity rule (Rule 53 -Groundwater takes) to limit weekly volumes to 60 m3 per week for applications/takes in the TANK catchments and prescribe limits for stock water takes of up to 60 m3 per week. Consider changing allocation references in PC9 to "abstraction" so that allocation limits become abstraction limits (or take limits as in the NPS-FM 2020). OR draft a similar rule for PC9 with the same criteria above.</p>	Oppose	FFNZ does not support a requirement for resource consent for water takes for animal drinking purposes. FFNZ has concerns about limiting water takes to 60m3 imposing significant cost and a lack of data/science to support setting the limit at this level.
180.62 180.63 180.64 180.66	Hort NZ	Amend	<p>RRMP 7 - Add exclusions to rule that allow the clearance of indigenous vegetation where it is required for biosecurity purposes, and also allow cultivation within setbacks where it is intermittently required for soil health and operational needs.</p> <p>RRMP 13 - Amend by adding 'at any one time' to end of (j).</p> <p>RRMP 32 & 33 - Amendments to 32 and 22 are deleted.</p> <p>RRMP 62a - Amend by deleting (d)(i) (related to groundwater takes in HPWMU). Delete (f). (h) is amended to refer only to 'reasonable'</p>	Support	FFNZ agrees that the rules ought to be practicable and provide for matters such as biosecurity and soil health
194.98 194.99 194.100	Pernod Ricard	Oppose	<p>Rule RRMP 7 - Further clarification of definitions is required, particularly in that there is a contradiction between the existing definition of 'soil disturbance'¹¹ which excludes 'cultivation and grazing', yet the proposed amendments to RRMP 7 relate to cultivation.</p> <p>Rule RRMP 62a - Clause (f) should be deleted. RRMP 62a should be amended to allow for transfers of permits to take and use water between land uses and crops irrespective of nitrogen loss.</p> <p>Clause (h) should be deleted.</p> <p>General comment on Chapter 6 New Regional Rules - Clarification on the applicability of amendments to Chapter 6 and how this would then apply to other catchments.</p>	Support in part	FFNZ agrees that the rules ought to be workable and practicable and ought to provide flexibility for a range of options and management responses
Consequential Amendments to Chapter 5 of the Regional Resource Management Plan					

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
210.21	Forest & Bird	Oppose	We oppose these changes to the RRMP which weaken original rules and seek that the original RRMP provisions apply where they are stronger than proposed TANK provisions.	Oppose	FFNZ considers the consequential amendments are a necessary part of the plan change
Chapter 9 Glossary					
54.8	Apatu Farms Ltd	Oppose	Actual and Reasonable - amend to just refer to 'reasonable' and in relation to applications to take and use water is the lesser of: a) the quantity specified on the permit due for renewal or any lesser amount applied for; or for irrigation takes, the quantity required to meet the modelled crop water demand for the irrigated area with an efficiency of application of no less than 80% as specified by the IRRICALC water demand model (if it is available for the crop and otherwise an equivalent method) and to a 95% reliability of supply.	Support in part	FFNZ supports flexibility to use the most appropriate model to estimate irrigation demand
54.63	Apatu Farms Ltd	Oppose	Amend Change 9 so that all provisions that relate to industry schemes to better align requirements with existing and established industry programs such as GAP schemes.	Support in part	FFNZ agrees that the role of industry schemes and industry practices/standards ought to be recognised.
58.3	HB Fish and Game Council	Amend	Create a definition of local authority	Oppose	It is not clear what this submitter seeks. FFNZ considers that local authority is defined in the Act and should not be defined further/differently in the plan
59.39	WaterForce Limited	Not Stated	Actual and Reasonable - amend definition so that it reads: Actual and Reasonable in relation to applications to take and use water means; a)no more than the quantity specified on the permit due for renewal or any lesser amount applied for; and the least of either; b)for non irrigation takes, the maximum annual amount as measured by accurate water meter data in the ten years preceding 2 May 2020 1 August 2017 for groundwater takes in the Heretaunga Plains Water Management Unit or in the preceding ten years preceding the 2 May 2020 as applicable elsewhere if accurate water meter data is available. (If insufficient or no accurate data is available either clause a) or c) will apply) or c) for irrigation takes, the quantity required to meet the modelled crop water demand for the irrigated area with an efficiency of application of no less than 80% as specified by the IRRICALC water demand model (if it is available for the crop and otherwise with an equivalent method), and to a 95% reliability of supply where the irrigated area is; no more than in the permit due for renewal, or any lesser amount applied for, and in the case of Heretaunga Plains Water Management Unit, is not more than the amount irrigated in the ten years preceding 2 May 2020 1 August 2017 and evidence is supplied to demonstrate that the area has, and can continue to be, irrigated and the permit substantially given effect to.	Support in part	FFNZ agrees that flexibility to use the most appropriate model to estimate irrigation demand ought to be provided and that the 10 year period preceding 2020 ought to be able to be considered, where this is more appropriate
59.40			Add new definition for "Accurate Water Meter Data" as follows: Is water use data that has been assessed against the National Environmental Monitoring Standard (NEMS) for Water Metering: Measurement, Processing and Archiving of Water Meter Data and assigned a Quality Code of QC600.		FFNZ would support an appropriate definition of "accurate water meter data."
59.41			Add new definition for "Application of Efficiency (for irrigation)" as follows: 80% Application Efficiency means that 80% of applied water is retained within the plant root zone, after an irrigation event.		FFNZ would support an appropriate definition of "application of efficiency (for irrigation)" but has concerns about whether this definition will appropriately provide for all activities.

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
59.42			Add new definition for "Distribution Uniformity" as follows: Distribution uniformity is a measure of how evenly water is applied to the ground. It is calculated using the low quarter distribution uniformity coefficient DU _{lq}		FFNZ would support an appropriate definition of "distribution uniformity" but has concerns about whether this definition will appropriately provide for all activities.
82.1 82.4 82.5	Lowe Corporation	Amend	Define Regionally Significant Industry for the purposes of PC9 as meaning "an economic activity based on the use of natural and physical resources in the region and which has social, economic or cultural benefits that are significant at a regional or national scale", or words to similar effect.	Support in part	FFNZ agrees that recognition needs to be given to economic activity but has concerns about whether this is better achieved through amendments elsewhere in the plan as opposed to the definition of regionally significant industry.
			Amend point (B) of definition of "actual and reasonable" to read: "The maximum amount of water taken in any 12 month period over the ten years preceding 2 May 2020 as measured by accurate water meter data if accurate water meter data is available (if insufficient or no accurate data is available either clause (a) or (c) will apply); or"		FFNZ would support amendments to provide for situations where there is no data available and a 10 year period ending in 2020 if that was appropriate
			Amend point (c) of the definition of "actual and reasonable" to make the date of notification the reference point, consistently with the amendment sought in submission point 52.4		FFNZ would support such an amendment if it helped with the workability and practicality of the provisions
120.143	Ngati Kahungunu	Amend	Align Maori terminology with that used in the Regional Policy Statement, and other Regional Planning documents, and reflect appropriate and accurate language as identified and used by tangata whenua. Some specific examples provided.	Support in part	FFNZ would support the use of more appropriate terminology that is supported by tangata whenua. However, this is on the basis that the terminology does not change the meaning or application of provisions
120.144		Amend	We see seek that changes are made to the phrasing within PC9, through review and improvement of terms and definitions and added to the glossary. Te reo Maori should be defined by tangata whenua.		
123.160	DoC	Oppose	Oppose in part - Change to: a) Least of either the quantity specified on the permit due for renewal or a lesser amount	Oppose	FFNZ is concerned that this change will significantly impact those renewing water takes
123.161		Oppose	Oppose in part - Would like to see stream depletion changed to surface water depletion and stream replaced with surface water body to make it more inclusive of rivers, lakes, springs wetlands as well as streams. This makes it clearer for non- technical people. ... continued in submission	Oppose	FFNZ is concerned that this will have significant implications for consent applications and effects assessments
123.162		Not Stated	Suggested wording of new and existing terms in PC 9: Groundwater dependent ecosystem (GDE) : groundwater dependent ecosystems that occur above and below the ground, including stygofauna, groundwater interconnected surface water features such as springs, streams, rivers, drains, lakes and wetlands.		
123.163		Not Stated	Suggested wording of new and existing terms in PC 9: Maintained : Water quality, quantity and ecosystem health maintained at is current state and not degraded any further as at (specify a date)	Oppose	FFNZ supports an approach that focuses on maintaining within a NOF band and is concerned that the proposed changes will require maintenance to a numeric attribute state and not appropriately take into account factors outside anyone's control, for example
123.164		Not Stated	Suggested wording of new and existing terms in PC 9: Enhanced : Improvement on current state but not restored to its original unaffected state.	Oppose	FFNZ is concerned that this definition is new terminology that has not been tested in case law and does not agree that this term should be defined
123.165		Not Stated	Suggested wording of new and existing terms in PC 9: Restored : Restored to its original unaffected state or better.		
123.166		Oppose	a) no more than the quantity specified on the permit due for renewal or any lesser amount applied for; and the least of either; Change to:	Oppose	FFNZ is concerned that this change will significantly impact those renewing water takes

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
			a) Least of either the quantity specified on the permit due for renewal or a lesser amount;		
126.34	Maungaharuru-Tangitū Trust	Not Stated	Insert new definition of "aquatic ecosystem" to read: <u>Aquatic ecosystems – means an ecosystem in a body of water and includes all TANK freshwater bodies and TANK estuarine systems.</u>	Oppose	FFNZ is concerned that the proposed definition is very broad and would likely have very far reaching (and potentially unintended) consequences, costs and uncertainty
126.35		Not Stated	Insert new definition of "TANK estuarine systems" to read: <u>TANK estuarine systems – means the following estuarine systems located within the Tutaekuri, Ahuriri, Ngaruroro and Karamu catchments: Waitangi estuary; Te Whanganui-a-Orotu (Ahuriri estuary);</u>	Oppose	FFNZ is concerned that this would have significant implications for the application of provisions and likely involve significant cost and uncertainty
126.36		Not Stated	Insert new definition of "TANK waterbodies" to read: <u>TANK waterbodies – means any surface or ground waterbody that is located within the Tutaekuri, Ahuriri, Ngaruroro and Karamu catchments.</u>		
129.40	Hawke's Bay Regional Council	Amend	Allocation limit - Delete meaning and replace with new meaning as follows:" Allocation limit for surface water means the maximum quantity that is able to be allocated in water permits in a management unit and abstracted for consumptive water use, expressed in L/s and calculated as the average rate required to abstract the maximum weekly or 28 day volume allocated to each water permit and summed for all water permits in the applicable management unit	Support in part Oppose in part	FFNZ would support change to make the definition more practicable and workable but has concerns about how the proposed amendments may impact on the application of other provisions.
129.41		Amend	Allocation limit - Insert a new sentence at the end: Allocation limits may apply to takes during low flow periods from October to April or apply to takes during high flows		
129.42		Amend	Consumptive Water Use - Insert new meaning: Consumptive water use – means any use of fresh water that alters the flows and or levels in a water body on either a temporary or permanent basis, but excludes any non-consumptive use where: a) the same amount of water is returned to the same water body at or near the location from which it was taken; and b) there is no significant delay between the taking and returning of the water. For the purposes of allocation limits and specified rationing provisions in the rules, the term 'consumptive use' does not apply to water used in hydro-electric power generation or water use or diversions which substantially return the water used to the same water body.	Support in part Oppose in part	FFNZ would support change to make the definition more practicable and workable but has concerns about how the proposed definition of allocation limits may impact on the application of other provisions.
129.43		Amend	Overseer - Insert meaning: Overseer means a set of models used to model nutrient flows and Green House Gas emissions to the farm boundary and down to 60cm and which is the Overseer model version publicly available on the Overseer.org website	Support in part Oppose in part	FFNZ agrees that it may be appropriate to define Overseer but considers that the proposed definition is not the best way to define Overseer and could be improved on
131.5	Ballance Agri-Nutrients Limited	Amend	Farm Environment Plans - amend to state specific qualifications for persons preparing and / or auditing FEPs	Oppose in part	FFNZ is concerned about the scope of Farm Environment Plans as proposed in that we do not consider it an appropriate requirement for all farms over 20ha without good reason. We therefore oppose the inclusion of specific qualifications for persons preparing and /or auditing FEPs, as this has potential to be a further tier of compliance burden/ cost for many low risk farming operations.
132.135	Te Taiwhenua o Heretaunga	Amend	Provide a definition of "water mining" in a glossary specific to PC9 as - " <u>The abstraction of groundwater from an aquifer over a 12-month period, at a rate that exceeds the annual volume and rate of natural recharge</u> ".	Oppose in part	FFNZ does not consider a definition for water mining is appropriate as it is not used in the Proposed Plan.

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
132.139		Amend	Add definition of hazardous substances to PC9 glossary, that includes the potential for nutrient concentrations in fresh water to have toxicity effects on aquatic life and on human health.		FFNZ notes that the Proposed Plan makes reference to the Drinking Water Quality Standards for New Zealand and provides for water quality in Schedule 26 (which FFNZ has sought amendment to align with the NPSFM National Bands.
132.168		Amend	Add a definition for "cultural flow" to the glossary section(s) in the regional plan - "a flow or water level that is sufficient to maintain the health and well-being of the surface water body or groundwater body, and provide for tikanga Maori uses and values associated with the water body."		FFNZ notes that the Proposed Plan provides for a definition of Ki uta ki tai – <i>The movement of water from mountains to sea, through the landscape and the numerous interactions it may have on its journey. Ki uta ki tai acknowledges the connections between the atmosphere, surface water, groundwater, land use, water quality, water quantity, and the coast. It also acknowledges the connections between people and communities, people and the land, and people and water.</i>
180.74	Hort NZ	Oppose	Amend by just referring to 'reasonable' - <u>and in relation to applications to take and use water is the lesser of: a) the quantity specified on the permit due for renewal or any lesser amount applied for; or</u> <u>b) for irrigation takes, the quantity required to meet the modelled crop water demand for the irrigated area with an efficiency of application of no less than 80% as specified by the IRRICALC water demand model (if it is available for the crop and otherwise an equivalent method) and to a 95% reliability of supply.</u>	Support in part Oppose in part	FFNZ would support the flexibility to use the appropriate model to estimate irrigation demand and efficiency
180.75		Support	New definition added for 'baseline commercial vegetable growing area' - Insert definition as follows: <u>'Means the maximum total aggregated area of land used for a commercial vegetable growing operation, including the full sequence of crops and pasture used as part of a rotation, in any 12 month consecutive period within the period of 1 May 2015 to 1 May 2020 and under the control (owned or leased) of a single farm'</u> .		While FFNZ agrees that it may be helpful to define vegetable growing area and to recognise the rotational nature of crop growing, FFNZ has concerns about how this will be applied in the plan
180.76		Support	New definition added for 'baseline commercial vegetable growing rotation' - Insert definition as follows: ' is a sub-set of horticultural land use, and means a crop rotation where the predominate purpose is growing, for the purpose of commercial gain, vegetable crops for human consumption, on one or more parcels of land held in single or multiple ownership (whether or not held in common ownership) that constitutes a single operating unit but excludes vegetable crops grown under cover, and includes the full sequence of crops and pasture used as part of that rotation.		While FFNZ agrees that it may be helpful to define vegetable growing area and to recognise the rotational nature of crop growing, FFNZ has concerns about how this will be applied in the plan
180.77		Support	New definition added for 'farm' - Insert definition as follows: <u>'a landholding whose activities include agriculture'</u> .		FFNZ has concerns about how a change in terminology from "farm enterprise" to "farm" will affect the application of the provisions in PC9 and therefore opposes this amendment in part.
180.78		Oppose	Definition of 'Farming enterprise' - Delete and replace with term 'farm as defined in submission poin 180.77.		
180.79		Support	New definition added for 'land holding' - Insert definition as follows: <u>'one or more parcels of land (whether or not they are contiguous) that are managed as a single operation'</u> .		FFNZ agrees that there ought to be flexibility to manage landholdings irrespective of whether they are contiguous
180.80		Support	New definition added for 'nitrogen losses from production land' - Insert definition as follows: <u>'The modelled estimate of average annual nitrogen load, calculated for each farm. For a commercial vegetable growing rotation, the nitrogen loss estimate must include the full sequence of crops and pasture used as part of that rotation'</u> .		FFNZ supports clarification of how nitrogen losses are estimated but has concerns about the use of the words "calculated" and "load"

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
180.81		Support	New definition added for 'production land' - Insert definition as follows: 'A farm where all or part of the farm is (a) arable land use; or (b) horticultural land use; or (c) pastoral land use; or (d) other agricultural land use prescribed in regulations made under section 217M(1)(b); or (e) any combination of the above'.		FFNZ is concerned about the implications of the new definition for the application of the relevant provisions in PC9
180.82		Support	New definition added for 'production land use change' - Insert definition as follows: 'Any change from or to, arable, horticulture, pastoral or other agricultural land use, that is greater than 10ha, compared with the area of the farming activity at May 2020. Land use change does not include a change in the location of crop rotation where the baseline growing area is not exceeded within a Freshwater Quality Management Unit'		FFNZ would support a more appropriate definition of production land use change but has concerns that the proposed definition may be unduly restrictive
180.83		Amend	Definition of 'TANK Industry Programme or TANK Catchment Collective' - Amend by separating definitions and aligning with redrafted Schedule 30.		FFNZ can see merit in separately defining these matters given that they are different
210.149	Forest & Bird	Oppose	Clarification of allocation limits.		FFNZ supports an approach that focuses on maintaining within a NOF band and is concerned that the proposed changes will require maintenance to a numeric attribute state and not appropriately take into account factors outside anyone's control, for example
210.150			Applicable stream flow maintenance scheme : Delete		
210.151			Farm Environment Plan : Amend to address submission concerns on Schedule 30 above.		
210.152			Indigenous vegetation : Delete and replace with: "Indigenous vegetation means vegetation containing plant species that are indigenous or endemic to the area/site"		
210.153					
210.154					
SCHEDULES					
120.15	Nga Kahungunu	Amend	Include schedules of FMUs and freshwater values and clearly define where they apply	Oppose	FFNZ does not consider the amendments proposed are necessary or helpful in supporting the scope/intent of the Proposed Plan. Rather, FFNZ considers the Plan Schedules should be amended as set out in the relief sought in FFNZ submission to the Plan Change. (
120.16			Include the Ahuriri and Waitangi Estuaries in separate and distinct FMU's		
120.18			Include a schedule of outstanding waterbodies and wetlands and their significant values for protection		
120.175			Add new schedule to Change 9: Irrigation Season - minimum flow limits and targets. Table provided.		
120.180					
120.181			Include overlays of Schedules Va, VI, VIa and VIb in proposed maps Add new Tangata Whenua Monitoring Schedule. Table headings provided.		
210.4	Forest & Bird	Amend	Combine Schedules 26 and 27 so that all of the attributes have a regulatory function (making it an appropriate schedule to refer to in the objectives above), and redesign the schedule so that it is divided by FMU, rather than by attribute.	Oppose	FFNZ seeks to have Schedule 27 (and accompanying OBJ TANK 6) deleted as it does not add anything practical to the plan change (long term goals should be set as part of implementing the NPSFM2020.
Schedule 26: Freshwater Quality Objectives					
10.12	David	Renouf	Add to Schedule 26: Freshwater Quality Objectives – Amendments proposed to Total Phosphorus and Total Suspended Solids.	Support in part	FFNZ also seeks amendment to the Freshwater Quality Objectives to ensure they are aligned with National Bands in the NPSFM
54.66	Apatu Farms Ltd	Oppose	Amend Plan Change 9 to provide a definition of what a change to production land use is to clarify what the provisions actually relate to.	Support in part	FFNZ is also concerned about the Plan references to land use change, noting that the approach does not align with a staged adaptive management approach (as stated in the s32 report accompanying the notified plan change). FFNZ has therefore recommended that any threshold for triggering assessment should be related to long term
54.67		Oppose	Amend Plan Change 9 so that some land use change is enabled by requiring the management of nutrients to be done at the collective level.		

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
					intensification (as opposed to short-term changes) to manage intensification of land use that results in increased nutrient and pollutant contamination of freshwater users rather than on /'and use change' FFNZ also considers that collective plans (Industry Programmes or Farm Environment Plans) should only be required/encouraged in only in catchment(s) or sub-catchment(s) where there is a significant risk of degradation of water quality attributes or where water quality attributes are within the NOF D-Band (or where there is overallocation of water).
58.36	Hawkes Bay Fish and Game Council	Amend	Amend Schedule 26 based on the components of Schedule 27 that apply in the coastal environment currently, based on NPS-FM and NZCPS requirements.	Support in part/	FFNZ agrees that Schedule 26 should align with national direction (in particular the National Objective Framework in the NPSFM) however considers it more appropriate if Schedule 27 (and accompanying OBJ TANK 6) is deleted as it does not add anything practical to the plan change (long term goals should be set as part of implementing the NPSFM2020).
120.17, 120.19, 120.20, 120.21,	Ngati Kahungunui	Amend	Amend Change 9 so that water quality attributes listed in Schedule 27 that relate to estuarine health in the Ahuriri and Waitangi estuaries be listed in Schedule 26, and that objectives are met within the life of the plan. Include all water quality objectives in Schedule 26 and identify limits and targets to be achieved within the life of the plan where objectives are currently not met. Amend Schedule 26 to ensure it is correct, fit for purpose, and contains all water quality objectives and targets for the TANK area (including those in proposed Schedule 27). Specific amendments sought to attributes.	Oppose in part	
123.121 to 123.143	DoC	Amend	Include all water quality objectives in Schedule 26 and identify targets to be achieved by 2040 where objectives are currently not met. Delete the first paragraph following the heading Schedule 26: Freshwater Quality Objectives. Or if retained, amend as "Schedule 26 is a first step with objectives being targets will be attained by 2040" Specify within Schedule 26 where the numeric attribute states in the table column 'Water Quality Objective or/Target' are considered targets, based on assessment of the state of current water quality. E.g., " ≤ 1.6 m (target)", i.e. expressly identify which are targets and which are limits. Delete the 'Critical value' and 'Also relevant for' columns from Schedule 26 and identify these freshwater values in a separate Schedule within PC9, defining where they apply. OR Delete only the 'Also relevant for' column and amend the 'Critical value' column to reflect the freshwater values for which the most stringent attribute state is set Subsequent amendments to attributes in Schedule 26 and 27.		
123.144	DoC	Oppose	The TANK Plan provides for a Water User Collective to work collectively by or on behalf of permit holders to meet local water quality, quantity and environmental objectives for surface water bodies, springs and wetlands affected by groundwater abstraction Create a monitoring plan that addresses the number, location and depth of monitoring bores required to adequately assess whether the Nitrate-N target in groundwater is being met. Also sampling and lab analysis should be according to current standards	Oppose in part	While FFNZ would support initiatives to better understand surface and groundwater, and the connections between them, FFNZ is concerned that the proposed amendments may create an onerous obligation and unnecessary focus on nitrogen

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
180.67	Hort NZ	Amend	Add the location of the monitoring and information on the existing state.	Support	FFNZ considers this would be helpful information to better inform plan users and consent applicants and better understand water quality
210.122 210.123 210.124 210.125 210.126 210.127 210.128 210.129 210.130 210.132 210.133 210.134 210.135	Forest and Bird	Amend	<p>Insert a new attribute for physical habitat, '<u>Natural Character/Habitat Quality Index</u>', for all areas.</p> <p>It would be useful to include an associated value or narrative description: <u>"river form (including pool, run, and riffle sequences, and riparian margins) and function (including hydrological regime and fluvial processes) is suitable to support fish and macroinvertebrates through their life phases and protect, and where degraded restore, ecosystem health"</u> or (for consistency with the NPSFM (2020), <u>"Habitat – the physical form, structure, and extent of the water body, its bed, banks and margins; its riparian vegetation; and its connections to the floodplain"</u></p> <p>Targets/limits for the NCI/HQI relate to a reference condition for the river being assessed (similar to that proposed in PC9 for temperature). Therefore, the associated target should generally be <u>"0.85) or 0.6)"</u>. However, it would be best separated into several thresholds to reflect the type of river/stream being protected. Potential targets be <u>"0.7)"</u> for lowland rivers/streams, <u>"0.8)"</u> for mid gradient rivers/streams, and <u>"0.9)"</u> for steep, hard sedimentary, confined rivers/streams. Any other consequential amendments to ensure the protection of physical habitat quality is included in the plan. This may be through policies or methods.</p> <p>Water clarity and turbidity: Apply to all catchments (i.e. those in Schedule 27).</p> <p>Remove flows from the water clarity and turbidity targets/limits for all FMUs.</p> <p>15% threshold should apply to the Upper Ngaruroro and Upper Tutaekuri River year-round</p> <p>MCI: Retain as proposed but remove tautology.</p> <p>MCI: Apply to all catchments (i.e. those in Schedule 27)</p> <p>MCI: Amend Upper Ngaruroro target to 130</p> <p>DIN: Amend to state that critical value is 'ecosystem health'</p> <p>Apply to all catchments (i.e. those in Schedule 27)</p> <p>Nitrate and Ammonia: Change the critical value for nitrate and ammonia from Toxicity (NOF) to 'ecosystem health' Apply NPSFM A band for nitrate to all catchments (including those currently in schedule 27).</p> <p>E.Coli: Retain limits for upper rivers.</p> <p>E.coli: Apply limits to all catchments (i.e. those in Schedule 27)</p> <p>Matauranga Maori: Develop with iwi as soon as possible.</p>	Oppose	FFNZ agrees that Schedule 26 should align with national direction (in particular the National Objective Framework in the NPSFM) however considers it more appropriate if Schedule 27 (and accompanying OBJ TANK 6) is deleted as it does not add anything practical to the plan change (long term goals should be set as part of implementing the NPSFM2020).
Schedule 28: Priority Catchments					
120.22 120.92 120.109 120.118 120.127	Ngati Kahungunu	Amend	<p>Identify (delineate) priority catchments and define timeframes for improvement in Schedule 28.</p> <p>Amend Schedule 28 to delineate catchments with priority requirements to improve water quality</p> <p>Water quality issues and priority catchments must be listed and delineated in Schedule 28, followed by methods to achieve remaining Schedule 26 targets in all FM Us and waterbodies.</p> <p>Schedule 28 must identify and delineate the catchment with specific water quality issues and specific timeframes</p>	Oppose	<p>The catchment maps available on the Council website do not correspond with 2020 HBRC state and trend information about water quality attributes. FFNZ therefore considers that all reference to them should be removed from the proposed TANK plan</p> <p>FFNZ considers that catchment maps showing spatial extent and location of the priority areas should be made available, however should not be included as planning maps in the Plan. This is because while the</p>

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
			All priority sub-catchments for erosion management must be identified in Schedule 28.		thresholds for priority will remain fixed, the status of catchments will change over time as work is completed within the catchment. With regard to implementation, FFNZ considers that Farm Environment and Catchment Collective Plans and Industry Programmes should be completed in the following priority order; High, Medium and Low Priority over the first 3, 6 and 9 years respectively following of the plan FFNZ seeks to have Schedule 38 amended as set out in FFNZ submission to the Plan Change
123.12 123.146	DoC	Amend	Regulate (require consent for) productive land used for farming in priority catchments to resolve water quality issues in Schedule 28 and in catchments required to meet water quality targets in Schedule 26 by 2040. Include the list of priority catchments which currently meet the criteria specified for water quality issues. Should reference 2040 as the timeframe for achieving objectives		
210.138	Forest & Bird	Amend	Amend for clarity. Identify what catchments are a priority. Include maps. Include timeframes.		
129.36	Hawke's Bay Regional Council	Amend	Amend last paragraph to state that Source Protection Zones are a high priority area for the preparation of Farm Environment, Catchment Collective or Industry Plans in addition to the mapped high, medium and low priority areas.	Support in part	FFNZ seeks to have Schedule 38 amended as set out in FFNZ submission to the Plan Change.
135.61	Ravensdown Limited	Amend	Amend Schedule 28 by replacing the current content of the schedule with a table or list that clearly identifies the priority catchments, including the timeframes that apply within each catchment.	Oppose in part	
180.68	Hort NZ	Amend	Amend by deleting '5. A source Protection Zone'. Amend catchment names to make clear the relationship of these catchments to other catchments identified in the plan. Amend catchment maps to ensure that contaminant loads discharged from upstream are not double counted, and the land that is captured by the risk categories represents the contribution of catchment to loads at the sub-catchment and whole of catchment scales.		
Schedule 29: Land Use Change					
58.37	HB Fish and Game	Amend	Remove Schedule 29 and replace with appropriate values, and relate to per ha loss rates	Oppose in part	FFNZ seeks relief to Schedule 29 consistent with the FFNZ submission to the Plan Change.
129.37	Hawke's Bay Regional Council	Amend	Either Amend Table 1 to insert a total nitrogen load for onions in the columns headed 'other soils' and 'Farndon/Omarunui/Te Awa' of 33 and 61 respectively Insert at the end of the fourth paragraph the following: For example for unirrigated land the maximum allowable change per property or farm enterprise is calculated as 32 kg/ha/year minus 3 kg/ha/year times 10 ha = 290 kg per year being the difference between the modelled N loss for dairy farming less the modelled loss for scrub or tree cover. More accurate model data or information specific for the property in question can be used where it is available. And insert the following note into Table 2; The threshold may be calculated using the formula described above with site specific or more accurate model data where this is available.	Support in part	FFNZ considers that the Plan Change ought to: <ul style="list-style-type: none"> • Focus on long term intensification - aligning with the s42 report staged adaptive management approach • Provide flexibility for farmers to make decisions in response to short term events (such as drought/destocking) • Recognise the low TN concentrations evident in HRBC's 2020 TANK State and Trend reporting. • Set limits that provide for a staged adaptive management approach can be evaluated in a way that gives farmers latitude to plan and adapt.

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
			Or Replace Tables 1 and 2 with an alternative framework that ranks land use systems according to relative risk of N loss and establishes consent requirement where the predominant land use (over 50% of the farm or enterprise area) changes from a lower N loss category to a higher N loss category as illustrated in Table 1 [see submission for Table 1].		<ul style="list-style-type: none"> Focus requirements for reducing TN concentration in surface water and/or groundwater FMUs, only in sub-catchments where TN concentration is at risk of overall degradation below current state (other than where TN is already with the NOF D-Band, where all such plans should be required anyway). <p>FFNZ agrees that any nitrogen risk threshold should be tailored on a catchment by catchment approach.</p>
180.69	Hort NZ	Amend	Amend by adding definition of 'production land use change' to plan. State single N loss load applicable to all land uses and locations, however if current approach is maintained, update kiwifruit and vegetable rotation numbers and other crops, in accordance with evidence HortNZ will submit at hearing.		
197.10	Beef + Lamb New Zealand Ltd	Amend	Amend existing and include as required new provisions to give effect to the following intent: B+LNZ seek that Table 1 in Schedule 29 is deleted and propose that a 'flat rate per hectare' permitted threshold is applied (e.g. 20 - 25kgN/ha/yr) irrespective of land use and land use change, or alternatively an approach based on natural capital (appendix 1). Any Nitrogen risk threshold should be tailored to the catchment and specific to working towards achieving freshwater values.		
Schedule 30: Landowner Collective, Industry Programme and Farm Environment Plan					
29.49	HB Winegrowers	Amend	Schedule 30 should be less prescriptive, more facilitative and more industry risk profile-based in respect of Industry Programmes. The Programme Requirements in Section B of Schedule 30 as they relate to Industry Programmes should be re- cast as a more of a guideline, with an acknowledgement that detailed requirements can vary depending on the Industry's risk and emissions profile as it relates to catchment objectives. Amend all references to Farm Environment Plan in this Plan Change to "freshwater farm plan" and otherwise align the Plan Change requirements to those of the Resource Management Amendment Act 2020 and related S.360 regulations.	Support in part	FFNZ seeks amendments to Schedule 30 to address concerns raised by the submitter. FFNZ considers that catchment collective plans or Industry Programmes or Farm Environment Plans only in catchment(s) or sub-catchment(s) where: there is a significant risk of degradation of water quality attributes or where water quality attributes are within the NOF D-Band, or there is over-allocation FFNZ considers that FEPs and Catchment Collective Plans and Industry Programmes should not apply to pastoral farm properties under 50ha unless it is required by the Resource Management (National Environmental Standards for Freshwater) Regulations 2020.
50.11	Olrig Limited	Oppose	Do not support the obligation for each collective catchment FEP or Individual FEP to be approved, annual reporting and subsequently audited (3.1). This adds an unnecessary layer of cost.	Support in part	FFNZ is also concerned about the potential compliance burden/cost from the FEP requirements as proposed. We consider that the presumption for these plans should be that unnecessary costs should be kept to a minimum, for everyone to have the resources they need to adapt.
123.147	DoC	Oppose	This devolves responsibility to a third party to manage environmental effects in a nonregulatory framework. This is uncertain and inappropriate.	Oppose	FFNZ does not support a heavy handed regulatory approach to small low risk farming operations. FFNZ seeks amendments to Schedule 30 to require catchment collective plans or Industry Programmes or Farm Environment Plans only in catchment(s) or sub-catchment(s) where: there is a significant risk of degradation of water quality attributes or where water quality attributes are within the NOF D-Band, or there is over-allocation
131.6	Ballance Agri-Nutrients Limited	Amend	Amend Change 9 to include requirements similar to Waikato Regional Plan Change 1 for Certified Farm Environment Planner	Oppose in part	FFNZ is concerned about the scope of Farm Environment Plans as proposed in that we do not consider it an appropriate requirement for all farms over 20ha without good reason. We therefore oppose the inclusion of specific qualifications for persons preparing and /or auditing FEPs, as

Sub Point	Submitter	Support/ Oppose	Submission Summary	Support/ Oppose	Rationale
					this has potential to be a further tier of compliance burden/ cost for many low risk farming operations.
210.140	Forest & Bird	Amend	<p>Remove all reference to stream 'maintenance' schemes.</p> <p>Amend entire management of land uses to be more consistent with NPSFM and NZCPS and give council scope for more control, and compliance, monitoring, and enforcement.</p> <p>Ensure farm plans are tied to enforceable conditions in rules and resource consents which set out measureable outcomes to be achieved by the farm environment plan. Where flexibility is provided for to finalise or amend farm plans ensure this is only for consented activities where an independent certification process can be applied to the conditions of consent.</p>	Oppose	<p>FFNZ does not support a heavy handed regulatory approach to small low risk farming operations. FFNZ seeks amendments to Schedule 30 to require catchment collective plans or Industry Programmes or Farm Environment Plans only in catchment(s) or sub-catchment(s) where: there is a significant risk of degradation of water quality attributes or where water quality attributes are within the NOF D-Band, or there is over-allocation</p>



Further Submission

December 2020

TO THE

Hawkes Bay Regional Council

ON THE

**Proposed Plan Change 9 (PC9)
Tūtaekurī, Ahuriri, Ngaruroro and
Karamū Catchments**

BY

Beef + Lamb New Zealand Ltd

Further Submission

1. Thank you for the opportunity to make a further submission to Plan Change 9, TANK. B+LNZ notes Councils effort to summarise and report on the 241 submissions and to accommodate an extension to the original further submission due date to allow parties further time to consider submissions made.
2. B+LNZ is an industry-good body, funded under the Commodity Levies Act through a levy paid by producers on all cattle and sheep slaughtered in New Zealand. Our mission is to deliver innovative tools and services to support informed decision making and continuous improvement in market access, product position and farming systems.
3. B+LNZ is actively engaged in environmental issues that affect the pastoral production sector. We are committed to supporting farmers with the tools and services they need to adopt sustainable business practice. In addition, B+LNZ's environment programme aims to build farmer leadership and capability in environmental management within the sheep and beef sector.
4. Beef + Lamb New Zealand (B+LNZ) could not gain an advantage in trade competition through this further submission.
5. B+LNZ is making this further submission because, as the industry good organisation representing New Zealand's sheep and beef farmers, it has an interest in this Plan Change process which is greater than the general public interest.
6. The specific provisions of the proposal that B+LNZ Ltd further submission relates to and the decision it seeks from Council are as detailed on the following pages. The outcomes sought and the wording used is as a suggestion only, where a suggestion is proposed it is with the intention of 'or words to that effect'. The outcomes sought may require consequential changes to the plan or restructuring of the Plan, or parts thereof, to give effect to the relief sought.
7. B+LNZ wishes to be heard in support of its further submission and, is willing to consider presenting a joint case at hearing with other submitters addressing similar issues.
8. I can confirm that I am authorised to make this further submission on B+LNZ's behalf and, that copies will be served on the persons who made the original submission to which it relates within 5 working days of today's date.

B+LNZ Further Submission Hawkes Bay Regional Council Proposed Plan Change 9

For the avoidance of doubt, B+LNZ does not resile from the decisions sought in its original submission made on Plan Change 9. These further submissions are in addition to the original submission points made on PC9.

The specific provisions of the proposal that this submission relates to and the decisions it seeks from Council are as detailed in the following table. The outcomes sought and the wording used is a suggestion only and where a suggestion is proposed it is with the intention of 'or words to that effect'. The outcomes sought may require consequential changes to the Plan, including Objectives, Policies, or other Rules, or restructuring of the Plan, or parts thereof, to give effect to the relief sought.

Table 1: B+LNZ feedback

Submitter Name	Submitter Point.	Section of the Proposed Plan	B+LNZ submission is that:		The decision B+LNZ would like Hawkes Bay Regional Council to make and relief sought:
			SUPPORT/OPPOSE	REASON	
No.29 Hawkes Bay Winegrowers Association Inc.	29.5 29.6 29.49	Schedule 30 OBJ TANK 7 OBJ TANK 2	Generally Support	<p>B+LNZ generally supports the Hawkes Bay Winegrowers Association submission points pertaining to:</p> <ul style="list-style-type: none"> - The recognition of the overriding requirement for partnership in setting objectives, limits and targets in OBJ TANK 2 - The opposition to the proposed nutrient allocation management framework which seeks reduction in contaminant discharges irrespective of the relative impact they may have on freshwater ecological health and associated values. - The replacement of the proposed water allocation framework which effectively locks in historic use patterns and the risk such an approach poses to rewarding inefficient, whilst penalising efficient water users. - The need for Schedule 30 to be non-prescriptive to ensure Landowner Collectives, Industry Programmes and Farm Environment Plans reflect the values and issues specific to them. - The amendments sought to recognise value in all soils used for productive purposes irrespective of versatility. 	That the submission be allowed.

B+LNZ Further Submission Hawkes Bay Regional Council Proposed Plan Change 9

				- B+LNZ supports relief which seeks to change all references to Farm Environment Plans to Freshwater Farm Plans.	
No.58 Hawkes Bay Fish and Game Council	58.4-58.8	OBJ 2 – 10	Support	Seeking the insertion of ‘habitat of trout and salmon’	That this submission be allowed.
	58.36	Schedule 27	Oppose	B+LNZ does not support the inclusion of attributes from 27 into Schedule 26. Freshwater objectives should be set to provide for ecological health.	That this submission be disallowed.
No. 231 Peter Kay	231.2	Schedule 30: Landowner Collective, Industry Programme and Farm Environment Plan	Support	B+LNZ support submission which recognise farmers and communities’ contributions to achieving environmental outcomes and give land owners the opportunity to continue to grow and develop ‘ground up’ approaches both individually and collectively.	That this submission be allowed.
	231.3	Schedule 29: Land Use Change	Support	B+LNZ support the deletion of schedule 29. Support the increase in land area where land use change restrictions apply from but seek that this is amended as per the relief sought in B+LNZ’s original submission.	That this submission be allowed.
No.120 Ngati Kahungunu Iwi Incorporated	120.42	5.10.7 Policies: Surface Water Low Flow	Oppose	B+LNZ oppose relief which does not consider stock drinking water a priority take and which does not give effect to RMA provision 14.3(b). Minimum flow water takes should allow for stock drinking water as well as water take for human drinking water supplies. Alternatively, minimum flows should be set such that they protect the life supporting capacity of the resource and provide for essential takes for human and stock drinking water.	That this submission be disallowed.
	120.71 120.23 120.24 120.72	OBJ TANK 7 5.10.3 Policies: Manging Adverse Effects From Land Use on Water Quality	Oppose	B+LNZ disagrees that the growing public sentiment is opposed to a non-regulatory management approach and the implication that PC9, in recognising and providing for non-regulatory management, has erred in its approach to achieving freshwater objectives. B+LNZ oppose relief to increase the level of regulation with regard to nutrient and sedimentation loss from land use and farm plans and set environmental standards for these activities in the	That this submission be disallowed.

B+LNZ Further Submission Hawkes Bay Regional Council Proposed Plan Change 9

120.113 120.114	Industry Programmes and Catchment Management			plan. B+LNZ does not support relief which opposes a permitted activity pathway for farmers. B+LNZ supports objectives to manage land use in a manner that maintains freshwater objectives and improves the health of freshwater where objectives are not currently met. B+LNZ consider that Farm Plans and Catchment Collectives should be outcomes focused with minimal input control. B+LNZ is supportive of a framework which enables adaptive approaches to nutrient and contaminant management and recognises that successful environment outcomes for freshwater ecological health require landowner and community support and leadership. The Plan includes an efficient and effective mix of regulatory and non-regulatory methods to achieve Plan objectives.	
120.3	6.10.1 Use of Production Land				
120.110 120.111	Adaptive Approach to Nutrient and Contaminant Management	Oppose		B+LNZ consider that replacing terms like 'good practice' with more directive wording, and defining regulatory performance standards, would have the opposite effect of what Ngati Kahunhunu Iwi Incorporated is intending. The red meat sector and its practices are readily evolving and adapting to new science and technologies. By regulating performance standards, Ngati Kahunhunu Iwi Incorporated is proposing to lock in current practices, inhibiting the ability to incorporate those that are new and innovative.	That this submission be disallowed.
120.121	POL TANK 22	Oppose		A directive that stock will be excluded from all TANK waterbodies is not appropriate effects-based management. B+LNZ consider that regulatory burden should be commensurate to the relative environmental impact or risk from the activity.	That this submission be disallowed.
120.15	Schedules	Support		B+LNZ support the inclusion of a Schedule of FMU's and associated freshwater values and for where these apply to be clearly defined.	That this submission be allowed.
120.21 120.153 120.167	Schedule 27:	Oppose		B+LNZ oppose the inclusion of Schedule 27 into Schedule 26. Freshwater objectives should be set to provide for ecological health.	That this submission be disallowed.

B+LNZ Further Submission Hawkes Bay Regional Council Proposed Plan Change 9

	120.174				
	120.155 120.163 120.165 120.66	Schedule 26:	Oppose	B+LNZ support the identification of freshwater values for freshwater management units. B+LNZ consider that freshwater health outcomes (objectives, attributes) should be set to provide for the most stringent values. When these values are met then the health should be maintained. When they are not met, then freshwater health is improved for the parameter or suite of parameters that need to be met in order to provide for the value(s).	That this submission be disallowed.
No.123 Department of Conservation	123.29	OBK TANK 7	Oppose	<p>B+LNZ oppose relief sought by DOCS to amend OBJ TANK 7 to read <i>“Freshwater bodies, estuaries and the coastal environment are healthy and free from sedimentation and land use is sustainably managed in an integrated way ki uta ki tai to achieve this’</i>.</p> <p>B+LNZ supports objectives to manage land use in a manner that maintains freshwater objectives and improves the health of freshwater where objectives are not currently met. B+LNZ opposes the implementation of management frameworks which seek reduction in contaminant discharges irrespective of the relative impact they may have on freshwater ecological health and associated values.</p>	That this submission be disallowed.
	123.15 123.32	Catchment Objectives	Oppose in part.	<p>B+LNZ does not support farm plans for all farms >10ha in the TANK Catchments.</p> <p>B+LNZ supports relief sought for the inclusion of a schedule for FMU’s and freshwater values and clearly define where they apply and catchment-specific objectives which concisely and clearly captures the management intent and goals for the catchment.</p>	That part of this submission be allowed.
	123.2	Water Quantity	Oppose	B+LNZ oppose relief which does not consider stock drinking water a priority take and which does not give effect to RMA provision 14.3(b). Minimum flow water takes should allow for stock drinking water as well as water take for human drinking water supplies. Alternatively, minimum flows should be set such that they protect the life supporting capacity of the resource and provide for essential takes for human and stock drinking water.	That this submission be disallowed.

B+LNZ Further Submission Hawkes Bay Regional Council Proposed Plan Change 9

	123.42 123.43 123.44	Priority Management Approach	Oppose	B+LNZ oppose relief to remove policy seeking to support and assist farmers to protect, increase or restore existing wetlands or create new wetlands. Collaboration and support to all landowners is key to achieving objectives relating to wetlands and lake catchments.	That this submission be disallowed.
	123.52 123.53	Adaptive Approach to Nutrient & Contaminant Management		B+LNZ oppose relief which seeks to replace or delete a collaborative, inclusive and 'ground up' policy framework with a policy direction which seeks to further regulate and manage land use activities stifling farmers adaptability and ability to innovate.	
	123.58	Industry Programmes and Catchment Management		B+LNZ opposes relief which does not recognise the benefit in providing landowners with flexibility and opportunities to develop ground up approaches to nutrient and contaminant management.	
	123.147	Schedule 30: Landowner Collective, industry Programme and Farm environment Plan		B+LNZ oppose submissions which seek to remove objectives, policies and rules which recognise that successful environment outcomes for freshwater ecological health require landowner and community support and leadership. B+LNZ does not support the deletion of Schedule 30.	
	123.55	POL TANK 20	Oppose	The policy as proposed provides appropriate direction whilst still enabling flexibility and innovation required to achieve the associated objectives.	That this submission be disallowed.
	123.56	POL TANK 21	Oppose	The policy as proposed provides appropriate direction whilst still enabling flexibility and innovation required to achieve the associated objectives.	That this submission be disallowed.
	123.14 123.98 123.99	POL TANK 22	Oppose	Stock access regulations should be commensurate to the relative environmental impact or risk from the activity.	That this submission be disallowed.

B+LNZ Further Submission Hawkes Bay Regional Council Proposed Plan Change 9

	123.81	POL TANK 46	Oppose	B+LNZ opposes relief which seeks to remove policies in place to ensure the efficient management of the allocation of water available for abstraction.	That this submission be disallowed.
	123.96 123.97 123.100 123.101 123.98 123.99	6.10.1 Use of Production Land Rule TANK 1 Rule TANK 2 Rule TANK 3 Rule TANK 4	Oppose	B+LNZ oppose relief that does not support landowner and community led conservation actions or the benefit and impact of non-regulatory management frameworks. B+LNZ oppose unnecessarily burdensome regulation that is not commensurate to the environmental risk or appropriate to achieve the environmental outcomes sought. B+LNZ oppose relief that does not support a permitted pathway for production land use. B+LNZ does not support the relief sought with regard to stock exclusion. B+LNZ consider that regulatory burden should be commensurate to the relative environmental impact or risk from the activity.	That this submission be disallowed.
	123.11 – 123.144	Schedule 26: Freshwater Quality Objectives	Oppose in part	B+LNZ support the identification of freshwater values for freshwater management units. B+LNZ consider that freshwater health outcomes (objectives, attributes) should be set to provide for the most stringent values. When these values are met then the health should be maintained. When they are not met, then freshwater health is improved for the parameter or suite of parameters that need to be met in order to provide for the value(s).	That part of this submission be allowed.
No.131 Balance Agri Nutrients Limited	131.7	6.10.2 Water	Support	B+LNZ support relief sought for the Plan to provide clarity on the supply of water for domestic and stock water and for Water Allocation regime to meet the reasonable needs of domestic supply and animals for drinking water.	That this submission be allowed.
	131.8	Schedule 29: Land Use Change	Oppose	B+LNZ does not support the amendments sought to Schedule 29. B+LNZ consider that any nitrogen risk threshold should be tailored to the catchment and specific to working towards achieving freshwater values. Nitrogen loads are management in such a way that there is an equitable allocation of total	That this submission be disallowed.

B+LNZ Further Submission Hawkes Bay Regional Council Proposed Plan Change 9

				catchment nitrogen load to all users/activities who may wish to use the available resource.	
	131.2 131.3 131.4	Industry Programmes and Catchment Management. Schedule 30: Land Owner Collective, Industry Programme and Farm Environment Plan Section C: Farm Environment Plan	Support in Part Oppose in part	B+LNZ supports endorsement for the encouragement and establishment of catchment collectives. B+LNZ does not support Farm Plans becoming more prescriptive. While more detail could assist in the development of Land Owner Collectives and Farm Environment Plans, any additions to Schedule 30 should be framed as guidelines. The intent of these provisions is that they are tailored to the land owner or catchment collective and reflective of the values and issues specific to them. B+LNZ consider that Farm Plans should be outcomes focused with minimal input control.	That this submission be allowed in part.
No. 180 Horticulture New Zealand	180.1 180.2 180.8	Water Quantity	Support	B+LNZ generally supports Horticulture New Zealand’s submission in relation to Water Quantity. In particular matters pertaining to: <ul style="list-style-type: none"> - Provisions which maintain flexibility to allow for, amongst other benefits, technological advancements. - Support for the harvesting of water at high flows and storage for later utilisation. - The replacement of the proposed water allocation framework which effectively locks in historic use patterns and the risk such an approach poses to rewarding inefficient, whilst penalising efficient water users. 	That this submission be allowed.

B+LNZ Further Submission Hawkes Bay Regional Council Proposed Plan Change 9

	180.7	Proposed TANK Plan Change 9	Support	B+LNZ support drawing Councils attention to the regional and national importance of production and processing of beverages, food and fibre (covered under Obj LW1 of the RPS) and PC9's insufficient acknowledgement of this. B+LNZ own submission sought for PC9 to strengthen the requirements to provide for the economic wellbeing of people and communities.	
No.195 Federated Farmers of New Zealand	195.1	Industry Programme and Catchment Management	Support in part	B+LNZ support submissions which recognise farmers and communities contributions to achieving environmental outcomes and give landowners the opportunity to continue to grow and develop 'ground up' approaches both individually and collectively.	That this submission be allowed in part.
	195.22	Water Quality General OBJ TANK 6 OBJ TANK 7	Support	B+LNZ support the deletion of OBJ TANK 6 and Schedule 27. B+LNZ does not support management frameworks which seek reduction in contaminant discharges irrespective of the relative impact that they may have on freshwater ecological health and associated values. B+LNZ therefore support the amendments sought to OBJ TANK 7.	That this submission be allowed.
	195.28	Water Quantity OBJ TANK 16	Support	B+LNZ supports relief to provide for stock drinking water as a priority take and to give effect to RMA provision 14.3(b).	That this submission be allowed.
	195.42 195.43 195.44 195.46 195.47 195.48 195.51	5.10.3 Managing Adverse Effects From Land Use on Water Quality (Diffuse Discharges) POL TANK 17 POL TANK 18 POL TANK 19 POL TANK 21 POL TANK 22	Support	B+LNZ support relief which supports a permitted activity pathway for productive land use and where regulatory burden is commensurate to environmental risk. B+LNZ support relief that focuses on environmental outcomes/effects and opposes provisions which seek reduction in contaminant discharges irrespective of the relative impact they may have on freshwater ecological health and associated values. B+LNZ support relief to align the Stock exclusion regulations with the NES 360 Regs.	That this submission be allowed.

B+LNZ Further Submission Hawkes Bay Regional Council Proposed Plan Change 9

		POL TANK 23 POL TANK 26			
	195.72 195.73	5.10.7 Policies: Surface Water Low Flow Management POL TANK 51 POL TANK 52	Support	B+LNZ supports relief to provide for stock drinking water as a priority take and to give effect to RMA provision 14.3(b).	That this submission be allowed.
No.135 Ravensdown Limited	135.15 135.42 135.68 135.28 135.62	OBJ TANK 16 POL TANK 39 Chapter 9 Glossary of Terms Used Schedule 29: Land Use Change	Generally support.	B+LNZ generally support Ravensdown Limited Submission. In particular, matters pertaining to: <ul style="list-style-type: none"> - The amendments sought to recognise value in all soils used for productive purposes irrespective of versatility. - Support for collaborative, non-regulatory methods and in particular the use of FEPs or Programmes prepared by catchment collectives or industry. - Support for stream flow maintenance and habitat enhancement schemes. - Support for a permitted activity pathway for productive land use. - Support the deletion of Schedule 29 	That this submission be allowed.
	135.5	6.10.1 Use of Production Land	Support in part Oppose in part	B+LNZ supports submissions endorsing a permitted activity pathway for productive land use. B+LNZ does not support alignment with the NES-FW in terms of land area.	That this submission be allowed in part.
	135.51 135.52 135.53	6.10.1 Use of Production Land	Oppose	B+LNZ does not support the relief sought to amend the controlled activity Rule TANK 2 to Restricted Discretionary. B+LNZ does not support relief that seeks to amend the activity status of Rules TANK 5 and 6 to discretionary to align with NES-FW.	That this submission be disallowed.
	135.60	Schedule 27.	Support	B+LNZ supports the deletion of Schedule 27. Schedule 27 is not appropriate means to give effect to the NPSFM-2020 in setting long term attribute states.	That this submission be allowed.

B+LNZ Further Submission Hawkes Bay Regional Council Proposed Plan Change 9

No.198 Environment Defence Society	198.5	Water Quantity	Oppose	B+LNZ oppose relief which does consider stock drinking water a priority take and which does not give effect to RMA provision 14.3(b). Minimum flow water takes should allow for stock drinking water as well as water take for human drinking water supplies. Alternatively, minimum flows should be set such that they protect the life supporting capacity of the resource and provide for essential takes for human and stock drinking water.	That this submission be disallowed.
No.210 Forest & Bird	210.8 210.10 210.14 210.15	Proposed TANK Plan Change 9	Oppose in part Support in part	<p>B+LNZ oppose relief sought to amend PC9 to remove the non-regulatory framework for achieving freshwater health objectives. B+LNZ supports relief to clarify the link between objective, policies and methods and how non-regulatory methods will achieve the outcomes sought in the objectives. B+LNZ consider that Farm Plans, Catchment Collectives and Industry Programmes should be outcome focused with minimal input control.</p> <p>B+LNZ support the identification of Freshwater management Units relevant to PC9 and freshwater objectives in respect of all FMU's.</p> <p>B+LNZ do not support the deletion of Policy 17.</p>	That this submission be allowed in part.
	210.23 – 210.87	6.10.1 Use of Production Land	Oppose	B+LNZ opposes relief which does not support a permitted activity pathway for productive land use.	That this submission be disallowed.
	210.84	6.10.1 Use of Production Land.	Oppose	B+LNZ opposes stock access regulations which are not commensurate to the relative environmental impact or risk from the activity.	That this submission be disallowed.

B+LNZ Further Submission Hawkes Bay Regional Council Proposed Plan Change 9

210.38 210.39 210.40 210.41 210.42 210.43 210.44 210.45	5.10.3 Managing Adverse Effects From Land Use on Water Quality (Diffuse Discharges)	Oppose	<p>B+LNZ does not support the deletion of Policy 17.</p> <p>B+LNZ supports objectives to manage land use in a manner that maintains freshwater objectives and improves the health of freshwater where objectives are not currently met. B+LNZ is supportive of a framework which enables adaptive approaches to nutrient and contaminant management and recognises that successful environment outcomes for freshwater ecological health require landowner and community support and leadership.</p> <p>B+LNZ oppose relief to increase the level of regulation with regard to nutrient and sedimentation loss from land use and farm plans and set environmental standards for these activities in the plan.</p>	That this submission be disallowed.
Page 30 of F&B submission.	Water Allocation – Priority Policy 51	Support	B+LNZ support Forrest and Bird in their submission point that water taken below minimum flows should be available to both human health and animal wellbeing needs.	That this submission be allowed.
210.77	Policy 56 Benefits of Water Storage and Augmentation	Oppose	<p>B+LNZ does not support the deletion of Policy 56.</p> <p>Water is necessary to any farming practice. In an environment where water resourcing is becoming increasingly scarce and considering the direction of national regulation to pare back water allocation. B+LNZ consider that a policy which recognizes the beneficial effects of water storage is appropriate and responsible management of this resource.</p>	That this submission be disallowed.
	Schedule 26: Freshwater Quality Objectives	Generally, Oppose	<p>B+LNZ oppose the inclusion of Schedule 27 into Schedule 26. Freshwater objectives should be set to provide for ecological health.</p> <p>B+LNZ support the identification of freshwater values for freshwater management units. B+LNZ consider that freshwater health outcomes (objectives, attributes) should be set to provide for the most stringent values. When these values are met then</p>	That this submission be disallowed.

B+LNZ Further Submission Hawkes Bay Regional Council Proposed Plan Change 9

				the health should be maintained. When they are not met, then freshwater health is improved for the parameter or suite of parameters that need to be met in order to provide for the value(s).	
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Contact for service:

Lilly Lawson | Environment Policy Analyst

Beef + Lamb New Zealand Ltd

Level 4, Wellington Chambers, 154 Featherston St, Wellington 6011

PO Box 121, Wellington 6140

ddi +64 4 474 0806 | mob +64 27 687 5690 | email: lilly.lawson@beeflambnz.com

Further Submission on Proposed Plan Change 9: Hawke's Bay Regional Resource Management Plan

PLEASE NOTE: your submission will become part of a public record of Council documents. This will mean your name, address and contact details will be searchable by other persons.

Name: (required)

Organisation: Heretaunga Tamatea Settlement trust

Postal address: (required) Po Box 2192

Email address: office@heretaungatamatea.wl.nz

Phone number: 06 8766506

Contact person and address if different to above: Liz Munroe

Please tick the sentence that applies to you:

I am a person representing a relevant aspect of the public interest.

Please specify the grounds for saying that you come within this category:

I am a person who has an interest in the proposal that is greater than the interest the general public has.

Please specify the grounds for saying that you come within this category:

Do you wish to be heard in support of your submission?

Yes / No

If others make a similar submission, would you consider presenting a joint case with them at a hearing?

Yes / No

Signature: Date: 9 December 2020

NB: Space for writing submissions is overleaf.

Send written submissions to:

Hawke's Bay Regional Council
Private Bag 6006
NAPIER

or fax to:
(06) 835-3601

or email to:
eTANK@hbrc.govt.nz

Deadline for Submissions:

**5pm Wednesday 9 December
2020**

No submissions will be accepted after this deadline. The deadline will not be further extended.

OFFICE USE ONLY

SUBMISSION ID#

Date Received:

Database Entry Date:

Database Entry Operator:

Submission Details

Please attach more pages if necessary. If you do not wish to use this form, please ensure that the same information required by this form is covered in your submission. Further information on how to make a further submission and the submission process is available on the Regional Council website.

I support oppose the submission of:

Name of original submitter:.....

Address of original submitter:.....

Submission number of original submission:.....

The particular parts of the submission I support oppose are:.....

.....
.....
.....

The reasons for my support opposition are:
[Clearly indicate whether you support or oppose the specific provisions or wish to have them amended along with reasons]

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I seek that the whole or part of the submission be allowed disallowed
[Please give precise details to ensure your views are accurately represented]

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REMINDER: SUBMISSIONS MUST REACH COUNCIL BY 5PM ON 9 DECEMBER 2020

A copy of your submission must be served on the original submitter within 5 working days after it is served to the council.

9 December 2020

PO Box 2192
Stortford Lodge
Hastings 4156

To: Hawke's Bay Regional Council
Name of person making further submission: Heretaunga Tamatea Settlement Trust

This is a further submission in regard to submissions on the Hawke's Bay Regional Council's Proposed Plan Change 9 also referred to as the TANK Plan Change.

Heretaunga Tamatea Settlement Trust is the Post Settlement Governance Entity and recognised iwi authority within Hastings and Central Hawkes Bay established to receive the redress negotiated by He Toa Takitini in settlement of the historical Treaty grievances of Heretaunga Tamatea against the crown. As a consequence of the Heretaunga Tamatea Settlement deed we are members of the Hawkes Bay Regional Planning Committee as set out in the Hawke's Bay Regional Planning Committee Act 2015. Three of the four rivers including their catchments sit within our tribal boundary alongside the Heretaunga Muriwaihou *aquifer*. We have an interest greater than that of the general community on matters which this submission relates.

We support and oppose submissions set out in the table attached for the reasons described. Nothing in this further submission limits the general and specific relief sought in our original submission.

We wish to be heard in support of our further submission and if others make a similar submission, we will consider presenting a joint case with them at a hearing.

A copy of this further submission will be served on the original submitters as required.

Liz Munroe
Chief Executive Heretaunga Tamatea Settlement Trust

Table of Further Submissions by HTST on PC9/TANK

Submission Ref	Submitter Name	Particular part of the submission to which this further submission relates	Oppose or Support and Reasons	Decision Sought
4	Takitimu District Maori Council	Submission points relating proprietary rights to water and relief sought to work with Maori to determine the structure and relationship for co governance of water.	Support in order to properly achieve proprietary redress in accordance with the recommendations of the Waitangi Tribunal as set out in the Stage 2 Report on the National Freshwater and Geothermal Resources Claims 2019	Allow the submission and require that, fundamentally to 'give effect' to Te Mana o te Wai, Hawke's Bay regional water planning must be based on a Te Ao Maori framework and led by the appropriate tangata whenua experts / rangatira in terms of giving effect to Te Mana o te Wai for both governance and management. To recognise Te Tiriti o Waitangi relationship of Partnership, tangata Tiriti advisory committees and operational support and advice from all fields should be considered.
58	Hawke's Bay Fish and Game Council	High flow allocations to be redrafted with input from iwi.	Support in order to facilitate proprietary redress as above.	Allow the submission.
99	Twyford Water and pro forma submissions seeking the same relief	Change to the definition of the term 'actual and reasonable' to refer only to 'reasonable' and submission points relating to the continued take of water at unsustainable rates.	Oppose. The rule framework that relies on the actual and reasonable use test is already flawed because it does not require any claw back or inherent reduction in water use. The relief sought seeks to weaken the framework even further by removing the 'actual' aspect of the 'actual and reasonable' test.	Disallow the submissions.
123	Department of Conservation	Policies 36 – 45 regarding allocation, water takes and Policy 56 related to augmentation	Support. These provisions as worded and structured will not fundamentally change the way in which water users behave and do not	Allow the submission and/or alternative relief to ensure over allocation is phased out and stream enhancement and augmentation are not enabled by

				represent a significant enough shift from the status quo to ensure that over allocation does not continue.	TANK nor relied upon as water quantity management tools and regimes
			TANK Rules 5 and 6	Support. Land use changes should be classified as discretionary activities, particularly in priority catchments.	Allow the submission.
129	Hawke's Bay Regional Council	New Policy 39 and associated changes	Changes to TANK rules 5 and 6	Oppose. The new policy still relies on and enables stream flow enhancement/augmentation as a means of addressing over allocation and over abstraction. Oppose the submission. Changes to land use should be classified as discretionary activities particularly in priority catchments. The difficulties in modelling and measurements noted by the submitter indicate that a restricted discretionary activity status is not appropriate as this status should be used where there is a high level of certainty as to the nature and scale of effects and their measurement.	Disallow the submission
132	Te Taiwhenua o Heretaunga	Whole of submission.	Whole of submission.	Support. The submitter suggests numerous, detailed changes to PC9 in order to address deficiencies and represents a valuable contribution of mātauranga maori to the plan change process and must be afforded weight accordingly.	Allow the submission or alternative relief to address all matters of concern to the submitter and further submitter.
	Ngati Kahungunu Iwi Incorporated	Whole of submission	Whole of submission	Support. The submitter suggests numerous, detailed changes to PC9 in order to address deficiencies and represents a valuable contribution of mātauranga maori to the plan change	Allow the submission or alternative relief to address all matters of concern to the submitter and further submitter.

233	Hawke's Bay District Health Board	Objective TANK 4	process and must be afforded weight accordingly. Support. It is imperative that review clauses are included within PC9 to measure its effectiveness and change the Plan at haste if it is not effective.	Allow the submission
106	Taraia Marae	General submissions	We support the submitters statements regarding the changes to PC9 after the stakeholder process and detailed wording inaccuracies and deficiencies.	Allow the submission and grant relief sought by submitter or alternative relief in accordance with our original submission.
111	Ngati Hinemanu, Ngai Te Upokoiri			
126	Maungaharuru-Tangitū Trust	Entirety of submissions	These submissions provide valuable input into the TANK process through matauranga maori and must be afforded weight accordingly.	Allow the submission or alternative relief to address all matters of concern to the submitter and further submitter.
127	Te Taiwhenua o Te Whanganui a Orotu			
147	Mihiroa Marae			
148 – 178, 183, 187-191	Mangaroa Marae			
181	Takitimu Maori Council			
182	Mangaroa Maori Committee and Nga Marae o Heretaunga			

184	Mangaroa Marae Trustees and Mangaroa Marae Committee			
206	Waipatu Marae			
240	Ngāti Pārau Hapū Trust			

**FURTHER SUBMISSIONS ON PROPOSED PLAN CHANGE 9 TO THE OPERATIVE
HAWKE'S BAY REGIONAL RESOURCE MANAGEMENT PLAN PURSUANT TO
CLAUSE 8 OF THE FIRST SCHEDULE OF THE RESOURCE MANAGEMENT ACT
1991**

To: Hawke's Bay Regional Council
Private Bag 6006
Napier 4142
Attention: Planning Technician

By E-Mail only: etank@hbrc.govt.nz

Submitter: Z Energy Limited¹
PO Box 2091
WELLINGTON 6140

BP Oil New Zealand Limited
PO Box 99 873
AUCKLAND 1149

Mobil Oil New Zealand Limited
PO Box 1709
AUCKLAND 1140

Hereafter, collectively referred to as the Oil Companies

Address for Service: 4Sight Consulting Limited
201 Victoria Street West
Auckland Central
PO Box 911 310, Victoria Street West
AUCKLAND 1142

Attention: Mark Laurensen
Phone: 021 0868 8135
Email: markl@4sight.co.nz

¹ On behalf of the wider Z group, including the Z Energy and Caltex operations in New Zealand.

The Oil Companies' further submissions are as contained in the attached Table.

1. The Oil Companies' interest in the proposed plan is greater than the interest of the general public.
2. The Oil Companies do wish to be heard in support of their further submissions.
3. If others make similar submissions the Oil Companies may be prepared to consider presenting a joint case with them at any hearing.

Signed on and behalf of Z Energy Limited, BP Oil New Zealand Limited and Mobil Oil New Zealand Limited



Phil Brown

Planning and Policy Consultant

9 December 2020

**FURTHER SUBMISSIONS ON BEHALF OF THE OIL COMPANIES
ON SUBMISSIONS TO PROPOSED PLAN CHANGE 9
TO THE OPERATIVE HAWKE'S BAY REGIONAL RESOURCE MANAGEMENT PLAN**

Name of Person/group making original submission	Original Submission Number	Provision	Relief Sought By Submitter (additions in underline, deletions in strike through)	Position of further submitter	Reason For Support / Opposition and Relief Sought by The Further Submitter
Napier City Council Hastings District Council	63.5 207.5	Policy 37A	<p>Introduce an additional Policy (referred to as Policy 37A) to guide situations where the granting of new takes will be considered. Proposed wording as follows:</p> <p><u>Policy 37A:</u> <u>Notwithstanding Policy 37b) and c), and provided:</u></p> <p>(i) <u>There are no feasible alternatives.</u> (ii) <u>Significant progress is being or is likely to be made toward achieving the target in Policy 37(a), and</u> (iii) <u>The allocation limits in Schedule 31 and 32 as at <the operative date> are not or are not likely to be exceeded;</u></p> <p><u>the re-allocation of groundwater not otherwise addressed under Policy 37(d) or 50 may be considered where the proposed use is:</u></p>	Support in part	<p>The Oil Companies' primary submission seeks a permitted activity status for temporary takes of groundwater for construction dewatering. Subject to amendments to that effect, the Oil Companies supported Policy 37 which addresses water allocated in water permits, not as provided for as a permitted activity (and therefore would not be inconsistent with the permitted pathway sought by the Oil Companies).</p> <p>The Oil Companies do, however, support the intent of a new policy to enable consent to be granted for water takes in particular circumstances and consider that temporary construction dewatering is one such instance (where not permitted), recognising that significant measures are typically taken to reduce dewatering and the water itself is not of benefit to the taker (further detail in relation to the dewatering activities undertaken by the Oil Companies is provided in its primary submission). This could be achieved by</p>

			<ol style="list-style-type: none"> 1. <u>Necessary for beverage, food or fibre processing;</u> 2. <u>to enable the development of Māori economic, cultural and social well-being;</u> 3. <u>to enable significant local employment opportunities or wider economic benefits</u> 4. <u>To enable the servicing of urban growth (including new zones) and social infrastructure facilities;</u> <p><u>The volume of take and consent duration may also be distinguishing factors.</u></p>		<p>amending the proposed Policy 37A as follows (additions in underline):</p> <p>.....</p> <p>5. <u>Necessary for temporary construction dewatering.</u></p>
Hawkes Bay Regional Council	129.40	Definition of “allocation limit”	<p>Allocation limit - Delete meaning and replace with new meaning as follows:</p> <p><u>.....Allocation limit for surface water means the maximum quantity that is able to be allocated in water permits in a management unit and abstracted for consumptive water use, expressed in L/s and calculated as the average rate required to abstract the maximum weekly or 28 day volume allocated to each water permit and summed for all water permits in the applicable management unit.</u></p>	Support in part	<p>The Oil Companies support what appears to be the intent to exclude non-consumptive takes from the definition of allocation limit but seek that any such amendment is provided to both surface water and groundwater and is supported by appropriate definitions to provide clarity re what is non-consumptive, including recognition that temporary takes of groundwater for construction dewatering are non-consumptive.</p>
Hawkes Bay Regional Council	129.42	Definition of ‘consumptive water use’	<p>Consumptive Water Use - Insert new definition as follows:</p> <p><u>Consumptive water use – means any use of fresh water that alters the flows and or levels in a water body on either a temporary or</u></p>	Support in part	<p>The Oil Companies sought through primary submissions to ensure an appropriate pathway for temporary construction dewatering activities, recognising their limited potential for adverse effects on allocation.</p>

			<p><u>permanent basis, but excludes any non-consumptive use where:</u></p> <p><u>a) the same amount of water is returned to the same water body at or near the location from which it was taken; and</u></p> <p><u>b) there is no significant delay between the taking and returning of the water.</u></p> <p><u>For the purposes of allocation limits and specified rationing provisions in the rules, the term 'consumptive use' does not apply to water used in hydro-electric power generation or water use or diversions which substantially return the water used to the same water body.</u></p>	<p>The Oil Companies are not opposed to the principle of providing that pathway through exceptions for non-consumptive takes but consider it is important that any such pathway recognises that it is often not practicable to discharge dewatering water to ground and therefore it may be discharged to reticulated networks. This could be recognised through an amendment to the proposed definition as set out below, noting that these temporary construction dewatering takes have limited potential effects on allocation and are essential to facilitate a range of activities, including the replacement of aging infrastructure:</p> <p><i>Consumptive water use – means any use of fresh water that alters the flows and or levels in a water body on either a temporary or permanent basis, but excludes any non-consumptive use where:</i></p> <p><i>a) the same amount of water is returned to the same water body at or near the location from which it was taken; and</i></p> <p><i>b) there is no significant delay between the taking and returning of the water.</i></p> <p><i>For the purposes of allocation limits and specified rationing provisions in the rules, the term 'consumptive use' does not apply to:</i></p> <ul style="list-style-type: none"> <i>water used in hydro-electric power generation;</i>or
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					<ul style="list-style-type: none"> • <i>water use or diversions which substantially return the water used to the same water body;</i> • <i><u>Groundwater takes for temporary construction dewatering, including where dewatering water is discharged to reticulated networks.</u></i>
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Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
Adrian Mannering Irrigation Services	218.42	POL TANK 37	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	218.43	POL TANK 38	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	218.46	POL TANK 37	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	218.47	Flow maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	218.48	Flow Maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	218.49	Schedule 36: Heretaunga Plains Stream Flow Maintenance And Habitat	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
Alec Duncan Fire and Emergency New Zealand	13.8	OBJ TANK 16	Support	Amend provision substantially in the manner requested by the submitter	Water security for emergency purposes is essential for the health and safety of people and communities.
	12.2	OBJ TANK 10	Support	Amend provision substantially in the manner requested by the submitter	Meeting domestic water needs is not sufficient on its own to ensure to health and wellbeing of people and communities.
	12.3	OBJ TANK 11	Support	Amend provision substantially in the manner requested by the submitter	Arguably g) provides for what is being sought, but the amendment sought will add clarity.
	12.5	OBJ TANK 13	Support	Amend provision substantially in the manner requested by the submitter	Arguably g) provides for what is being sought, but the amendment sought will add clarity.
	12.6	OBJ TANK 14	Support	Amend provision substantially in the manner requested by the submitter	Arguably g) provides for what is being sought, but the amendment sought will add clarity.
	12.7	OBJ TANK 16	Support	Amend provision substantially in the manner requested by the submitter	The relief sought is line with the Hastings District Council submission on Policy 50 b)
Alison Johnston Silver Fern Farms Limited	117.2	6.10.2 Water	Support	Amend provision substantially in the manner requested by the submitter	Prohibited Activity Status is inappropriate given the staged approach to setting allocation limits and the imprecise nature of the resource, limited consent duration and potential to remedy effects. Hastings District Council supports the stepped approach in PC9 for groundwater takes, from restricted discretionary under TANK 9, to discretionary under TANK 11, to non-complying (as sought in Hastings District Council's original submission) under TANK 12 where standards and terms cannot be satisfied, as this puts in place a high threshold for the grant of consent where the activity's consistency with objectives and policies, and its adverse effects on the environment, are required to be closely scrutinised.
	117.3	OBJ TANK 16	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The relief sought would place a commercial operation on a par with community use, which is inappropriate.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
Allen Kittow Tremaine Farms Ltd	185.42	POL TANK 37	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	185.43	POL TANK 38	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	185.46	POL TANK 37	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	185.47	Flow maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	185.48	Flow Maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	185.49	Schedule 36: Heretaunga Plains Stream Flow Maintenance And Habitat	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
Andrea and Phil Cranswick Meridiem Trust	15.1	POL TANK 39	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	15.15	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below <u>underline/strikeou</u>)	Support	Amend provision substantially in the manner requested by the submitter	Hastings District Council supports amendment of the Plan as intended, to enable replacement bores to be constructed in SPZs where existing bores are of poor condition and are to be decommissioned in a manner such that the overall activity reduces risk to human drinking water sources
Andria Monin Stonecroft Wines Limited	75.12	POL TANK 39	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	75.18	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below <u>underline/strikeou</u>)	Support	Amend provision substantially in the manner requested by the submitter	Hastings District Council supports amendment of the Plan as intended, to enable replacement bores to be constructed in SPZs where existing bores are of poor condition and are to be decommissioned in a manner such that the overall activity reduces risk to human drinking water sources
	75.7	Protection of Source Water	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Policies 6, 7 and 9 and the requirement to assess actual or potential effects of activities in SPZs is appropriate for resource consent considerations. Farm Environment Plans, Catchment Collectives and Industry Programmes relate to Permitted Activity rules and separate consideration is required under TANK rules for activities requiring consent and / or undertaken without such plans.
Anna Wilkes Ravensdown Limited	135.13	OBJ TANK 14	Support	Amend provision substantially in the manner requested by the submitter	Arguably "other urban activities" provides for what is being sought, but the amendment sought will add clarity.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
	135.34	POL TANK 29	Oppose	Do not amend the Plan as requested by the submitter	Hastings District Council supports the requirement for source control of stormwater contamination stated in Policy 29. This policy provides the basis for requiring source control, site management plans, and the control of activities which may impact on water quality standards being met and is necessary to support the proposed rules on these matters.
	135.35	POL TANK 30	Oppose	Do not amend the Plan as requested by the submitter	Hastings District Council supports the intent of policy 30 which is to provide a timeframe for improvements where water quality is degraded by stormwater quality. It seeks to ensure that the water quality standards and timeframes that are applied are appropriate for assessing the effects of the stormwater discharges and receiving environment, which is not necessarily the case with the Schedule 26 and 27 Objectives. Hastings District Council seeks the retention of the policy as notified subject to amendments sought in its submission (No 207).
	135.39	POL TANK 36	Support in part	Amend provision as requested by Hastings District Council in its submission.	The submission is in line with the submission of Hastings District Council in that it seeks the ability for the Plan to consider of future opportunities in certain circumstances (refer relief sought by Hastings District Council in regard to Policy 37 regarding these suggested circumstances)
	135.4	POL TANK 37	Support in part	Amend provision as requested by Hastings District Council in its submission.	The submission is in line with the submission of Hastings District Council in that it seeks the ability for the Plan to consider of future opportunities in certain circumstances (refer relief sought by Hastings District Council in regard to Policy 37 regarding these suggested circumstances)
	135.49	POL TANK 52	Support in part	Amend provision as requested by Hastings District Council in its submission.	The submission is inline with the submission of Hastings District Council in that it seeks the ability for the Plan to consider of future opportunities in certain circumstances (refer Hastings District Council submission on Policy 37).
	135.56	6.10.3 Stormwater	Support	Amend provision substantially in the manner requested by the submitter	Matters of control should relate to the discharge. Sites which store, use or transfer hazardous substances and have appropriate controls in place to prevent entry into the stormwater system should not be a reason for the activity not being considered as a controlled activity.
	135.66	Schedule 34: Urban Site Specific Stormwater Management Plan	Support	Amend provision substantially in the manner requested by the submitter	Relief sought is consistent with Hastings District Council's submission in that the word urban is unnecessary and potentially confusing.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
Bernadette Hamlin	16.6	Flow Management Regimes; Tutaekuri, Ahuriri, Ngaruroro and Karamu	Oppose in Part	Do not amend the plan in the manner requested by the submitter(s)	Hastings District Council supports the minimum flow levels being set such that the costs and adverse effects are outweighed by the benefits of the required level. Hastings District Council currently considers the levels identified in PC9 reflect an appropriate balance and provide appropriately for indigenous fish habitat at low flows at this point in time.
Bernie Kelly Hawke's Bay Canoe Club	31.4	6.10.2 Water	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The relief sought is unnecessarily limiting. Damming of minor tributaries may provide benefits with less than minor effects with only intermittent flow interruptions
Bevan Davidson	73.42	POL TANK 37	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	73.43	POL TANK 38	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	73.46	POL TANK 37	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	73.47	Flow maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
	73.48	Flow Maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	73.49	Schedule 36: Heretaunga Plains Stream Flow Maintenance And Habitat	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
Brian Fulford Omahuri Orchards (2019) Ltd.	44.42	POL TANK 37	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	44.43	POL TANK 38	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	44.46	POL TANK 37	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	44.47	Flow maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
	44.48	Flow Maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	44.49	Schedule 36: Heretaunga Plains Stream Flow Maintenance And Habitat	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
Brian McLay	211.42	POL TANK 37	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	211.43	POL TANK 38	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	211.46	POL TANK 37	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	211.47	Flow maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
	211.48	Flow Maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	211.49	Schedule 36: Heretaunga Plains Stream Flow Maintenance And Habitat	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
Bridget Margerison Brownrigg Agriculture Group Ltd	124.22	OBJ TANK 17	Support	Amend provision substantially in the manner requested by the submitter	While PC9 provides for a Maori high flow reservation, the unreserved portion potentially contributes to the wider Hawke's Bay community's wellbeing as well.
Bridget Wilton MbandSons	39.12	POL TANK 39	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	39.7	Protection of Source Water	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Policies 6, 7 and 9 and the requirement to assess actual or potential effects of activities in SPZs is appropriate for resource consent considerations. Farm Environment Plans, Catchment Collectives and Industry Programmes relate to Permitted Activity rules and separate consideration is required under TANK rules for activities requiring consent and / or undertaken without such plans.
Bruce Mackay Heinz Wattie's Limited	193.22	5.10.6 Policies: Heretaunga Plains Groundwater Levels and Allocation Limits	Support	Amend provision substantially in the manner requested by the submitter	The High Flow allocation regime needs to provide flexibility to harvest the maximum volume within prudent environmental limits in order to support the existing and future social and economic wellbeing of the community.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
	193.4	POL TANK 37	Support in part	Amend provision as requested by Hastings District Council in its submission.	Submission is in line with the relief sought in Hastings District Councils submission in relation to the 90Mm3 limit being a target and b) amended as requested in Hastings District Councils submission on Policy 37.
	193.6	POL TANK 39	Oppose	Do not amend the plan in the manner requested by the submitter(s)	People and communities should not be treated in the same manner as other abstractors where a commercial return is derived from the use of the resource, and should not be required to fund augmentation schemes as sought in the submission. Similarly municipal takes should not be subject to ban - rather a water conservation strategy should be in place to reduce volumes of take during periods of low flow. This is in line with the priority of use order. It is this approach as opposed to contributing funds to other approaches that municipal takes should invest in as the means of managing effects
	193.9	POL TANK 52	Support	Amend provision substantially in the manner requested by the submitter	This is an important matter that requires clarification
Bruce Nimon	20.1	POL TANK 39	Support in part	Amend provisions relating to flow maintenance in the manner requested by the he submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	20.15	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below underline/strikeou	Support	Amend provision substantially in the manner requested by the submitter	Hastings District Council supports amendment of the Plan as intended, to enable replacement bores to be constructed in SPZs where existing bores are of poor condition and are to be decommissioned in a manner such that the overall activity reduces risk to human drinking water sources
	20.17	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below underline/strikeou	Support	Amend provision substantially in the manner requested by the submitter	Hastings District Council supports the intent of the submission that transfer of groundwater takes within the same water management unit should be controlled subject to effects on neighbouring bores and connected waterbodies being less than minor.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
CA & GW Wilson Meiros Orchard Ltd	43.42	POL TANK 37	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	43.43	POL TANK 38	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	43.46	POL TANK 37	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	43.47	Flow maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	43.48	Flow Maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	43.49	Schedule 36: Heretaunga Plains Stream Flow Maintenance And Habitat Enhancement Scheme	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
Caleb Dennis Aotearoa New Zealand Fine Wine Estates LP	165.12	POL TANK 39	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	165.18	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below <u>underline/strikeou</u>)	Support	Amend provision substantially in the manner requested by the submitter	Hastings District Council supports amendment of the Plan as intended, to enable replacement bores to be constructed in SPZs where existing bores are of poor condition and are to be decommissioned in a manner such that the overall activity reduces risk to human drinking water sources
	165.7	Protection of Source Water	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Policies 6, 7 and 9 and the requirement to assess actual or potential effects of activities in SPZs is appropriate for resource consent considerations. Farm Environment Plans, Catchment Collectives and Industry Programmes relate to Permitted Activity rules and separate consideration is required under TANK rules for activities requiring consent and / or undertaken without such plans.
Carl Knapp Bellingham Orchard Ltd.	71.42	POL TANK 37	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	71.43	POL TANK 38	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	71.46	POL TANK 37	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
	71.47	Flow maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	71.48	Flow Maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	71.49	Schedule 36: Heretaunga Plains Stream Flow Maintenance And Habitat Enhancement Scheme	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
Ceri Edmonds Hawke's Bay Regional Council	129.2	POL TANK 39	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	129.24	6.10.3 Stormwater	Support	Amend provision substantially in the manner requested by the submitter	Hastings District Council supports removing the information requirements for the Integrated Catchment Management Plan from the Rule provision to definition section which states the expected contents of the ICMP
	129.25	6.10.3 Stormwater	Support	Amend provision substantially in the manner requested by the submitter	Hastings District Council supports the clarification of the matters of control as sought.
Charlotte Drury Horticulture New Zealand	180.2	Water quantity	Support	Amend the plan in the manner requested by the submitter(s)	Maintaining and potentially improving community social and economic wellbeing while sustaining environmental flows, is likely to require augmentation through storage of high flows and/or flow mitigation in addition to more efficient use by all sectors.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
	180.2	POL TANK 1	Support in Part	Amend provision substantially in the manner requested by the submitter, but add as g)	Agree that irrigation and processing water quality is important for commercial food and fibre production, but this should be a lower priority than domestic and municipal water supply, given legal obligations around drinking water supplies.
	180.23	POL TANK 6	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Assessment of options to relocate existing drinking water supplies is not appropriate given the priority afforded to provision of water for community water supplies, and the significant costs and disruption to the community associated with relocation of existing, often long standing supplies. Drinking water suppliers will be required to assess risks to their source waters under the Water Services Bill (if enacted) and this information will be available to inform implementation of this policy.
	180.24	POL TANK 7	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Vulnerability and suitability of a source water will be assessed by the water supplier under the provisions of the Water Services Bill (once enacted). Matters sought to be amended are addressed via clause (d)
	180.25	POL TANK 8	Support	Amend the provision to ensure that existing activities which do not pose a risk to human drinking water sources are addressed	The Hastings District Council supports intent to ensure that consideration of consent applications for existing activities which are not expanding in scope or presenting increased risks to source water supplies takes into account the established nature of the activity in decision making."
	180.39	POL TANK 37	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	180.41	POL TANK 39	Support in part	Amend provision substantially in the manner requested by the submitter	Emphasises the need to be working towards such schemes in a logical sequence so that their implementation can be considered as part of the Plan review in 10 years (refer relief sought in relation to Policy 41 in Hastings District Councils submission)
	180.47	POL TANK 52	Support	Amend provision substantially in the manner requested by the submitter	This is an important matter that requires clarification
	180.52	POL TANK 60	Support	Amend provision substantially in the manner requested by the submitter	Clarification is needed given matters specified as written would apply to all high flow takes.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
	180.6	6.10.2 Water	Support	Amend provision substantially in the manner requested by the submitter	Prohibited Activity Status is inappropriate given the staged approach to setting allocation limits and the imprecise nature of the resource, limited consent duration and potential to remedy effects. Hastings District Council supports the stepped approach in PC9 for groundwater takes, from restricted discretionary under TANK 9, to discretionary under TANK 11, to non-complying (as sought in Hastings District Council's original submission) under TANK 12 where standards and terms cannot be satisfied, as this puts in place a high threshold for the grant of consent where the activity's consistency with objectives and policies, and its adverse effects on the environment, are required to be closely scrutinised.
	180.63	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below underline/strikeou	Support in part	Amend provision substantially in the manner requested by the submitter	Hastings District Council agrees that the provision should be time related.
Chris Howell CD & CM Howell Partnership	53.12	POL TANK 39	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	53.2	Water quantity	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The potential effects on people and communities need to be assessed, however a range of water conservation and efficiency measures continue to be investigated and implemented where the benefits for the environment are in proportion to costs involved and ability of the community (including vulnerable groups) to pay.
	53.22	POL TANK 50	Support	Amend provision substantially in the manner requested by the submitter	This is currently the case and is required as a matter for further consideration in TANK Rules 9 and 10
	53.7	Protection of Source Water	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Policies 6, 7 and 9 and the requirement to assess actual or potential effects of activities in SPZs is appropriate for resource consent considerations. Farm Environment Plans, Catchment Collectives and Industry Programmes relate to Permitted Activity rules and separate consideration is required under TANK rules for activities requiring consent and / or undertaken without such plans.

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Christopher Harrison Beach House Wines Ltd	107.12	POL TANK 39	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	107.18	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below underline/strikeou	Support	Amend provision substantially in the manner requested by the submitter	Hastings District Council supports amendment of the Plan as intended, to enable replacement bores to be constructed in SPZs where existing bores are of poor condition and are to be decommissioned in a manner such that the overall activity reduces risk to human drinking water sources
	107.7	Protection of Source Water	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Policies 6, 7 and 9 and the requirement to assess actual or potential effects of activities in SPZs is appropriate for resource consent considerations. Farm Environment Plans, Catchment Collectives and Industry Programmes relate to Permitted Activity rules and separate consideration is required under TANK rules for activities requiring consent and / or undertaken without such plans.
Colin Campbell	35.42	POL TANK 37	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	35.43	POL TANK 38	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	35.46	POL TANK 37	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
	35.47	Flow maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	35.48	Flow Maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	35.49	Schedule 36: Heretaunga Plains Stream Flow Maintenance And Habitat	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
Cordelia Woodhouse Environmental Defence Society Inc	198.3	Catchment Objectives	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Hastings District Council supports the intent of the submission to maintain water quantity however Hastings District Council considers there may be alternative ways of achieving that objective which do not necessarily involve a limit on each river and stream. The relief sought is not specific enough for potential effects on people and communities to be assessed imposing a limit may have unintended costs not outweighed by benefits for the catchment as a whole.
	198.5	Water quantity	Support in Part	Do not amend the plan in the manner requested by the submitter(s)	Support the intent of the submission, subject to the actual levels set being appropriate to balance all relevant interests, including cultural, community and economic interests.
	198.8	Water quantity	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Effects may be neutral where water management units are well connected
	198.7	OBJ TANK 11	Oppose in Part	Do not amend the plan in the manner requested by the submitter(s)	Hastings District Council supports the minimum flow levels being set such that the costs and adverse effects are outweighed by the benefits of the required level. Hastings District Council currently considers the levels identified in PC9 reflect an appropriate balance and provide appropriately for indigenous fish habitat at low flows at this point in time.

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Daniel Soltau	5.1	POL TANK 36	Support in part	Amend provision as requested by Hastings District Council in its submission.	The submission is inline with the submission of Hastings District Council in that it seeks the ability for the Plan to consider of future opportunities where certain criteria are met to prevent further over allocation.
David Renouf	10.1	POL TANK 2	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Discharges from roads and street surfaces are a separate issue from sedimentation and nutrients deriving from land use and better considered under stormwater management in the Clive and Karamu catchments.
	10.15	6.10.3 Stormwater	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The rule as notified with the amendment as sought in Hastings District Council submission No. 207 are sufficient to achieve the outcomes sought.
	10.16	6.10.3 Stormwater	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The rule as notified with the amendment as sought in Hastings District Council submission No. 207 are sufficient to achieve the outcomes sought.
	10.17	6.10.3 Stormwater	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The rule as notified with the amendment as sought in Hastings District Council submission No. 207 are sufficient to achieve the outcomes sought.
	10.18	5.10.4 Policies: Stormwater Management	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Policies clauses 72A(1) (a) and (b) sufficiently address the matters to be considered by the consent authority.
	10.19	5.10.4 Policies: Stormwater Management	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Policies clauses 72A(1) (a) and (b) sufficiently address the matters to be considered by the consent authority.
	10.22	Protection of Source Water	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Source Protection conjunctive zones are not required to be mapped to correlate with unconfined aquifer maps.
	10.4	POL TANK 28	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Retain Policy 28 as notified subject to the amends's sought in Hastings District Council submission (submission 207)

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
	10.5	POL TANK 30	Oppose	Do not amend the Plan as requested by the submitter	Hastings District Council supports the intent of policy 30 which is to provide a timeframe for improvements where water quality is degraded by stormwater quality. It seeks to ensure that the water quality standards and timeframes that are applied are appropriate for assessing the effects of the stormwater discharges and receiving environment, which is not necessarily the case with the Schedule 26 and 27 Objectives. Hastings District Council seeks the retention of the policy as notified subject to amendments sought in its submission (No 207).
David & Sheryl Mackie	77.42	POL TANK 37	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	77.43	POL TANK 38	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	77.46	POL TANK 37	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	77.47	Flow maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	77.48	Flow Maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
	77.49	Schedule 36: Heretaunga Plains Stream Flow Maintenance And Habitat	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
Deane Caughey Indevin Group Ltd	94.12	POL TANK 39	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	94.7	Protection of Source Water	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Policies 6, 7 and 9 and the requirement to assess actual or potential effects of activities in SPZs is appropriate for resource consent considerations. Farm Environment Plans, Catchment Collectives and Industry Programmes relate to Permitted Activity rules and separate consideration is required under TANK rules for activities requiring consent and / or undertaken without such plans.
Dr Nicholas Jones Hawke's Bay District Health Board (HBDHB)	233.1	POL TANK 1	Support	Amend provision substantially in the manner requested by the submitter	The quality of community supply source water is as important as municipal and domestic supplies.
	233.1	Protection of Source Water	Support	Amend the Plan as per the submitters request	Hastings District agrees that the input for the JWG Drinking Water should be noted in the background as it demonstrates the multi-agency collaborative approach taken to developing the source protection provisions as per Policy 9 of Plan Change 9.
	233.11	POL TANK 6	Support	Amend the Plan as per the submitters request	Amendment to include all registered water supplies is consistent with the approach of the Water Services Bill and consistent with providing safe water to all communities.
	233.14	5.10.4 Policies: Stormwater Management	support	Amend the plan as requested	Solid contaminant and debris discharge into stormwater systems is an appropriate means of source control
	233.16	POL TANK 28	Support	Amend generally as per the submitter's request	The Hastings District Council agrees that solid contaminant and debris discharge into stormwater systems is an appropriate means of source control
	233.17	POL TANK 28	Support	Amend generally as per the submitter's request	The Hastings District Council agrees that source control is appropriate and effective means of avoiding contaminants in discharge.

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	233.18	POL TANK 30	Support	Amend the plan as per the submitters request	The Hastings District Council agrees that source control is appropriate and effective means of avoiding contaminants in discharge.
	233.18	POL TANK 30	Support	Amend the plan generally as sought by the submitter	The Hastings District Council agrees that source control is appropriate and effective means of avoiding contaminants in discharge.
	233.2	5.10 Introduction	Support	Amend provision substantially in the manner requested by the submitter	The Hastings District Council supports the inclusion of protection of drinking water sources as an Issue specifically identified in Plan Change 9. Outcomes of the Havelock North Board of Inquiry and proposed introduction of s104G of the RMA via the Water Services Bill (if enacted) demonstrate the importance of source water protection.
	233.2	6.10.3 Stormwater	Support	Amend provision substantially in the manner requested by the submitter	Hastings District Council agrees that the management of solid contaminants and debris is an important and critical source control measure
	233.21	6.10.3 Stormwater	Oppose	Do not amend as requested by submitted	Hastings District Council supports the intent of the submission and agrees that solid contaminants and debris should be kept out of stormwater systems where possible, however, this is not always possible particularly in high flow situations and it would be inappropriate for this to be a manner by which an urban stormwater system was unable to be considered as a controlled activity.
	233.21	6.10.3 Stormwater	Oppose	Do not amend as requested by submitter	Hastings District Council supports the intent of the submission, but notes that it is not possible for the stormwater discharges to not include any solid contaminants or debris. The inclusion of this in the conditions / standards and terms would mean that local authority stormwater discharges would fall to be considered as Discretionary Activities. Hastings District Council would support the management of debris and solid contaminants as a matter of control under the Integrated Catchment Management Plan.
	233.22	6.10.3 Stormwater	Oppose	Do not amend as requested by submitter	Hastings District Council supports the intent of the submission but consider this is more appropriate as a matter of control, rather than as a condition / standard / term
	233.23	Section B: Catchment Collective Requirements	Support	Amend provision substantially in the manner requested by the submitter.	Measures to prevent contamination are considered appropriate, as this is more able to be achieved and incorporated into the plan requirements and actions.

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	233.24	Section B: Catchment Collective Requirements	Support	Amend provision substantially in the manner requested by the submitter.	Plans and programmes should assess the effectiveness of measures to prevent drinking water source contamination.
	233.3	5.10 Introduction	Support	Amend provision substantially in the manner requested by the submitter	The Hastings District Council supports the inclusion of addition of cyanobacteria, the quantity of water and the presence of pathogens and other chemical contaminants, and waiora in to the human health attributes stated in Figure 1. Inclusion of these parameters demonstrates the need to take a multi-parameter and multi-barrier approach to the protection of source water for drinking water.
	233.5	OBJ TANK 3	Support	Amend provision substantially in the manner requested by the submitter	The relief sought recognises a relevant potential impact on communities from climate change
	233.7	OBJ TANK 6	Support	Amend provision substantially in the manner requested by the submitter	It is appropriate for the safety of the public for this objective to apply to extents as well as zones and to recognise existing treatment
	233.8	OBJ TANK 16	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The relief sought is unnecessary as the list is already subject to limits targets and flow regimes to meet the needs and values of the water body.
Edward Whyte Whyte & Co	110.42	POL TANK 37	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	110.43	POL TANK 38	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.

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	110.46	POL TANK 37	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	110.47	Flow maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	110.48	Flow Maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	110.49	Schedule 36: Heretaunga Plains Stream Flow Maintenance And Habitat	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
Emma Taylor Gimblett Gravels Winegrowers Association	238.11	POL TANK 39	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	238.14	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below <u>underline/strikeou</u>	Support	Amend generally as requested by submitter	Hastings District Council supports amendment of the Plan as intended, to enable replacement bores to be constructed in SPZs where existing bores are of poor condition and are to be decommissioned in a manner such that the overall activity reduces risk to human drinking water sources

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	238.7	Protection of Source Water	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Policies 6, 7 and 9 and the requirement to assess actual or potential effects of activities in SPZs is appropriate for resource consent considerations. Farm Environment Plans, Catchment Collectives and Industry Programmes relate to Permitted Activity rules and separate consideration is required under TANK rules for activities requiring consent and / or undertaken without such plans.
	208.11	POL TANK 39	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	208.14	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below <u>underline/strikeou</u>)	Support	Amend generally as requested by submitter	Hastings District Council supports amendment of the Plan as intended, to enable replacement bores to be constructed in SPZs where existing bores are of poor condition and are to be decommissioned in a manner such that the overall activity reduces risk to human drinking water sources
	208.7	Protection of Source Water	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Policies 6, 7 and 9 and the requirement to assess actual or potential effects of activities in SPZs is appropriate for resource consent considerations. Farm Environment Plans, Catchment Collectives and Industry Programmes relate to Permitted Activity rules and separate consideration is required under TANK rules for activities requiring consent and / or undertaken without such plans.
Ezekiel Hudspith Pernod Ricard Winemakers New Zealand Limited	194.44	POL TANK 36	Support	Amend provision substantially in the manner requested by the submitter	The relief sought represents an important point of clarification and is consent with Hastings District's submission
	194.48	POL TANK 37	Support in part	Amend provision as requested by Hastings District Council in its submission.	The submission is in line with the submission of Hastings District Council in that it seeks the ability for the Plan to consider of future opportunities in certain circumstances (refer relief sought by Hastings District Council in regard to Policy 37 regarding these suggested circumstances)
	194.72	POL TANK 52	Support	Amend provision substantially in the manner requested by the submitter	This is an important matter that requires clarification

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	194.77	POL TANK 60	Support	Amend provision substantially in the manner requested by the submitter	Clarification is needed given matters specified as written would apply to all high flow takes.
	194.93	6.10.2 Water	Support	Amend provision substantially in the manner requested by the submitter	Prohibited Activity Status is inappropriate given the staged approach to setting allocation limits and the imprecise nature of the resource, limited consent duration and potential to remedy effects. Hastings District Council supports the stepped approach in PC9 for groundwater takes, from restricted discretionary under TANK 9, to discretionary under TANK 11, to non-complying (as sought in Hastings District Council's original submission) under TANK 12 where standards and terms cannot be satisfied, as this puts in place a high threshold for the grant of consent where the activity's consistency with objectives and policies, and its adverse effects on the environment, are required to be closely scrutinised.
Gavin Yort Limestone Properties Limited	3.14	OBJ TANK 17	Support	Amend provision substantially in the manner requested by the submitter	While PC9 provides for a Maori high flow reservation, the unreserved portion potentially contributes to the wider Hawke's Bay community's wellbeing as well.
	3.19	POL TANK 48	Support	Amend provision substantially in the manner requested by the submitter	It would be illogical to prevent a transfer from one use (primary production) to another higher priority use (needs or people and communities) recognised by the other policies of the Plan Change
Geoffrey Smith Vine Nursery New Zealand and Waikahu Vineyard	68.12	POL TANK 39	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	68.18	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below <u>underline/strikeou</u>)	Support	Amend provision substantially in the manner requested by the submitter	Hastings District Council supports amendment of the Plan as intended, to enable replacement bores to be constructed in SPZs where existing bores are of poor condition and are to be decommissioned in a manner such that the overall activity reduces risk to human drinking water sources
	68.7	Protection of Source Water	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Policies 6, 7 and 9 and the requirement to assess actual or potential effects of activities in SPZs is appropriate for resource consent considerations. Farm Environment Plans, Catchment Collectives and Industry Programmes relate to Permitted Activity rules and separate consideration is required under TANK rules for activities requiring consent and / or undertaken without such plans.

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Glenn Riddell Glenmore Orchard	42.1	POL TANK 39	Oppose	Do not amend the plan in the manner requested by the submitter(s)	People and communities should not be treated in the same manner as other abstractors where a commercial return is derived from the use of the resource, and should not be required to fund augmentation schemes as sought in the submission. Similarly municipal takes should not be subject to ban - rather a water conservation strategy should be in place to reduce volumes of take during periods of low flow. This is in line with the priority of use order. It is this approach as opposed to contributing funds to other approaches that municipal takes should invest in as the means of managing effects
	42.11	POL TANK 41	Oppose	Do not amend the plan in the manner requested by the submitter(s)	People and communities should not be treated in the same manner as other abstractors where a commercial return is derived from the use of the resource, and should not be required to fund augmentation schemes as sought in the submission. Similarly municipal takes should not be subject to ban - rather a water conservation strategy should be in place to reduce volumes of take during periods of low flow. This is in line with the priority of use order. It is this approach as opposed to contributing funds to other approaches that municipal takes should invest in as the means of managing effects
Grant Edmonds Redmetal Vineyards Ltd	84.12	POL TANK 39	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	84.18	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below <u>underline/strikeou</u>	Support	Amend provision substantially in the manner requested by the submitter	Hastings District Council supports amendment of the Plan as intended, to enable replacement bores to be constructed in SPZs where existing bores are of poor condition and are to be decommissioned in a manner such that the overall activity reduces risk to human drinking water sources
	84.7	Protection of Source Water	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Policies 6, 7 and 9 and the requirement to assess actual or potential effects of activities in SPZs is appropriate for resource consent considerations. Farm Environment Plans, Catchment Collectives and Industry Programmes relate to Permitted Activity rules and separate consideration is required under TANK rules for activities requiring consent and / or undertaken without such plans.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
Greg Evans Dartmoor Estate Ltd	37.42	POL TANK 37	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	37.43	POL TANK 38	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	37.46	POL TANK 37	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	37.47	Flow maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	37.48	Flow Maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	37.49	Schedule 36: Heretaunga Plains Stream Flow Maintenance And Habitat	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
Greg Simpson	61.42	POL TANK 37	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	61.43	POL TANK 38	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	61.46	POL TANK 37	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	61.47	Flow maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	61.48	Flow Maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	61.49	Schedule 36: Heretaunga Plains Stream Flow Maintenance And Habitat	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.

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Hamish Clark Saint Clair Family Estate Ltd	28.12	POL TANK 39	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	28.18	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below <u>underline/strikeou</u>)	Support	Amend provision substantially in the manner requested by the submitter	Hastings District Council supports amendment of the Plan as intended, to enable replacement bores to be constructed in SPZs where existing bores are of poor condition and are to be decommissioned in a manner such that the overall activity reduces risk to human drinking water sources
	28.7	Protection of Source Water	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Policies 6, 7 and 9 and the requirement to assess actual or potential effects of activities in SPZs is appropriate for resource consent considerations. Farm Environment Plans, Catchment Collectives and Industry Programmes relate to Permitted Activity rules and separate consideration is required under TANK rules for activities requiring consent and / or undertaken without such plans.
Jacqui Cormack Constellation Brands NZ Limited (CBNZ)	88.12	POL TANK 39	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	88.17	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below <u>underline/strikeou</u>)	Support	Amend provision substantially in the manner requested by the submitter	Hastings District Council supports amendment of the Plan as intended, to enable replacement bores to be constructed in SPZs where existing bores are of poor condition and are to be decommissioned in a manner such that the overall activity reduces risk to human drinking water sources
	88.7	Protection of Source Water	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Policies 6, 7 and 9 and the requirement to assess actual or potential effects of activities in SPZs is appropriate for resource consent considerations. Farm Environment Plans, Catchment Collectives and Industry Programmes relate to Permitted Activity rules and separate consideration is required under TANK rules for activities requiring consent and / or undertaken without such plans.

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James Lyver Maungaharuru-Tangitū Trust	126.14	POL TANK 1	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Scrutiny of stormwater management as sought in d) implies inefficient and/or unnecessary administrative oversight. The Plan requires actual improvement and the policy should reflect that.
	126.23	POL TANK 30	Oppose	Do not amend the Plan as requested by the submitter	Hastings District Council supports the intent of policy 30 which is to provide a timeframe for improvements where water quality is degraded by stormwater quality. It seeks to ensure that the water quality standards and timeframes that are applied are appropriate for assessing the effects of the stormwater discharges and receiving environment, which is not necessarily the case with the Schedule 26 and 27 Objectives. Hastings District Council seeks the retention of the policy as notified subject to amendments sought in its submission (No 207).
Jenny Nelson-Smith Department of Conservation	123.106	6.10.2 Water	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Maintaining and potentially improving community social and economic wellbeing while sustaining environmental flows, is likely to require augmentation through storage of high flows in addition to more efficient use by all sectors. Deletion of the provisions will either result in slow environmental gains or major economic impacts across the wider community.
	123.111	6.10.2 Water	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Prohibited Activity Status is inappropriate given the staged approach to setting allocation limits and the imprecise nature of the resource, limited consent duration and potential to remedy effects. Hastings District Council supports the stepped approach in PC9 for groundwater takes, from restricted discretionary under TANK 9, to discretionary under TANK 11, to non-complying (as sought in Hastings District Council's original submission) under TANK 12 where standards and terms cannot be satisfied, as this puts in place a high threshold for the grant of consent where the activity's consistency with objectives and policies, and its adverse effects on the environment, are required to be closely scrutinised.
	123.115	6.10.3 Stormwater	Oppose	Do not amend the plan in the manner requested by the submitter	Hastings District Council accepts the need to protect inanga spawning habitats, however an exclusion condition is considered unnecessary.
	123.152	Schedule 31: Flows, Levels and Allocation Limits	Support in Part	Do not amend the plan in the manner requested by the submitter(s)	Support the intent of the submission, subject to the actual levels set being appropriate to balance all relevant interests, including cultural, community and economic interests.

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	123.153	Schedule 31: Flows, Levels and Allocation Limits	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The Hastings District Council is concerned that the potential effects on the social and economic wellbeing of the community relative to the environmental benefits that might be achieved are unclear and uncertain, but could be significant.
	123.154	Schedule 32: High Flow Allocation	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The measures listed may have a significant impact on storage volumes able to be achieved relative to degree of environmental protection they anticipate. The High Flow allocation regime needs to provide flexibility to harvest the maximum volume within prudent environmental limits in order to support the existing and future social and economic wellbeing of the community.
	123.155	Schedule 36: Heretaunga Plains Stream Flow Maintenance And Habitat	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Reducing stream flow depletion to achieve meaningful environmental gains would likely have major implications for the social and economic wellbeing of the community out of proportion to the environmental benefits that would likely be achieved. Environmental flow augmentation should at least be investigated first.
	123.163	Chapter 9 Glossary of Terms Used	Support in part	Amend provision substantially in the manner requested by the submitter, but delete "quantity"	The submission raises an important point of clarification, but it should not refer to quantity as this is unknown and naturally variable, particularly with respect to the Heretaunga Plains Aquifer
	123.2	Water quantity	Oppose	Do not amend the plan in the manner requested by the submitter(s)	It is not practical to separate essential human health needs and other water use from the municipal supply, but TAs do operate water conservation and efficiency programmes during and beyond low flows.
	123.3	Water quantity	Support in Part	Do not amend the plan in the manner requested by the submitter(s)	Support the intent of the submission, subject to the actual levels set being appropriate to balance all relevant interests, including cultural, community and economic interests.
	123.37	Water quantity	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The relief sought fails to appreciate the value of water quantity to people and communities for their health and economic, social and cultural wellbeing. Objectives as written should be retained and added to if considered necessary.
	123.4	Water quantity	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The Hastings District Council is concerned that the potential effects on the social and economic wellbeing of the community relative to the environmental benefits that might be achieved are unclear and uncertain and fails to account for the option of augmentation to maintain minimum flows.

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	123.5	OBJ TANK 11	Oppose in Part	Do not amend the plan in the manner requested by the submitter(s)	Hastings District Council supports the minimum flow levels being set such that the costs and adverse effects are outweighed by the benefits of the required level. Hastings District Council currently considers the levels identified in PC9 reflect an appropriate balance and provide appropriately for indigenous fish habitat at low flows at this point in time.
	123.62	POL TANK 28	Support	Amend the plan generally as requested but retain "where practicable" clause	Infrastructure providers need to be able to ensure services fit the site specific requirements and this is provided via the "where practicable clause" . Hastings District Council agrees that critical habitats should be taken into account and that source control is the most efficient means of reducing contaminants in the discharge.
	123.63	POL TANK 29	Oppose	Do not amend the Plan as requested by the submitter	Hastings District Council supports the policy intent and agrees with the need for source control. The submitters intent is supported but Hastings District Council does not consider it necessary to include this level of specificity in the policy, and the matters sought are included in policy clause 29(a)
	123.65	POL TANK 31	Support	Amend the plan generally as sought by the submitter	The Hastings District Council supports amendment to the policy to clarify that stormwater management is required to support maintaining the objectives and targets
	123.7	Water quantity	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Effects may be neutral where water management units are well connected
	123.7	Heretaunga Plains Aquifer Management	Oppose	Do not amend the plan in the manner requested by the submitter(s)	A generic approach to the management of the Heretaunga Plains Aquifer is inappropriate in the context of both the resource and the TANK process leading to Plan Change 9.
	123.74	POL TANK 39	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Reducing stream flow depletion to achieve meaningful environmental gains would likely have major implications for the social and economic wellbeing of the community out of proportion to the environmental benefits that would likely be achieved. The environmental flow mitigation measures included in PC9 should be investigated first.
	123.75	POL TANK 40	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Reducing stream flow depletion to meaningful environmental gains would likely have major implications for the social and economic wellbeing of the community out of proportion to the environmental benefits that would likely be achieved. The environmental flow mitigation measures included in PC9 should be investigated first.

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	123.76	POL TANK 41	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Reducing stream flow depletion to meaningful environmental gains would likely have major implications for the social and economic wellbeing of the community out of proportion to the environmental benefits that would likely be achieved. The environmental flow mitigation measures included in PC9 should be investigated first.
	123.77	POL TANK 42	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The Plan is working in a staged way towards better understanding this matter while at the same introducing initial tools to reduce water use. Setting an arbitrary phase out date does not reflect the need to undertake a review and implement reductions in a way that balances environmental gains with effects on the wider environment and community
	123.83	POL TANK 48	Support in part, oppose in part	Do not amend the plan in the manner requested by the submitter(s)	Hastings District Council supports the view that the needs of people and communities for water supply for drinking and domestic use should be prioritised above water used for irrigation. The Hastings District Council does not support the other amendments sought as the Hastings District Council is concerned that the potential effects on the social and economic wellbeing of the community relative to the environmental benefits that might be achieved are unclear and uncertain,
	123.91	POL TANK 54	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The relief sought is unnecessarily limiting. Damming of minor tributaries may provide benefits with less than minor effects. Proposals should be robustly tested through the resource consent process.
	123.93	POL TANK 56	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The policy is necessary to provide for stored water replenished through winter flows to offset the effects of abstraction as appropriate to support community economic wellbeing and potentially to provide for growth and development. It is good practice to take into account positive effects as well as adverse effects in assessing applications.
Jerf	99.1	Water quantity	Support	Amend provision substantially in the manner requested by the submitter	Maintaining and potentially improving community social and economic wellbeing while sustaining environmental flows, is likely to require augmentation through storage of high flows in addition to more efficient use by all sectors.
	99.103	POL TANK 1	Support in part	Amend provision substantially in the manner requested by the submitter, but add as g)	Agree that irrigation and processing water quality is important for commercial food and fibre production, but this should be a lower priority than domestic and municipal water supply, given legal obligations around drinking water supplies.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
	99.105	POL TANK 37	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	In relation to b) any water that may become available within the interim ground water limit or target should be made available for priority use ahead of primary production, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	99.106	POL TANK 41	Oppose	Do not amend the plan in the manner requested by the submitter(s)	People and communities should not be treated in the same manner as other abstractors where a commercial return is derived from the use of the resource, and should not be required to fund augmentation schemes as sought in the submission. Similarly municipal takes should not be subject to ban - rather a water conservation strategy should be in place to reduce volumes of take during periods of low flow. This is in line with the priority of use order. It is this approach as opposed to contributing funds to other approaches that municipal takes should invest in as the means of managing effects
	99.12	POL TANK 36	Support in part	Amend provision substantially in the manner requested by the submitter	The relief sought represents an important point of clarification with respect to takes supported from storage at high flows.
	99.13	POL TANK 37	Support in part	Amend provisions as requested by Hastings District Council in its submission.	Submission is in line with the relief sought in Hastings District Councils submission in relation to the 90Mm3 limit being a target and the ability to consider future opportunities under certain circumstances. However any water that may become available within the interim ground water limit or target should be made available for priority use ahead of primary production, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	99.15	POL TANK 39	Support in part	Amend provision substantially in the manner requested by the submitter	The relief sought represents an important point of clarification. A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits, however individual and other non-council approaches should not be ruled out.

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	99.19	POL TANK 52	Support	Amend provision substantially in the manner requested by the submitter	This is an important matter that requires clarification
	99.22	POL TANK 60	Support	Amend provision substantially in the manner requested by the submitter	Clarification is needed given matters specified as written would apply to all high flow takes.
	99.6	POL TANK 1	Support in part	Amend provision substantially in the manner requested by the submitter, but add as g)	Agree that irrigation and processing water quality is important for commercial food and fibre production, but this should be a lower priority than domestic and municipal water supply, given legal obligations around drinking water supplies.
	99.68	POL TANK 37	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	99.69	POL TANK 38	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the
	99.72	POL TANK 37	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	99.73	Flow maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	99.74	Flow Maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
	99.75	Schedule 36: Heretaunga Plains Stream Flow Maintenance And Habitat	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
John Loughlin Rockit Global Limited	104.42	POL TANK 37	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	104.43	POL TANK 38	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	104.46	POL TANK 37	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	104.47	Flow maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	104.48	Flow Maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
	104.49	Schedule 36: Heretaunga Plains Stream Flow Maintenance And Habitat	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
John Parsons	49.42	POL TANK 37	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the
	49.43	POL TANK 38	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the
	49.46	POL TANK 37	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	49.47	Flow maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	49.48	Flow Maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	49.49	Schedule 36: Heretaunga Plains Stream Flow Maintenance And	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.

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Johnny Milmine Berry Farms NZ	91.41	POL TANK 37	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	91.42	POL TANK 38	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	91.45	POL TANK 37	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	91.46	Flow maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	91.47	Flow Maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	91.48	Schedule 36: Heretaunga Plains Stream Flow Maintenance And Habitat	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.

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	95.42	POL TANK 37	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	95.43	POL TANK 38	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	95.46	POL TANK 37	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	95.47	Flow maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	95.48	Flow Maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	95.49	Schedule 36: Heretaunga Plains Stream Flow Maintenance And Habitat	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.

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Jonathan Hamlet Craggy Range Vineyards Limited	34.12	POL TANK 39	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	34.18	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below	Support	Amend provision substantially in the manner requested by the submitter	Hastings District Council supports amendment of the Plan as intended, to enable replacement bores to be constructed in SPZs where existing bores are of poor condition and are to be decommissioned in a manner such that the overall activity reduces risk to human drinking water sources
	34.7	Protection of Source Water	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Policies 6, 7 and 9 and the requirement to assess actual or potential effects of activities in SPZs is appropriate for resource consent considerations. Farm Environment Plans, Catchment Collectives and Industry Programmes relate to Permitted Activity rules and separate consideration is required under TANK rules for activities requiring consent and / or undertaken without such plans.
Jonathan Milmine Milmine Holdings Limited	41.12	POL TANK 39	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	41.7	Protection of Source Water	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Policies 6, 7 and 9 and the requirement to assess actual or potential effects of activities in SPZs is appropriate for resource consent considerations. Farm Environment Plans, Catchment Collectives and Industry Programmes relate to Permitted Activity rules and separate consideration is required under TANK rules for activities requiring consent and / or undertaken without such plans.
Jonty Moffett	62.42	POL TANK 37	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.

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	62.43	POL TANK 38	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	62.46	POL TANK 37	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	62.47	Flow maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	62.48	Flow Maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	62.49	Schedule 36: Heretaunga Plains Stream Flow Maintenance And Habitat	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
Jos Dames Dames Limited	69.42	POL TANK 37	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.

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	69.43	POL TANK 38	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	69.46	POL TANK 37	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	69.47	Flow maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	69.48	Flow Maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	69.49	Schedule 36: Heretaunga Plains Stream Flow Maintenance And Habitat	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
Julian Odering Oderings Nurseries	196.43	POL TANK 37	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.

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	196.44	POL TANK 38	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	196.47	POL TANK 37	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	196.48	Flow maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	196.49	Flow Maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	196.5	Schedule 36: Heretaunga Plains Stream Flow Maintenance And Habitat	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
Juliet Gray Peter Lyons Trust (Lyons Vineyard)	204.12	POL TANK 39	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.

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	204.18	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below underline/strikeou	Support	Amend generally as requested by submitter	Hastings District Council supports amendment of the Plan as intended, to enable replacement bores to be constructed in SPZs where existing bores are of poor condition and are to be decommissioned in a manner such that the overall activity reduces risk to human drinking water sources
	204.7	Protection of Source Water	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Policies 6, 7 and 9 and the requirement to assess actual or potential effects of activities in SPZs is appropriate for resource consent considerations. Farm Environment Plans, Catchment Collectives and Industry Programmes relate to Permitted Activity rules and separate consideration is required under TANK rules for activities requiring consent and / or undertaken without such plans.
Justin Addis Armadales Orchard Ltd	72.42	POL TANK 37	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	72.43	POL TANK 38	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	72.46	POL TANK 37	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	72.47	Flow maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
	72.48	Flow Maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	72.49	Schedule 36: Heretaunga Plains Stream Flow Maintenance And Habitat	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
Karen Morrish Mr Apple New Zealand Ltd	36.4	POL TANK 37	Support	Amend provision substantially in the manner requested by the submitter	The relief sought is consistent with Hastings District Council's submission in so far as an Interim Target, rather than an Interim Limit is sought.
Keith Marshall Napier City Council	63.52	POL TANK 50	Support	Amend provision substantially in the manner requested by the submitter	It is important to take into account the reasonably anticipated growth needs of communities which are required to be facilitated and planned for under the National Policy Statement on Urban Development when allocating water resources.
	63.55	POL TANK 48	Support	Amend provision substantially in the manner requested by the submitter	The relief sought recognises an important part of the value chain arising from the combination of the unique soil and water resources of the Heretuanaga Plains
	63.56	Water Use Change/Transfer	Support	Amend provision substantially in the manner requested by the submitter	Recognises an important part of the value chain arising from the combination of the unique soil and water resources of the Heretuanaga Plains
	63.57	5.10.6 Policies: Heretaunga Plains Groundwater Levels and Allocation Limits	Support	Amend provision substantially in the manner requested by the submitter	The proposed provisions are unclear. A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
	63.58	5.10.6 Policies: Heretaunga Plains Groundwater Levels and Allocation Limits	Support	Amend provision substantially in the manner requested by the submitter	People and communities should not be treated in the same manner as other abstractors where a commercial return is derived from the use of the resource, and should not be required to fund augmentation schemes as sought in the submission. Similarly municipal takes should not be subject to ban - rather a water conservation strategy should be in place to reduce volumes of take during periods of low flow. This is in line with the priority of use order. It is this approach as opposed to contributing funds to other approaches that municipal takes should invest in as the means of managing effects
Kent Griffiths	32.42	POL TANK 37	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	32.43	POL TANK 38	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	32.46	POL TANK 37	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	32.47	Flow maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
	32.48	Flow Maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	32.49	Schedule 36: Heretaunga Plains Stream Flow Maintenance And Habitat	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
Kerry Sixtus Pattullo's Nurseries Limited	23.42	POL TANK 37	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	23.43	POL TANK 38	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	23.46	POL TANK 37	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	23.47	Flow maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
	23.48	Flow Maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	23.49	Schedule 36: Heretaunga Plains Stream Flow Maintenance And Habitat	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
Larry Morgan Te Mata Estate Winery Ltd	76.12	POL TANK 39	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	76.18	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below)	Support	Amend provision substantially in the manner requested by the submitter	Hastings District Council supports amendment of the Plan as intended, to enable replacement bores to be constructed in SPZs where existing bores are of poor condition and are to be decommissioned in a manner such that the overall activity reduces risk to human drinking water sources
	76.7	Protection of Source Water	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Policies 6, 7 and 9 and the requirement to assess actual or potential effects of activities in SPZs is appropriate for resource consent considerations. Farm Environment Plans, Catchment Collectives and Industry Programmes relate to Permitted Activity rules and separate consideration is required under TANK rules for activities requiring consent and / or undertaken without such plans.
Lesley Wilson DN & LR Wilson Ltd	97.43	POL TANK 37	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
	97.44	POL TANK 38	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	97.47	POL TANK 37	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	97.48	Flow maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	97.49	Flow Maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	97.5	Schedule 36: Heretaunga Plains Stream Flow Maintenance And Habitat	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	97.83	Water quantity	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The potential effects on people and communities need to be assessed, however a range of water conservation and efficiency measures continue to be investigated and implemented where the benefits for the environment are in proportion to costs involved and ability of the community (including vulnerable groups) to pay.

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	97.87	POL TANK 1	Support in part	Amend provision substantially in the manner requested by the submitter, but add as g)	Agree that irrigation and processing water quality is important for commercial food and fibre production, but this should be a lower priority than domestic and municipal water supply, given legal obligations around drinking water supplies.
Levi Walford Matahiwi Marae	232.2	Water quantity	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The relief is not specific enough for potential effects on people and communities to be assessed.
	232.5	OBJ TANK 15	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The relief is not specific enough for potential effects on people and communities to be assessed.
	232.6	5.10.7 Policies: Surface Water Low Flow Management	Oppose in Part	Do not amend the plan in the manner requested by the submitter(s)	Hastings District Council supports the minimum flow levels being set such that the costs and adverse effects are outweighed by the benefits of the required level. Hastings District Council currently considers the levels identified in PC9 reflect an appropriate balance and provide appropriately for indigenous fish habitat at low flows at this point in time.
Liz Lambert Hawke's Bay Drinking Water Governance Joint Committee	119.1	POL TANK 9	Support	Amend the plan as per the submitters request	Hastings District Council agrees that agency names should be removed given changes to roles and responsibilities indicated under the upcoming water reform.
	119.2	Proposed TANK Plan Change 9	Support	Amend provision substantially in the manner requested by the submitter	Support the retention and noting of RPS objective for no degradation of groundwater quality in the Heretaunga Plains and Ruataniwha Plains aquifer. The objectives and policies included in Plan Change 9 for the protection of sources of human drinking water is consistent with the RPS objective.
Liz Munroe Heretaunga Tamatea Settlement Trust	201.29	OBJ TANK 16	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The relief sought is unnecessary as the list is already subject to limits targets and flow regimes to meet the needs and values of the water body.
	201.39	Heretaunga Plains Aquifer Management	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Hastings District Council acknowledges the desirability of limiting groundwater allocation, however in terms of setting the level of allocation, Hastings District Council generally supports the approach in PC9, as sought to be amended by Hastings District Council's submission, of setting an interim target allocation and setting a final limit over time taking into account a range of factors.

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	201.4	5.10 Introduction	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The Hastings District Council considers economic impact on peoples and communities is a relevant resource management consideration.
	201.41	POL TANK 42	Oppose	Do not amend the plan in the manner requested by the submitter(s)	A informed decision on what constitutes over allocation involves a choice based on science and values. This policy provides for a review of the interim allocation limit based on both as well potential community impacts and is an important part of the staged approach taken in Plan Change 9.
	201.42	POL TANK 43	Oppose in Part	Do not amend the plan in the manner requested by the submitter(s)	Hastings District Council supports the minimum flow levels being set such that the costs and adverse effects are outweighed by the benefits of the required level. Hastings District Council currently considers the levels identified in PC9 reflect an appropriate balance and provide appropriately for indigenous fish habitat at low flows at this point in time.
	201.49	Schedule 31: Flows, Levels and Allocation Limits	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The Hastings District Council is concerned that the potential effects on the social and economic wellbeing of the community relative to the environmental benefits that might be achieved are unclear and uncertain, but could be significant.
	201.5	Schedule 36: Heretaunga Plains Stream Flow Maintenance And Habitat	Support in part	Do not amend the plan in the manner requested by the submitter(s), but amend so that Schemes can be developed by the regional council in a progressive manner over a reasonable timeframe, rather than relying on consent applicants to	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
Marei Apatu Te Taiwhenua o Heretaunga	132.117	OBJ TANK 11	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The measures listed may have a significant impact on storage volumes able to be achieved relative to degree of environmental protection they anticipate. The High Flow allocation regime needs to provide flexibility to harvest the maximum volume within prudent environmental limits in order to support the existing and future social and economic wellbeing of the community. Greater discussion and evidence is required to clarify the effects of the relief sought, given the role storage will need to play in sustaining community economic wellbeing while achieving environmental outcomes of reducing abstraction.
	132.118	Water quantity	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The Hastings District Council is concerned that the potential effects on the social and economic wellbeing of the community relative to the environmental benefits that might be achieved are unclear and uncertain

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	132.121	Water Use and Allocation – Efficiency	Support	Amend provision substantially in the manner requested by the submitter	Aligns with Hastings District Council's submission that existing bores whether efficient or not should not be adversely affected
	132.122	6.10.3 Stormwater	Oppose	Do not amend as per the submitters request	Controlled Activity status is appropriate for urban infrastructure which councils are obligated to provide under other statute.
	132.123	6.10.3 Stormwater	Oppose	Do not amend as per the submitters request	Discharges from roadside drains and similar that are managed by a local authority should be considered under TANK 21 (Controlled activity for discharges of stormwater from a local authority managed network)
	132.125	POL TANK 37	Support in Part	Do not amend the plan in the manner requested by the submitter(s)	The Hastings District Council's understanding is that it has not been established that the Heretaunga Plains Aquifer is being mined. The potential effects on the social and economic wellbeing of the community of an arbitrary cap on abstraction are potentially very significant. A staged approach as proposed in PC9 is preferred and a more pragmatic way to achieve balanced environmental outcomes over time.
	132.128	Heretaunga Plains Aquifer Management	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The Hastings District Council is concerned that the potential effects on the social and economic wellbeing of the community relative to the environmental benefits that might be achieved are unclear and uncertain
	132.13	Water quantity	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Maintaining and potentially improving community social and economic wellbeing while sustaining environmental flows, is likely to require augmentation through storage of high flows and/or flow mitigation in addition to more efficient use by all sectors. Deletion of the provisions will either result in slow environmental gains or major social and economic impacts across the wider community.
	132.133	Protection of Source Water	Support	Amend the Source Protection Zones Maps to those supplied with the Hastings district Council's submission.	The maps supplied with the Hastings District Council prepared by Tonkin and Taylor Limited represent the most recent technical advice incorporating peer review comments

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	132.135	Chapter 9 Glossary of Terms Used	Support in part	Amend provision substantially in the manner requested by the submitter, but account for climate variability	If a definition of mining is needed the concept of annual recharge not equating to or exceeding annual abstraction is considered appropriate, however this any need to be determined on an average basis over a number of years to account for climatic variability. In addition the rate of recharge in this context does not seem to add anything.
	132.144	Schedule 31: Flows, Levels and Allocation Limits	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The Hastings District Council is concerned that the potential effects on the social and economic wellbeing of the community relative to the environmental benefits that might be achieved are unclear and uncertain, but could be significant.
	132.146	Schedule 31: Flows, Levels and Allocation Limits	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The Hastings District Council is concerned that the potential effects on the social and economic wellbeing of the community relative to the environmental benefits that might be achieved are unclear and uncertain, but could be significant.
	132.151	Flow maintenance	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Reducing stream flow depletion to achieve meaningful environmental gains would likely have major implications for the social and economic wellbeing of the community out of proportion to the environmental benefits that would likely be achieved. The environmental flow mitigation measures included in PC9 should be investigated first.
	132.152	5.10.6 Policies: Heretaunga Plains Groundwater Levels and Allocation Limits	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Reducing stream flow depletion to meaningful environmental gains would likely have major implications for the social and economic wellbeing of the community out of proportion to the environmental benefits that would likely be achieved. The environmental flow mitigation measures included in PC9 should be investigated first.
	132.16	Water quantity	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Hastings District Council opposes proportional claw backs of all existing consents, noting that this does not necessarily achieve the objective, nor does it necessarily reflect the comparative efficiency of the use of the water or the importance of the water to community, social or cultural outcomes etc.

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	132.16	Water Take and Use	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Hastings District Council supports TANK Rules 9, 10, 11 and Schedule 33 as notified with the changes sought in Hastings District Council's primary submission. The specific amendments sought in submission point 132.16 reflect changes sought by the submitter to objectives and policies, and are opposed for the same reasons given in Hastings District Council's further submissions on those aspects of relief. In general, the costs of the changes sought, in terms of their effects on community and economic wellbeing may not outweigh the environmental benefits.
	132.165	Flow Management Regimes; Tutaekuri, Ahuriri, Ngaruroro and Karamu	Oppose in Part	Do not amend the plan in the manner requested by the submitter(s)	Hastings District Council supports the minimum flow levels being set such that the costs and adverse effects are outweighed by the benefits of the required level. Hastings District Council currently considers the levels identified in PC9 reflect an appropriate balance and provide appropriately for indigenous fish habitat at low flows at this point in time.
	132.166	General Water Allocation Policies	Oppose in Part	Do not amend the plan in the manner requested by the submitter(s)	Hastings District Council supports the minimum flow levels being set such that the costs and adverse effects are outweighed by the benefits of the required level. Hastings District Council currently considers the levels identified in PC9 reflect an appropriate balance and provide appropriately for indigenous fish habitat at low flows at this point in time.
	132.17	5.10.6 Policies: Heretaunga Plains Groundwater Levels and Allocation Limits	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The Hastings District Council is concerned that the potential effects on the social and economic wellbeing of the community relative to the environmental benefits that might be achieved are unclear and uncertain.
	132.173	Flow Management Regimes; Tutaekuri, Ahuriri, Ngaruroro and Karamu	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The relief is not specific enough for potential effects on people and communities to be assessed.
	132.177	POL TANK 50	Oppose	Do not amend the plan in the manner requested by the submitter(s)	While the sentiment is understood, the intent is provided for in the words "within limits" and in other provisions. The Council is concerned that the higher order intent will dilute the specific focus of the policy as written.

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	132.18	Flow Management Regimes; Tutaekuri, Ahuriri, Ngaruroro and Karamu	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The potential effects on the social and economic wellbeing of the community are uncertain relative to the environmental benefits, but could be substantial.
	132.183	POL TANK 37	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Hastings District Council acknowledges the desirability of limiting groundwater allocation, however in terms of setting the level of allocation, Hastings District Council generally supports the approach in PC9, as sought to be amended by Hastings District Council's submission, of setting an interim target allocation and setting a final limit over time taking into account a range of factors.
	132.192	POL TANK 30	Oppose	Do not amend the Plan as requested by the submitter	Further clarity as to how the 90th and 95th percentiles would be applied to consent conditions is required from HBRC regarding this submission point, otherwise Hastings District Council seeks the retention of the policy as notified subject to amendments sought in its submission (No 207).
	132.195	SCHEDULES	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The Hastings District Council is concerned that the potential effects on the social and economic wellbeing of the community relative to the environmental benefits that might be achieved are unclear and uncertain, but could be significant.
	132.37	5.10.6 Policies: Heretaunga Plains Groundwater Levels and Allocation Limits	Support	Amend TANK POL 36 as required to reflect the relief sought.	Hastings District Council supports the outcome sought by the submission, namely to protect against mining of the aquifer, and to ensure further adverse effects do not occur for connected water bodies. These, or similar outcomes are contained in TANK POL 36. If amendments are considered necessary however, it would be Hastings District Council's preference to amend TANK POL 36 rather than replicate Policy 77. This avoids duplication and potential for internal inconsistency.

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	132.4	Flow Management Regimes; Tutaekuri, Ahuriri, Ngaruroro and Karamu	Oppose in Part	Do not amend the plan in the manner requested by the submitter(s)	Hastings District Council supports the minimum flow levels being set such that the costs and adverse effects are outweighed by the benefits of the required level. Hastings District Council currently considers the levels identified in PC9 reflect an appropriate balance and provide appropriately for indigenous fish habitat at low flows at this point in time.
	132.41	Flow Management Regimes; Tutaekuri, Ahuriri, Ngaruroro and Karamu	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The potential effects on the social and economic wellbeing of the community are uncertain relative to the environmental benefits, but could be substantial.
	132.44	5.10.7 Policies: Surface Water Low Flow Management	Oppose in Part	Do not amend the plan in the manner requested by the submitter(s)	Hastings District Council supports the minimum flow levels being set such that the costs and adverse effects are outweighed by the benefits of the required level. Hastings District Council currently considers the levels identified in PC9 reflect an appropriate balance and provide appropriately for indigenous fish habitat at low flows at this point in time.
	132.45	Water quantity	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The relief is not specific enough for potential effects on people and communities to be assessed.
	132.52	Water Take and Use	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Prohibited Activity Status is inappropriate given the staged approach to setting allocation limits and the imprecise nature of the resource, limited consent duration and potential to remedy effects. Hastings District Council supports the stepped approach in PC9 for groundwater takes, from restricted discretionary under TANK 9, to discretionary under TANK 11, to non-complying (as sought in Hastings District Council's original submission) under TANK 12 where standards and terms cannot be satisfied, as this puts in place a high threshold for the grant of consent where the activity's consistency with objectives and policies, and its adverse effects on the environment, are required to be closely scrutinised.
	132.53	Heretaunga Plains Aquifer Management	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Hastings District Council acknowledges the desirability of limiting groundwater allocation, however in terms of setting the level of allocation, Hastings District Council generally supports the approach in PC9, as sought to be amended by Hastings District Council's submission, of setting an interim target allocation and setting a final limit over time taking into account a range of factors.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
	132.59	Water Use Change/Transfer	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The effects sought to be avoided by the amendment sought in this submission are unclear to the Hastings District Council.
	132.62	Water Take and Use	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Prohibited Activity Status is inappropriate given the staged approach to setting allocation limits and the imprecise nature of the resource, limited consent duration and potential to remedy effects. Hastings District Council supports the stepped approach in PC9 for groundwater takes, from restricted discretionary under TANK 9, to discretionary under TANK 11, to non-complying (as sought in Hastings District Council's original submission) under TANK 12 where standards and terms cannot be satisfied, as this puts in place a high threshold for the grant of consent where the activity's consistency with objectives and policies, and its adverse effects on the environment, are required to be closely scrutinised.
	132.67	Water Take and Use	Support	Amend provision substantially in the manner requested by the submitter	Aligns with Hastings District submission that existing bores whether efficient or not should not be adversely effected or mitigation offered
	132.75	Water Use Change/Transfer	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The effects sought to be avoided by the amendment sought in this submission are unclear to the Hastings District Council.
	132.76	Water Use Change/Transfer	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The effects sought to be avoided by the amendment sought in this submission are unclear to the Hastings District Council.
	132.77	Water Use Change/Transfer	Support	Amend provision substantially in the manner requested by the submitter	The relief sought is consistent with the objective of no degradation in OBJ21 of the RRMP.
	132.9	5.6 Groundwater Quality	Support	Amend provision substantially in the manner requested by the submitter.	No degradation of the Heretaunga Aquifer and suitability for drinking and irrigation is essential for the health and overall wellbeing of the community, including economic wellbeing.

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	132.9	Schedule 31: Flows, Levels and Allocation Limits	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The Hastings District Council is concerned that the potential effects on the social and economic wellbeing of the community relative to the environmental benefits that might be achieved are unclear and uncertain, but could be significant.
Marei Apatu	138.2	OBJ TANK 13	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The Hastings District Council is unsure of the environmental benefits of increasing the minimum flow by 10% relative to economic impacts.
	138.4	5.10.4 Policies: Stormwater Management	Oppose	Do not amend as requested	Discharge consents should include sufficient mitigation and conditions to ensure effects on cultural values are no more than minor. Application of a levy is not considered necessary.
Mark Apatu Apatu Farms Ltd	54.42	POL TANK 37	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	54.43	POL TANK 38	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	54.46	POL TANK 37	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
	54.47	Flow maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	54.48	Flow Maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	54.49	Schedule 36: Heretaunga Plains Stream Flow Maintenance And Habitat	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
Mark Cairns MD Cairns & AR Wright Partnership	18.12	POL TANK 39	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	18.18	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below	Support	Amend provision substantially in the manner requested by the submitter	Hastings District Council supports amendment of the Plan as intended, to enable replacement bores to be constructed in SPZs where existing bores are of poor condition and are to be decommissioned in a manner such that the overall activity reduces risk to human drinking water sources
	18.7	Protection of Source Water	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Policies 6, 7 and 9 and the requirement to assess actual or potential effects of activities in SPZs is appropriate for resource consent considerations. Farm Environment Plans, Catchment Collectives and Industry Programmes relate to Permitted Activity rules and separate consideration is required under TANK rules for activities requiring consent and / or undertaken without such plans.
Mark Laurenson The Oil Companies (Z	203.13	Urban Infrastructure	Support	Amend clause k as requested	Hastings District Council supports amendment of the policy to clarify that MfE guideline compliant petroleum industry sites are not high risk.

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Energy Limited, BP Oil Limited, Mobil Oil NZ Limited)	203.14	Source Control	Support	Amend generally as per the submitter's request	Hastings District Council supports the intent of the submitter's request, subject to wording changes to remove specificity of the actions to be taken (i.e., "to lobby central government").
	203.24	Water Take and Use	Support	Amend provision substantially in the manner requested by the submitter	Prohibited Activity Status is inappropriate given the staged approach to setting allocation limits and the imprecise nature of the resource, limited consent duration and potential to remedy effects. Hastings District Council supports the stepped approach in PC9 for groundwater takes, from restricted discretionary under TANK 9, to discretionary under TANK 11, to non-complying (as sought in Hastings District Council's original submission) under TANK 12 where standards and terms cannot be satisfied, as this puts in place a high threshold for the grant of consent where the activity's consistency with objectives and policies, and its adverse effects on the environment, are required to be closely scrutinised.
	203.25	6.10.3 Stormwater	Support	Amend provision substantially in the manner requested by the submitter	Hastings District Council agrees that it is the impervious area used for high risk activities that is the relevant criteria.
	203.26	6.10.3 Stormwater	Support	Amend provision substantially in the manner requested by the submitter	Hastings District Council supports the intent of providing a Restricted Discretionary pathway for activities not complying with TANK19.
Matt Edwards	11.9	Water quantity	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The potential effects on people and communities need to be assessed, however a range of water conservation and efficiency measures continue to be investigated and implemented where the benefits for the environment are in proportion to costs involved and the ability of the community (including vulnerable groups) to pay.
Michael & Julie Russell	219.42	POL TANK 37	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
	219.43	POL TANK 38	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	219.46	POL TANK 37	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	219.47	Flow maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	219.48	Flow Maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	219.49	Schedule 36: Heretaunga Plains Stream Flow Maintenance And Habitat	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
Mike Davis Davis Orchards Ltd	96.42	POL TANK 37	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
	96.43	POL TANK 38	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	96.46	POL TANK 37	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	96.47	Flow maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	96.48	Flow Maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	96.49	Schedule 36: Heretaunga Plains Stream Flow Maintenance And Habitat	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
Ngahiwi Tomoana	120.133	5.10.8 Policies: High Flow Allocation	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Offline storage at high flow is a well tested and reliable way to offset reducing summer ground water and surface water abstraction to meet environmental objectives while maintaining community economic wellbeing. The Plan should recognise this and enable it where appropriate. Proposals should be robustly tested through the resource consent process.

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	120.134	5.10.8 Policies: High Flow Allocation	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Hastings District Council is unclear what outcome is sought by including allocation to storage in allocation limits and minimum flows. It opposes the relief sought subject to seeing any detailed wording and rationale.
	120.135	5.10.8 Policies: High Flow Allocation	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The Hastings District Council considers the relief sought and its implications are uncertain and support the approach of naming rivers for which damming is prohibited and assessing proposals on other rivers on their merits according to the criteria set out in the Plan Change. The Plan already proposes Prohibited Activity Status on the major rivers.
	120.138	5.10.4 Policies: Stormwater Management	Support	Ensure clarity as to plan provisions	Hastings District Council supports the principle and intent of the stormwater management policies and agrees that these need to be written in a way which ensures clarity for all plan users.
	120.175	SCHEDULES	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The Hastings District Council is concerned that the potential effects on the social and economic wellbeing of the community relative to the environmental benefits that might be achieved are unclear and uncertain, but could be significant.
	120.176	Schedule 31: Flows, Levels and Allocation Limits	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The Hastings District Council is concerned that the potential effects on the social and economic wellbeing of the community relative to the environmental benefits that might be achieved are unclear and uncertain, but could be significant.
	120.32	Water quantity	Support in Part Opposenin Part	Do not amend the plan in the manner requested by the submitter(s)	Hastings District Council acknowledges and supports Te Mana o Te Wai being given full and proper effect and the restoration and protection of the Mauri and cultural values of waterbodies in the TANK catchments. However it opposes proportional claw backs of all existing consents, noting that this does not necessarily achieve the objective, nor does it necessarily reflect the comparative efficiency of the use of the water or the importance of the water to community, social or cultural outcomes etc.
	120.36	Catchment Objectives	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Hastings District Council supports the intent of the submission to maintain water quantity however Hastings District Council considers there may be alternative ways of achieving that objective which do not necessarily involve a limit on each river and stream. The relief sought is not specific enough for potential effects on people and communities to be assessed imposing a limit may have unintended costs not outweighed by benefits for the catchment as a whole.

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	120.41	OBJ TANK 14	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Hastings District Council acknowledges the desirability of limiting groundwater allocation, however in terms of setting the level of allocation, Hastings District Council generally supports the approach in PC9, as sought to be amended by Hastings District Council's submission, of setting an interim target allocation and setting a final limit over time taking into account a range of factors.
	120.46	Water quantity	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The potential effects on the social and economic wellbeing of the community relative to the environmental benefits sought to be achieved are unclear to the Hastings District Council.
	120.47	Catchment Objectives	Support in Part	Do not amend the plan in the manner requested by the submitter(s)	PC9 anticipates that allocation limits will be set for the Karamu and Ahuriri catchments, and subject to understanding the level of those limits, the intent of the submission is supported. Until then the Plan should remain as notified.
	120.5	Flow Management Regimes; Tutaekuri, Ahuriri, Ngaruroro and Karamu	Oppose in Part	Do not amend the plan in the manner requested by the submitter(s)	Hastings District Council supports the minimum flow levels being set such that the costs and adverse effects are outweighed by the benefits of the required level. Hastings District Council currently considers the levels identified in PC9 reflect an appropriate balance and provide appropriately for indigenous fish habitat at low flows at this point in time.
	120.52	Water Use Change/Transfer	Support in Part Oppose in Part	Do not amend the plan in the manner requested by the submitter(s)	Hastings District Council agrees that generally, the transfer of water permits into over-allocated water management catchments, or between catchments, is inappropriate and should be declined. However it considers these outcomes are appropriately reflected in POL TANK 48 as notified. Because Hastings District Council supports the current wording, it opposes the relief sought, but it may be able to support the relief subject to seeing the amended wording.
	120.53	5.10.8 Policies: High Flow Allocation	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The Hastings District Council considers the relief sought and its implications are uncertain and support the approach of naming rivers for which damming is prohibited and assessing proposals on other rivers on their merits according to the criteria set out in the Plan Change.

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	120.54	Flow maintenance	Oppose in Part	Do not amend the plan in the manner requested by the submitter(s)	Hastings District Council considers aquifer recharge and flow maintenance policies and schemes have the potential to achieve meaningful benefits, and therefore supports their retention. The environmental flow mitigation measures included in PC9 should be investigated further and Hastings District Council would support amendments to PC9 to better address the submitter's concerns about such schemes.
	120.55	Water quantity	Support in Part	Do not amend the plan in the manner requested by the submitter(s)	Support the intent of the submission, subject to the actual levels set being appropriate to balance all relevant interests, including cultural, community and economic interests.
	120.57	Water quantity	Support in Part	Do not amend the plan in the manner requested by the submitter(s)	Support the intent of the submission, subject to the actual levels set being appropriate to balance all relevant interests, including cultural, community and economic interests.
	120.59	5.10.2 Policies: Surface Water and Groundwater Quality Management	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Hastings District Council supports the minimum flow levels being set such that the costs and adverse effects are outweighed by the benefits of the required level. Hastings District Council currently considers the levels identified in PC9 may reflect an appropriate balance at this stage.
	120.6	Water quantity	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Hastings District Council acknowledges the desirability of limiting groundwater allocation, however in terms of setting the level of allocation, Hastings District Council generally supports the approach in PC9, as sought to be amended by Hastings District Council's submission, of setting an interim target allocation and setting a final limit over time taking into account a range of factors.
	120.6	6.10.2 Water	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Hastings District Council considers the stepped approach in PC9 for groundwater takes, from restricted discretionary under TANK 9, to discretionary under TANK 11, to non-complying (as sought in Hastings District Council's original submission) under TANK 12 is appropriate. Discretionary status for activities not complying with TANK 9 appropriately impalements the PC9 objectives and policies, and ensures all adverse effects will be considered. Prohibited activity status is not supported.
	120.62	Proposed TANK Plan Change 9	Support	Amend provision substantially in the manner requested by the submitter	Aligns with Hastings District submission that existing bores whether efficient or not should not be adversely affected or mitigation offered

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	120.68	Water quantity	Support in Part	Do not amend the plan in the manner requested by the submitter(s)	Support the intent of the submission, subject to the actual levels set being appropriate to balance all relevant interests, including cultural, community and economic interests.
	120.7	Water quantity	Neutral	Do not amend the plan in the manner requested by the submitter(s)	Hastings District Council's understanding is that there is no current 'mining' of groundwater within the Aquifer, so the relief is not required if that is the case.
	120.74	Water Take and Use	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Prohibited Activity Status is inappropriate given the staged approach to setting allocation limits and the imprecise nature of the resource, limited consent duration and potential to remedy effects. Hastings District Council supports the stepped approach in PC9 for groundwater takes, from restricted discretionary under TANK 9, to discretionary under TANK 11, to non-complying (as sought in Hastings District Council's original submission) under TANK 12 where standards and terms cannot be satisfied, as this puts in place a high threshold for the grant of consent where the activity's consistency with objectives and policies, and its adverse effects on the environment, are required to be closely scrutinised.
	120.75	Flow maintenance	Oppose in Part Support in Part	Do not amend the plan in the manner requested by the submitter(s)	Hastings District Council considers stream flow maintenance and enhancement policies and schemes, and the ability to transfer permits, are important elements of the overall outcome sought for the TANK catchments and should be retained. There may be amendments to the provisions around these to better address the submitter's concerns. Subject to seeing the specific wording proposed, Hastings District Council supports Farm Environment Plans being required to address the effects of stream depletion and riparian habitat enhancement.
	120.8	Water quantity	Support in Part Oppose in Part	Do not amend the plan in the manner requested by the submitter(s)	Hastings District Council supports the inclusion of provisions in PC9 that will result in the reduction of abstraction and allocation of surface waters over time, but opposes the numerical limits suggested, pending the staged process for setting allocation limits proposed in PC9.
Owen Jerry Hāpuku	222.5	Water Take and Use	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Non-complying activity status is too high a bar for the scale of what might be proposed in any one case judging by the Twyford example. Restricted Discretionary status allows for environmental effects to be properly assessed and mitigated as required, or if necessary declined if they cannot be adequately mitigated.

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Patricia D Nuku	115.4	OBJ TANK 14	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The relief is not specific enough for potential effects on people and communities to be assessed.
	115.5	OBJ TANK 11	Oppose in Part	Do not amend the plan in the manner requested by the submitter(s)	Hastings District Council supports the minimum flow levels being set such that the costs and adverse effects are outweighed by the benefits of the required level. Hastings District Council currently considers the levels identified in PC9 reflect an appropriate balance and provide appropriately for indigenous fish habitat at low flows at this point in time.
	115.8	Water quantity	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Hastings District Council opposes proportional claw backs of all existing consents, noting that this does not necessarily achieve the objective, nor does it necessarily reflect the comparative efficiency of the use of the water or the importance of the water to community, social or cultural outcomes etc.
Paul Ham Alpha Domus	48.12	POL TANK 39	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	48.18	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below)	Support	Amend provision substantially in the manner requested by the submitter	Hastings District Council supports amendment of the Plan as intended, to enable replacement bores to be constructed in SPZs where existing bores are of poor condition and are to be decommissioned in a manner such that the overall activity reduces risk to human drinking water sources
	48.7	Protection of Source Water	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Policies 6, 7 and 9 and the requirement to assess actual or potential effects of activities in SPZs is appropriate for resource consent considerations. Farm Environment Plans, Catchment Collectives and Industry Programmes relate to Permitted Activity rules and separate consideration is required under TANK rules for activities requiring consent and / or undertaken without such plans.

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Paul Paynter Johnny Appleseed Holdings Ltd	217.41	POL TANK 37	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	217.42	POL TANK 38	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	217.45	POL TANK 37	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	217.46	Flow maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	217.47	Flow Maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	217.48	Schedule 36: Heretaunga Plains Stream Flow Maintenance And Habitat	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.

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Peter Dooney Dooney Partnership	215.42	POL TANK 37	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	215.43	POL TANK 38	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	215.46	POL TANK 37	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	215.47	Flow maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	215.48	Flow Maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	215.49	Schedule 36: Heretaunga Plains Stream Flow Maintenance And Habitat	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
Peter Hyslop Strathallan Trust	143.11	POL TANK 39	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
Peter Matich Federated Farmers of New Zealand	195.102	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below underline/strikeout)	Support	Amend provision substantially in the manner requested by the submitter	Hastings District Council supports amendment of the Plan as intended, to enable replacement bores to be constructed in SPZs where existing bores are of poor condition and are to be decommissioned in a manner such that the overall activity reduces risk to human drinking water sources
	195.104	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below underline/strikeout)	Oppose	Do not amend the plan as requested	It is appropriate that information to confirm compliance is provided to the consent authority. Hastings District Council supports retention of the provision as notified and subject to it's original submission.
	195.105	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below underline/strikeout)	Oppose	Do not amend the plan as requested	Hastings District Council supports retention of the provision as notified, this being the method provided for ensuring contaminants do not enter groundwater. In the alternative the provision could be amended to require, for existing feedlots, that evidence is provided as to compliance with clause (a).
	195.107	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below underline/strikeout)	Oppose	Do not amend the plan as requested	It is appropriate that information is provided to confirm Permitted Activity status. Hastings District Council supports retention of the provision as notified.
	195.115	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below underline/strikeout)	Oppose	Do not amend the plan as requested	The existing RRRMP rule requires consent for new sewage systems over unconfined aquifer areas and the SPZ provision as notified gives the same regulatory approach to SPZ areas as to unconfined aquifers. Hastings District Council supports retention of the provision as notified.

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	195.149	Schedule 35: Source Protection for Drinking Water Supplies	Oppose	Do not amend the plan as requested	The Schedule and other provisions relating to SPZ are sufficient to account for matters lists. Hastings District Council seeks to retain the Schedule as notified subject to amendments as sought in Hastings District Council submission.
	195.34	POL TANK 6	Oppose	Retain policy as notified with amendment sought by Hastings District Council in submission 207	Neither support nor oppose. Hastings District submit that the policy should be retained as notified subject to amendment in its original submission. Intent of amendment sought by submitter is unclear and the Hastings District Council submission (207) on this point is preferred.
	195.35	POL TANK 7	Support in Part Oppose In Part	Do not amend the plan in the manner requested by the submitter(s)	Amendment to clause 7(d)(iii) to include consultation with existing water permit holders and discharge consent holders (noting that these will often, but not always, be the same as land owners) is supported. The intent of clause d(iv) is unclear but appears to be relating to the suitability of the abstraction point as a source of human drinking water. This is a matter for consideration by the water supplier under the water regulations (Water Services Act) once enacted. Consideration of impacts of the proposed Source Protection Zone on existing uses are adequately covered under d(i) to (iii). The amendment sought to d)(iv) therefore is opposed.
	195.36	POL TANK 8	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The Amendment sought to policy 8 is not necessary and appears to be seeking expansion of applicability of policy 8 to consideration of adequacy of Farm Plans.
	195.53	POL TANK 29	Oppose	Do not amend the Plan as requested by the submitter	Source control is required on all stormwater discharges, not just those into public networks.
	195.64	POL TANK 42	Oppose	Do not amend the plan in the manner requested by the submitter(s)	This timeframe is too short, particularly given the need to understand the influence of different initiatives as part of undertaking such a review.
	195.71	POL TANK 50	Oppose	Do not amend the plan in the manner requested by the submitter(s)	It is important to take into account the reasonably anticipated growth needs of communities which are required to be facilitated and planned for under the National Policy Statement on Urban Development when allocating water resources.

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	195.87	Water Take and Use	Oppose	Do not amend the plan in the manner requested by the submitter(s)	It is important to take into account the reasonably anticipated growth needs of communities which are required to be facilitated and planned for under the National Policy Statement on Urban Development when allocating water resources.
	195.88	Water Take and Use	Oppose	Do not amend the plan in the manner requested by the submitter(s)	It is important to take into account the reasonably anticipated growth needs of communities which are required to be facilitated and planned for under the National Statement on Urban Development when allocating water resources.
	195.9	Water Take and Use	Support	Amend provision substantially in the manner requested by the submitter	Prohibited Activity Status is inappropriate given the staged approach to setting allocation limits and the imprecise nature of the resource, limited consent duration and potential to remedy effects. Hastings District Council supports the stepped approach in PC9 for groundwater takes, from restricted discretionary under TANK 9, to discretionary under TANK 11, to non-complying (as sought in Hastings District Council's original submission) under TANK 12 where standards and terms cannot be satisfied, as this puts in place a high threshold for the grant of consent where the activity's consistency with objectives and policies, and its adverse effects on the environment, are required to be closely scrutinised.
Peter Robertson Brookfields Vineyards/Ohiti Estate	199.12	POL TANK 39	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	199.18	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below <u>underline/strikeou</u>)	Support	Amend generally as requested by submitter	Hastings District Council supports amendment of the Plan as intended, to enable replacement bores to be constructed in SPZs where existing bores are of poor condition and are to be decommissioned in a manner such that the overall activity reduces risk to human drinking water sources
	199.7	Protection of Source Water	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Policies 6, 7 and 9 and the requirement to assess actual or potential effects of activities in SPZs is appropriate for resource consent considerations. Farm Environment Plans, Catchment Collectives and Industry Programmes relate to Permitted Activity rules and separate consideration is required under TANK rules for activities requiring consent and / or undertaken without such plans.

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Peter Scott Kereru Road Vineyard	87.12	POL TANK 39	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	87.17	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below <u>underline/strikeou</u>	Support	Amend provision substantially in the manner requested by the submitter	Hastings District Council supports amendment of the Plan as intended, to enable replacement bores to be constructed in SPZs where existing bores are of poor condition and are to be decommissioned in a manner such that the overall activity reduces risk to human drinking water sources
	87.7	Protection of Source Water	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Policies 6, 7 and 9 and the requirement to assess actual or potential effects of activities in SPZs is appropriate for resource consent considerations. Farm Environment Plans, Catchment Collectives and Industry Programmes relate to Permitted Activity rules and separate consideration is required under TANK rules for activities requiring consent and / or undertaken without such plans.
Peter Scott The Wine Portfolio	213.12	POL TANK 39	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	213.7	Protection of Source Water	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Policies 6, 7 and 9 and the requirement to assess actual or potential effects of activities in SPZs is appropriate for resource consent considerations. Farm Environment Plans, Catchment Collectives and Industry Programmes relate to Permitted Activity rules and separate consideration is required under TANK rules for activities requiring consent and / or undertaken without such plans.
	86.42	POL TANK 37	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
	86.43	POL TANK 38	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	86.46	POL TANK 37	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	86.47	Flow maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	86.48	Flow Maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	86.49	Schedule 36: Heretaunga Plains Stream Flow Maintenance And Habitat	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
Peter Wilson Hawkes Bay Fish and Game Council	58.23	Heretaunga Plains Aquifer Management	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Hastings District Council acknowledges the desirability of limiting groundwater allocation, however in terms of setting the level of allocation, Hastings District Council generally supports the approach in PC9, as sought to be amended by Hastings District Council's submission, of setting an interim target allocation and setting a final limit over time taking into account a range of factors.

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	58.25	POL TANK 42	Oppose	Do not amend the plan in the manner requested by the submitter(s)	A informed decision on what constitutes over allocation involves a choice based on science and values. This policy provides for a review of the interim allocation limit based on both as well potential community impacts and is an important part of the staged approach taken in Plan Change 9.
	58.32	6.10.2 Water	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The relief sought is unnecessarily limiting. Damming of rivers and streams may provide benefits with less than minor effects with only intermittent flow interruptions
	58.4	OBJ TANK 2	Oppose	Do not amend the plan in the manner requested by the submitter(s)	It is inappropriate to elevate introduced recreational fishery above other community values in an objective focussed on intrinsic natural values and the relationship of people and communities to those values,
	58.5	OBJ TANK 3	Oppose	Do not amend the plan in the manner requested by the submitter(s)	It is inappropriate to consider the climate change impacts on recreational fishery values alongside indigenous biodiversity and the essential health and economic wellbeing needs of people and communities.
	58.8	OBJ TANK 10	Oppose	Do not amend the plan in the manner requested by the submitter(s)	It is inappropriate to consider recreational fishery values in the Ahuriri Catchment alongside indigenous flora and fauna value. Recreational values are provide for in f)
Rebecca Blunden T&G Global Limited and ENZIL	192.2	Priority Management Approach	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Supporting the existing and future growth community including for housing and business is required by the National Policy Statement on Urban Development and available water must be prioritised for these needs over individual commercial growth aspirations.
	192.3	OBJ TANK 17	Support	Amend provision substantially in the manner requested by the submitter	While PC9 provides for a Maori high flow reservation, the unreserved portion potentially contributes to the wider Hawke's Bay community's wellbeing as well.
	192.7	POL TANK 36	Support in part	Amend provision as requested by Hastings District Council in its submission.	The submission is in line with the submission of Hastings District Council in that it seeks the ability for the Plan to consider the reallocation of consented but un-used water for uncompleted investments (refer relief sought by Hastings District Council in regard to Policy 37 regarding these suggested circumstances)

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Rengasamy Balasubramaniam Delekat Limited	8.3	OBJ TANK 17	Support	Amend provision substantially in the manner requested by the submitter	While PC9 provides for a Maori high flow reservation, the unreserved portion potentially contributes to the wider Hawke's Bay community's wellbeing as well.
	8.31	POL TANK 36	Support in part	Amend provision as requested by Hastings District Council in its submission.	The submission is in line with the submission of Hastings District Council in that it seeks the ability for the Plan to consider the reallocation of consented but un-used water for uncompleted investments (refer relief sought by Hastings District Council in regard to Policy 37 regarding these suggested circumstances)
	8.35	POL TANK 37	Support in part	Amend provision substantially in the manner requested by the submitter	The Plan should not outright prevent 'non-Council' initiated solutions
	8.36	POL TANK 39	Support in part	Amend provision substantially in the manner requested by the submitter	The Plan should not outright prevent 'non-Council' initiated solutions
	8.4	POL TANK 39	Support in part	Amend provision substantially in the manner requested by the submitter	Emphasises the need to be working towards such schemes so that their implementation can be considered as part of the Plan review in 10 years (refer relief sought in relation to Policy 41 in Hastings District Councils submission)
Richard Penreath Ngai Tukairangi Trust	122.42	POL TANK 37	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	122.43	POL TANK 38	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
	122.46	POL TANK 37	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	122.47	Flow maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	122.48	Flow Maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
Richard Penreath	79.42	Schedule 36: Heretaunga Plains Stream Flow Maintenance And Habitat	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	79.42	POL TANK 37	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	79.43	POL TANK 38	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.

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	79.46	POL TANK 37	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	79.47	Flow maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	79.48	Flow Maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	79.49	Schedule 36: Heretaunga Plains Stream Flow Maintenance And Habitat	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
Ritchie Garnham Booster Wine Group	102.12	POL TANK 39	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	102.18	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below	Support	Amend provision substantially in the manner requested by the submitter	Hastings District Council supports amendment of the Plan as intended, to enable replacement bores to be constructed in SPZs where existing bores are of poor condition and are to be decommissioned in a manner such that the overall activity reduces risk to human drinking water sources
	102.7	Protection of Source Water	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Policies 6, 7 and 9 and the requirement to assess actual or potential effects of activities in SPZs is appropriate for resource consent considerations. Farm Environment Plans, Catchment Collectives and Industry Programmes relate to Permitted Activity rules and separate consideration is required under TANK rules for activities requiring consent and / or undertaken without such plans.

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Robin Back Dunvegan Estate	26.12	POL TANK 39	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	26.18	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below)	Support	Amend provision substantially in the manner requested by the submitter	Hastings District Council supports amendment of the Plan as intended, to enable replacement bores to be constructed in SPZs where existing bores are of poor condition and are to be decommissioned in a manner such that the overall activity reduces risk to human drinking water sources
	26.7	Protection of Source Water	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Policies 6, 7 and 9 and the requirement to assess actual or potential effects of activities in SPZs is appropriate for resource consent considerations. Farm Environment Plans, Catchment Collectives and Industry Programmes relate to Permitted Activity rules and separate consideration is required under TANK rules for activities requiring consent and / or undertaken without such plans.
Roger Brownlie	38.42	POL TANK 37	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	38.43	POL TANK 38	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	38.46	POL TANK 37	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
	38.47	Flow maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	38.48	Flow Maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	38.49	Schedule 36: Heretaunga Plains Stream Flow Maintenance And Habitat	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
Ryan Fraser	14.16	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below <u>underline/strikeou</u>	Support	Amend provision substantially in the manner requested by the submitter	Hastings District Council supports amendment of the Plan as intended, to enable replacement bores to be constructed in SPZs where existing bores are of poor condition and are to be decommissioned in a manner such that the overall activity reduces risk to human drinking water sources
	14.8	POL TANK 39	Support in part	Amend provisions relating to flow maintenance in the manner requested by the he submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
Scott Lawson Hawkes Bay Vegetable Growers Association	214.42	POL TANK 37	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.

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	214.43	POL TANK 38	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
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	214.47	Flow maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
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	214.49	Schedule 36: Heretaunga Plains Stream Flow Maintenance And Habitat	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
Scott Lawson	105.42	POL TANK 37	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.

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	105.43	POL TANK 38	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	105.46	POL TANK 37	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	105.47	Flow maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	105.48	Flow Maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	105.49	Schedule 36: Heretaunga Plains Stream Flow Maintenance And Habitat	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
Steve Gillum Gillum Springfield Trust	220.42	POL TANK 37	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
	220.43	POL TANK 38	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	220.46	POL TANK 37	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	220.47	Flow maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	220.48	Flow Maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	220.49	Schedule 36: Heretaunga Plains Stream Flow Maintenance And Habitat	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
Stewart Horn Berrilea Orchards Ltd, Waitohi Trust and SP&GC Horn	186.42	POL TANK 37	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
	186.43	POL TANK 38	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	186.46	POL TANK 37	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	186.47	Flow maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	186.48	Flow Maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	186.49	Schedule 36: Heretaunga Plains Stream Flow Maintenance And Habitat	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
Tania Eden Te Taiwhenua o Te Whanganui a Orotu	127.22	6.10.3 Stormwater	Oppose	Do not amend the plan in the manner requested by the submitter	Hastings District Council supports the intent of Plan Change 9 which is to provide a timeframe for improvements where water quality is degraded by stormwater quality. It seeks to ensure that the water quality standards and timeframes that are applied are appropriate for assessing the effects of the stormwater discharges and receiving environment, which is not necessarily the case with the Schedule 26 and 27 Objectives. Hastings District Council seeks the retention of the rules as notified.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
	127.6	Catchment Objectives	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Hastings District Council acknowledges the desirability of limiting groundwater allocation, however in terms of setting the level of allocation, Hastings District Council generally supports the approach in PC9, as sought to be amended by Hastings District Council's submission, of setting an interim target allocation and setting a final limit over time taking into account a range of factors.
	127.8	Water quantity	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Hastings District Council acknowledges the desirability of limiting groundwater allocation, however in terms of setting the level of allocation, Hastings District Council generally supports the approach in PC9, as sought to be amended by Hastings District Council's submission, of setting an interim target allocation and setting a final limit over time taking into account a range of factors.
Te Kaha Hawaikirangi	240.13	6.10.3 Stormwater	Oppose	do not amend as requested by submitter	The consent authority should not be constrained in determining term. Stormwater consents issued under TANK21 being for publicly owned infrastructure should be able to be issued for longer durations
	240.8	Water quantity	Support in Part Oppose in Part	Do not amend the plan in the manner requested by the submitter(s)	Hastings District Council supports the inclusion of provisions in PC9 that will result in the reduction of abstraction and allocation of surface waters over time, but opposes the numerical limits suggested, pending the staged process for setting allocation limits proposed in PC9.
Tom Belford Peter Beaven & Tom Belford	46.12	Water quantity	Oppose	Do not amend the plan in the manner requested by the submitter(s)	While the sentiment is supported the potential effects on people and communities of different measures need to be assessed, however a range of water conservation and efficiency measures continue to be investigated and implemented where the benefits for the environment are in proportion to costs involved and ability of the community (including vulnerable groups) to pay.
	46.13	Water quantity	Oppose	Do not amend the plan in the manner requested by the submitter(s)	While the sentiment is supported the potential effects on people and communities of different measures need to be assessed, however a range of water conservation and efficiency measures continue to be investigated and implemented where the benefits for the environment are in proportion to costs involved and ability of the community (including vulnerable groups) to pay.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
Tom Kay Royal Forest and Bird Protection Society of New Zealand (Forest & Bird)	210.102	6.10.3 Stormwater	Oppose	Do not amend as requested by submitter	Controlled Activity status is appropriate for urban infrastructure which councils are obligated to provide under other statute.
	210.103	6.10.3 Stormwater	Oppose	Do not amend as requested by submitter	Hastings District Council supports the intent of Plan Change 9 which is to provide a timeframe for improvements where water quality is degraded by stormwater quality. It seeks to ensure that the water quality standards and timeframes that are applied are appropriate for assessing the effects of the stormwater discharges and receiving environment, which is not necessarily the case with the Schedule 26 and 27 Objectives. Hastings District Council seeks the retention of the rules as notified.
	210.107	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below underline/strikeout)	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Reducing stream flow depletion to achieve meaningful environmental gains would likely have major implications for the economic and social wellbeing of the community out of proportion to the environmental benefits that would likely be achieved. Environmental flow augmentation should at least be investigated first and transfers enabled to facilitate schemes that produce benefits for the environment while maintaining community economic wellbeing.
	210.13	5.10.7 Policies: Surface Water Low Flow Management	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Reducing stream flow depletion to meaningful environmental gains would likely have major implications for the social and economic wellbeing of the community out of proportion to the environmental benefits that would likely be achieved. The environmental flow mitigation measures included in PC9 should be investigated first.
	210.142	Schedule 31: Flows, Levels and Allocation Limits	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The Hastings District Council is concerned that the potential effects on the social and economic wellbeing of the community relative to the environmental benefits that might be achieved are unclear and uncertain, but could be significant.
	210.144	Schedule 31: Flows, Levels and Allocation Limits	Support in Part	Do not amend the plan in the manner requested by the submitter(s)	Support the intent of the submission, subject to the actual levels set being appropriate to balance all relevant interests, including cultural, community and economic interests.
	210.147	Schedule 32: High Flow Allocation	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The measures listed may have a significant impact on storage volumes able to be achieved relative to degree of environmental protection they anticipate. The High Flow allocation regime needs to provide flexibility to harvest the maximum volume within prudent environmental limits in order to support the existing and future social and economic wellbeing of the community.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
	210.148	Schedule 36: Heretaunga Plains Stream Flow Maintenance And Habitat	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Reducing stream flow depletion to achieve meaningful environmental gains would likely have major implications for the social and economic wellbeing of the community out of proportion to the environmental benefits that would likely be achieved. Environmental flow augmentation should at least be investigated first.
	210.16	5.10.7 Policies: Surface Water Low Flow Management	Oppose in Part	Do not amend the plan in the manner requested by the submitter(s)	Hastings District Council supports the minimum flow levels being set such that the costs and adverse effects are outweighed by the benefits of the required level. Hastings District Council currently considers the levels identified in PC9 reflect an appropriate balance and provide appropriately for indigenous fish habitat at low flows at this point in time.
	210.3	5.10.1 TANK Objectives	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The replacement objectives sought do not provide recognition of the needs of people and communities to provide for their wider economic social and cultural (other than Maori) wellbeing.
	210.49	Urban Infrastructure	Oppose	Do not amend the plan in the manner requested by the submitter(s)	It is unclear what amendment the submitter is seeking. Policy 28 on Urban Infrastructure details a suite of requirements which will ensure best practice infrastructure for urban areas and that effects of that infrastructure on the environment are mitigated.
	210.51	POL TANK 30	Oppose	Do not amend the Plan as requested by the submitter	Hastings District Council supports the intent of policy 30 which is to provide a timeframe for improvements where water quality is degraded by stormwater quality. It seeks to ensure that the water quality standards and timeframes that are applied are appropriate for assessing the effects of the stormwater discharges and receiving environment, which is not necessarily the case with the Schedule 26 and 27 Objectives. Hastings District Council seeks the retention of the policy as notified subject to amendments sought in its submission (No 207).
	210.52	POL TANK 31	Support	Amend in part	The Hastings District Council supports amending the policy to clarify that the policy will assist in achieve the freshwater quality objectives. Retain clause g) as notified
	210.57	Heretaunga Plains Aquifer Management	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The relief sought would potentially have major implications for the social and economic wellbeing of the community out of proportion to the environmental benefits that would likely be achieved. The environmental flow mitigation measures included in PC9 should be investigated first.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
	210.6	POL TANK 39	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Reducing stream flow depletion to achieve meaningful environmental gains would likely have major implications for the social and economic wellbeing of the community out of proportion to the environmental benefits that would likely be achieved. The environmental flow mitigation measures included in PC9 should be investigated first.
	210.61	POL TANK 40	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Reducing stream flow depletion to meaningful environmental gains would likely have major implications for the social and economic wellbeing of the community out of proportion to the environmental benefits that would likely be achieved. The environmental flow mitigation measures included in PC9 should be investigated first.
	210.62	POL TANK 41	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Reducing stream flow depletion to meaningful environmental gains would likely have major implications for the social and economic wellbeing of the community out of proportion to the environmental benefits that would likely be achieved. The environmental flow mitigation measures included in PC9 should be investigated first.
	210.63	POL TANK 42	Oppose	Do not amend the plan in the manner requested by the submitter(s)	A informed decision on what constitutes over allocation involves a choice based on science and values. This policy provides for a review of the interim allocation limit. Policy 52 deals with over-allocation
	210.64	POL TANK 43	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The potential effects on the economic and social wellbeing of the community are uncertain relative to the environmental benefits if the amendments to schedule 31 are accepted.
	210.69	POL TANK 48	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The Hastings District Council is concerned that the potential effects on the social and economic wellbeing of the community relative to the environmental benefits that might be achieved are unclear and uncertain,
	210.75	POL TANK 54	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The relief sought is unnecessarily limiting. Damming of minor tributaries may provide benefits with less than minor effects. Proposals should be robustly tested through the resource consent process.

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	210.77	POL TANK 56	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The policy is necessary to provide for stored water replenished through winter flows to offset the effects of abstraction as appropriate to support community economic wellbeing and potentially to provide for growth and development. It is good practice to take into account positive effects as well as adverse effects in assessing applications.
	210.88	Water Take and Use	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The Hastings District Council is concerned that the potential effects on the social and economic wellbeing of the community relative to the environmental benefits that might be achieved are unclear and uncertain.
	210.9	Water Take and Use	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The Hastings District Council is concerned that the potential effects on the social and economic wellbeing of the community relative to the environmental benefits that might be achieved are unclear and uncertain.
	210.91	Water Take and Use	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The Hastings District Council is concerned that the potential effects on the social and economic wellbeing of the community relative to the environmental benefits that might be achieved are unclear and uncertain.
	210.92	Water Take and Use	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The Hastings District Council is concerned that the potential effects on the social and economic wellbeing of the community relative to the environmental benefits that might be achieved are unclear and uncertain.
	210.94	Water Take and Use	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The Hastings District Council is concerned that the potential effects on the social and economic wellbeing of the community relative to the environmental benefits that might be achieved are unclear and uncertain.
	210.95	Damming and Storage	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Non-complying activity status is too high a bar for the scale of what might be proposed in any one case. Discretionary status allows for public notification and for environmental effects to be properly assessed and mitigated as required, or if necessary declined if they cannot be adequately mitigated.
	210.97	Damming and Storage	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Prohibited Activity Status is too high a bar usually reserved for activities with almost certain adverse effects that cannot be remedied or unacceptable risk. Non-complying activity status is a high bar requiring no more than minor effects including cumulative effects.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
	210.98	Damming and Storage	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The relief sought is unnecessarily limiting. Damming of minor tributaries may provide benefits with less than minor effects with only intermittent flow interruptions
	210.99	Flow Maintenance	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Reducing stream flow depletion to achieve meaningful environmental gains would likely have major implications for the social and economic wellbeing of the community out of proportion to the environmental benefits that would likely be achieved. The environmental flow mitigation measures included in PC9 should be investigated first.
Tony Smith Babich Wines	81.12	POL TANK 39	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	81.18	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below underline/strikeou	Support	Amend provision substantially in the manner requested by the submitter	Hastings District Council supports amendment of the Plan as intended, to enable replacement bores to be constructed in SPZs where existing bores are of poor condition and are to be decommissioned in a manner such that the overall activity reduces risk to human drinking water sources
	81.7	Protection of Source Water	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Policies 6, 7 and 9 and the requirement to assess actual or potential effects of activities in SPZs is appropriate for resource consent considerations. Farm Environment Plans, Catchment Collectives and Industry Programmes relate to Permitted Activity rules and separate consideration is required under TANK rules for activities requiring consent and / or undertaken without such plans.
Trevor Robinson Lowe Corporation Limited	82.13	POL TANK 39	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
	82.14	POL TANK 39	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	82.3	POL TANK 50	Support in part	Amend provision substantially in the manner requested by the submitter, but recognising a lower priority in relation to municipal and community uses.	The alternative is supported from the perspective of the economic wellbeing of the community, but future demand must be a lower priority to Municipal and other community use and an equal or even lower priority to primary production from the Heretaunga Plains soil resource.
Waiariki Davis Waipatu Marae	206.4	5.10.6 Policies: Heretaunga Plains Groundwater Levels and Allocation Limits	Oppose	Do not amend the plan in the manner requested by the submitter(s)	While improvement is sought restoration will likely have potentially significant effects on the social and economic wellbeing of the community that are uncertain relative to the environmental benefits.
	206.5	5.10.6 Policies: Heretaunga Plains Groundwater Levels and Allocation Limits	Oppose	Do not amend the plan in the manner requested by the submitter(s)	While improvement may be desirable, restoration will likely have potentially significant effects on the social and economic wellbeing of the community that are uncertain relative to the environmental benefits.
	209.2	Water quantity	Oppose	Do not amend the plan in the manner requested by the submitter(s)	While improvement is sought restoration will likely have potentially significant effects on the social and economic wellbeing of the community that are uncertain relative to the environmental benefits.
	209.3	Water quantity	Oppose	Do not amend the plan in the manner requested by the submitter(s)	While improvement may be desirable, restoration will likely have potentially significant effects on the social and economic wellbeing of the community that are uncertain relative to the environmental benefits.
	209.4	Water quantity	Oppose	Do not amend the plan in the manner requested by the submitter(s)	The relief is not specific enough for potential effects on people and communities to be assessed.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
Willem Kupa Patoka Trust	134.5	POL TANK 37	Support in part	Amend provisions as requested by Hastings District Council in its submission.	Submission is in line with the relief sought in Hastings District Councils submission in relation to the 90Mm3 limit being a target
Wim	179.12	POL TANK 39	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	179.18	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below underline/strikeou	Support	Amend provision substantially in the manner requested by the submitter	Hastings District Council supports amendment of the Plan as intended, to enable replacement bores to be constructed in SPZs where existing bores are of poor condition and are to be decommissioned in a manner such that the overall activity reduces risk to human drinking water sources
	179.7	Protection of Source Water	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Policies 6, 7 and 9 and the requirement to assess actual or potential effects of activities in SPZs is appropriate for resource consent considerations. Farm Environment Plans, Catchment Collectives and Industry Programmes relate to Permitted Activity rules and separate consideration is required under TANK rules for activities requiring consent and / or undertaken without such plans.
WT Scott	221.42	POL TANK 37	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
	221.43	POL TANK 38	Support in Part	Amend provision substantially in the manner requested by the submitter but reflect the needs of higher priority uses and the interim nature of allocations as described in the reasons for the decision requested by Hastings District Council.	Any water that may become available within the interim ground water limit or target should be made available for priority use, including stream flow maintenance and enhancement (environmental), reserved for the reasonable future community needs, a provisioning allowance for industrial processing needs with any residual water for primary production being made available on an interim basis until the review of the allocation limit envisaged by policy 42 has been undertaken.
	221.47	Flow maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	221.48	Flow Maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	221.49	Schedule 36: Heretaunga Plains Stream Flow Maintenance And Habitat	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
Xan Harding Hawke's Bay Winegrowers' Association Inc.	29.1	Protection of Source Water	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Policies 6, 7 and 9 and the requirement to assess actual or potential effects of activities in SPZs is appropriate for resource consent considerations. Farm Environment Plans, Catchment Collectives and Industry Programmes relate to Permitted Activity rules and separate consideration is required under TANK rules for activities requiring consent and / or undertaken without such plans.
	29.19	Heretaunga Plains Aquifer Management	Support	Amend provision substantially in the manner requested by the submitter	The relief sought represents an important point of clarification as to the intent of the interim limit (or target) as a staged approach and is consistent with Hastings District's submission.

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
	29.21	Heretaunga Plains Aquifer Management	Support	Amend provision substantially in the manner requested by the submitter	The relief sought represents an important point of clarification and is consistent with Hastings District's submission.
	29.22	Heretaunga Plains Aquifer Management	Support	Amend provision substantially in the manner requested by the submitter	The relief sought represents an important point of clarification and is consistent with Hastings District's submission.
	29.24	Heretaunga Plains Aquifer Management	Support	Amend provision substantially in the manner requested by the submitter	The relief sought represents an important point of clarification and is consistent with Hastings District's submission.
	29.25	Flow maintenance	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	29.26	Flow maintenance	Support	Amend provision substantially in the manner requested by the submitter	The relief sought represents a necessary clarification of the intent of the augmentation.
	29.34	Over-Allocation	Support	Amend provision substantially in the manner requested by the submitter	This is an important matter that requires clarification
	29.39	Protection of Source Water	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Policies 6, 7 and 9 and the requirement to assess actual or potential effects of activities in SPZs is appropriate for resource consent considerations. Farm Environment Plans, Catchment Collectives and Industry Programmes relate to Permitted Activity rules and separate consideration is required under TANK rules for activities requiring consent and / or undertaken without such plans.
	29.42	OBJ TANK 11	Support	Amend provision substantially in the manner requested by the submitter	The relief sought recognises an important alternative source for water augmentation may be available

Original Submitter First Name	Original Submission Point Number	Plan Section	Hastings District Council Position on Original Submission	Decision Sought by Hastings District Council	Reason for Decision Requested
	25.12	POL TANK 39	Support	Amend provision substantially in the manner requested by the submitter	A coordinated response to the wider community values at stake from both an environmental and economic perspective dictates a coordinated public approach. A private sector investment model is unlikely to produce a comprehensive plan that reflects the interconnected nature of the resource or reflect the wider community values and benefits.
	25.18	Chapter 6.9 Amendments to Regional Resource Management Plan Rules (see below <u>underline/strikeou</u>)	Support	Amend provision substantially in the manner requested by the submitter	Hastings District Council supports amendment of the Plan as intended, to enable replacement bores to be constructed in SPZs where existing bores are of poor condition and are to be decommissioned in a manner such that the overall activity reduces risk to human drinking water sources
	25.7	Protection of Source Water	Oppose	Do not amend the plan in the manner requested by the submitter(s)	Policies 6, 7 and 9 and the requirement to assess actual or potential effects of activities in SPZs is appropriate for resource consent considerations. Farm Environment Plans, Catchment Collectives and Industry Programmes relate to Permitted Activity rules and separate consideration is required under TANK rules for activities requiring consent and / or undertaken without such plans.



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7 December 2020

TO: Hawke's Bay Regional Council
By email: TANK@hbrc.govt.nz

FROM: Royal Forest and Bird Protection Society of New Zealand Incorporated
Attn: Tom Kay
PO Box 631
Wellington
6011

Contact: t.kay@forestandbird.org.nz or 022 183 2729

Further submission on Proposed Plan Change 9 (TANK) to the Hawke's Bay Regional Resource Management Plan

1. Forest & Bird represents a relevant aspect of the public interest and has an interest greater than the public generally. Forest & Bird is a New Zealand non-governmental conservation organisation representing its members and supporters, and made a submission on proposed PC7 to the Hawke's Bay Regional Resource Management Plan.
2. Forest and Bird could not gain an advantage in trade competition through this submission.
3. Forest & Bird wishes to be heard in support of this submission, and would be prepared to consider presenting this submission in a joint case with others making a similar submission at any hearing.

Introduction

4. Forest & Bird is concerned that some of the decisions sought to the Regional Resource Management Plan would result in loss of indigenous biodiversity and are inconsistent with the direction provided by the RMA, NZCPS, RPS, regional plan (including the Outstanding Water Bodies plan change – PC7), and NPS-FM (2020). We oppose the amendments sought by these submissions.
5. Forest & Bird also supports a number of submissions which seek to amend the plan to protect, maintain, improve, and restore freshwater quality and indigenous biodiversity in the region.
6. Our further submissions are set out in the Table 1 below.

Table 1: Forest & Bird supports or opposes the following submissions or parts of submissions as set out below.

Submitter ID	Submitter name	Submitter address for service	Particular parts of submission	Support/oppose	Reason for support/opposition	Decision sought
1	Ben Goodwin	bgoo022@gmail.com	All	Oppose	The point raised by the submitter is interesting and worthy of consideration. However, care needs to be taken to ensure that farm activities can be managed to ensure the relevant targets for each catchment can be achieved, and to ensure the directions of the NPS Freshwater Management (2020), NZ Coastal Policy Statement, RMA (1991), RPS and regional plan (including the Outstanding Water Bodies plan change – PC7) are implemented. While the amendments sought might be suitable where overlap is small, there is a risk for waterbodies where farms have a large overlap between catchments. We are opposed to this amendment sought without clearer direction as to how catchment objectives will be met or how farms with large overlaps will be dealt with.	Reject
3	Gavin Yort	gnoni@squakingmagpie.co.nz	Submission point 3.9	Oppose	Setting the groundwater allocations based on existing use is grandparenting of over-allocation and is not consistent with the direction in the RMA, NZCPS, RPS, regional plan (including the Outstanding Water Bodies plan change – PC7), and NPS-FM (2020). Particularly the NPS-FM direction, including the overarching concept of Te Mana o te Wai and Policy 11: “Freshwater is allocated and used efficiently, all existing over-allocation is phased out, and future over-allocation is avoided.”	Reject
31	Bernie Kelly	berniekelly47@gmail.com	All	Support	Submission seeks amendments consistent with direction in the RMA, NZCPS, RPS, regional plan (including the Outstanding Water Bodies plan change – PC7), and particularly the NPS-FM (2020). Particularly the submission point 31.4 to include damming restrictions in the plan for all tributaries to the Ngaruroro, Taruarau, Omahaki, Tutaekuri, Mangone, and Mangatutu rivers as any halt to flow would have undesirable effects downstream to these important rivers. We also support recognition of the potential WCO for the Ngaruroro River.	Accept
36	Karen Morrish	Karen.morrish@mrapple.com	All	Oppose	Submission seeks amendments inconsistent with direction in the RMA, NZCPS, RPS, regional plan (including the Outstanding Water Bodies plan change – PC7), and NPS-FM (2020).	Reject
47	John Bostock	johnb@bostock.nz	All	Oppose	Submission seeks amendments inconsistent with direction in the RMA, NZCPS, RPS, regional plan (including the Outstanding Water Bodies plan change – PC7), and the NPS-FM (2020). Suggesting that we cannot have a plan change until we have the results of the 3D aquifer mapping project is not consistent with national direction, the accepted	Reject

					process of creating plans based on the science available at the time, and a precautionary approach to resource management and environmental protection.	
51	Ivan Knauf, Wairua Dairies Ltd	ivan@wairuadairies.co.nz	All	Oppose	Submission seeks amendments inconsistent with direction in the RMA, NZCPS, RPS, regional plan (including the Outstanding Water Bodies plan change – PC7), and the NPS-FM (2020).	Reject
54	Mark Apatu	mark@apatugroup.com	All	Oppose	Submission seeks amendments inconsistent with direction in the RMA, NZCPS, RPS, regional plan (including the Outstanding Water Bodies plan change – PC7), and the NPS-FM (2020).	Reject
58	Peter Wilson	pwilson@fishandgame.org.nz	Submission points: 58.6 58.9 58.10 58.11 58.12 58.13 58.14 58.15 58.18 58.19 58.20 58.22 58.25 58.26 58.27 58.28 58.29 58.31 58.32 58.33 58.34 58.35 58.36 58.37 58.38 58.39	Support	Submission points seek amendments consistent with direction in the RMA, NZCPS, RPS, regional plan, and the NPS-FM (2020).	Accept

			58.40			
66	Ngaruroro Irrigation Society Incorporated	tony@swims.co.nz mike@glazebrooks.co.nz	All	Oppose	Submission seeks amendments inconsistent with direction in the RMA, NZCPS, RPS, regional plan (including the Outstanding Water Bodies plan change – PC7), and the NPS-FM (2020).	Reject
99	Jerf van Beek	Jerfvanbeek@gmail.com	All	Oppose	Submission seeks amendments inconsistent with direction in the RMA, NZCPS, RPS, regional plan (including the Outstanding Water Bodies plan change – PC7), and the NPS-FM (2020).	Reject
111	Lisa Tuhi	lisagtuhi@gmail.com	All	Support	Submission points seek important clarification of how Council intends to implement concepts that relate to NPS direction on Te Mana o te Wai.	Accept
120	Ngati Kahungunu Iwi Incorporated	tank@kahungunu.iwi.nz	All	Support	Submission seeks amendments consistent with direction in the RMA, NZCPS, RPS, regional plan (including the Outstanding Water Bodies plan change – PC7), and the NPS-FM (2020).	Accept
123	Jenny Nelson-Smith	jnsmith@doc.govt.nz mgraham@doc.govt.nz	All	Support	Submission seeks amendments consistent with direction in the RMA, NZCPS, RPS, regional plan (including the Outstanding Water Bodies plan change – PC7), and the NPS-FM (2020). In particular we support the request by the submitter that HBRC withdraws PC9, gives effect to the NPSFM 2020 and renotifies the plan change in amended form; or HBRC prepares and notifies a variation of PC9 to implement the NPSFM 2020; or some other action or actions to ensure that the NPSFM 2020 is given effect to as required, and which provides an efficient and fair process for the community (including submitters on PC9).	Accept
142	Bill Glazebrook	bighill@farmside.co.nz	All	Oppose	Submission seeks amendments inconsistent with direction in the RMA, NZCPS, RPS, regional plan (including the Outstanding Water Bodies plan change – PC7), and the NPS-FM (2020).	Reject
180	Charlotte Drury	Charlotte.Drury@hortnz.co.nz	All	Oppose	Submission seeks amendments inconsistent with direction in the RMA, NZCPS, RPS, regional plan (including the Outstanding Water Bodies plan change – PC7), and the NPS-FM (2020).	Reject
192	T&G Global Limited and ENZIL	rebecca.blunden@tandg.global	All	Oppose	Submission seeks amendments inconsistent with direction in the RMA, NZCPS, RPS, regional plan (including the Outstanding Water Bodies plan change – PC7), and the NPS-FM (2020).	Reject
193	Heinz Wattie's Limited	bruce.mackay@kraftheinz.com	All	Oppose	Submission seeks amendments inconsistent with direction in the RMA, NZCPS, RPS, regional plan (including the Outstanding Water Bodies plan change – PC7), and the NPS-FM (2020).	Reject
195	Federated	pmatich@fedfar	All	Oppose	Submission seeks amendments inconsistent with direction in the RMA, NZCPS,	Reject

	Farmers	m.org.nz			RPS, regional plan (including the Outstanding Water Bodies plan change – PC7), and the NPS-FM (2020).	
197	Beef & Lamb	Lilly.Lawson@beeflambnz.com	All	Oppose	Submission seeks amendments inconsistent with direction in the RMA, NZCPS, RPS, regional plan (including the Outstanding Water Bodies plan change – PC7), and the NPS-FM (2020).	Reject
198	Environmental Defence Society	cordelia@eds.org.nz	All	Support	Submission seeks amendments consistent with direction in the RMA, NZCPS, RPS, regional plan (including the Outstanding Water Bodies plan change – PC7), and the NPS-FM (2020).	Accept
212	Omahu School	principal@omahu.school.nz	All	Support	Submission seeks amendments consistent with direction in the RMA, NZCPS, RPS, regional plan (including the Outstanding Water Bodies plan change – PC7), and the NPS-FM (2020).	Accept
214	Hawke's Bay Vegetable Grower's Association	scott@trueearth.co.nz	All	Oppose	Submission seeks amendments inconsistent with direction in the RMA, NZCPS, RPS, regional plan (including the Outstanding Water Bodies plan change – PC7), and the NPS-FM (2020).	Reject
216	NZ Apples and Pears	pip@applesandpears.nz	All	Oppose	Submission seeks amendments inconsistent with direction in the RMA, NZCPS, RPS, regional plan (including the Outstanding Water Bodies plan change – PC7), and the NPS-FM (2020).	Reject
217	Johnny Appleseed Holdings Ltd	Paul.Paynter@yummyfruit.co.nz	All	Oppose	Submission seeks amendments inconsistent with direction in the RMA, NZCPS, RPS, regional plan (including the Outstanding Water Bodies plan change – PC7), and the NPS-FM (2020).	Reject
233	Hawke's Bay District Health Board (HBDHB)	nicholas.jones@hbdhb.govt.nz	All	Support	Submission seeks amendments consistent with direction in the RMA, NZCPS, RPS, regional plan (including the Outstanding Water Bodies plan change – PC7), and the NPS-FM (2020), as well as requires for drinking water in New Zealand and expectations of Taumata Arowai.	Accept
237	Whitewater NZ	president@whitewater.nz	All	Support	Submission seeks amendments consistent with direction in the RMA, NZCPS, RPS, regional plan (including the Outstanding Water Bodies plan change – PC7), and the NPS-FM (2020), as well as requires for drinking water in New Zealand and expectations of Taumata Arowai.	Accept

ENDS

Corporate Services



9 December 2020

Hawke's Bay Regional Council
Private Bag 6006
NAPIER

By email: eTANK@hbrc.govt.nz

Further submission: Proposed Plan Change 9 (TANK)

Thank you for the opportunity to make a further submission on the Proposed Plan Change 9 (TANK). The HBDHB makes further submissions as follows:

Submitter ID	Submitter name	Particular parts of submission	Support/oppose	Reason for support/opposition	Decision sought
207	Hastings District Council	Appendix 1 Proposed amendments Schedule 35: Sets out the methodology by which spatial extent of the SPZs are to be developed	Support	Schedule 35 currently does not provide for the more conservative SPZ sought by HDC. The method in schedule 35 also does not provide for source protection areas to be defined in accordance with updated technical guidance endorsed at a national level.	Accept With some amendments
		SPZ maps	Support with map amendment	If maps are not included in the plan their legal status may be uncertain. We are not aware of a mechanism by which plans may be changed by resource consent. We note that the map joining the	

HEALTH IMPROVEMENT & EQUITY DIRECTORATE

Phone 06 878 8109 Fax 06 878 1374 Email: firstname.lastname@hbdhb.govt.nz, www.hawkesbay.health.nz

2nd Floor, Corporate Office, cnr McLeod Street & Omaha Road, Private Bag 9014, Hastings, New Zealand

				numeric and analytical element models submitted by HDC does not appear to have included the full extent of the numeric model zone. The combined map should be amended to incorporate the full extent of the HBRC map	
120	Ngati Kahungunu Iwi Incorporated	Para 45 Groundwater allocation	Support in part	NKII's submission raises a very important issue. The Heretaunga Aquifer Groundwater Model Scenarios Report predicted groundwater levels and river flows remain at low levels (but do not continue to decline) if pumping is at 20% higher than average pumping between 2005-2015. Thus it appears that PC9 is setting a limit that may result in lower levels of ground water and surface water flows.	Amend after further review of evidence
		Para 39 third party monitoring	Support	We agree that monitoring should not rely on informal stakeholder arrangements.	
		Protection of water quality of community drinking water supply – Source Protection Zone provisions (para 76-77 P.12)	Support	Reason as per submission 207 above	

As advised within the Hawke's Bay Drinking Water Governance Joint Committee further submission, we would like to reiterate that there is significant legislative change underway, following the establishment of

Taumata Arowai and the new Water Services Bill. These changes may require further amendments to the TANK Plan Change 9 to be made prior to the formal hearings process.

We wish to be heard in support of our further submission.

Ngā mihi nui,

A handwritten signature in blue ink, appearing to read 'Jones', is positioned above the typed name.

Dr Nicholas Jones
Clinical Director
Health Improvement and Equity Directorate

Further Submission on Proposed Plan Change 9: Hawke's Bay Regional Resource Management Plan

PLEASE NOTE: your submission will become part of a public record of Council documents. This will mean your name, address and contact details will be searchable by other persons.

Name: (required) Stephen Daysh
 Organisation: Bridge Pa Vineyards Ltd
 Postal address: (required) 15 Thompson Road
Bluff Hill, Napier
 Email address: stephen@dayshgroup.co.nz
 Phone number: 021 246 8595
 Contact person and address if different to above: _____

Please tick the sentence that applies to you:

I am a person representing a relevant aspect of the public interest.
 Please specify the grounds for saying that you come within this category:

I am a person who has an interest in the proposal that is greater than the interest the general public has.

Please specify the grounds for saying that you come within this category:

Property owner and water user

Do you wish to be heard in support of your submission?

Yes / No

If others make a similar submission, would you consider presenting a joint case with them at a hearing?

Yes / No

Signature: [Signature] Date: 9/12/20

NB: Space for writing submissions is overleaf.

Send written submissions to:

Hawke's Bay Regional Council
 Private Bag 6006
 NAPIER

or fax to:
 (06) 835-3601

or email to:
 eTANK@hbrc.govt.nz

Deadline for Submissions:

**5pm Wednesday 9 December
 2020**

No submissions will be accepted after this deadline. The deadline will not be further extended.

OFFICE USE ONLY

SUBMISSION ID#

[Redacted]

Date Received:

[Redacted]

Database Entry Date:

[Redacted]

Database Entry Operator:

[Redacted]

HAWKES BAY
 REGIONAL COUNCIL

TE KAUNIHERA A-ROHE O TE MATAU-A-MAU

Submission Details

Please attach more pages if necessary. If you do not wish to use this form, please ensure that the same information required by this form is covered in your submission. Further information on how to make a further submission and the submission process is available on the Regional Council website.

I support oppose the submission of:

Name of original submitter: Manukū Bay Winegrowers' Association Incorporated

Address of original submitter: 4- Xen Harding 2091 Manakēkeho Rd, RDI Hastings

Submission number of original submission: 29

The particular parts of the submission I support oppose are: Point 5(b) relating to unreasonably constraint on vineyard water allocations (page 1) and the decision sought regarding Plan Provision 5.10.6.3.d(ii) Heterotrophic Phases Aquifer Management (page 11 of submission) and the definition of "actual reasonable".

The reasons for my support opposition are:

[Clearly indicate whether you support or oppose the specific provisions or wish to have them amended along with reasons]

I support the reasons for this submission as set out on page 11 of the submission including the changes to Plan Provision 5.10.6.3.d(ii) and the amendments to the glossary definition of "Actual and Reasonable".

I seek that the whole or part of the submission be allowed disallowed

[Please give precise details to ensure your views are accurately represented]

~~Consider~~ a Rewrite Policy 5.10.6.3.d(ii) and the glossary definition of "actual and reasonable" along the lines proposed in this submission to provide a fairer and more equitable policy for the recontouring of existing water permits.

REMINDER: SUBMISSIONS MUST REACH COUNCIL BY 5PM ON 9 DECEMBER 2020

A copy of your submission must be served on the original submitter within 5 working days after it is served to the council.

Submission Details

Please attach more pages if necessary. If you do not wish to use this form, please ensure that the same information required by this form is covered in your submission. Further information on how to make a further submission and the submission process is available on the Regional Council website.

I support oppose the submission of:

Name of original submitter: Horticulture New Zealand

Address of original submitter: c/o View Consultants Ltd, P.O. Box 279, Napier

Submission number of original submission: 180

The particular parts of the submission I support oppose are: the definition of "Actual and Reasonable" where this submitter outlines concerns with this definition wording at page 41 of the submission and seeks amended wording to the definition as set out on pages 62 and 63 of the submission

The reasons for my support opposition are:

[Clearly indicate whether you support or oppose the specific provisions or wish to have them amended along with reasons]

I agree that the use of this definition and the corresponding Policy 5-10-6-37-d(ii) will disadvantage existing consent holders who are seeking the renewal of their water take consents, where the past records are not complete, reliable or accurate. The proposed new wording will create a better resource management outcome. I also agree that the water should be able to be applied over a wider area than as set by the existing "irrigated area" so as to promote better and more efficient water use for growers.

I seek that the whole or part of the submission be allowed disallowed

[Please give precise details to ensure your views are accurately represented]

Reverts the growing definition of "actual and reasonable" along the lines proposed in this submission (and unqualified changes to Policy 5-10-6-37-d(ii)) to provide a fairer and more equitable policy for the renewing of existing water permits

REMINDER: SUBMISSIONS MUST REACH COUNCIL BY 5PM ON 9 DECEMBER 2020

A copy of your submission must be served on the original submitter within 5 working days after it is served to the council.