

Further submissions

- Proposed Plan Change 7 (Outstanding Water Bodies)

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Department of Conservation
Te Papa Atawhai

10 September 2020

Hawkes Bay Regional Council
OWB@hbrc.govt.nz

Dear Sir/Madam,

**FURTHER SUBMISSION ON HAWKES BAY REGIONAL COUNCIL PLAN CHANGE 7 -
OUTSTANDING WATER BODIES**

Please find enclosed the further submission by the Director-General of Conservation in respect of the Proposed Hawkes Bay Regional Council Plan Change 7 – Outstanding Water Bodies.

Please contact Maggie Burns in the first instance if you wish to discuss any of the matters raised in this further submission on 0276322961 or mburns@doc.govt.nz.

Yours sincerely

Jenny Nelson-Smith
Operations Manager
Hawke's Bay Region

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SUBMISSION ID#

DOC

F101

Date Received:

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**Form 6: Further submission in support of, or in opposition to,
submission on notified proposed policy statement or plan, change or
variation**

Pursuant to clause 8 of the First Schedule of the Resource Management Act 1991

To: Hawke's Bay Regional Council

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

1. This is a further submission in support of (or in opposition to) a submission on Plan Change 7: Hawke's Bay Regional Resource Management Plan - Outstanding Water Bodies (the Proposal):

2. The Director-General represents relevant aspects of public interest and has interest in the proposal that is greater than the interest of the general public. The Director-General has all the powers reasonably necessary to enable the Department of Conservation (DOC) to perform its functions¹. The Conservation Act 1987 (the CA) sets out DOC's functions which include (amongst other things) management of land and natural and historic resources for conservation purposes, preservation so far as is practicable of all indigenous freshwater fisheries, protection of recreational freshwater fisheries and freshwater fish habitats and advocacy for the conservation of natural resources and historic heritage². Section 2 of the CA defines 'conservation' to mean *'the preservation and protection of natural and historic resources for the purpose of maintaining their intrinsic values, providing for their appreciation and recreational enjoyment by the public, and safeguarding the options of future generations'*.

3. I have outlined my views on specific submissions in a table on the attached table in the required format.

4. I wish to be heard in support of my further submission.

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

¹ Refer section 53 Conservation Act 1987.

² Conservation Act 1987, section 6.

6. A copy of this submission has been served on the original submitters.



Jenny Nelson-Smith

Operations Manager

Hawke's Bay Region

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

Date: 10 September 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:

mburns@doc.govt.nz

Attn: Maggie Burns

Telephone: 02040035365

Department of Conservation

Hamilton

I support (or oppose) the submission of:	The particular parts of the submission I support (or oppose) are:	The reasons for my support (or opposition) are:	I seek that the whole (or part [describe part]) of the submission be allowed (or disallowed):
1 Booster Wine Group (#2)	C7. Sch25.1 Seeking to add primary production water use as a significant value and/or associated description for Ngaruroro River.	The Council, and Regional Planning Committee of Hawke's Bay Regional Council have appropriately concluded that consumptive and economic values such as production water use have been deliberately excluded. The Director-General is supportive of this exclusion from consideration as outstanding values and opposes those submissions seeking to include these values as outstanding values.	I seek that the opposed submission points be declined.
2 3-32 Brownrigg Agriculture Group Ltd (#3)	Statements 1, 6 – 35 which seek the deletion of all waterbodies from Schedule 25	The Director-General opposes this relief and seek that all waterbodies identified in the Schedule be retained in order to recognise and protect their status and values as outstanding water bodies, and in order to be consistent with the requirements of the NPSFM 2020. The Director-General similarly opposes those submissions which seek to delete any listed values from Schedule 25.	I seek that the opposed submission points be declined.
3 Donovan, Bryce (#6)	Statement 38 seeking that the policies refer only to protecting the 'significant values' of identified 'outstanding freshwater bodies'	The relief sought is inappropriate and does not give effect to the higher order planning documents or recognise and build on work HBRC has done to date in identifying outstanding values.	I seek that the opposed submission points be declined.
34	Statement 1 seeking deletion of Lake Tutira and Papakiri from Schedule 25	The Director-General opposes this relief and seek that all waterbodies identified in the Schedule be retained in order to recognise and protect their status and values as outstanding water bodies, and in order to be consistent with the requirements of the NPSFM 2020.	I seek that the opposed submission points be declined.

Federated Farmers (#9) 35 - 37	Statements 4,6 and 8 in opposition of 38 waterbodies being outstanding	The Director-General opposes the submitters proposition that Council should either relax the criteria or reduce the number of identified outstanding water bodies simply because it increases the activity status of activities which potentially impact on those water bodies. The Director-General submits that that is what may be required to protect these waterbodies and ensure that they remain outstanding into the future.	I seek that the opposed submission points be declined.
Federated Farmers (#9) 39 - 40 41	Statements 7, 12, and 51 seeking that more than one value is required to qualify a water body as outstanding. Statement 21 seeking to ensure Section 14.3(b) takes are exempt from regulation in the plan.	The NPSFM 2020 has been released since the submitters statement and now clarifies that an outstanding waterbody "means a water body, or part of a water body, identified in a regional policy statement, a regional plan, or a water conservation order as having <u>one or more</u> outstanding values" [emphasis added]. The Director-General considers that the submitters relief is inconsistent with the NPSFM 2020. The Director-General is concerned that the proposed relief result in Council having no control over the cumulative impacts of water takes.	I seek that the opposed submission points be declined. I seek that the opposed submission points be declined.
42	Statement 25 seeking that OBJ LW1 recognises and provides for farming land use activities	The relief proposed is inappropriate and inconsistent with the NPSFM 2020 which requires that the health and wellbeing of water bodies and ecosystems be prioritised over the economic gains of those activities which adversely affect those water bodies.	I seek that the opposed submission points be declined.

Federated Farmers (#9)	Statement 26 seeking amendment of Policy LW1.1 to clarify that where a waterbody's outstanding value is not affected by water quality, then water quality does not need to be enhanced 443	The Director-general considers that enhancing freshwater quality is relevant to all freshwater management issues and as a priority it should not be qualified. The Director-General considers that the submitters relief is inconsistent with the NPSFM 2020.	I seek that the opposed submission points be declined.
	Statement 29 seeking amendment to LW1.1 (dA) to insert the words 'where appropriate' when referring to the maintenance 444	The Director-general considers that enhancing freshwater quality is relevant to all freshwater management issues and the proposed amendment to wording is inappropriate. The Director-General considers that the submitters relief is inconsistent with the NPSFM 2020.	I seek that the opposed submission points be declined.
	Statement 35 seeking to provide for activities which do not materially reduce outstanding values 445	The relief proposed will facilitate cumulative impacts on values. The wording "materially reduce" is highly uncertain and more likely to allow incremental reduction of values.	I seek that the opposed submission points be declined.
	Statement 37 seeking that Table 2A include the use of water for farming as a primary value 446	The relief proposed is inappropriate and inconsistent with the NPSFM 2020 which requires that the health and wellbeing of water bodies and ecosystems be prioritised over the economic gains of those activities which adversely affect those water bodies.	I seek that the opposed submission points be declined.

Federated Farmers (#9)	Statement 38 seeking to remove the obligation to protect the values of outstanding water bodies <i>47</i>	The relief proposed by the submitter is opposed as it is inconsistent with the NPSFM 2020 which directs that the values are protected. Further, the tailoring of rules is intended to occur once future catchment management plans are completed.	I seek that the opposed submission points be declined.
	Statement 49 seeking to amend the definition of Outstanding <i>48</i>	The proposed relief is inappropriate as it seeks to severely restricts the scope of what is considered outstanding at the cost of those waterbodies which are outstanding regionally. While the NPSFM 2020 is unclear on whether the outstanding water bodies are to be considered outstanding on a regional scale compared to other regional water bodies. The Director-General considers that doing so secures better freshwater outcomes for the region. Inversely, restricting the comparison to water bodies on a national scale is an unnecessarily high bar which will result in far less protected water bodies in both Hawke's Bay and New Zealand.	I seek that the opposed submission points be declined.
	Statement S4 seeking that water use and land use for primary production are outstanding criteria <i>69</i>	The relief sought is opposed as it is inconsistent with the purpose of the plan change, the provisions of the relevant planning provisions, and the NPSFM 2020.	I seek that the opposed submission points be declined.
	All statements which seek deletion of an outstanding water body from Schedule 25 <i>50 - 72</i>	The relief is opposed as the Director-General considers the included water bodies are appropriate.	I seek that the opposed submission points be declined.
	All statements seeking to add water and land use for farming as a value for the water bodies in Schedule 25 <i>73 - 82</i>	The relief proposed is inappropriate and inconsistent with the higher order documents.	I seek that the opposed submission points be declined.

Forest and Bird Society of NZ (#10)	Statement 4 seeking to add a new schedule which clarifies the criteria 83	The relief is supported as it will allow for more consistent interpretation and implementation which is based on the assessment criteria used by the expert panel.	I seek that the submission point be allowed.
	Statement 14 seeking to amend AER Number 7 84	The relief sought is considered appropriate and compliments the Director-General's submission which also seeks that the plan change is able to adequately provide for any outstanding water bodies which have not been identified in Schedule 25.	I seek that the submission point be allowed.
	Statement 20 seeking to amend the definition of outstanding water body 85	The relief sought is considered appropriate and compliments the Director-General's submission which also seeks that the plan change is able to adequately provide for any outstanding water bodies which have not been identified in the Schedule, the proposed relief also allows for consideration through the consenting process.	I seek that the submission point be allowed.
	Statement 25 seeking deletion of certain values 86	The relief is considered appropriate and consistent with the NPSFM 2020.	I seek that the submission point be allowed.
Hawke's Bay Regional Council (#15)	Statement 4 seeking to amend LW1.2(bA)(iii) 87	The relief is considered appropriate and will make the plan more workable.	I seek that the submission point be allowed.
	Statement 7 which seeks to put a sunset clause on the provision 88	The relief is supported as sufficient catchment specific information can guide tailor made management responses.	I seek that the submission point be allowed.
Hawke's Bay Airport Ltd	Statement 7 - 35 seeking the removal of waterbodies from Schedule 25	The Director-General opposes this relief and seek that all waterbodies identified in the Schedule be retained in order to recognise and protect their status and values as outstanding water bodies, and in order to be consistent with the requirements of the NPSFM 2020.	I seek that the opposed submission points be declined.

87-118

Hineuru Iwi Trust (#18)	Statements 4-9 seeking to add various values to waterbodies. <i>118-123</i>	The Director-General seeks to work with the Crown's Treaty partners on matters of mutual interest and supports those submission points that align with his submission. The Director-General also acknowledges that iwi and hapū are best placed to identify the spiritual and cultural associations that they have with waterbodies, given that such associations are iwi/hapū specific.	I seek that the submission point be allowed.
Horticulture NZ (#19)	Statements 10, 12, 13, 14, 15, 16, 17, 18 seeking to remove prioritisation <i>124-131</i>	The relief sought does not reflect the prioritisation of outstanding values over significant values and will result in conflict. The Director-General supports the prioritisation of outstanding values over significant values and the hierarchy of obligations and considers this consistent with the NPSFM 2020.	I seek that the opposed submission points be declined.
	Statement 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 and 309 seeking deletion of waterbodies from Schedule 25 <i>132-142</i>	The Director-General opposes this relief and seek that all waterbodies identified in the Schedule be retained in order to recognise and protect their status and values as outstanding water bodies, and in order to be consistent with the requirements of the NPSFM 2020.	I seek that the opposed submission points be declined.
Ngati Kahungunu Iwi Inc, Te Taiwhenua o Ngati Kahungunu Iwi Inc TTOH, et. Al (#26)	Statements 10-67 seeking to add various values to waterbodies. <i>148-201</i>	The Director-General seeks to work with the Crown's Treaty partners on matters of mutual interest and supports those submission points that align with his submission. The Director-General acknowledges that iwi and hapū are best placed to identify any spiritual and cultural associations with waterbodies, given that such associations are iwi/hapū specific.	I seek that the submission point be allowed.
	Statement 82 seeking to include reference to cumulative effects	The management of cumulative effects is important in freshwater management and the Director-General supports the proposed reference.	I seek that the submission point be allowed.

202

Ravensdown Limited (#33)	Statement 12 seeking to ensure existing human related uses of outstanding water bodies are provided for into the future. 202	The relief sought is inappropriate and the maintenance of the status quo will not provide for the protection of outstanding water bodies and in some instances, it may be appropriate for existing human related uses to be altered or in some instances discontinued.	I seek that the opposed submission points be declined.
	Statement 13 seeking that existing discharges be excluded from decision making criteria in Pol LW3A 203	The relief sought is inappropriate. Existing unchanged discharges may still have adverse effects, or potentially significant adverse effects when considered cumulatively.	I seek that the opposed submission points be declined.
Trust power Limited (#38)	Statement 1 seeking removal of waterbodies which have been identified as outstanding solely for cultural and spiritual purposes. 204	The Director-General opposes this relief and seek that all waterbodies identified in the Schedule be retained in order to recognise and protect their status and values as outstanding water bodies, and in order to be consistent with the requirements of the NPSFM 2020.	I seek that the opposed submission points be declined.
	Statement 3 seeking removal of waterbodies which have similar values to other waterbodies. 205	The Director-General opposes this relief and seek that all waterbodies identified in the Schedule be retained in order to recognise and protect their status and values as outstanding water bodies, and in order to be consistent with the requirements of the NPSFM 2020.	I seek that the opposed submission points be declined.
	Statement 8 seeking removal of waterbodies from Schedule 25 where Australasian Bittern are present. 206	The Director-General opposes this relief and seek that all waterbodies identified in the Schedule be retained in order to recognise and protect their status and values as outstanding water bodies, and in order to be consistent with the requirements of the NPSFM 2020.	I seek that the opposed submission points be declined.

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Trust power limited (#38)	Statement 45 - 62 seeking deletion of water bodies which have been identified as outstanding solely for cultural or spiritual values.	The Director-General opposes this relief and seek that all waterbodies identified in the Schedule be retained in order to recognise and protect their status and values as outstanding water bodies, and in order to be consistent with the requirements of the NPSFM 2020.	I seek that the opposed submission points be declined.
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SUBMISSION ID#

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Date Received:

10/9/2020

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11/9/2020

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NN

Further Submission on Proposed Plan Change 7: Hawke' Regional Resource Management Plan

Organisation: Ernslaw One Limited

Postal address:

PO Box 2042, Gisborne, 4040

Email address: james.sinclair@ernslaw.co.nz

Phone number: 027 2267123

We are a person who has an interest in the proposal that is greater than the interest the general public has:

We were original submitters and are affected by the submission by this submitter.

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: 10 September 2020.

Submission Details

We oppose the submission of:

Forest and Bird Society of NZ...

Address of original submitter:

P O Box 631

Wellington 6140

Submission number of original submission: 10

The particular parts of the submission we oppose are:

1.
• Statement 12 Pol LW3A 1 (a) and (b) proposed amendments.

2.
2 Statement 20 Glossary OW. The proposed amendments.

3.
3 Statement 24 Schedule 25 "Natural Character" Table 1 The proposed amendments.

4.
4 Statement 24 amendments to Schedule 25 by adding the assessment criteria.

5.
5 Statement 29 adding in water bodies that were part of a draft.

The reasons (following the numeration above) for our opposition are:

1.

It is inappropriate for outstanding water bodies to be identified by a resource consent process. It is the function of the Council to identify such water bodies. Persons will not be afforded rights of participation if water bodies are identified by way of resource consents that persons have no knowledge of or rights of objection. The identification should be by way of a plan process and no reference to criteria.

2.

It is inappropriate for outstanding water bodies to be identified by a resource consent process. It is the function of the Council to identify such water bodies. Persons will not be afforded rights of participation if water bodies are identified by way of resource consents that persons have no knowledge of or rights of objection.

3.

The matters should be conjunctive not alternatives. Also "surrounding landscape" is not within the water body itself and therefore not relevant.

4.

This matter relates to using assessment criteria when undertaking the resource consent process and as stated above we do not support the proposed amendments to allow for such a process.

5.

This plan change relates to those bodies identified in schedule 25 and if other water bodies are to be included then they should be done by way of a variation of further plan change.

SUBMISSION ID#

F103

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Form 6
Further submission in support of, or in opposition to, submitted
notified proposed policy statement or plan, change or variation

Clause 8 of Schedule 1, Resource Management Act 1991

To Hawkes Bay Regional Council

Name of person making further submission:

Federated Farmers of New Zealand Inc.

This is a further submission in support of (or in opposition to) submissions on a change proposed to the following policy statement or plan, (the **proposal**):

Proposed Plan Change 7 – Outstanding Water Bodies
Hawkes Bay Regional Resource Management Plan

I am

- a person representing a relevant aspect of the public interest as set out in the document accompanying this Further Submission Form
- a person who has an interest in the proposal that is greater than the interest the general public has, as set out in the document accompanying this Further Submission Form

I support (or oppose) various submissions to the said proposed plan change

as set out in the document accompanying this Further Submission Form.

The particular parts of the submissions I support or oppose are:

As set out in the document accompanying this Further Submission Form

The particular parts of the submissions I support or oppose are:

As set out in the document accompanying this Further Submission Form

The reasons for my support (or opposition) are:

As set out in the document accompanying this Further Submission Form

I seek that the whole or part of these submissions be allowed or disallowed:

As set out in the document accompanying this Further Submission Form

I wish to be heard in support of my further submission.

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



Signature of person authorised to sign on behalf of person making further submission

Date 10 September 2020

Electronic address for service of person making further submission: pmatich@fedfarm.org.nz

Telephone: 0800 327 646

Postal address (or alternative method of service under [section 352](#) of the Act):

Federated Farmers of New Zealand
Level 6, Wellington Chambers,
154 Featherston Street
PO Box 715,
WELLINGTON CENTRAL 6140

Contact person:

Peter Matich
Senior Policy Advisor - Regional

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 7 – Outstanding Water Bodies**
Hawkes Bay Regional Resource Management Plan

Date: 10 September 2020

Further submission by: Hawkes Bay Federated Farmers.

JIM GALLOWAY
HAWKES BAY PROVINCIAL PRESIDENT
Federated Farmers of New Zealand

Address for Service: **Peter Matich**
SENIOR POLICY ADVISOR - REGIONAL

Federated Farmers of New Zealand
Level 6, Wellington Chambers,
154 Featherston Street
PO Box 715,
WELLINGTON CENTRAL 6140

P: 0800 327 646
E: pmatich@fedfarm.org.nz

Please find Federated Farmers of New Zealand Further Submission on the Proposed Plan Change 7 – Outstanding Water Bodies 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

they constitute a sector of the public at large. Federated Farmers is in an appropriate position to represent that interest.

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

If others make a similar further submission, we would be prepared to consider presenting a joint case with them at the hearing.

Federated Farmers acknowledges that by taking part in this public submission process the submission (including names and addresses) will be made public.



Peter Matich
Senior Regional Policy Advisor – Federated Farmers

Date 10 September 2020

Address for Service

pmatich@fedfarm.org.nz

Federated Farmers New Zealand
Level 6, Wellington Chambers,
154 Featherston Street
PO Box 715,
WELLINGTON CENTRAL 6140

Phone: 0800 327 646

**Schedule of further submission points on Proposed Plan Change 7 - Outstanding Water Bodies
Hawkes Bay Regional Resource Management Plan**

Submission No.	The specific submission that my further submission relates to:	The particular parts of the submission I support or oppose are:	Submission Topic	The reasons for my support or opposition are:	Whether the whole or part of the submission be allowed or disallowed	If part of the submission, details of which part of the submission be allowed or disallowed
1	Bayliss, K.	Oppose Stat #9 1	C7 General	The requested amendment to prohibit dams and diversions in outstanding water bodies is neither necessary nor appropriate to promote the purpose of sustainable resource management, nor to recognise and provide for relevant matters of national importance in the Resource Management Act.	Disallow submission	
3	Brownrigg Agriculture Group Ltd	Support Stat #1 2	C7 Schedule 25.2	Supports submitter's opposition to water bodies being identified as outstanding when there have not been any values described in Schedule 25	Allow submission	
3	Brownrigg Agriculture Group Ltd	Support Stat #6 to #35 inclusive 3-32	C7 Sch25 various listed waterbodies	Supports submitter's opposition to water bodies being identified as outstanding when there have not been any values described in Schedule 25	Allow submission	
4	Central Hawkes Bay District Council	Support in part Stat #1 33	C7 Pol LW3A Gen	Values of outstanding water bodies need to be identified and described if Outstanding Water Body classification is going to affect resource consent applications for activities identified in Policy LW3A.2.	Allow submission in part	Unless values are described for identified outstanding water bodies, effects of proposed activities in resource consent applications or Farm Environment Plans will not be able to be consistently assessed. This will result in inconsistent and patchy environmental outcomes
4	Central Hawkes Bay District Council	Support in part Stat #2 34	C7 Pol C2 Gen	Values of outstanding water bodies need to be identified and described if Outstanding Water Body classification is going to affect resource consent applications for land use activities (including water takes, diversion, damming and discharges).	Allow submission in part	Unless values are described for identified outstanding water bodies, effects of proposed activities in resource consent applications or Farm Environment Plans will not be able to be consistently assessed. This will

						result in inconsistent and patchy environmental outcomes
4	Central Hawkes Bay District Council	Support Stat #3 35	C7 Schedule 25	It is crucial to have more detail in the 'description of outstanding values' for each identified Outstanding Water Body in order to provide certainty of expectations around environmental outcomes when assessing adverse effects.	Allow submission	
5	Department of Conservation	Oppose in part Stat #3 36	C7 General	It is important for Plan Change 7 to include strict evaluation criteria which can underpin identification of outstanding water bodies. However, this should not just apply to future outstanding water body identification – it should also apply equally to current outstanding water bodies included in the Plan Change. Schedule 25 should be considered an exhaustive list, otherwise there is no certainty for plan users about what an Outstanding Water Body is.	Disallow submission in part	Include strict evaluation criteria that underpin identification and evaluation of all outstanding water bodies, and apply such criteria equally to all outstanding water bodies in the Plan Change. If evaluation criteria have not been applied to any particular water body in Schedule 25, then that water body should be deleted from the Plan Change. Schedule 25 should contain the definitive list of identified outstanding water bodies that are managed by the RRMP framework.
5	Department of Conservation	Oppose Stat #4 37	C7 General Process	There is no practical way to ensure that Plan Change 7 and Plan Change 9 are in place at the same time, or that Plan Change 7 will be in place sooner. These are two different plan change processes, and each must independently follow the Schedule 1 process set forth in the Resource Management Act. There are so many variables determining the outcome and timing of each plan change that it would be preposterous to insist that one should be in place prior to the other.	Disallow submission	
5	Department of Conservation	Oppose in part Stat #5 38	C7 Obj LW1.1	Objective LW1.1 should be retained provided that it is amended to recognise use of water for farming as a prevailing value of freshwater bodies where identified outstanding water bodies provide a freshwater resource that is extensively relied upon by farming.	Disallow submission in part	Objective LW1.1 should not be retained unless it is amended to recognise use of water for farming as a prevailing value of freshwater bodies where identified outstanding water bodies provide a

						freshwater resource that is extensively relied upon by farming.
5	Department of Conservation	Oppose Stat #6 39	C7 POL LW1.1	<p>Policy LW1.1 should be retained provided that it is amended as follows:</p> <p>That Policy LW1.1 (c) C describes that the first step is to assess water bodies to determine which ones are outstanding using the criteria in Schedule 25.</p> <p>That Policy LW1.1 (d) A be amended to apply 'where appropriate' (rather than 'where necessary')</p>	Disallow submission in part	Policy LW1.1 should not be retained unless it is amended to reflect assessment criteria in Schedule 25 and to take account of other values that may render absolute protection of some aspects inappropriate in some situations, and that in such situations, other management tools should be considered.
5	Department of Conservation	Oppose Stat #7 40	C7 POL LW3A General	The requested amendments to Policy LW3A.1 are inappropriate. It may be perfectly appropriate, and even desirable, to grant resource consent where there is a more than minor effect on any particular outstanding value(s) in question, depending on the circumstances giving rise to the proposed activity, and the way in which adverse effects may be managed/avoided/remedied/mitigated or offset.	Disallow submission	
5	Department of Conservation	Support in part Stat #8 41	C7 POL C1	The requested amendment to Pol C1.1 i) needs further amendment to recognise that adverse effects which do not materially reduce 'outstanding values' should be able to be tolerated if these effects are managed through remediation or mitigation, rather than seeking complete avoidance.	Allow submission in part	Adverse effects which do not materially reduce 'outstanding values' should be able to be tolerated if it is appropriate to manage such effects through remediation or mitigation, rather than seeking complete avoidance.
5	Department of Conservation	Oppose Stat #10 42	C7 Glossary Gen	'Water body' is defined in section 2 of the Resource Management Act, thus: "means water ... in a wetland...". So a <i>wetland</i> can't be a water body, although it could include a water body. However, wetlands may include land that is predominantly <i>terra firma</i> and therefore cannot be a 'water body' as such. Therefore, the definition of 'Outstanding water body' does not need amending to include <i>wetlands</i> .	Disallow submission	

5	Department of Conservation	Oppose in part Stat #11 43	C7 Glossary 'Outstanding'	The proposed definition of <i>outstanding</i> should be amended to relate to a national basis and not to the context of the Hawes Bay Region	Disallow submission in part	The proposed definition of <i>outstanding</i> should be amended to relate to that which is " <i>conspicuous, eminent and remarkable on a national basis</i> " and not "in the context of the Hawes Bay Region".
5	Department of Conservation	Oppose Stat #12 44	C7 Glossary 'Outstanding Value'	The submitter has sought a definition for 'outstanding value' but has not suggested what this might be. Therefore, there is nothing to consider and this submission should be disallowed	Disallow submission	
5	Department of Conservation	Oppose Stat #13 45	C7 Glossary General	The submitter has sought a definition for 'significant value' but has not suggested what this might be. Therefore, there is nothing to consider and this submission should be disallowed	Disallow submission	
5	Department of Conservation	Support in part Stat #14 46	C7 General	It may be helpful for criteria used to identify Primary Production as a significant value to be addressed in the proposed plan	Allow the submission	There may be a range of criteria including: <ul style="list-style-type: none"> • prevalence of primary production land use which relies on the freshwater resource, • contribution of primary production to regional GDP, amongst others. All such criteria should be explored as part of evaluation of alternatives pursuant to section 32 of the RMA
5	Department of Conservation	Oppose Stat #15 to 24 inclusive 47-56	C7 Sch25 (various)	The values tabled in "Appendix A Additions to significant values for Outstanding Water Bodies" attached to the submitter's submission, are mostly minimalist and quite vague general concepts such as 'naturalness', 'geological' 'ecological' 'landscape' etc, and there is no supporting evaluation of why such suggested value-concepts should be added	Disallow submission	
8	Ernslaw One Ltd	Support Stat #1 57	C7 Gen NatPolicy	There is no need for Plan Change 7 to duplicate other regulatory provisions which already exist, e.g. where regulations affecting coastal water are different to regulations affecting freshwater	Allow submission	
8	Ernslaw One Ltd	Support Stat #2 58	C7 Gen NatPolicy	Provisions for coastal waters are combined in a confusing way with provisions for freshwater	Allow submission	

8	Ernslaw One Ltd	Support Stat #4 59	C7 Gen NatPolicy	Provisions that give effect to policies 11, 13 15 and 17 of the NZCPS should be separated out from the other provisions of PC7	Allow submission	
8	Ernslaw One Ltd	Support Stat #5 60	C7 Gen NatPolicy	Coastal waters should be managed in a different way to outstanding freshwater bodies	Allow submission	
9	Ernslaw One Ltd	Support Stat #6 61	C7 Obj LW1.1	The focus of PC7 should be on outstanding freshwater bodies	Allow submission	
8	Ernslaw One Ltd	Support Stat #7 62	C7 Pol LW1.1	The focus of PC7 should be on outstanding freshwater bodies	Allow submission	
8	Ernslaw One Ltd	Support Stat #8 63	C7 Pol LW1.1	The phrase " <i>and any other values that are determined to be relevant taking into account local and/or regional circumstances</i> " should be deleted from the policy. Otherwise, there is considerable uncertainty as to how an Outstanding Water Body is to be identified, and potential for costly and drawn-out argument about who is doing the determination of relevancy.	Allow submission	Note that the summary of submissions notified by HBRC appears to summarise this submitter's submission point incorrectly
8	Ernslaw One Ltd	Support Stat #9 64	C7 Pol LW1.2	The focus of PC7 should be on outstanding freshwater bodies	Allow submission	
8	Ernslaw One Ltd	Support Stat #10 65	C7 Pol LW1.2	The focus of PC7 should be on outstanding freshwater bodies	Allow submission	
8	Ernslaw One Ltd	Support in part Stat #13 66	C7 Pol LW3A.1	In the face of other uncertainties in PC7 policies around how outstanding values are to be determined, this policy is inappropriate.	Allow submission	In the absence of clear policy to determine what constitutes 'outstanding' elsewhere in PC7, it is inappropriate to prioritise protection of outstanding values above significant values.
8	Ernslaw One Ltd	Support Stat #16 67	C7 C3.2 Gen	The focus of PC7 should be on outstanding freshwater bodies	Allow submission	
8	Ernslaw One Ltd	Support Stat #17 68	C7 Glossary 'OWB'	The focus of PC7 should be on outstanding freshwater bodies	Allow submission	
10	Forest & Bird	Oppose in part Stat #1 69	C7 Obj LW1.1	The focus of PC7 should be on outstanding freshwater bodies	Disallow submission in part	Disallow inclusion of coastal waters
10	Forest & Bird	Oppose in part Stat #3 70	C7 Pol LW1.1	Outstanding water bodies should be assessed against specified criteria that should be included in the RRMP provisions in PC7. However, the submitter's relief sought referencing ' <u>criteria set out in Schedule X</u> ' is inappropriate. The submitter has	Disallow submission in part	Disallow reference to 'Schedule X' in the submission.

				not explicitly included a 'Schedule X' in their submission. They have included a table in 'Appendix 1' to their submission, but the criteria in that table are inadequate for determining significance on outstanding water bodies.		Disallow criteria in table in Appendix 1 attached to submitter's submission.
10	Forest & Bird	Support in part Stat #4 71	C7 General	Outstanding water bodies should be assessed against specified criteria that should be included in the RRMP provisions in PC7. However, the submitter's relief sought referencing 'criteria set out in Schedule X' is inappropriate. The submitter has not explicitly included a 'Schedule X' in their submission. They have included a table in 'Appendix 1' to their submission, but the criteria in that table are inadequate for determining significance on outstanding water bodies.	Allow submission in part	Support that part of the submission calling for inclusion of criteria in PC 7 for determining what qualifies as 'outstanding'. The strikeout of 'Schedule 25', sought by the submitter, is inappropriate. Disallow criteria in table in Appendix 1 attached to submitter's submission.
10	Forest & Bird	Oppose Stat #5 72	C7 Pol LW1.1	Outstanding water bodies should be assessed against specified criteria that should be included in the RRMP provisions in PC7. The table in 'Appendix 1' to the submitter's submission are inadequate for determining significance on outstanding water bodies.	Disallow submission	The strikeout of 'Schedule 25', sought by the submitter, is inappropriate
10	Forest & Bird	Oppose Stat #6 73	C7 Pol LW1.1	Outstanding water bodies should be assessed against specified criteria that should be included in the RRMP provisions in PC7. The table in 'Appendix 1' to the submitter's submission are inadequate for determining significance on outstanding water bodies.	Disallow submission	The strikeout of 'Schedule 25', sought by the submitter, is inappropriate
10	Forest & Bird	Oppose Stat #7 74	C7 Pol LW1.2	Outstanding water bodies should be assessed against specified criteria that should be included in the RRMP provisions in PC7. The table in 'Appendix 1' to the submitter's submission are inadequate for determining significance on outstanding water bodies.	Disallow submission	The strikeout of 'Schedule 25', sought by the submitter, is inappropriate
10	Forest & Bird	Oppose Stat #8 75	C7 Pol LW1.2	Outstanding water bodies should be assessed against specified criteria that should be included in the RRMP provisions in PC7. The table in 'Appendix 1' to the submitter's submission are inadequate for	Disallow submission	The strikeout of 'Schedule 25' (that is included in the footnotes), as sought by the submitter, is inappropriate

				determining significance on outstanding water bodies.		
10	Forest & Bird	Oppose Stat #11 76	C7 Pol LW2.1	Outstanding water bodies should be assessed against specified criteria that should be included in the RRMP provisions in PC7. The table in 'Appendix 1' to the submitter's submission are inadequate for determining significance on outstanding water bodies.	Disallow submission	The strikeout of 'Schedule 25', as sought by the submitter, is inappropriate
10	Forest & Bird	Oppose Stat #12 77	C7 Pol LW3A.1	Outstanding water bodies should be assessed against specified criteria that should be included in the RRMP provisions in PC7. Identifying other values through a consenting process is a haphazard approach to value-identification and will result in patchy environmental outcomes and inconsistency and uncertainty in application of the policy. The table in 'Appendix 1' to the submitter's submission are inadequate for determining significance on outstanding water bodies.	Disallow submission	
10	Forest & Bird	Oppose Stat #13 78	C7 Pol LW3A.3	Outstanding water bodies should be assessed against specified criteria that should be included in the RRMP provisions in PC7. Identifying other values through a consenting process is a haphazard approach to value-identification and will result in patchy environmental outcomes and inconsistency and uncertainty in application of the policy.	Disallow submission	
10	Forest & Bird	Oppose Stat #14 79	C7 Ch3.1A AER#	Outstanding water bodies should be assessed against specified criteria that should be included in the RRMP provisions in PC7. Identifying other values through any other process (such as consenting process) is a haphazard approach to value-identification and will result in patchy environmental outcomes and inconsistency and uncertainty in application of the policy.	Disallow submission	
10	Forest & Bird	Oppose Stat #15 80	C7 Obj 11	Outstanding water bodies should be assessed against specified criteria that should be included in the RRMP provisions in PC7.	Disallow submission	The strikeout of 'identified in Schedule 25' sought by the submitter is inappropriate
10	Forest & Bird	Oppose Stat #17 81	C7 Pol C1	Outstanding water bodies should be assessed against specified criteria that should be included in the RRMP provisions in PC7.	Disallow submission	The strikeout of 'identified in Schedule 25' sought by the submitter is inappropriate. Values

						of outstanding water bodies may be able to be well protected through a range of regulatory and non-regulatory methods.
10	Forest & Bird	Oppose Stat #19 82	C7 Pol C2.3	Outstanding water bodies should only be assessed against specified criteria included in the RRMP provisions in PC7.	Disallow submission	
10	Forest & Bird	Oppose Stat #20 83	C7 Glossary 'OWB'	Outstanding water bodies should only be assessed against specified criteria included in the RRMP provisions in PC7. Identifying other values through any other process (such as consenting process) is a haphazard approach to value-identification and will result in patchy environmental outcomes and inconsistency and uncertainty in application of the policy. The submitter's relief sought referencing 'criteria set out in Schedule X' is inappropriate. The submitter has not explicitly included a 'Schedule X' in their submission. They have included a table in 'Appendix 1' to their submission, but the criteria in that table are inadequate for determining significance on outstanding water bodies.	Disallow submission	
10	Forest & Bird	Oppose Stat #22 84	C7 Schedule 25.1	Inclusion of the word 'or' adds uncertainty to the assessment of natural character that implies that some aspects of natural character may be omitted or substituted when assessing outstandingness.	Disallow submission	
10	Forest & Bird	Oppose Stat #24 85	C7 Schedule 25	The criteria used by the expert panel to identify outstanding water bodies was not extensively consulted on and should not be assumed to be sufficiently robust to establish outstanding values.	Disallow submission	
10	Forest & Bird	Oppose Stat #26 86	C7 Schedule 25	Given the extent of primary production land use within Hawkes Bay Region, water bodies (including potentially outstanding water bodies may well be significant as a freshwater resource for primary production.	Disallow submission	
10	Forest & Bird	Oppose Stat #28 87	C7 Schedule 25.2	The criteria used by the expert panel to identify outstanding water bodies was not extensively consulted on and should not be assumed to be sufficiently robust to establish outstanding values.	Disallow submission	

10	Forest & Bird	Oppose Stat #29 88	C7 Schedule 25.2	It should not be assumed that water bodies included in a draft plan change are suitable for inclusion in a notified plan change. The plan change would need to be re-notified in such an event.	Disallow submission	
12	Genesis Energy Ltd	Support Stat #1 89	C7 Schedule 25	There may well be significant social and economic values associated with outstanding water bodies.	Allow submission	
12	Genesis Energy Ltd	Support in part Stat #5 90	C7 Gen Process	If the Section 32 Report for Plan Change 7 does not comply with statutory requirements set out in the RMA, then the decision(s) about which objective and policy option(s) to adopt in the notified plan change may be inappropriate	Allow submission in part	Clarification should be sought about which aspects of the section 32 report do not comply with statutory requirements, so that such points may be further scrutinised.
12	Genesis Energy Ltd	Support Stat #7 91	C7 Gen Process	Provisions for outstanding water bodies should be tailored to each particular waterbody, especially given the differences between small and discrete waterbodies in pristine natural environments (such as Lakes Rotoroa and Rototuna), and large waterbodies which are extensively used (such as the Heretaunga Aquifer).	Allow submission	
12	Genesis Energy Ltd	Support Stat #8 92	C7 Pol LW3A Ge	Provisions for outstanding water bodies should be tailored to each particular waterbody, especially given the differences between small and discrete waterbodies in pristine natural environments (such as Lakes Rotoroa and Rototuna), and large waterbodies which are extensively used (such as the Heretaunga Aquifer).	Allow submission	
12	Genesis Energy Ltd	Support Stat #9 and #11 93, 94	C7 Glossary 'OWB'	The definition of <i>Outstanding Water Body</i> should be consistent with the NPSFM	Allow submission	
12	Genesis Energy Ltd	Support Stat #12 and #14 95, 96	C7 Glossary 'outstanding'	<i>Regional context</i> is too-lax-a-criterion for assessing 'outstandingness', and is likely to capture aspects of waterbodies that are mundane (as opposed to 'outstanding'), resulting in unnecessary over-regulation.	Allow submission	
13	Hawkes Bay Fish & Game	Oppose Stat #1 97	C7 General	Any particular value that is not outstanding will be irrelevant when considering whether an outstanding water body is deserving of protection.	Disallow submission	
13	Hawkes Bay Fish & Game	Support in part Stat #2 98	C7 Obj LW1.1	Objective LW1 should reflect the NPSFM.	Allow the submission in part	Clarification should be sought from the submitter about exactly how they think Objective LW1 should be

						amended. Generic requests for relief are vague and meaningless
13	Hawkes Bay Fish & Game	Support in part Stat #3 99	C7 General	PC7 should reflect the NPSFM.	Allow the submission in part	Clarification should be sought from the submitter about exactly how they think PC7 should be amended. Generic requests for relief are vague and meaningless
15	Hawkes Bay Regional Council	Stat #2 100	C7 Pol LW1.1	Federated Farmers submitted against Policy LW1.1 Clause (cC) and therefore seeks that its submission apply to any amendment to Clause bA (i) of Policy LW1.2 which may arise from the submitter's submission.	Disallow submission in part	Federated Farmers submitted against Policy LW1.1 Clause (cC) and seeks that its relief apply to any amendment to Policy LW1.2 (bA) (i) that may arise as a consequence of this submission point
15	Hawkes Bay Regional Council	Stat #3 101	C7 Pol LW1.2	Assessment of significant values of an outstanding water body should include spatial extent of those values if relevant	Allow submission	Assessment of significant values of an outstanding water body should include spatial extent of those values if relevant
15	Hawkes Bay Regional Council	Stat #4 102	C7 Pol LW1.2	Assessment of significant values of an outstanding water body should include spatial and/or temporal extent of those values if relevant	Allow submission	
15	Hawkes Bay Regional Council	Stat #5 103	C7 Pol LW1.2	Cross references between RRMP provisions can be helpful as long as the cross referencing is sensible	Allow submission	
15	Hawkes Bay Regional Council	Oppose Stat #6 104	C7 Pol LW1.2	An RRMP policy should not merely restate the Objectives of the NPSFM. Regional plan policy should state how the regional plan is going to give effect to the objectives of the NPSFM. In this regard, it is entirely appropriate to give effect to an NPSFM objective of <i>protection of outstanding water bodies</i> through an RRMP policy that manages activities in a manner which avoids adverse effects on outstanding water bodies.	Disallow submission	
15	Hawkes Bay Regional Council	Stat #7 105	C7 Pol LW2.1	Policy LW2.1 (bA) is an interim policy that should not apply once relevant catchment-based regional plan changes become operative	Allow submission	
15	Hawkes Bay Regional Council	Stat #8 106	C7 Pol C1	Assessment of significant values of an Outstanding Water Body should include spatial extent of those values if relevant	Allow submission	Assessment of significant values of an outstanding water body should include spatial extent of those values if relevant

15	Hawkes Bay Regional Council	Oppose Stat #10 107	C7 Pol C1	An RRMP policy should not merely restate the Objectives of the NPSFM. The policy should state how the regional plan is going to give effect to the objectives of the NPSFM. In this regard, it is entirely appropriate to give effect to an NPSFM objective of <i>protection of outstanding water bodies</i> through an RRMP policy that manages activities in a manner which avoids adverse effects on outstanding water bodies.	Disallow submission	
15	Hawkes Bay Regional Council	Oppose in part Stat #13 108	Schedule 25 Part 2	PC9 (TANK Plan Change) has now been notified	Disallow submission in part	PC7 needs correcting to reflect notified status of PC9 (TANK) Plan Change
15	Hawkes Bay Regional Council	Oppose Stat #15 109	Schedule 25 Part 2	In notifying PC7, the Hawkes Bay Regional Council knowingly publicly notified a deficient plan change. There are significant portions of the community who have no idea why the outstanding water bodies identified in PC7 were included in the plan change. In the absence of supporting analysis in PC7, these 'nominated' waterbodies are just as unlikely (as likely) to warrant identification as outstanding water bodies. The plan change should be withdrawn and re-notified once a full analysis of the waterbodies to be included in the plan change has been completed	Disallow submission	
15	Hawkes Bay Regional Council	Oppose Stat #25 110	Schedule 25 Part 2	In notifying PC7, the Hawkes Bay Regional Council knowingly publicly notified a deficient plan change. There are significant portions of the community who have no idea why the outstanding water bodies identified in PC7 were included in the plan change. In the absence of supporting analysis in PC7, these 'nominated' waterbodies are just as unlikely (as likely) to warrant identification as outstanding water bodies. The plan change should be withdrawn and re-notified once a full analysis of the waterbodies to be included in the plan change has been completed	Disallow submission	
16	Hawkes Bay Winegrowers Association	Support Stat#1 111	C7 Pol LW3A.2	Water transfers between water users who are farmers or irrigators within a sub-catchment should be exclude from effects assessments in order to foster resilience and promote efficient water use.	Allow submission	

16	Hawkes Bay Winegrowers Association	Support Stat#2 112	C7 Pol LW3A.1	Resource consent applicants should not have to undertake assessments of significance of outstanding water bodies, especially as PC7 was notified without complete assessment of the values of outstanding water bodies.	Allow submission	
16	Hawkes Bay Winegrowers Association	Support in part Stat#3 113	C7 Sch25 Tukituki	Domestic water supply, primary production water use (including for associated processing) should be included in the significant values for the Tukituki River if it is to be identified as an Outstanding Water Body	Allow the submission in part	Domestic water supply, primary production water use (including for associated processing) should be included in the significant values for the Tukituki River
16	Hawkes Bay Winegrowers Association	Support in part Stat#4 114	C7 Sch25 Ruataniwha Aquifer	Domestic water supply, primary production water use (including for associated processing) should be included in the significant values for the Ruataniwha Aquifer if it is to be identified as an Outstanding Water Body	Allow the submission in part	Domestic water supply, primary production water use (including for associated processing) should be included in the significant values for the Ruataniwha Aquifer
17	Hawkes Bay Airport Ltd	Support Stat #1 115	C7 Schedule 25.2	Support the submitter's opposition to identification of any water body as outstanding when significant values of such water body are not known	Allow submission	
17	Hawkes Bay Airport Ltd	Support Stat #3 116	C7 Pol LW3A Gen	Support the submitter's opposition to Policy LW3A being included in PC7 before significant values of any Outstanding Water Body have been identified	Allow submission	
17	Hawkes Bay Airport Ltd	Support Stat #4 117	C7 Pol C2 Gen	Support the submitter's opposition to Policy C2 being included in PC7 before significant values of any Outstanding Water Body have been identified	Allow submission	
17	Hawkes Bay Airport Ltd	Support Stat #6 #7, #8, #9, #10, #11, #12, #13, #14, #15, #16, #17, #18, #19, #20, #21, #22, #23, #24, #25, #26, #27, #28, #29, #30, #31, #32, #33, #34, #35 118-147	C7 Schedule 25 –	Support the submitter's opposition to the identified waterbodies in these submission points being included in PC7 before significant values of any Outstanding Water Body have been identified	Allow submission	
17	Hawkes Bay Airport Ltd	Support Stat #36 148	C7 Pol LW3A Gen	Support the submitter's opposition to Policy LW3A being included in PC7 before significant values of any Outstanding Water Body have been identified	Allow submission	
17	Hawkes Bay Airport Ltd	Support Stat #37 149	C7 Pol C2 Gen	Support the submitter's opposition to Policy C2 being included in PC7 before significant values of any Outstanding Water Body have been identified	Allow submission	

18	Hineuru Iwi Trust	Support in part Stat #1 150	C7 Gen process	Ngati Hineuru should be involved in identifying substantial cultural significance of waterbodies of importance to them, just as everyone else in the community should be involved in identifying values of significance in other respects.	Allow submission	
19	Horticulture NZ	Support Stat #1 151	C7 General	PC7 should not require protection of waterbodies as outstanding water bodies, when the values that are needed to establish significance as outstanding water bodies have not been identified.	Allow submission	
19	Horticulture NZ	Support Stat #2 152	C7 General	PC7 should not prioritise protection of waterbodies as outstanding water bodies, when the values that are needed to establish significance as outstanding water bodies have not been identified	Allow submission	
19	Horticulture NZ	Support Stat #3 153	C7 Schedule 25	Economic and consumptive use values should be considered in the outstanding and significant values of outstanding water bodies	Allow submission	
19	Horticulture NZ	Support Stat #4 154	C7 General	The ability to balance consumptive and non-consumptive competing values should be maintained without resorting to a <i>hierarchy of importance</i>	Allow submission	
19	Horticulture NZ	Support Stat #5 155	C7 Schedule 25	Only water bodies which are truly remarkable on a national basis should be included as identified outstanding water bodies	Allow submission	
19	Horticulture NZ	Support Stat #7 156	C7 Schedule 25	A delated explanation of any water body that is to be identified as an Outstanding Water Body should be included in the plan change	Allow submission	
19	Horticulture NZ	Support Stat #8 157	C7 Schedule 25 Heretaunga Aquifer	Heretaunga Aquifer should not be identified as an Outstanding Water Body due to significant implications for primary producers	Allow submission	
19	Horticulture NZ	Support Stat #9 158	C7 Schedule 25 Ruatahiwha Aquifer	Ruatahiwha Aquifer should not be identified as an Outstanding Water Body due to significant implications for primary producers	Allow submission	
19	Horticulture NZ	Support Stat #12 159	C7 Pol LW3A.1	The ability for a decision maker to require changes to a location of an activity or impose additional time limits is neither reasonable nor necessary	Allow submission	
19	Horticulture NZ	Support Stat #13 160	C7 Pol LW3A.1	The proposed hierarchy of importance is not appropriate	Allow submission	
19	Horticulture NZ	Support Stat #19 to #37 inclusive	C7 Sch25 various listed water bodies	Support deletion of the waterbodies requested in the submitter's submission points	Allow submission	

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20	Jet Boating NZ	Oppose Stat#1 and Stat #3 181, 181	C7 Misc and C7 Sch25 Ngaruroro	The values of the braided reach of the Ngaruroro River from Whanawhana to Fernhill Bridge as outstanding for jet boating is questionable.	Disallow submission	
23	Napier City Council	Oppose in part Stat#1 182	C7 Pol C2 Gen	Coastal water should not be considered in PC7 , because PC7 should deal with freshwater bodies only	Disallow submission	Disallow the submission seeking inclusion of reference to review of the coastal plan
25	Ngamatea Farming Company Ltd	Support Stat #1 183	C7 Schedule 25.2	Supports submitter's opposition to 38 water bodies being identified on the basis of their comparative regional importance. Whether or not water bodies have regional significance should not be a relevant criterion for consideration as to 'outstandingness'.	Allow submission	
25	Ngamatea Farming Company Ltd	Support Stat #3 184	C7 Schedule 25.2	Supports submitter's opposition to water bodies being identified as outstanding when there have not been any values described in Schedule 25	Allow submission	
26	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Ngati Kahungunu Iwi Inc, TTOH, et al.	Support in part Stat #1 185	C7 Gen NatPolicy	Including coastal water or estuaries in PC7 is inappropriate as the definition of water body in the RMA does not include coastal waters	Allow in part the submission	Do not include coastal waters and estuaries in the assessment of outstanding water bodies identified in PC7
27	Ngati Kahungunu Wairoa Taiwhenua Inc.	Oppose Stat #2 186	C7 Schedule 25.2	Do not include all water bodies above and below ground in Wairoa District as a single Outstanding Water Body - the reasons provided by the submitter do not justify such extreme action.	Disallow submission	
32	Pernod Ricard Winemakers NZ Ltd	Support Stat #1 187	C7 Schedule 25.2	It is not appropriate to identify water bodies as 'outstanding' without evidence or justification	Allow submission	
32	Pernod Ricard Winemakers NZ Ltd	Support Stat #2 to #5 inclusive 188-191	C7 Schedule 25 various waterbodies	Support submitter's opposition to Heretaunga Aquifer, Ngaruroro River, Tutakuri River, Tukituki River being identified as outstanding water bodies due to significant implications for primary producers.	Allow submission	
32	Pernod Ricard Winemakers NZ Ltd	Support Stat #6 192	C7 Schedule 25.2	Support submitter's request to delete water bodies that are not truly outstanding on a national basis from Schedule 25	Allow submission	
37	Transpower NZ Ltd	Support Stat #1 193	C7 Pol LW1.2	Where a National Grid has a functional or operational need to locate in an outstanding water body, then there should be a hierarchy of considerations that are related to the severity of adverse effects on that outstanding water body so that adverse effects can be avoided, remedied or mitigated to the extent practicable, because it may	Allow submission	

				not be possible or practicable to relocate the National Grid outside such outstanding water body.		
37	Transpower NZ Ltd	Support Stat #2 194	C7 Pol C1	Where a National Grid has a functional or operational need to locate in an outstanding water body, then there should be a hierarchy of considerations that are related to the severity of adverse effects on that outstanding water body so that adverse effects can be avoided, remedied or mitigated to the extent practicable, because it may not be possible or practicable to relocate the National Grid outside such outstanding water body.	Allow submission	
37	Transpower NZ Ltd	Support in part Stat #3 195	C7 Pol LW3A.1	Where a National Grid has a functional or operational need to locate in an outstanding water body, then there should be consideration of adverse effects on that outstanding water body so that adverse effects can be avoided, remedied or mitigated to the extent practicable, because it may not be possible or practicable to relocate the National Grid outside such outstanding water body.	Allow submission in part	Further amend the submitter's submission point in (e) iii.; thus: iii. The extent to which adverse effects have been avoided, remedied or mitigated <u>to the extent practicable</u> , by route, site and method selection process.
37	Transpower NZ Ltd	Support in part Stat #4 196	C7 Pol C2.1	Where a National Grid has a functional or operational need to locate in an outstanding water body, then there should be consideration of adverse effects on that outstanding water body so that adverse effects can be avoided, remedied or mitigated to the extent practicable, because it may not be possible or practicable to relocate the National Grid outside such outstanding water body.	Allow submission in part	Further amend the submitter's submission point in (e) iii.; thus: iii. The extent to which adverse effects have been avoided, remedied or mitigated <u>to the extent practicable</u> , by route, site and method selection process.
38	Trust Power	Support in part Stat #1 197	C7 Schedule 25	Where there is only regional significance attached to a water body, such water body should not be included in plan provisions aimed at protecting outstanding water bodies. In such cases, the aspects of regional significance may be addressed in a relevant catchment-specific plan	Allow submission in part	Amend submitter's implied relief as follows: 'those water bodies which have been identified as outstanding solely for cultural and spiritual <u>regionally significant</u> values should be deleted from Schedule 25. <u>The appropriate place for such water</u>

						bodies may be in a catchment-specific plan change.'
38	Trust Power	Support Stat #2 <i>198</i>	C7 Glossary 'OWB'	Outstanding water bodies should be outstanding in their own right, and the threshold should be very high, being 'quite out of the ordinary on a national basis'.	Allow submission	
38	Trust Power	Support Stat #3 <i>199</i>	C7 Schedule 25	Water bodies which have similar values to other water bodies across the region should be deleted.	Allow submission	
38	Trust Power	Oppose Stat #10 <i>200</i>	C7 Glossary 'OWB'	'Regional significance' is an inappropriate criterion for identifying outstanding water bodies. Outstanding water bodies should be outstanding in their own right, and the threshold should be very high, being 'quite out of the ordinary on a national basis'.	Disallow submission	
38	Trust Power	Oppose in part Stat #25 to Stat #44 inclusive <i>201-220</i>	C7 Sch25 various waterbodies	These water bodies should be deleted from Schedule 25 unless the values which render them significant as outstanding water bodies are clearly identified and included in the table in Schedule 25.	Disallow submission in part	Remove water bodies which do not include values which render them significant as outstanding water bodies.
38	Trust Power	Support Stat #45 to Stat #62 inclusive	C7 Sch25 various waterbodies	These water bodies should be deleted from Schedule 25.	Allow submission	

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SUBMISSION ID#

F104

Date Received:

10/9/2020

Database Entry Date:

11/9/2020

Database Entry Operator:

NN

Further Submission on Proposed Plan Change 7: Hawke's Bay Regional Resource Management Plan

Organisation: Forest Management New Zealand Ltd (FMNZ)

Postal address: 14 Niven Street, Onekawa, Napier, 4110

Email address: nes@fmnz.co.nz


Phone number: (06) 843 3770

We are a person who has an interest in the proposal that is greater than the interest the general public has:

We were original submitters and are affected by the submission by this submitter.

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: 10 September 2020.

Submission Details

We oppose the submission of:

Forest and Bird Society of NZ...

Address of original submitter:

P O Box 631

Wellington 6140

Submission number of original submission: 10

The particular parts of the submission we oppose are:

1.

Statement 12 Pol LW3A 1 (a) and (b) proposed amendments.

2.

- 2 Statement 20 Glossary OW. The proposed amendments.
 - 3.
- 3 Statement 24 Schedule 25 "Natural Character" Table 1 The proposed amendments.
 - 4.
- 4 Statement 24 amendments to Schedule 25 by adding the assessment criteria.
 - 5.
- 5 Statement 29 adding in water bodies that were part of a draft.

The reasons (following the numeration above) for our opposition are:

1.

It is inappropriate for outstanding water bodies to be identified by a resource consent process. It is the function of the Council to identify such water bodies. Persons will not be afforded rights of participation if water bodies are identified by way of resource consents that persons have no knowledge of or rights of objection. The identification should be by way of a plan process and no reference to criteria.

2.

It is inappropriate for outstanding water bodies to be identified by a resource consent process. It is the function of the Council to identify such water bodies. Persons will not be afforded rights of participation if water bodies are identified by way of resource consents that persons have no knowledge of or rights of objection.

3.

The matters should be conjunctive not alternatives. Also "surrounding landscape" is not within the water body itself and therefore not relevant.

4.

This matter relates to using assessment criteria when undertaking the resource consent process and as stated above we do not support the proposed amendments to allow for such a process.

5.

This plan change relates to those bodies identified in schedule 25 and if other water bodies are to be included then they should be done by way of a variation of further plan change.

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SUBMISSION ID#

F105

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10/9/2020

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NN



**Further Submission by Genesis Energy Limited
(Submitter #12)**

Trading as Genesis

ON

**Proposed Plan Change 7 –
Outstanding Water Bodies Plan Change to the
Hawke's Bay Regional Resource Management Plan**

10 September 2020

Further Submission by Genesis Energy Limited (Submitter #12)

Trading as Genesis

Proposed Plan Change 7 – Outstanding Water Bodies Plan Change to the Hawke's Bay Regional Resource Management Plan

To: The Chief Executive
Hawke's Bay Regional Council
Private Bag 6006
Napier
OWB@hbrc.govt.nz

Date: 10 September 2020

Submitter name: Genesis Energy Limited

Contact: Alice Lin
Environmental Policy & Planning Manager

Address: Genesis Energy Limited
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Auckland 1051

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Email: Alice.Lin@genesisenergy.co.nz

Address for Service: As above

1. Introduction

Genesis Energy Limited (**Genesis, Submitter #12**) makes the specific further submissions on Proposed Plan Change 7 (Outstanding Water Bodies Plan Change) to the Hawke's Bay Regional Resource Management Plan (**RRMP**), as set out in the table below.

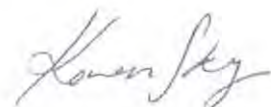
Genesis wishes to be heard in support of this submission.

In accordance with Clause 8(1)(b) of the First Schedule of the Resource Management Act 1991, Genesis has an interest in the Proposed Plan Change 7 (**PC7**) that is greater than the interest of the general public. Specifically, Genesis owns and operates the Waikaremoana Power Scheme (**WPS**) which has existed for some 90 years. The supply of electricity from the WPS is critical at both the national and regional levels. Genesis is concerned the PC7 as currently drafted will significantly affect, and fail to provide for, the continued operation of the WPS. Such an outcome would be inconsistent with the RRMP and national level policy directions including the National Policy Statement for Renewable Electricity Generation 2011 (**NPSREG**) and the new National Policy Statement for Freshwater Management 2020 (**NPSFM**).

Genesis does not gain an advantage in trade competition through this submission.

If other persons make a similar submission, Genesis would consider presenting joint evidence at the time of hearing.

Nāku noa, nā



Karen Sky
Group Manager Environment and Community

Submitter	Sub #	Stat #	Provision	Relief Sought by Submitter [Deletion in italics in square brackets]. Addition underlined	Genesis Support / Oppose	Reason	Relief Sought by Genesis
Kathryn Bayliss	1	9	C7 General	Amend Plan Change 7 to prohibit dams and diversions in outstanding water bodies.	Oppose	Genesis considers this prohibition has not been examined in section 32 terms, and PC7 does not seek to change the rule framework of the plan.	Reject submission
Department of Conservation	5	3	C7 General	Add a framework to Change 7, which includes set of 'outstanding' criteria that can be used to identify additional water bodies across the region, not listed in Schedule 25.	Oppose	PC7 sets up a framework for catchment-based plan changes to determine the specific values.	Reject submission
Department of Conservation	5	6	C7 Pol LW1.1	Amend Policy LW1.1(cC) to read: "Assesses the outstanding water bodies identified in Schedule 25 to determine the significant or outstanding values..."	Oppose	It is Genesis' understanding that the outstanding values have already been determined and Policy LW1.1(cC) applies to the subsequent process to identify the significant values.	Reject submission
Department of Conservation	5	7	C7 Pol LW3A	Amend Policy LW3A.1 as follows: 1"...a consent authority must <i>[have regard to]</i> . (a) <i>Not grant a consent where there is a more than minor effect on [the extent to which the activity would protect] the outstanding value(s)</i> (b) <i>Not grant a consent where there is a more than minor effect [on the extent to which the activity would protect] the significant values.</i> (c) <u>Have regard to</u> whether, in order to protect the waterbody's outstanding values..."	Oppose	Genesis does not support a policy that explicitly states that consents will not be granted where there is a more than minor effect, particularly in the context of waterbodies that may be influenced by electricity generation activities. Such a policy would not give effect to the NPSREG and is inconsistent with the purpose of the RMA to avoid, remedy or mitigate adverse effects.	Reject submission
Department of Conservation	5	12	C7 Glossary	Add a new definition for 'outstanding value.'	Oppose	The Department of Conservation has not provided a definition and therefore the implications of including a definition cannot be identified.	Reject submission
Department of Conservation	5	13	C7 Glossary	Add a new definition for 'significant value.'	Oppose	The Department of Conservation has not provided a definition and therefore the implications of including a definition cannot be identified.	Reject submission
Federated Farmers of New Zealand	9	31	C7 Schedule 25	No specific decision requested, but implies Schedule 25, Table 2 should be amended to include the spatial extent of the significant and outstanding values determined through Policy LW1.2(bA)(I).	Support	Genesis also considers that the special extent of the values needs to be determined.	Accept submission
Federated Farmers of New Zealand	9	49	C7 Glossary	Amend definition of 'outstanding' to read: "for the purposes of an outstanding water body, outstanding means conspicuous, eminent, and <i>[/or] remarkable on a national basis, [in the context of the Hawke's Bay Region.]</i> "	Support	Genesis has sought similar amendments and considers the definition of outstanding should be comparable at a national scale.	Accept submission

Submitter	Sub #	Stat #	Provision	Relief Sought by Submitter <i>(Deletion in italics in square brackets); Addition underlined</i>	Genesis Support / Oppose	Reason	Relief Sought by Genesis
Federated Farmers of New Zealand	9	113	C7 Schedule 25	Delete Waikaretaheke River [ID 35] from Schedule 25.	Support	Genesis also seeks the removal of the Waikaretaheke River, however, if it is retained Genesis considers that PC7 should recognise hydro-electric power generation as an outstanding value of the Waikaretaheke River.	Accept submission
Forest & Bird Society of NZ	10	2	C7 Obj LW1.1	Amend Objective LW1 to read: "protecting the outstanding and significant values of outstanding water bodies <i>in Hawke's Bay</i> [<i>identified in Schedule 25</i>]".	Oppose	Genesis considers that the explicit reference to Schedule 25 provides better clarity in the regulatory framework.	Reject submission
Forest & Bird Society of NZ	10	3	C7 Pol LW1.1	Amend Policy LW1.1(cC) to read: "assesses [<i>the outstanding</i>] water bodies <u>to determine if they are outstanding, and, where they are outstanding, assess them</u> [<i>identified in Schedule 25</i>] to determine the significant values of those water bodies. This assessment <u>should be made against the criteria set out in Schedule X</u> and include consideration of the values set out in ...".	Oppose	Genesis considers that the explicit reference to Schedule 25 provides better clarity in the regulatory framework. If other waterbodies are assessed as being outstanding, a specific plan change process is the most appropriate way to include them in the plan.	Reject submission
Forest & Bird Society of NZ	10	4	C7 General	Add a new schedule to Change 7 setting out a list of criteria that can be used to determine what qualifies as 'outstanding'; which: a) can be referred to when considering resource consent applications b) reflects the 'outstanding water bodies assessment criteria' used by the Expert Panel to identify a list of outstanding water bodies across the region.	Oppose	This process has already been undertaken which has resulted in the current list in Schedule 25.	Reject submission
Forest & Bird Society of NZ	10	5	C7 Pol LW1.1	Amend Policy LW1.1(d) to read: "protects the outstanding and significant values of those outstanding water bodies identified [<i>in Schedule 25</i>]".	Oppose	Genesis considers that the explicit reference to Schedule 25 provides better clarity in the regulatory framework.	Reject submission
Forest & Bird Society of NZ	10	6	C7 Pol LW1.2	Amend Policy LW1.1(dA) to read: "maintains, and where necessary enhances, the water quality of those outstanding water bodies identified [<i>in Schedule 25</i>], and [<i>where appropriate</i>], protects the water quantity of those outstanding water bodies <u>in order to protect their significant values</u> ".	Oppose	Genesis considers that the explicit reference to Schedule 25 provides better clarity in the regulatory framework. Further, Genesis does not support including reference to significant values, where those significant values have not been identified as part of PC7.	Reject submission

Submitter	Sub #	Stat #	Provision	Relief Sought by Submitter <i>[Deletion in italics in square brackets]. Addition underlined</i>	Genesis Support / Oppose	Reason	Relief Sought by Genesis
Forest & Bird Society of NZ	10	7	C7 Pol LW1.2	Amend Policy LW1.2(bA) to read: "in relation to any relevant outstanding waterbodies identified <i>[in Schedule 25]</i> : (i) ... (ii) establish how the outstanding and significant values of outstanding water bodies identified <i>[in Schedule 25]</i> will be protected <i>[by regulatory methods or non-regulatory methods or both]</i> ; (iii) include regional plan provisions to manage activities in a manner which avoids adverse effects that are more than minor on the outstanding and significant values of an outstanding water body <i>[identified in Schedule 25]</i> ; (iv) <u>list those water bodies known to be outstanding in Schedule 25 of the plan.</u>	Oppose	The Schedule 25 waterbodies have already been identified and therefore the framework needs to reflect the process the council has undertaken.	Reject submission
Forest & Bird Society of NZ	10	9 & 10	C7 General	Amend Change 7 to remove the hierarchy whereby outstanding values take priority over significant values, where conflicts arise. No specific decision requested, but implies Change 7 should be amended to clarify that where a conflict arises between outstanding and significant values, the values should be prioritised as per the NPSFM direction set out in Objective A2.	Support	Genesis' primary submission details the challenges associated with the subsequent process to determine the significant values of a waterbody (while PC7 lists the outstanding values of the waterbodies), and as such, any hierarchy would be inappropriate without all the values having been identified.	Accept submission
Forest & Bird Society of NZ	10	12	C7 Pol LW3A.1	Amend Policy LW3A.1 to read: "in relation to those types of activities identified in Policy LW3A.2, <i>[once the relevant catchment based regional plan change is operative or after 31 December 2025, whichever is sooner]</i> , a consent authority must have regard to: (a) The extent to which the activity would protect the outstanding value(s) described in Schedule 25 <i>[or identified through the consenting process]</i> of the relevant outstanding waterbody (b) the extent to which the activity would protect the significant values <i>[if any]</i> identified in Schedule 25 or identified through the consenting process of the relevant outstanding waterbody; (c) ... (d) <i>[if there is a conflict between protecting an] <u>How</u> outstanding and [a] significant value[s] of the same water body will be protected. [protection of the outstanding value must be given preference]."</i>	Oppose	Genesis considers that PC7 should be deferred until catchment-based assessments are completed, or alternatively for Policy LW3A to be deleted until such time the relevant catchment-based regional plan change(s) are operative. Genesis does not consider the proposed wording from Forest & Bird addresses the concerns raised in Genesis' primary submission.	Reject submission
Forest & Bird Society of NZ	10	14	C7 Ch3.1A AER#	Amend AER Number 7, to read: "...The significant values for each outstanding water body listed identified in Schedule 25 are protected <i>[using regulatory methods or non-regulatory methods, or both]</i> . <u>Provision is given to protect the significant values of outstanding water bodies that are not included in Schedule 25.</u> "	Oppose	The significant values have not been identified and therefore the implications of including this amendment cannot be fully assessed.	Reject submission

Submitter	Sub #	Stat #	Provision	Relief Sought by Submitter <i>[Deletion in italics in square brackets], Addition underlined</i>	Genesis Support / Oppose	Reason	Relief Sought by Genesis
Forest & Bird Society of NZ	10	20	C7 Glossary	'Outstanding water body' – Amend to read: "means any <u>water body</u> [<i>freshwater bodies and estuaries</i>], or parts thereof, identified in Schedule 25 or through a resource consenting or other appropriate process, that has[ve] one or more outstanding cultural, spiritual, recreation, landscape, geology, natural character or ecology value(s) <u>as determined by the criteria in Schedule X</u> "	Oppose	PC7 should be the process to determine the outstanding waterbodies. Genesis considers it is inappropriate to identify such waterbodies through a resource consent process.	Reject submission
Forest & Bird Society of NZ	10	22	C7 Schedule 25.1	Amend the description of 'Natural Character' in Table 1, of Schedule 25 to read: "a water body with high naturalness exhibiting [<i>an</i>] exceptional [<i>combination of</i>] natural processes, natural patterns, [<i>and</i>] or natural elements, with low levels of modifications to the river, its ecosystems and/or the surrounding landscape."	Oppose	Genesis considers the notified definition should be retained.	Reject submission
Forest & Bird Society of NZ	10	24	C7 Schedule 25	Amend Schedule 25 to include the 'outstanding water bodies assessment criteria' used by the Expert Panel to identify outstanding water bodies in Hawke's Bay.	Oppose	The criteria has been used to determine the values and therefore does not need to be explicitly referenced in the plan.	Reject submission
Forest & Bird Society of NZ	10	26	C7 Schedule 25	Amend Schedule 25 by deleting those values which are not found with the water body itself, such as primary production.	Oppose	Genesis considers the submission misrepresents what the NPSFM contemplates. As outlined in Genesis' submission, electricity generation should be an identified value of a water body.	Reject submission
Forest & Bird Society of NZ	10	27	C7 Schedule 25	Amend Schedule 25 to include known significant values, particularly those identified by the Expert Panel, for water bodies that have an asterisk (*).	Oppose in part	Genesis considers any proposal to include additional values to PC7 would need to undergo a robust, comprehensive assessment in accordance with the requirements of the NPSFM to identify values at a national scale.	Reject submission
Forest & Bird Society of NZ	10	28	C7 Schedule 25.2	Amend Schedule 25 to ensure the significant values listed for each water body is consistent with those identified by the Expert Panel.	Oppose in part	Genesis considers any proposal to include additional values to PC7 would need to undergo a robust, comprehensive assessment in accordance with the requirements of the NPSFM to identify values at a national scale, including any value for electricity generation.	Reject submission

Submitter	Sub #	Stat #	Provision	Relief Sought by Submitter <i>[Deletion in italics in square brackets]. Addition underlined</i>	Genesis Support / Oppose	Reason	Relief Sought by Genesis
Forest & Bird Society of NZ	10	29 26	C7 Schedule 25.2	Amend Schedule 25 to reinstate any outstanding water bodies removed from Schedule 25 between the "Draft" and "Notified" versions of Change 7.	Oppose	Genesis does not support any additional waterbodies being included in PC7 without a robust comprehensive catchment-based assessment being completed to give effect to the requirements of the NPSFM.	Reject submission
Hawke's Bay Fish and Game Council	13	1 27	C7 General	No specific decision requested, however implies Change 7 should be amended to ensure protection is not confined to the outstanding values of outstanding water bodies.	Oppose	This plan change deals with Outstanding Water Bodies only, and in that regard the scope is appropriately narrow.	Reject submission
Hawke's Bay Fish and Game Council	13	3 28	C7 General	Amend Change 7 to protect outstanding water bodies and their significant values.	Oppose	As the significant values are yet to be determined, it would not be appropriate at this stage in the process to amend PC7 in this regard.	Reject submission
Hawkes Bay Regional Council	15	6 29	C7 Pol LW1.2	Amend Policy LW1 2(bA)(iii) to read "include regional plan provisions to <u>protect the</u> <i>(manage activities in a manner which avoids adverse effects that are more than minor on the)</i> outstanding and significant values of an outstanding water body identified in Schedule 25."	Oppose	Genesis does not support any change that confers absolute protection on a resource that is critical for hydro-electricity generation purposes. In addition, Genesis considers such a policy would not give effect to the NPSREG.	Reject submission
Hawke's Bay Airport Ltd	17	32 30	C7 Schedule 25	Delete the Waikaretaheke River [ID 35] from Schedule 25.	Support	Consistent with the relief sought by Genesis.	Accept submission
Horticulture New Zealand	19	5 31	C7 Schedule 25	Amend Schedule 25 to include only those water bodies which are truly remarkable.	Support	The relief accords with Genesis' submission.	Accept submission
Horticulture New Zealand	19	36 32	C7 Schedule 25	Delete the Waikaretaheke River [ID 35] from Schedule 25.	Support	Consistent with the relief sought by Genesis.	Accept submission
Audrey Jones	21	1 33	C7 Schedule 25	No specific decision requested, but implies the outstanding description for Waikaretaheke River [ID 35] should be amended to include the following: - 'it is the only river originating from Lake Waikaremoana [ID 9]'; 'extremely important culturally and spiritually to local iwi'; 'the upper reaches of this river are unusually clear and include an impressive waterfall'; 'the river is important and necessary for migration of eel/tuna and has the highest aquatic macroinvertebrate count in the area'; 'the river is used for white-water kayaking competitions'.	Oppose in part	Genesis opposes the inclusion of the Waikaretaheke River. However, if the Waikaretaheke River is retained Genesis considers that PC7 should recognise hydro-electric power generation as an outstanding value of the Waikaretaheke River.	Reject submission

Submitter	Sub #	Stat #	Provision	Relief Sought by Submitter <i>[Deletion in italics in square brackets]. Addition underlined</i>	Genesis Support / Oppose	Reason	Relief Sought by Genesis
Ngāti Kahungunu Iwi Inc, TTOH, et. al.	26	37	C7 Schedule 25	Add the following 'significant values' for Lake Waikaremoana (ID 9): " <u>–</u> ' <u>Nohoanga/Pahi</u> '; ' <u>Fish passage</u> '; ' <u>Fish spawning</u> '; ' <u>Waahi taonga</u> '; ' <u>Waahi tapu</u> '; ' <u>Mahinga kai</u> '; ' <u>Tauranga waka</u> '; ' <u>Wai Tapu</u> '; ' <u>Rohe Boundary</u> '; ' <u>Korero tawhito</u> '; ' <u>Maramataka</u> '; ' <u>Whakapapa o te tangata</u> '; ' <u>Life-supporting capacity</u> '; ' <u>Taonga rongoa</u> ."	Oppose in part	Genesis respects the views of Ngāti Kahungunu but considers any proposal to include additional values would need to undergo a robust, comprehensive assessment in accordance with the requirements of the NPSFM to identify values at a national scale.	Reject submission
Ngāti Kahungunu Iwi Inc, TTOH, et. al.	26	62	C7 Schedule 25	Add the following 'significant values' for the Waikaretaheke River (ID 35): " <u>–</u> ' <u>Nohoanga/Pahi</u> '; ' <u>Fish passage</u> '; ' <u>Fish spawning</u> '; ' <u>Waahi taonga</u> '; ' <u>Waahi tapu</u> '; ' <u>Mahinga kai</u> '; ' <u>Tauranga waka</u> '; ' <u>Wai Tapu</u> '; ' <u>Rohe Boundary</u> '; ' <u>Korero tawhito</u> '; ' <u>Maramataka</u> '; ' <u>Whakapapa o te tangata</u> '; ' <u>Life-supporting capacity</u> '; ' <u>Taonga rongoa</u> ."	Oppose in part	Genesis respects the views of Ngāti Kahungunu but considers any proposal to include additional values would need to undergo a robust, comprehensive assessment in accordance with the requirements of the NPSFM to identify values at a national scale.	Reject submission
Ngāti Kahungunu Iwi Inc, TTOH, et. al.	26	69	C7 Obj LW1.1	Amend Objective LW1.1 to read: "protecting the outstanding and significant values <u>and water quality</u> of outstanding <u>freshwater</u> bodies identified [listed] in Schedule 25 [Hawke's Bay]."	Oppose	It is Genesis' understanding that the purpose of PC7 relates to the outstanding and significant values of water bodies, rather than water quality matters.	Reject submission
Ngāti Kahungunu Iwi Inc, TTOH, et. al.	26	71	C7 Pol LW1.1	Amend Policy LW1.1(cC) to read: "assesses the outstanding freshwater bodies identified in Schedule 25 to determine their significant values [of those water bodies]. This assessment <u>shall</u> include[<u>consideration of</u>] <u>taking into account</u> the values set out in Appendix 1 of the National Policy statement for Freshwater Management, and [any] other values <u>that the water body contains</u> that are determined to be <u>significant</u> [<u>relevant</u>] taking into account [<u>local and/or</u>] regional circumstances."	Oppose	Genesis considers the notified version of Pol LW1.1(cC) is more appropriate, and should be retained provided that Schedule 25 is amended to reflect the outstanding value of hydro-electric power generation at Lake Waikaremoana and Waikaretaheke River.	Reject submission
Ngāti Kahungunu Iwi Inc, TTOH, et. al.	26	72	C7 Pol LW1.1	Amend Policy LW1.1(d) to read: " <u>gives effect to provisions relating to outstanding freshwater bodies arising from the implementation of Policy LW1A</u> and protects the outstanding and significant values of those outstanding freshwater bodies identified in Schedule 25."	Oppose	Genesis prefers the notified version of the policy and considers the explicit reference to Schedule 25 provides better clarity in the regulatory framework.	Reject submission

Submitter	Sub #	Stat #	Provision	Relief Sought by Submitter <i>[Deletion in italics in square brackets]. Addition underlined</i>	Genesis Support / Oppose	Reason	Relief Sought by Genesis
Ngāti Kahungunu Iwi Inc, TTOH, et. al.	26	74	C7 Pol LW1.2	<p>Amend Policy LW1.2(bA) so that the original operative wording for Clause (bA) is retained: "<u>recognise and provide for outstanding freshwater bodies and their values arising from the implementation of Policy LW1A;</u> AND"</p> <p>Amend Policy LW1.2(bA) as follows: a) [(bA)] (bB) " in relation to any relevant outstanding <u>freshwater</u> bodies identified in Schedule 25: (i) identify the significant values of that outstanding <u>freshwater</u> body and the spatial and/or temporal extent of those values <u>[as relevant]</u>; (ii) establish how the outstanding and significant values of outstanding <u>freshwater</u> bodies identified in Schedule 25 will be protected by regulatory methods or non regulatory methods or both; (iii) <u>include regional plan provisions to manage activities in a manner which avoids adverse effects, including cumulative adverse effects that are more than minor on the outstanding and significant values of an outstanding freshwater body identified in Schedule 25.</u>" AND b) consequential amendments to footnotes 4 and 5 and the explanations and reasons for Policy LW1.</p>	Oppose	Genesis prefers the notified version of the policy and considers the explicit reference to Schedule 25 provides better clarity in the regulatory framework.	Reject submission
Ngāti Kahungunu Iwi Inc, TTOH, et. al.	26	77	C7 Pol LW3A	<p>Amend Policy LW3A as follows: "Policy LW3A - Decision Making Criteria – Outstanding Fresh[W]ater Bodies 1. In relation to those types of activities identified in Policy LW3A.2, once <u>a resource consent expires</u>, the relevant catchment based regional plan change is operative or after 31 December 2025, whichever is sooner, a consent authority must <u>take into account</u> <i>(have regard to)</i>: (a) the extent to which the effects of the activity would <u>protect or detract from</u> the outstanding value(s) described in Schedule 25 for the relevant outstanding <u>freshwater</u> body (b) the extent to which the effects of the activity would <u>protect or detract from</u> the significant values (if any) identified in Schedule 25 for the relevant outstanding <u>freshwater</u> body (c) whether, in order to protect the freshwater body's outstanding values and significant values: (i).... (ii) <u>time limits, including seasonal [limits], minimum flows or water levels, or other limits on the activity [may] would be appropriate</u> (iii) <u>the effects of the activity either on its own or in combination with similar activities, has effects that are more than minor</u> (d).. 2. Policy LW3A.1 <u>[only]</u> applies to the following activities <u>[classified as a discretionary activity or a noncomplying activity by a rule]</u> regulated in a regional plan:</p>	Oppose	Genesis does not consider the proposed wording in this submission point addresses the concerns raised in Genesis' primary submission in respect of certainty.	Reject submission

Submitter	Sub #	Stat #	Provision	Relief Sought by Submitter <i>[Deletion in italics in square brackets]. Addition underlined</i>	Genesis Support / Oppose	Reason	Relief Sought by Genesis
				(a) "...outstanding <u>freshwater body</u> " (b) "... from an outstanding <u>freshwater body</u> " (c) "... into an outstanding <u>freshwater body</u> " (d) "... entering an outstanding <u>freshwater body</u> " (e) "... in the bed of an outstanding <u>freshwater body</u> " (f) a land use consent for any new or increased disturbance of the bed of an outstanding <u>freshwater body</u> <i>[that is not already authorised by a current land] use consent.</i> 3. Policy LW3A.1 only applies in the following circumstances: (a) where [a <i>description of</i>] the outstanding <u>freshwater body's</u> outstanding value (s) is stated in Schedule 25 <i>[and/or]</i> (b) where [a <i>description of</i>] the outstanding <u>freshwater body's</u> significant value(s) is stated in Schedule 25.			
Ngāti Kahungunu Iwi Inc, TTOH, et. al.	26	78 <i>41</i>	C7 Pol LW3A	Amend the Principal Reason and Explanation for Policy LW3A as follows: "Policy LW3A provides guidance to resource consent applicants and decisionmakers when assessing activities which can potentially cause adverse effects <u>including cumulative adverse effects</u> , on outstanding <u>freshwater bodies</u> . In some cases, the proposed activity may be inappropriate at that location or at certain times of the year. Those types of factors <i>[can] shall</i> be <i>[considered]</i> taken into <u>account</u> by the Consent Authority when assessing resource consent applications to ensure the outstanding <u>freshwater body's</u> significant values and outstanding values are appropriately protected. Policy LW3A takes effect after the objectives and limits have been set across the region and included in the Regional Resource Management Plan as required by the National Policy Statement for Freshwater Management. <u>Where consents have already expired or are due to expire before PC7 becomes operative, they will be assessed in accordance with the limits and targets in the operative regional plan.</u> "	Oppose	Consistent with the relief sought by Genesis.	Reject submission
Ngāti Kahungunu Iwi Inc, TTOH, et. al.	26	96 & 97 <i>42, 46</i>	C7 General	Amend Proposed Plan Change 7 to prevent abstractive use values having the ability to be identified as an outstanding value of an outstanding water body, where such values are reliant on water abstraction and on other inputs to enable the values to be accorded outstanding status (e.g. additional infrastructure, pipes, machinery, nutrient inputs, veterinary and animal health costs, advertising, transport costs etc.).	Oppose	Electricity generation on Lake Waikaremoana and Waikaretaheke River has occurred for some 90 years and forms part of the value of these waterbodies which should be identified in PC7.	Reject submission
Ngāti Kahungunu Wairoa Taiwhenua Inc.	27	2 <i>47</i>	C7 Schedule 25.2	Amend Schedule 25 to identify all water bodies, both above and below ground, within Wairoa District as a single outstanding water body.	Oppose	The implications of included such a wide area, and number of water bodies, has not been examined in the context of a s32 evaluation.	Reject submission

Submitter	Sub #	Stat #	Provision	Relief Sought by Submitter <i>[Deletion in italics in square brackets]. Addition underlined</i>	Genesis Support / Oppose	Reason	Relief Sought by Genesis
Ravensdown Limited	33	3 45	C7 Pol LW1.2	Amend Policy LW1.2(bA)(i) and (iii) as follows: (i) "Identify the significant values of that outstanding waterbody and the spatial and/or temporal extent of those values <i>[as relevant]</i> "; (iii) "include regional plan provisions to manage activities in a manner which <i>[avoids adverse effects that are more than minor on]</i> protects the outstanding and significant values of an outstanding water body..."	Oppose	Consistent with the relief sought by Genesis.	Reject submission
Transpower New Zealand	37	1 46	C7 Pol LW1.2	Amend Policy LW1.2 (bA)(iii) as follows: "bA)(iii) include regional plan provisions to manage activities in a manner which avoids adverse effects that are more than minor on the outstanding and significant values of an outstanding water body identified in Schedule 25. <u>Except, in the case of the National Grid, where the National Grid has a functional, operational or technical need to locate in an outstanding water body identified in Schedule 25, manage the arising adverse effects by:</u> <u>a) When undertaking a route, site and method selection process, seeking to avoid adverse effects on the values of the Outstanding waterbody;</u> <u>b) Where it is not practicable to avoid adverse effects on the values because of the functional, operational or technical needs of the National Grid, consider utilising the more modified parts of the Outstanding waterbody;</u> <u>c) Adverse effects which cannot be avoided are remedied or mitigated to the extent practicable, having regard to the activity's technical and operational requirements;</u> <u>d) Avoiding, remedying or mitigating other adverse effects to the extent practicable."</u>	Support	Genesis considers that a policy of this nature should be extended to also apply to renewable electricity generation facilities. The Waikaremoana Power Scheme has existed on Lake Waikaremoana and Waikaretaheke River for some 90 years. Any outstanding value that currently exist for these water bodies incorporates the operation of the Waikaremoana Power Scheme.	Accept submission
Transpower New Zealand	37	3 47	C7 Pol LW3A.1	Amend Policy LW3A.1 by adding a new sub-clause (e) to read: <u>"(e) Specific to the National Grid;</u> <u>i. The technical and operational requirements and constraints of the National Grid</u> <u>ii. The national, regional and local benefits of sustainable, secure and efficient electricity transmission</u> <u>iii. The extent to which adverse effect have been avoided, remedied or mitigated by the route, site and method selection process."</u>	Support	Genesis considers that a policy of this nature should be extended to also apply to renewable electricity generation facilities.	Accept submission
Trustpower Limited	38	1 48	C7 Schedule 25	No specific decision requested, but implies that those water bodies which have been identified as outstanding solely for cultural and spiritual values should be deleted from Schedule 25 and provided for in the relevant catchment based plan change.	Support	For the reasons identified in the Trustpower submission.	Accept submission
Trustpower Limited	38	60 49	C7 Schedule 25	Delete the Waikaretaheke River [D 35] from Schedule 25.	Support	Consistent with the relief sought by Genesis and for reasons identified in the Trustpower submission.	Accept submission

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SUBMISSION ID#

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9/9/2020

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13/9/2020

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8 September 2020

Ceri Edmonds
Acting Group Manager Strategic Planning
Hawke's Bay Regional Council
Private Bag 6006
NAPIER

Via email: OWB@hbrc.govt.nz

Dear Ceri

RE: Further Submission on Proposed Plan Change 7: Outstanding Water Bodies Plan Change

Please find attached a submission from Hawke's Bay Airport Limited on the above plan change in accordance with Form 6 of the Resource Management (Forms, Fees & Procedure) Regulations 2003.

Yours sincerely,



Anita Anderson
Mitchell Daysh Ltd

anita.anderson@mitchelldaysh.co.nz

FORM 6

**FURTHER SUBMISSION IN SUPPORT OF, OR IN OPPOSITION TO,
SUBMISSIONS ON NOTIFIED PROPOSED POLICY STATEMENT
OR PLAN, CHANGE OR VARIATION**


Clause 8 of Schedule 1, Resource Management Act 1991

To Hawke's Bay Regional Council,
Private Bag 6006,
Napier 4142

Name Hawke's Bay Airport Limited ('HBAL')

1. This is a further submission on the following proposed Plan Change (the proposal):
 - Proposed Plan Change 7: Hawke's Bay Regional Resource Management Plan ('PC7')
2. HBAL has an interest in PC7 that is greater than the interest the general public has as the Hawke's Bay Airport is located within the Te Whanganui a Orotū / Ahuriri Estuary catchment. Further to this HBAL is also a submitter to PC7.
3. HBAL makes the following further submission pursuant to clause 8 of the First Schedule of the RMA.
 - 3.1 The further submissions from HBAL on PC7 are attached as Attachment 1 and form part of this further submission.
4. HBAL could not gain an advantage in trade competition through this submission.
5. HBAL seeks the following decision from the local authority:
 - 5.1 That the submission points contained in Attachment 1 which is attached to and forms part of this submission be accepted, or that PC7 be amended in a similar or such other way as may be appropriate to address HBAL's submission points; and
 - 5.2 Any consequential changes, amendments or decisions that may be required to give effect to the matters raised in HBAL's submission.
6. HBAL wish to be heard in support of its submission.
7. If others make a similar submission, HBAL will consider presenting a joint case with them at a hearing.

Date: 8 September 2020

Signature: 

(On behalf of Hawke's Bay Airport Limited by its authorised agent Anita Anderson, Mitchell Daysh Limited).

Address for Service: Hawke's Bay Airport Limited

c/- Mitchell Daysh Limited

PO Box 149

NAPIER 4140

Contact: Anita Anderson

Phone: 021 924 460

Email: anita.anderson@mitchelldaysh.co.nz



ATTACHMENT 1

Submitter Number, Name & Address	Submission Point (Statement #)	Support/ Oppose	HBAL Submission	Decision Requested
3 Brownrigg Agriculture Group Ltd 140 Pukekura Settlement Rd RD11 HASTINGS 4178	Amend definition to read: 'Outstanding freshwater body' Are those water bodies identified in a regional policy statement or regional plan as having outstanding values, including ecological, landscape, recreational and spiritual values. (2) 1	Support in part	Aligns with NPSFM 2020 definition - outstanding water body means a water body, or part of a water body, identified in a regional policy statement, a regional plan, or a water conservation order as having one or more outstanding values.	Allow in part
	Delete from Table 2 in Schedule 25 in Part 2 of PC7 any freshwater bodies for which there is no identification or description of the water body's significant values. (6 - 35) 2-31	Support	Aligns with original submission - delete from Schedule 25, Part 2, Table 2 Te Whanganui a Orotū / Ahuriri Estuary and any other waterway for which there is no identification or description of the water body's significant values.	Allow
	Amend Change 7 so that the policies refer only to protecting the 'significant values' of identified 'outstanding freshwater bodies' (consistent with A2(a) and B4 of the NPSFM). (38) 32	Support	Aligns with original submission - withdraw policies LW3A and C2 until the significant values of the estuary can be included as part of a subsequent plan change.	Allow
5 Department of Conservation Private Bag 3072 HAMILTON 3240	Amend Policy LW3A.1 as follows: "... a consent authority must: (a) Not grant a consent where there is a more than minor effect on the outstanding value(s) (b) Not grant a consent where there is a more than minor effect on the significant values. ... (7) 33	Oppose	Does not account for appropriate mitigation of any potential effect and seeks to override the consent authorities discretionary judgement in determining a resource consent under section 104 of the RMA.	Disallow

Submitter Number, Name & Address	Submission Point (Statement #)	Support/ Oppose	HBAL Submission	Decision Requested
9 Federated Farmers of New Zealand 79 Dasent Road RD1 HASTINGS 4171	Implies the definition of 'outstanding water body' should be amended to reflect the definition of 'outstanding water body' in the National Policy Statement for Freshwater Management. (7) 34	Support	Aligns with NPSFM 2020 definition – outstanding water body means a water body, or part of a water body, identified in a regional policy statement, a regional plan, or a water conservation order as having one or more outstanding values.	Allow
	Amend Policy LW1.2(bA)(iii) so that adverse effects which do not materially reduce the outstanding values present in a waterbody are provided for and managed, rather than completely avoided. (35) 35	Support in part	Approach is consistent with RMA if the adverse effects are 'mitigated' rather than 'provided' for or 'completely avoided'.	Allow in part
	Amend Policy LW3A.1 as follows: a) delete the requirement for activities to 'protect' outstanding and significant values; b) require activities to avoid, remedy or mitigate their adverse effects on identified outstanding values. (38) 36	Support in part	If Policy LW3A.1 is not withdrawn as requested in HBAL's original submission this change of wording could be considered acceptable.	Allow in part
	Amend Policy C2 as follows: a) delete the requirement for activities to 'protect' outstanding and significant values, b) require activities to avoid, remedy or mitigate their adverse effects on identified outstanding values. (45) 37	Support in part	If Policy C2 is not withdrawn as requested in HBAL's original submission this change of wording could be considered acceptable.	Allow in part

Submitter Number, Name & Address	Submission Point (Statement #)	Support/ Oppose	HBAL Submission	Decision Requested
12 Genesis Energy Ltd PO Box 17-188 Greenlane AUCKLAND 1051	Place Proposed Plan Change 7 on hold and defer processing until catchment-based management plans are completed to give full effect to the National Policy Statement for Freshwater Management. OR Delete Policy LW3A until such time the relevant catchment-based regional plan change(s) are operative. (7) 38	Support	Aligns with original submission - withdraw policies LW3A and C2 until the significant values of the estuary can be included as part of a subsequent plan change. Aligns with original submission - delete from Schedule 25, Part 2, Table 2 Te Whanganui a Orotū / Ahuriri Estuary and any other waterway for which there is no identification or description of the water body's significant values.	Allow
	Definition of 'outstanding water body' is inconsistent with the National Policy Statement for Freshwater Management. (9) 39	Support	Align with the NPSFM 2020 definition - outstanding water body means a water body, or part of a water body, identified in a regional policy statement, a regional plan, or a water conservation order as having one or more outstanding values.	Allow
14 Hawke's Bay Forestry Group 1241 Korokipo Road RD 3 NAPIER 4184	Amend Schedule 25 to identify the sections of each river which contain the outstanding values(s) AND limit the 'outstanding' classification to these parts. (18) 40	Support	Aligns with NPSFM 2020 definition where part of a water body may be identified as outstanding.	Allow
19 Horticulture New Zealand C/- View Consultants Ltd PO Box 239 Napier 4140	Implies Schedule 25 should be amended to include: a) a detailed explanation of each outstanding value in Schedule 25	Support	Aligns with original submission - withdraw policies LW3A and C2 until the significant values of the estuary can be included as part of a subsequent plan change.	Allow

Submitter Number, Name & Address	Submission Point (Statement #)	Support/ Oppose	HBAL Submission	Decision Requested
	b) a set of assessment tools for each outstanding value, which can be used to measure whether a proposed activity can occur in a manner which protects the outstanding value(s) of the water body. (7) 41		Aligns with original submission - delete from Schedule 25, Part 2, Table 2 Te Whanganui a Orotū / Ahuriri Estuary and any other waterway for which there is no identification or description of the water body's significant values.	
25 Ngamatea Farming Company Ltd PO Box 146 HASTINGS 4156 Attn: Nathan Apatu	Implies opposition to water bodies in Schedule 25 being listed as outstanding, where those values have not been described 42	Support	Aligns with original submission - withdraw policies LW3A and C2 until the significant values of the estuary can be included as part of a subsequent plan change. Aligns with original submission - delete from Schedule 25, Part 2, Table 2 Te Whanganui a Orotū / Ahuriri Estuary and any other waterway for which there is no identification or description of the water body's significant values.	Allow
32 Pernod Ricard Winemakers New Zealand Ltd Private Bag 92030 AUCKLAND 1142 Attn: Ezekiel Hudspith	Amend Table 2, Schedule 25 to delete water bodies that are not truly outstanding, and are not supported by a robust RMA Section 32 evaluation. (6) 43	Support	Aligns with original submission - withdraw policies LW3A and C2 until the significant values of the estuary can be included as part of a subsequent plan change. Aligns with original submission - delete from Schedule 25, Part 2, Table 2 Te Whanganui a Orotū / Ahuriri Estuary and any other waterway for which there is no identification or description of the water body's significant values.	Allow

Submitter Number, Name & Address	Submission Point (Statement #)	Support/ Oppose	HBAL Submission	Decision Requested
38 Trustpower Limited Private Bag 12023 TAURANGA 3143 Attn: Shelby Macfarlane-Hill	Schedule 25 should be amended to ensure all water bodies: - are superior to or stand out from others - meet the definition of outstanding in Change 7 - are outstanding in their own right. (9) <i>LL</i>	Support	Aligns with original submission - delete from Schedule 25, Part 2, Table 2 Te Whanganui a Orotu / Ahuriri Estuary and any other waterway for which there is no identification or description of the water body's significant values.	Allow

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10/9/2020

28/9/2020

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Further submission on Proposed Plan Change 7 to the Hawke's Bay Regional Resource Management Plan

Hawkes Bay Fish and Game Council

1. Hawkes Bay Fish and Game Council is a statutory authority for the management of sj and gamebird resources within the Hawkes Bay Fish and Game region, and as such represents a relevant aspect of the public interest, and has an interest greater than the public generally. Fish and Game submitted on the original plan

2. Fish and Game could not gain an advantage in trade competition through this submission.

3. Fish and Game 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.

Submitter/Statement(s)	Name	Support/Oppose	Reasons
#1/ All 1-4, 97-101	Kathryn Bayliss	Support	Consistent with Fish and Game submission
#2/ All 5-8	Booster Wine Group	Oppose	Oppose components of this submission which weaken policy support for outstanding values within the plan.
#3/ All 9-49	Brownrigg Agriculture Group	Oppose	Oppose components of this submission which weaken policy support for outstanding values within the plan.
#5/ All 50-75	Department of Conservation	Support	Support components that recognise policy support for outstanding values within the plan. Support changes to criteria for primary production as a significant value

#8/ All 77-96	Ernslaw One Limited	Provisional support	Support if forestry values sought are clarified, including effect of forestry on water yield in outstanding catchments
#9/ #8,9,17,18,19,20,21,22	Federated Farmers of New Zealand 104, 105, 113-118	Oppose	These changes weaken the support for outstanding rivers
#9/ #11 107	Federated Farmers of New Zealand	Support in part	Fish and Game notes that land and water (from surface or groundwater) are separate components of farming, and post different risks with respect to this plan, and may be open to some changes here.
#10/ All 111, 112 123-149	Forest and Bird Society of New Zealand (should be Royal Forest and Bird Protection Society of New Zealand Inc.)	Support	Support all changes.
#14 All 238-255	Hawke's Bay Forestry Group	Oppose	The new values may be different to existing values.
19 All 333-371	Horticulture New Zealand	Oppose	The RMA is not about "balance", it is about protecting outstanding values, and providing for consumptive use only if this does not affect the outstanding values
#22 All 375-380	Maungaharuru Trust	Support	Consistent with section 8, RMA, NPS-FM
#26 All 407-509	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga et. al.	Support	Consistent with Part II, RMA, NPS-FM

#27 All 150-152	Ngati Kahungunu Wairoa Taiwhenua Inc.	Support	Consistent with Part II, RMA, NPS-FM
#31 All 515-539	Pan Pac Limited – Forests Division	Oppose	The new values may be different to existing values.
#32 All 540-550	Pernod Ricard Winemakers New Zealand Ltd	Oppose	Inconsistent with Part II RMA, NPS-FM
#34 All 604-623	Rayonier Matariki	Oppose	Inconsistent with Part II RMA, NPS-FM
#35 All 626- 635	Te Tumu Paeroa	Support	Consistent with section 8 and Part II RMA, NPS-FM
#36 All 636- 653	Timberlands Limited	Oppose	Inconsistent with Part II RMA, NPS-FM
#38 All 658-719	Trustpower Limited	Oppose	Inconsistent with Part II, RMA, NPS-FM
#33 All 551-603	Ravensdown Limited	Oppose	Inconsistent with Part II RMA, NPS-FM
#4 All 108-110	Central Hawkes Bay District Council	Support	Consistent with Part II RMA, NPS-FM
#5 All 76	Bryce Donovan	Oppose	Inconsistent with Part II RMA, NPS-FM
#6 All 77, 78	Dan Elderkamp	Support	Consistent with Part II RMA, NPS-FM
#11 All 213	Forest Management (NZ) Ltd	Oppose	The point of plan change 7 is to identify values at a catchment scale
#12 All 215-232	Genesis Energy Limited	Oppose	Inconsistent with Part II RMA, NPS-FM

#15 256 - 280	Hawkes Bay Regional Council	Support	These are primarily plan changes and clarifications
#16 All 281 - 284	Hawkes Bay Winegrowers Association Inc	Oppose	The values proposed are either inconsistent with the NPS-FM or already within the plan
#17 All 285 - 321	Hawkes Bay Airport Ltd	Oppose	Inconsistent with Part II RMA, NPS-FM
#18 All 322 - 332	Hineru Iwi Trust	Support	Consistent with Part II RMA, section 8 RMA, NPS-FM
#20 All 372 - 102, 103	Jet Boating New Zealand	Support	Consistent with Part II RMA, section 6(d) RMA, NPS-FM
#21 All 373 - 374	Audrey Jones	Support	Consistent with Part II RMA, section 8 RMA, NPS-FM
#22 All 375 - 380	Maungaharuru-Tangitu Trust Inc.	Support	Consistent with Part II RMA, section 8 RMA, NPS-FM
#23 #25 All 408 - 406	Ngamatea Farming Company Limited	Oppose	Inconsistent with Part II RMA, NPS-FM
#29 All 510 - 513	Gerard Pain	Support	Consistent with Part II RMA, NPS-FM
#30 All 514	Elizabeth Palmer	Support	Consistent with Part II RMA, NPS-FM
#37 All 654 - 657	Transpower Limited	Support in part	Support where provisions are within RMA or NPS on Electricity Transmission
#39 All 214	Adrienne Tully	Support	Consistent with Part II RMA, NPS-FM

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Date Received:

10/9/2020

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11/9/2020

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Further Submission on Proposed Plan Change 7: Hawke's Regional Resource Management Plan

Organisation: Hawkes Bay Forestry Group

Postal address.:

PO Box 12 134, Ahuriri, Napier 4144

Email address: .kdolman@novapsi.net.nz

Phone number: 022 097 4557

We are an entity with interest in the proposal that is greater than the interest the general public has:

We were original submitters and are affected by the submission by this submitter.

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

A handwritten signature in black ink, appearing to read "K. Dolman", is written over a dotted line.

Signature:

Date: 10 September 2020.

Submission Details

We oppose the submission of:

Forest and Bird Society of NZ...

Address of original submitter:

P O Box 631

Wellington 6140

Submission number of original submission: 10

The particular parts of the submission we oppose are:

1.
/ Statement 12 Pol LW3A 1 (a) and (b) proposed amendments.
2.
2 Statement 20 Glossary OW. The proposed amendments.
3.
3 Statement 24 Schedule 25 "Natural Character" Table 1 The proposed amendments.
4.
4 Statement 24 amendments to Schedule 25 by adding the assessment criteria.
5.
5 Statement 29 adding in water bodies that were part of a draft.

The reasons (following the numeration above) for our opposition are:

1.

It is inappropriate for outstanding water bodies to be identified by a resource consent process. It is the function of the Council to identify such water bodies. Persons will not be afforded rights of participation if water bodies are identified by way of resource consents that persons have no knowledge of or rights of objection. The identification should be by way of a plan process and no reference to criteria.

2.

It is inappropriate for outstanding water bodies to be identified by a resource consent process. It is the function of the Council to identify such water bodies. Persons will not be afforded rights of participation if water bodies are identified by way of resource consents that persons have no knowledge of or rights of objection.

3.

The matters should be conjunctive not alternatives. Also "surrounding landscape" is not within the water body itself and therefore not relevant.

4.

This matter relates to using assessment criteria when undertaking the resource consent process and as stated above we do not support the proposed amendments to allow for such a process.

5.

This plan change relates to those bodies identified in schedule 25 and if other water bodies are to be included then they should be done by way of a variation of further plan change.

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SUBMISSION ID#

F109

Date Received:

10/9/2020

Database Entry Date:

25/9/2020

Database Entry Operator:

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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 the HBRC Plan Change 7 - Outstanding Water Bodies Plan Change proposal

1. Our interest:

Hawke's Bay Winegrowers' Association Inc. (HBWG) has an interest in the proposal that is greater than the interest the general public because:

- It represents the combined interest of all the commercial grapegrowers and winemakers in Hawke's Bay;
- It was an original submitter on the proposal.

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

2. Position on Hearings:

- We wish to be heard in support of our submission.
- We will consider presenting a joint case with others making a similar submission.

3. Submission Summary/Key Observations

Having considered the submissions of other parties, HBWG would like to make the following key observations:

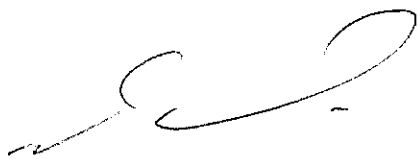
- 3.1. Whilst PC7 is undoubtedly motivated by good intent by the Regional Planning Committee to identify and protect outstanding regional waterbodies and represents a commendable body of work by Council staff, its hierarchical logic ranking outstanding over significant values is incompatible with efficient regional planning and out of step with the National Policy Statement – Freshwater Management (2017);

- 3.2. We now have the benefit of the final form of the National Policy Statement – Freshwater Management (2020), which adopts a fundamentally different logical hierarchy around Te Mana o te Wai;
- 3.3. HBWG considers that it would be inappropriate and inefficient to proceed with PC 7 in its existing hierarchy and instead the opportunity should be taken to implement the NPS FM (2020) Te Mana o te Wai hierarchy of obligations (section 1.3 (5) of the new NPS);
- 3.4. More specifically, HBWG considers that the requirement in Policy 8 of the NPS FM (2020) that “The significant values of outstanding water bodies are protected” renders the currently proposed hierarchy of PC7 effectively redundant, as the latest NPS requires all significant values of an outstanding water body to be protected (whilst observing the Te Mana o te Wai hierarchy of values), not just the environmental/cultural/spiritual values that were considered by the Regional Planning Committee;
- 3.5. HBWG considers that hearings on PC7 should proceed contemporaneously with those for PC9 (TANK Plan Change), as issues and evidence will be highly complimentary to both and there is an opportunity through such a hearings process to fine-tune both plan changes to give effect to the NPS FM 2020 and thereby implement Te Mana o te Wai much more quickly and efficiently than would otherwise be the case.

4. Submission Details

Refer attached Schedule

DATED at Hastings this 10th day of September 2020



Xan Harding
Director, Hawke's Bay Winegrowers' Association

Submitter ID	Submitter Name	Submitter Address	Particular parts of submission	Statement # per HBRC summary,	Support/ Oppose	Reasons for support/opposition	Decision
1	Kathryn Bayliss	116 Maharakeke Road, RD 1 Waipukurau 4281	Prohibition of damming & diversion of OWBs	9 1	Oppose	A blanket ban on damming & diversion is unnecessary and inappropriately restrictive, especially as the list of proposed OWBs is so extensive.	Reject
2	Booster Wine Group	150 Ugbrooke Road, RD4 Awatere Valley, Marlborough	9a. Recognition of primary production water use from the Ngaruroro River as an 'outstanding' value	3 2	Support	HBWG recognises that the ranking of primary production water use values in OWBs is a fundamental question for producers at the centre of this proposal. HBWG considers there to be no doubt that the water resources of Hawke's Bay, along with its climate, soils and people, are essential contributors to Hawke's Bay's productivity and for that reason the primary production values are regionally (if not nationally) outstanding. HBWG supports recognition of this outstandingness and also supports a thorough exploration of the implications of such recognition in the OWB proposal framework and its relationship to the NPS FM at the Hearings.	Accept
3	Brownrigg Agriculture Group Ltd	140 Pukekura Settlement Road, RD11 Hastings 4178	4a. Amendment of proposal OWB definition. Align PC7 to NPS FM	38 3	Support	For the sake of clarity and certainty, the proposal's definition of OWB and stance on protection of significant values of OWBs should be aligned with legal precedent and the national position as per the NPS FM (Pol 8 in the NPS FM 2020 - 'The significant values of outstanding water bodies are protected').	Accept
5	Department of	RMA Shared	12. Suggestion that	4 4	Support	PC7 & PC9 need to work together. Both traverse similar issues and	Accept

	Conservation Attn Maggie Burns	Services Department of Conservation Private Bag 3072 Hamilton 3240	TANK and OWB hearings run currently.			both face the profound issue of the need to recognise values that at times may conflict, whilst giving effect to the NPS FM 2020. Conjoint hearings may provide the most efficient mechanism to align both Plan Changes to the latest version of the NPS FM.	
10	Forest & Bird	PO Box 631 Wellington 6140	Whole of submission 5-33		Oppose	A central basis of the submitter's argument appears to be that the proposal must implement the NPS FM, that implementation requires a hierarchy of values elevating "outstanding" values over "significant" values and that productive values cannot be considered "outstanding". HBWG agrees that implementation of the NPS FM must be the central purpose of PC7 but notes that the fundamental changes in the 2020 version of the NPS FM render the internal logic of PC7 faulty and redundant, as the NPS FM 2020 requires a hierarchy based on Te Mana o te Wai rather than one based on outstandingness.	Reject
15	Hawke's Bay Regional Council	Private Bag 6006 Napier	ID#6 Pol LW1.2 ID#10 Pol C1 34, 35	5 14	Support	Proposed amendments to clause bA(iii) of Pol LW1.2 & Pol C1 appear to address, at least in part, HBWG's concern that individual consent applicants will be ordinarily required to conduct an individual assessment of effects on an OWB and especially on Māori cultural & spiritual values, where it is impractical and/or inefficient to do so at an individual consent level.	Accept
18	Hineuru Iwi	Hineuru Iwi Trust	Submission Point 2	2	Support	HBWG agrees with the submitter that it is "appropriate and	Accept in

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	Trust	Attn: Robyn Rauna			in part, oppose in part	necessary for Council to foster Ngati Hineuru capacity to contribute to Council consent and planning decisions" but disagrees with the submitter's position that consent holders should be required as a matter of course to individually assess the effect of their activity on Ngati Hineuru cultural and/or spiritual values. HBWG considers that whilst such assessment is necessary and appropriate, in the interests of efficiency and avoidance of duplication it should be conducted primarily in the aggregate.	part, reject in part
19	Horticulture New Zealand	View Consultants Ltd PO Box 239 Napier 4140	Whole of submission 37-73		Support with conditions	HBWG agrees with the submitter's main points but notes that some modification of the submitter's position on hierarchy of values will be required in light of the NPS FM 2020 requirement to give effect to a hierarchy based on Te Mana o te Wai rather than "outstandingness" or "significance".	Accept Formatted: Font: Times New Roman with necessary modification to align with the NPS FM 2020
26	Te Taiwhenua o Heretaunga	PO Box 718 Hastings 4156	6.2 Separation of issue statements, objectives and policy strands for OFWBs from coastal environment 74	3	Support	HBWG agrees with the submitter that following the NPS FM and NZCPS regulatory framework would give greater clarity and lead to more efficient planning.	Accept 6.2

		9.2 Amending POL LW1.2	<u>74</u>	Oppose	HBWG prefers the wording now proposed by HBRC in their Further Submissions, to the extent that it addresses HBWG's concerns about inefficient/impractical individual effects assessment requirements.	Reject 9.2
		10.3ii) Scheduling of Hearings	<u>74</u> 75			
		10.4 Inclusion of definitions for Māori terminology	<u>84</u> 76	Support	HBWG supports concurrent Hearings for PC7 & PC9, which need to work together. Both traverse similar issues and both face the profound issue of the need to recognise values that at times may conflict, whilst giving effect to the NPS FM 2020. Conjoint hearings may provide the most efficient mechanism to align both Plan Changes to the latest version of the NPS FM	Accept 10.3ii
		10.8 Abstractive use values not to be classed as outstanding or significant	<u>85-92</u> 77-84	Support	HBWG agrees that understanding would be improved by including definitions of all Māori terms adopted in PC7	Accept 10.4
			<u>96,97</u> 85,86	Oppose	HBWG considers that in light of the NPS FM 2020, PC7 needs to give effect to a hierarchy based on Te Mana o te Wai rather than "outstandingness" or "significance". HBWG considers there to be no doubt that the water resources of	Decline

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						Hawke's Bay, along with its climate, soils and people, are essential contributors to Hawke's Bay's productivity and for that reason the primary production values are regionally (if not nationally) outstanding.	
32	Pernod Ricard Winemakers NZ Ltd	Private Bag 92030 Auckland 1142	18. Deletion of POL LW3A1(d)	8-11 87-96	Support in part	HBWG considers that the submitter has correctly identified a fundamental problem with PC7 in its failure to identify outstandingness relating to economic, social and productive values. The submitter also correctly identifies the misalignment between PC7 and the NPS FM. HBWG considers that PC7 needs to be fundamentally restructured around the NPS FM 2020 requirement to give effect to a hierarchy based on Te Mana o te Wai rather than "outstandingness" or "significance".	Accept in part
35	Te Tumu Paeroa	PO Box 1260 Gisborne 4040	Adoption of Te Mana o te Wai framework - Whole of submission	90-101	Support	HBWG considers that the submitter has correctly identified the need to specifically recognise and give effect to Te Mana o te Wai in PC7, as is the requirement now made explicit in the NPS FM 2020.	Support

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Date Received:

10/9/2020

Database Entry Date:

11/9/2020

Database Entry Operator:

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Further Submission on Hawke's Bay Regional Council Proposed Plan Change 7

September 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@viewconsult.co.nz



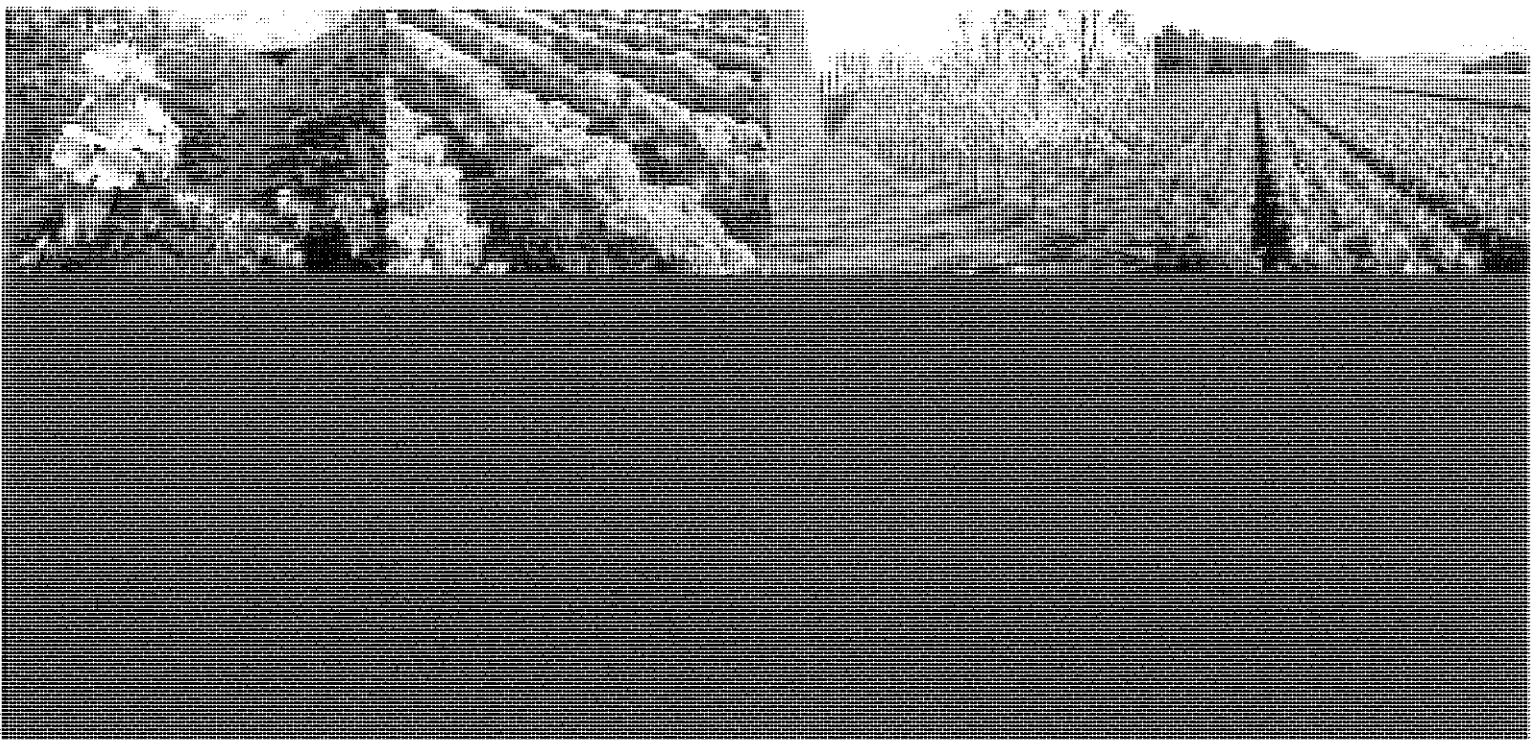


HortNZ : Further Submission on Hawke's Bay Regional Council Proposed Plan Change 7

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 7 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 5,000 commercial fruit and vegetable growers in New Zealand, who grow around 100 different crop types and employ over 60,000 workers, therefore, I represent members of the public that have horticultural growing interests. HortNZ wishes to be heard in support of our 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 its original submission, in particular as detailed in the summary table on pages 9-11 of that submission.



HortNZ Further Submission on Proposed Plan Change 7

Submitter ID#	Submitter Name	Statement No./s	Provision/s	Support/ Oppose	Reason	Decision sought
5	Department of Conservation	3 <i>1</i>	General Plan	Oppose	HortNZ opposes this request due to its lack of specificity, and the confusion it would create for consent applicants. At this point in time, a waterbody is either outstanding, or it is not. HortNZ accepts that a water body could, in time, become outstanding as a result of restoration or regeneration efforts, but that is unlikely to occur within a short period of time. A local authority is required to review its regional policy statement at least every 10 years, and HortNZ considers this to be an appropriate timeframe within which the water bodies specified in Schedule 25 could be reviewed, and any additional water bodies that had become outstanding to be added. HortNZ submits that Schedule 25 should absolutely be considered to be an exhaustive list, and if a water body is not listed there, it is not outstanding. It is imperative that the provisions of PPC7 are clear and concise, to ensure that they are able to be understood, and consistently applied by both plan users and the consent authority.	Do not amend provisions as requested.
		7 <i>2</i>	Pol LW3A	Oppose	The submitters proposed amendments effectively remove the consent authority's ability to exercise discretion and undertake a thorough case by case assessment. The proposed wording is too subjective, and would therefore be difficult to assess, which presents a particular issue when the requirement is that if that test cannot be met, then a resource consent cannot be granted. The proposed amendments propose an unnecessarily blunt approach.	Do not amend provisions as requested – maintain proposed wording of Policy LW3A, noting amendments HortNZ sought to the wording of the policy as set out in our original submission.

Submitter ID#	Submitter Name	Statement No./s	Provision/s	Support/ Oppose	Reason	Decision sought
10	Forest & Bird	1-7, 12, 14, 15, 17 & 18 3-14	Obj LW1, Pol Lw1 1.c, 1.d, 1.dA, 2.bA, Pol LW3A, Table on pg. 14, Obj 11, Pol C1	Oppose	HortNZ opposes all requests seeking the inclusion of criteria within the plan that would enable water bodies not identified in Schedule 25 to be considered to be outstanding, due to the confusion that this would create for consent applicants. At this point in time, a waterbody is either outstanding, or it is not. HortNZ accepts that a water body could, in time, become outstanding as a result of restoration or regeneration efforts, but that is unlikely to occur within a short period of time. A local authority must review its regional policy statement at least every 10 years, and HortNZ considers this would be an appropriate time at which the water bodies specified in Schedule 25 could be reviewed, and any additional water bodies that had become outstanding could be added. Relying on a policy review process would also ensure that the decision making process was public, which is considered by HortNZ to be important, given the implications that classification of a water body as outstanding has on its potential uses. HortNZ submits that Schedule 25 should absolutely be considered an exhaustive list, and if a water body is not listed there, it is not outstanding. It is imperative that the provisions of PPC7 are clear and concise, to ensure that they are able to be understood, and consistently applied by both plan users and the consent authority.	Do not amend provisions requested by submitter.
		8-11 15-18	Footnotes 4 & 5 (and in relation to other repeats of this footnote), Pol LW2 1.c	Support in part	HortNZ supports Forest and Birds submission that prioritisation (between outstanding and significant values) should not occur within PPC7. HortNZ sought the deletion of the proposed hierarchy in its original submission and maintains that position – particularly noting the hierarchy of obligations that is now prescribed by the NPSFM2020. However, HortNZ does not share the submitters view that 'use' values specifically could undermine the protection of other values, and submit that all significant and outstanding values (including use values) must be protected.	Amend provisions by making deletions requested by submitter (noting HortNZ's opposition to the submitters comments about use values).

Submitter ID#	Submitter Name	Statement No./s	Provision/s	Support/ Oppose	Reason	Decision sought
26	Ngati Kahungunu Iwi Incorporated and others	9, 10, 99, 100 <i>17-22</i>	Table 1 (of Schedule 25)	Oppose	HortNZ opposes the expansion of the outstanding water body of the Heretaunga Plains Aquifer (noting that HortNZ opposed in its original submission the inclusion of the Heretaunga Plains Aquifer in any event) to the Heretaunga Plains Aquifer System. This would significantly expand the scale of the outstanding water body – particularly given HBRC's recent findings that the groundwater of the Heretaunga Plains is connected to surface waters including the Karamū and Ngaruroro Rivers as well as lowland tributaries of the Heretaunga Plains, such as the Irongate, Raupare and Awanui Streams. The proposed change would significantly increase the area within which restrictions on activities that potentially had an effect on the significant/outstanding values of the water body would apply. Much of the land across the Heretaunga Plains Aquifer is of arguably outstanding value for horticultural production, and the imposition of additional restrictions on the use of that land could have a significant and detrimental impact on the sustainability of the horticultural sector on the Heretaunga Plains.	Do not amend provisions as requested.
		13, 14, 99, 100 <i>23-26</i>	Table 1 (of Schedule 25)	Oppose	HortNZ opposes the expansion of the outstanding water body of the Ruataniwha Plains Aquifer (noting that HortNZ opposed in its original submission the inclusion of the Ruataniwha Plains Aquifer in any event) to the Ruataniwha Plains Aquifer System. This would significantly expand the scale of the outstanding water body – and therefore the area within which restrictions on activities that potentially had an effect on the significant/outstanding values of the outstanding water body would apply. Much of the land across the Ruataniwha Plains is of high value for horticultural production, and the imposition of additional restrictions on that land for its highest value use are not considered necessary nor appropriate.	Do not amend provisions as requested.

Submitter ID#	Submitter Name	Statement No./s	Provision/s	Support/ Oppose	Reason	Decision sought
		96 & 97 27-28	Table 2 (of Schedule 25)	Oppose	HortNZ strongly opposes the deletion of plan provisions that identify abstractive use values as outstanding or significant values (as in proposed Table 2). These values are significant and must be recognised as such. It should be noted that abstractive values include both domestic and municipal water supply, as well as primary production water use, and it is imperative that all such values are recognised as significant and safeguarded appropriately.	Do not amend provisions requested
33	Ravensdown	5, 6, 9, 11, 12, 22, 23 & 24 29-36	Pol LW1 (footnotes), Pol LW2, Pol LW3A, Pol C1 (footnotes), Pol C2	Oppose	For the reasons set out in its substantive submission, and already noted above, HortNZ opposes prioritisation being set out within PPC7.	Do not amend provisions as requested.
38	Trustpower	17 & 18 27, 38	Pol LW2	Oppose	For the reasons set out in its substantive submission, and above, HortNZ opposes the prioritisation set out in Pol LW2.	Do not amend provisions as requested.
41	The oil companies	5, 6 & 7 39, 41	Pol LW2, Pol LW3A	Oppose	For the reasons set out in its substantive submission, and above, HortNZ opposes the prioritisation set out in Pol LW2 & Pol LW3A.	Do not amend provisions as requested.



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10/9/2020

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Further Submission on Proposed Plan Change 7: Hawke's Regional Resource Management Plan

Organisation: Pan Pac Forest Products Ltd

Postal address.: Private Bag 6203 Napier 4142

Email address: Jo.Field@panpac.co.nz

Phone number: +64 27 207 6553

We are a person who has an interest in the proposal that is greater than the interest the general public has:

We were original submitters and are affected by the submission by this submitter.

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: 10 September 2020.

Submission Details

We oppose the submission of:

Forest and Bird Society of NZ.

Address of original submitter:

P O Box 63, Wellington 6140

Submission number of original submission: 10

The particular parts of the submission we oppose are:

1.

Statement 12 Pol LW3A 1 (a) and (b) proposed amendments.

2.

Statement 20 Glossary OW. The proposed amendments.

- 3.
- 3 Statement 24 Schedule 25 "Natural Character" Table 1 The proposed amendments.
- 4.
- 4 Statement 24 amendments to Schedule 25 by adding the assessment criteria.
- 5.
- 5 Statement 29 adding in water bodies that were part of a draft.

The reasons (following the numeration above) for our opposition are:

1.

It is inappropriate for outstanding water bodies to be identified by a resource consent process. It is the function of the Council to identify such water bodies. Persons will not be afforded rights of participation if water bodies are identified by way of resource consents that persons have no knowledge of or rights of objection. The identification should be by way of a plan process and no reference to criteria.

2.

It is inappropriate for outstanding water bodies to be identified by a resource consent process. It is the function of the Council to identify such water bodies. Persons will not be afforded rights of participation if water bodies are identified by way of resource consents that persons have no knowledge of or rights of objection.

3.

The matters should be conjunctive not alternatives. Also "surrounding landscape" is not within the water body itself and therefore not relevant.

4.

This matter relates to using assessment criteria when undertaking the resource consent process and as stated above we do not support the proposed amendments to allow for such a process.

5.

This plan change relates to those bodies identified in schedule 25 and if other water bodies are to be included then they should be done by way of a variation of further plan change.

Further Submission on Proposed Plan Change 7: 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) Pernod Ricard Winemakers New Zealand Limited

Organisation:

Postal address: (required) Private Bag 92030, Auckland 1142

Email address:

Phone number:

Contact person and address if different to above: Ezekiel Hudspith
ezeziel.hudspith@dentons.com

PO Box 10246, Wellington 6143

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:

Pernod Ricard operates and leases significant vineyard assets in the Hawke's Bay region, and has an interest greater than the public good in the management of fresh water in particular.

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: 10.09.20

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:
OWB@hbrc.govt.nz

Deadline for Submissions:

**5pm Thursday 10 September
2020**

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

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10/9/2020

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HAWKES BAY
REGIONAL COUNCIL

TE KAUNIHERA Ā-ROHE O TE MATAU-A-MĀUI

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: Addressed in full in the attached further submissions

Address of original submitter:

Submission number of original submission:

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

Addressed in full in the attached further 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]

Addressed in full in the attached further submissions

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

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

Addressed in full in the attached submissions

REMINDER: SUBMISSIONS MUST REACH COUNCIL BY 5PM ON 10 SEPTEMBER 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 7 – Further submissions by Pernod Ricard Winemakers New Zealand Limited

Original Submitter name	Original submitter number	Submission point number	PC7 Provision	Support or oppose the original submission	The reasons for PRW's support/opposition for the original submission are:	PRW seeks that the relief sought in this part of the original submission be:
Booster Wine Group	2	3	Schedule 25.1	Support in part	PRW agrees that primary production water use should be included in 'Table 1 – Overview of categories of outstanding values and their sub-parts', as it is a relevant consideration in identifying outstanding water bodies.	Granted, or similar/alternative amendments made to PC7, insofar as this would give greater recognition to the primary production use of water.
Booster Wine Group	2	4 2	Schedule 25, Ngaruroro River and Estuary	Support in part	PRW agrees that primary production water use should be included as an outstanding value for the Ngaruroro River and Estuary, or otherwise given greater weight in the plan change provisions.	Granted, or similar/alternative amendments made to PC7, insofar as this would give greater recognition to the primary production use of water.
Brownrigg Agriculture Group Ltd	3	2 3	Glossary, 'Outstanding Water Body'	Support	PRW considers that the definition sought by Brownrigg is more consistent with that contained in the NPS-FM 2020 (the definition contained in PC7 as notified is, understandably, modelled on the NPS-FM 2014).	Granted, and other changes made to ensure PC7 is consistent with the NPS-FM 2020
Department of Conservation	5	3 4	General	Oppose	PRW considers that it is important to have certainty around what waterbodies have been deemed outstanding, due to the impact of that classification on resource	Declined

Original Submitter name	Original submitter number	Submission point number	PC7 Provision	Support or oppose the original submission	The reasons for PRW's support/opposition for the original submission are:	PRW seeks that the relief sought in this part of the original submission be:
					consent applications, the interpretation of plan provisions, and investment decisions. Replacing Schedule 25 with a flexible framework approach would be inappropriate.	
Department of Conservation	5	4 5	General process	Support	PRW agrees that an RPS should ideally be determined before the regional plan, given that a regional plan must 'give effect to' an operative RPS (s 67(3)), while decision makers need only 'have regard to' a proposed RPS (s 66(2)). Where this is not possible or practical, it is logical for the proposals to at least be considered together to ensure the final regional plan provisions will give effect to the RPS provisions.	Granted
Department of Conservation	5	6 c	Policy LW1.1	Support	PC7 refers to both 'outstanding' and 'significant' values, without clearly defining either. PRW therefore agrees it is appropriate to refer to both kinds of value in this policy as described in the relief sought by DOC.	Granted, and/or alternative changes made to better define and/or differentiate between 'outstanding' and 'significant' values.

Original Submitter name	Original submitter number	Submission point number	PC7 Provision	Support or oppose the original submission	The reasons for PRW's support/opposition for the original submission are:	PRW seeks that the relief sought in this part of the original submission be:
Department of Conservation	5	7 7	Policy LW3A.1	Oppose	PRW considers that the amendments proposed to Policy LW3A.1 are simplistic and inflexible, and not required by the NPS-FM 2020.	Declined
Department of Conservation	5	12 8	Glossary, new definition of 'outstanding value'	Support in part	PRW considers there is a need for greater clarity in PC7 with regard to the differences and interrelationship between the concepts of 'outstanding' and 'significant' water bodies.	Granted, in principle (Pernod Ricard reserves its position with respect to what the specific definition should be)
Department of Conservation	5	13 9	Glossary, new definition of 'significant value'	Support in part	PRW considers there is a need for greater clarity in PC7 with regard to the differences and interrelationship between the concepts of 'outstanding' and 'significant' water bodies.	Granted (Pernod Ricard reserves its position with respect to what the specific definition should be)
Federated Farmers of New Zealand	9	1 10	Schedule 25	Support	PRW also considers the sheer number of water bodies identified suggests the Council has not faithfully applied its own criteria of outstanding at a regional level.	Granted
Federated Farmers of New Zealand	9	4 11	Schedule 25.1	Support	PRW supports these or similar approaches (consistent with its primary submission) to rationalise the identification of outstanding water bodies, and/or better provide for	Granted

Original Submitter name	Original submitter number	Submission point number	PC7 Provision	Support or oppose the original submission	The reasons for PRW's support/opposition for the original submission are:	PRW seeks that the relief sought in this part of the original submission be:
					human use values such as in primary production.	
Federated Farmers of New Zealand	9	18 <i>12</i>	General	Support in part	PRW agrees that greater clarity is needed with regard to the meanings and any interrelationships between these different terms (outstanding, significant, regional, significant regional and national values) used in PC7.	Granted, or similar amendments made, insofar as this would give greater recognition to the primary production use of water.
Federated Farmers of New Zealand	9	55-59 <i>13-17</i>	Schedule 25 Heretaunga Aquifer	Support	PRW also sought removal of this water body in its primary submission, and in the alternative supports the relief sought by Federated Farmers for the reasons given in the original submission.	Granted
Forest & Bird Society of NZ	10	2-7, & 20 <i>18-23, 24</i>	Objective LW1.1 Policy LW1.1 Poi LW1.2 Glossary, 'Outstanding Water Body'	Oppose	PRW considers it important for planning certainty that any OWBs are clearly identified in the regional plan or RPS. Accordingly, PRW does not support an uncertain 'framework' system for identifying OWBs as proposed by Forest & Bird (by deleting references to Schedule 25 and instead referring to a list of criteria in Schedule X).	Declined

Original Submitter name	Original submitter number	Submission point number	PC7 Provision	Support or oppose the original submission	The reasons for PRW's support/opposition for the original submission are:	PRW seeks that the relief sought in this part of the original submission be:
					In addition, PRW does not consider that such a framework is required to give effect to the NPS-FM 2020.	
Forest & Bird Society of NZ	10	9 25	General	Support in part	PRW agrees that greater clarity is needed with regard to the meanings and any interrelationships between outstanding and significant values, particularly where conflict arises.	Granted, or similar/alternative amendments made, insofar as this would give greater recognition to the primary production use of water.
Forest & Bird Society of NZ	10	25 26	Schedule 25	Support in part	PRW agrees that greater clarity is needed with regard to the meanings and any interrelationships between outstanding and significant values, particularly where conflict arises.	Granted, or similar/alternative amendments made, insofar as this would give greater recognition to the primary production use of water.
Forest & Bird Society of NZ	10	26 27	Schedule 25	Oppose	PRW strongly disagrees with the submission that values not found with the water body itself (i.e. use values) should be deleted from Schedule 25.	Declined
Forest Management (NZ) Ltd	11	1 28	Schedule 25	Support	PRW supports a more focussed approach to identifying the outstanding areas of rivers and water bodies, where practicable.	Granted

Original Submitter name	Original submitter number	Submission point number	PC7 Provision	Support or oppose the original submission	The reasons for PRW's support/opposition for the original submission are:	PRW seeks that the relief sought in this part of the original submission be:
Genesis Energy Ltd	12	11 20	Glossary, 'Outstanding Water Body'	Support in part	PR considers that reference to the NPS-FM Appendix 1 values may be appropriate, but that any reference should be updated to refer to the NPS-FM 2020 and Appendices 1A and 1B.	Granted, or similar amendments made, insofar as this would give greater recognition to the primary production use of water.
Hawke's Bay Regional Council	15	3 30	Policy LW1.2	Support	PRW supports the reference to the NPS-FM sought, however suggests this should be updated to refer to the NPS-FM 2020.	Granted
Hawke's Bay Regional Council	15	4 31	Policy LW1.2	Support	PRW supports the requirement to identify the spatial extent of the outstanding and significant values in order to provide greater certainty.	Granted
Hawke's Bay Winegrowers' Assoc. Inc	16	1 32	Policy LW3A.1	Support	PRW supports the exclusion of water transfers within a sub-catchment from effects assessment, for the reasons given by Hawke's Bay Wine Growers in their original submission.	Granted, or similar/alternative changes made to recognise the reduced effects of transfers within a catchment as compared with the other activities referred to in the policy
Hawke's Bay Winegrowers' Assoc. Inc	16	3 33	Schedule 25, Tukituki River and Estuary	Support in part	PRW supports the suggested addition of the listed significant values for the Tukituki River in Schedule 25, in particular the addition of 'primary production	Granted

Original Submitter name	Original submitter number	Submission point number	PC7 Provision	Support or oppose the original submission	The reasons for PRW's support/opposition for the original submission are:	PRW seeks that the relief sought in this part of the original submission be:
					water use (including for associated processing and other urban activities)', for the reasons set out in the original submission.	
Horticulture New Zealand	19	4 34	General	Support in part	PRW supports the relief sought by Horticulture NZ, to retain the ability to balance consumptive and non-consumptive competing values, for the reasons set out in their original submission.	Granted, insofar as the relief is consistent with the NPS-FM 2020.
Horticulture New Zealand	19	5 35	Schedule 25	Support	PRW also sought the elevating of the threshold for a water body to be considered outstanding. For the reasons set out in PRWs original submission, and those outlined by Horticulture NZ, PRW supports the relief sought.	Granted
Horticulture New Zealand	19	7 36	Schedule 25	Support	PRW supports the submission of Horticulture NZ that Schedule 25 should be amended to include a detailed explanation of each outstanding value, and a set of assessment tools for each outstanding value. This would provide greater clarity around the nature of the identified values and/or how	Granted, or relief to similar effect.

Original Submitter name	Original submitter number	Submission point number	PC7 Provision	Support or oppose the original submission	The reasons for PRW's support/opposition for the original submission are:	PRW seeks that the relief sought in this part of the original submission be:
					effects on those values should be assessed.	
Horticulture New Zealand	19	8 <i>37</i>	Schedule 25, Heretaunga Aquifer	Support	PRW also sought the removal of the Heretaunga Aquifer from Schedule 25 in its original submission. For those reasons, and the reasons provided by Horticulture NZ, PRW supports the relief sought.	Granted

**Further Submission on Proposed Plan Change 7: 1
Regional Resource Management Plan**

Organisation: Rayonier Matariki Forests

Postal address: Ryo Building Ground Floor/6 Ossian Street, Ahuriri, Napier 4111

Email address: kelsey.tills@rayonier.com

Phone number: 027 203 2969

We are a person who has an interest in the proposal that is greater than the interest the general public has:

We were original submitters and are affected by the submission by this submitter.

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: 10 September 2020.

Submission Details

We oppose the submission of:

Forest and Bird Society of NZ...

Address of original submitter:

P O Box 631

Wellington 6140

Submission number of original submission: 10

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SUBMISSION ID#

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Date Received:

10 / 9 / 2020

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NN

The particular parts of the submission we oppose are:

1.

1 Statement 12 Pol LW3A 1 (a) and (b) proposed amendments.

2.

2 Statement 20 Glossary OW. The proposed amendments.

3.

3 Statement 24 Schedule 25 "Natural Character" Table 1 The proposed amendments.

4.

4 Statement 24 amendments to Schedule 25 by adding the assessment criteria.

5.

5 Statement 29 adding in water bodies that were part of a draft.

The reasons (following the numeration above) for our opposition are:

1.

It is inappropriate for outstanding water bodies to be identified by a resource consent process. It is the function of the Council to identify such water bodies. Persons will not be afforded rights of participation if water bodies are identified by way of resource consents that persons have no knowledge of or rights of objection. The identification should be by way of a plan process and no reference to criteria.

2.

It is inappropriate for outstanding water bodies to be identified by a resource consent process. It is the function of the Council to identify such water bodies. Persons will not be afforded rights of participation if water bodies are identified by way of resource consents that persons have no knowledge of or rights of objection.

3.

The matters should be conjunctive not alternatives. Also "surrounding landscape" is not within the water body itself and therefore not relevant.

4.

This matter relates to using assessment criteria when undertaking the resource consent process and as stated above we do not support the proposed amendments to allow for such a process.

5.

This plan change relates to those bodies identified in schedule 25 and if other water bodies are to be included then they should be done by way of a variation of further plan change.

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GI/NN

**Forest & Bird**TE REO O TE TAIAO | *Giving Nature*

Wellington Office
PO Box 631, Wellington 6011
www.forestandbird.org.nz

28 August 2020

TO: Hawke's Bay Regional Council
By email: OWB@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 7 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 National Policy Statement for Freshwater Management 2020 (NPSFM). Forest & Bird also supports a number of submissions which seek to retain or amend provisions of the plan to protect, maintain, and enhance freshwater quality and the indigenous biodiversity of the region. 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. Where statement #s are given, it is a reference to the statement number in the HBRC 'Summary of Decisions Requested' August 2020.

Submitter ID	Submitter name	Submitter address	Particular parts of submission	Support/oppose	Reason for support/opposition	Decision sought
1	Kathryn Bayliss	116 Maharakeke Road RD1 WAIPUKURAU 4281	Statements # 1, 4, 5, and 9 1-4	Support	The amendments sought add clarity to PC7, recognise additional relevant values for waterbodies, and give effect to the NPS FM, the RPS, and the RMA. Forest & Bird supports the statements listed.	Accept
2	Booster Wine Group	C/- WilkesRM Ltd 76 High St BLENHEIM 7201	All 5-8	Oppose	The amendments sought will result in a loss of indigenous biodiversity values, which is inconsistent with council's functions and responsibilities under sections 30(1) (ga) and 6 of the RMA. The amendments sought do not give effect to the NPS FM (in particular the requirement to give effect to Te Mana o te Wai (Policy 1)) and the NZCPS. For example: Re. statement #2: Values cannot be prioritised over one another when the legislative requirement is that "the significant values of outstanding water bodies are protected" (NPSFM Policy 8). The direction to "protect" ensures that all relevant values should be protected and therefore cannot be prioritised over one another. Re. statement #3: The addition of use values is inappropriate in the consideration of whether a water body is outstanding, as these uses detract from the significant or outstanding values of the waterbody.	Reject
3	Brownrigg Agriculture Group Ltd	140 Pukekura Settlement Road RD11	All 9-49	Oppose	The amendments sought will result in a loss of indigenous biodiversity values, which is inconsistent with council's functions and responsibilities under sections 30(1) (ga) and 6 of the RMA. The amendments sought do not give effect to the NPS FM, the RMA, and the NZCPS.	Reject

		HASTINGS 4178			Deleting waterbodies from Schedule 25 would also be inconsistent with expert recommendations made in preparing the plan change, including those of the local expert panel ¹ .	
5	Department of Conservation	Private Bag 3072 HAMILTON 3240	All <i>50-75</i>	Support	The amendments sought add clarity to PC7, recognise additional relevant values for waterbodies, and give effect to the NPS FM, the RPS, and the RMA. We particularly support the request for PC7 to be undertaken prior to the TANK plan change (PC9), as this was the intent of the RPS and is vital to ensure values are identified in PC7 and then protected by PC9.	Accept
6	Bryce Donovan Brylee Farms Ltd	Brylee Farms Ltd PO Box 95 TUTIRA 4162	All <i>76</i>	Oppose	The amendments sought will result in a loss of indigenous biodiversity values, which is inconsistent with council's functions and responsibilities under sections 30(1) (ga) and 6 of the RMA. The amendments sought do not give effect to the NPS FM, the RMA, and the NZCPS. Lake Tutira is an extremely valuable part of Hawke's Bay ecologically and geologically, as well as for recreation. It would not be appropriate to remove it from schedule 25.	Reject
7	Dan Elderkamp	387 Maharakeke Road RD 1 Waipukurau 4281	All <i>77-78</i>	Support	The amendments recognise additional relevant values and an outstanding waterbody, which flows through public conservation land, and give effect to the NPS FM, the RPS, and the RMA.	Accept
8	Ernslaw One Limited	Ernslaw One Limited PO Box 751 GISBORNE 4040 Attn: James Sinclair	All <i>79-96</i>	Oppose	The amendments sought will result in a loss of indigenous biodiversity values, which is inconsistent with council's functions and responsibilities under sections 30(1) (ga) and 6 of the RMA. The amendments sought do not give effect to the NPS FM, the RMA, and the NZCPS.	Reject
	Federated Farmers of New Zealand	79 Dasent Road RD1 HASTINGS 4171	All <i>97-213</i>	Oppose	The amendments sought will result in a loss of indigenous biodiversity values, which is inconsistent with council's functions and responsibilities under sections 30(1) (ga) and 6 of the RMA. The amendments sought do not give effect to the NPS FM, the RMA, and the NZCPS.	Reject

¹ <https://www.hbrc.govt.nz/assets/Document-Library/Outstanding-Water-Bodies/1.-Other-supporting-information/Local-Expert-Panel-Report.pdf>

					<p>For example:</p> <p>Re. statement #4: the suggestion that “only pristine waterbodies with a low level of human use are found to be outstanding” is completely inappropriate and would not be consistent with national legislation and guidance, or community values.</p> <p>Re. statement #45: the suggestion to “delete the requirement for activities to ‘protect’ outstanding and significant values” would be inconsistent with the NPS direction in Policy 8 that “The significant values of outstanding water bodies are protected.”</p> <p>Re. statement #61: The addition of use values is inappropriate in the consideration of whether a water body is outstanding, as these uses detract from the significant or outstanding values of the waterbody.</p> <p>Deleting waterbodies from Schedule 25 would also be inconsistent with expert recommendations made in preparing the plan change, including those of the local expert panel².</p>	
11	Forest Management (NZ) Ltd	Forest Management (NZ) Ltd 14 Niven Street NAPIER 4110 Attn: Mark Roper	All 213	Oppose	The amendments sought will result in a loss of indigenous biodiversity values, which is inconsistent with council’s functions and responsibilities under sections 30(1) (ga) and 6 of the RMA. The amendments sought do not give effect to the NPS FM, the RMA, and the NZCPS.	Reject
12	Genesis Energy Ltd	Genesis Energy Ltd PO Box 17-188 Greenlane AUCKLAND 1051	All 215-232	Oppose	The amendments sought will result in a loss of indigenous biodiversity values, which is inconsistent with council’s functions and responsibilities under sections 30(1) (ga) and 6 of the RMA. The amendments sought do not give effect to the NPS FM, the RMA, and the NZCPS.	Reject
13	Hawke's Bay Fish and Game	Hawke's Bay Fish and Game	All 243-257	Support in part	The amendments sought give effect to the NPS FM, the RPS, and the RMA.	Accept in part

² <https://www.hbrc.govt.nz/assets/Document-Library/Outstanding-Water-Bodies/1.-Other-supporting-information/Local-Expert-Panel-Report.pdf>

	Council	Council 22 Burness Road Greenmeadows NAPIER 4112			Forest & Bird supports all parts of the submission except statement #5.	
	Hawke's Bay Forestry Group	Hawke's Bay Forestry Group 1241 Korokipo Road RD 3 NAPIER 4184	All 230- 255	Oppose	The amendments sought will result in a loss of indigenous biodiversity values, which is inconsistent with council's functions and responsibilities under sections 30(1) (ga) and 6 of the RMA. The amendments sought do not give effect to the NPS FM, the RMA, and the NZCPS.	Accept in part
15	Hawke's Bay Regional Council	Hawke's Bay Regional Council Private Bag 6006 NAPIER 4110 Attn: Tom Skerman	All 250 - 280	Support in part	<p>Forest & Bird supports the suggested changes from HBRC that are editorial and increase the clarity of the plan.</p> <p>We also support several substantive changes suggested to better give effect to the NPSFM's Policy 8:</p> <p>Re. statement #6: support, because it gives effect to Policy 8 of the NPSFM Re. statement #10: support, because it gives effect to Policy 8 of the NPSFM Re. statement #15: support because it is appropriate for the hearing panel to consider all relevant and available evidence.</p> <p>However, we oppose the other suggestions. In particular:</p> <p>Re. statement #2: oppose, because this changes the meaning of the policy to suggest that HBRC should only assess water bodies for outstanding values at the point of a plan change, rather than whenever it might be relevant (e.g. when assessing a resource consent application).</p>	Accept in part
16	Hawke's Bay Winegrowers' Assoc. Inc.	Hawke's Bay Winegrowers' Assoc. Inc. 2091 Maraekakaho Road RD1	All 281 - 284	Oppose in part	<p>We oppose statements # 1, 2, and 4. These amendments sought will result in a loss of indigenous biodiversity values, which is inconsistent with council's functions and responsibilities under sections 30(1) (ga) and 6 of the RMA. The amendments sought do not give effect to the NPS FM, the RMA, and the NZCPS.</p> <p>We support statement #3 in part: we support the addition of values 'ecosystems'; 'indigenous aquatic populations'; 'Indigenous bird populations';</p>	Reject in part

		HASTINGS 4171			'social, recreational and cultural activities'; and 'mahinga kai'. These amendments recognise additional relevant values and an outstanding waterbody, which flows through public conservation land, and give effect to the NPS FM, the RPS, and the RMA. We oppose statement #3 in part: we oppose the addition of those values relating to water supplies and primary production.	
17	Hawke's Bay Airport Ltd	Hawke's Bay Airport Ltd C/- Mitchell Daysh Limited PO Box 149 NAPIER 4140	All 205- 321	Oppose	The amendments sought will result in a loss of indigenous biodiversity values, which is inconsistent with council's functions and responsibilities under sections 30(1) (ga) and 6 of the RMA. The amendments sought do not give effect to the NPS FM, the RMA, and the NZCPS. Deleting waterbodies from Schedule 25 would also be inconsistent with expert recommendations made in preparing the plan change, including those of the local expert panel ³ .	Reject
18	Hineuru Iwi Trust	Hineuru Iwi Trust Attn: Robyn Rauna	All 322- 332	Support	The amendments appear to give effect to HBRC's responsibilities under Te Tiriti o Waitangi and recognise additional relevant values for water bodies in the region. We note that HBRC should work through mana whenua interests with all relevant iwi in the region.	Accept
19	Horticulture New Zealand	Horticulture New Zealand C/- View Consultants Ltd PO Box 239 Napier 4140	All 303- 371	Oppose	The amendments sought will result in a loss of indigenous biodiversity values, which is inconsistent with council's functions and responsibilities under sections 30(1) (ga) and 6 of the RMA. The amendments sought do not give effect to the NPS FM, the RMA, and the NZCPS. Deleting waterbodies from Schedule 25 would also be inconsistent with expert recommendations made in preparing the plan change, including those of the local expert panel ⁴ .	Reject
20	Jet Boating New Zealand	Jet Boating New Zealand C/- Brian Eccles 17 Roger Renall Avenue	Statement #3 214	Support in part	We support the recognition of the outstanding braided river character in the Ngaruroro River, which also provides habitat for native fish and birds.	Accept in part

³ <https://www.hbrc.govt.nz/assets/Document-Library/Outstanding-Water-Bodies/1.-Other-supporting-information/Local-Expert-Panel-Report.pdf>

⁴ <https://www.hbrc.govt.nz/assets/Document-Library/Outstanding-Water-Bodies/1.-Other-supporting-information/Local-Expert-Panel-Report.pdf>

		MASTERTON				
21	Audrey Jones 373, 374	3735 Lake Road RD5 WAIROA 4195	All	Support	The amendments recognise additional relevant values and an outstanding waterbody, and give effect to the NPS FM, the RPS, and the RMA.	Accept
22	Maungaharuru-Tangitu Trust 375-380	Maungaharuru-Tangitu Trust PO Box 3376 Hawke's Bay Mail Centre NAPIER 4142	All	Support	The amendments appear to give effect to HBRC's responsibilities under Te Tiriti o Waitangi and recognise additional relevant values for water bodies in the region. We note that HBRC should work through mana whenua interests with all relevant iwi in the region to best reflect their interests.	Accept
23	Napier City Council 381	Napier City Council Private Bag 6010 NAPIER 4142 Attn: Kim Anstey	All	Oppose	The suggested amendment makes some sense to ensure coastal areas are managed in an integrated way, ki uta ki tai. However, the requirement to protect the significant values outstanding water bodies should not be delayed until the relevant catchment based plan change or a review of the coastal plan is completed. Given the time taken to complete the TANK plan change (c. 10 years) this is not appropriate. As a fallback date, 2025 is also much too late to ensure values will be protected. Numerous activities may be undertaken that could degrade the significant values before then. This is inconsistent with the NPS-FM and RMA and NZCPS directions to protect these areas. Requirements to protect values should take effect immediately.	Oppose
24	New Zealand Forestry Managers Limited 382-402	New Zealand Forestry Managers Limited PO Box 304 TURANGI 3334 Attn: Jackie Egan	All	Oppose	The amendments sought will result in a loss of indigenous biodiversity values, which is inconsistent with council's functions and responsibilities under sections 30(1) (ga) and 6 of the RMA. The amendments sought do not give effect to the NPS FM, the RMA, and the NZCPS.	Reject
25	Ngamatea Farming Company Ltd 403-406	Ngamatea Farming Company Ltd PO Box 146 HASTINGS 4156 Attn: Nathan Apatu	All	Oppose	The amendments sought will result in a loss of indigenous biodiversity values, which is inconsistent with council's functions and responsibilities under sections 30(1) (ga) and 6 of the RMA. The amendments sought do not give effect to the NPS FM, the RMA, and the NZCPS.	Reject
26	Ngati	Ngati	All	Support	The amendments appear to give effect to HBRC's responsibilities under Te Tiriti o	Accept

	Kahungunu Iwi Inc, TTOH, et. al. 407 - 507	Kahungunu Iwi Inc, TTOH, et. al. C/- Te Taiwhenua o Heretaunga PO Box 718 HASTINGS 4156			Waitangi and recognise additional relevant values for water bodies in the region. The amendments sought also give effect to the NPS FM, the RPS, and the RMA. We note that HBRC should work through mana whenua interests with all relevant iwi in the region to best reflect their interests.	
29	Gerard Pain 510 - 513	402 Hinerua Road RD1 ONGAONGA 4278	All	Support	The amendments recognise additional relevant values and water bodies in the region. The amendments sought also give effect to the NPS FM, the RPS, and the RMA.	Accept
30	Elizabeth Palmer 514	Iwitea Marae 105 Apatu St WAIROA 4108	All	Support	The amendments recognise additional relevant values and water bodies in the region.	Accept
31	Pan Pac Forest Limited - Forests Division 515 - 530	Pan Pac Forest Limited - Forests Division Private Bag 6203 NAPIER 4142 Attn: Jo Field	All	Oppose	The amendments sought will result in a loss of indigenous biodiversity values, which is inconsistent with council's functions and responsibilities under sections 30(1) (ga) and 6 of the RMA. The amendments sought do not give effect to the NPS FM, the RMA, and the NZCPS.	Reject
32	Pernod Ricard Winemakers New Zealand Ltd 540 - 550	Private Bag 92030 AUCKLAND 1142 Attn: Ezekiel Hudspith	All	Oppose	The amendments sought will result in a loss of indigenous biodiversity values, which is inconsistent with council's functions and responsibilities under sections 30(1) (ga) and 6 of the RMA. The amendments sought do not give effect to the NPS FM, the RMA, and the NZCPS.	Reject
33	Ravensdown Limited 551 - 600	C/- Planz Consultants Limited (Planz) PO Box 1945	All	Oppose	The amendments sought will result in a loss of indigenous biodiversity values, which is inconsistent with council's functions and responsibilities under sections 30(1) (ga) and 6 of the RMA. The amendments sought do not give effect to the NPS FM, the RMA, and the NZCPS.	Reject

		CHRISTCHURCH 8140			Deleting some values for waterbodies from Schedule 25 would also be inconsistent with expert recommendations made in preparing the plan change, including those of the local expert panel ⁵ .	
34	Rayonier Matariki 604- 623	Rayonier Matariki 60 Fourth Ave TAURANGA 3110 Attn: Kelsey Tillis	All	Oppose	The amendments sought will result in a loss of indigenous biodiversity values, which is inconsistent with council's functions and responsibilities under sections 30(1) (ga) and 6 of the RMA. The amendments sought do not give effect to the NPS FM, the RMA, and the NZCPS.	Reject
35	Te Tumu Paeroa 604- 635	Te Tumu Paeroa PO Box 1260 GISBORNE 4040 Attn: Wirihana Raihana	All	Support	The amendments appear to give effect to HBRC's responsibilities under Te Tiriti o Waitangi and recognise additional relevant values for water bodies in the region. The amendments sought also give effect to the NPS FM, the RPS, and the RMA.	Accept
36	Timberlands Limited 636- 653	Timberlands Limited PO Box 1284 ROTORUA 3010 Attn: Colin Maunder	All	Oppose	The amendments sought will result in a loss of indigenous biodiversity values, which is inconsistent with council's functions and responsibilities under sections 30(1) (ga) and 6 of the RMA. The amendments sought do not give effect to the NPS FM, the RMA, and the NZCPS.	Reject
37	Transpower New Zealand Limited 654- 657	Transpower New Zealand Limited PO Box 1021 WELLINGTON 6140	All	Oppose	While we appreciate there is a National Policy Statement on Electricity Transmission, it does not override the requirements of the NPSFM and NZCPS. The amendments sought will not give effect to the NPS FM, the RMA, and the NZCPS.	Reject
38	Trustpower Limited 658- 719	Trustpower Limited Private Bag 12023 TAURANGA 3143	All	Oppose in part	The amendments sought will generally result in a loss of indigenous biodiversity values, which is inconsistent with council's functions and responsibilities under sections 30(1) (ga) and 6 of the RMA. The amendments sought also do not give effect to the NPS FM, the RMA, and the NZCPS. However, we support the statements that ask for the retention of some water	Reject in part

⁵ <https://www.hbrc.govt.nz/assets/Document-Library/Outstanding-Water-Bodies/1-Other-supporting-information/Local-Expert-Panel-Report.pdf>

		Attn: Shelby Macfarlane-Hill			bodies in schedule 25).	
39	Adrienne Tully	505 Hart Place Frimley HASTINGS 4120	All 214	Support	The amendments recognise additional relevant values and an outstanding waterbody, which flows through public conservation land, and give effect to the NPS FM, the RPS, and the RMA.	Accept
40	Waikaremoana Tribal Authority	Waikaremoana Tribal Authority Te Kura Whenua 6249 Lake Road State Highway 38 RD 5	All 720 - 722	Oppose	The amendments sought do not give effect to the NPS FM, the RMA, and the NZCPS.	Reject
41	Z-Energy Ltd, BP Oil NZ Ltd & Mobil Oil NZ	Z-Energy Ltd, BP Oil NZ Ltd & Mobil Oil NZ C/- 4Sight Consulting Limited PO Box 911310 AUCKLAND 1142	All 728 - 729	Oppose	The amendments sought will generally result in a loss of indigenous biodiversity values, which is inconsistent with council's functions and responsibilities under sections 30(1) (ga) and 6 of the RMA. The amendments sought also do not give effect to the NPS FM, the RMA, and the NZCPS.	Reject

Thank you for your consideration.

Ngā mihi

Tom Kay

Freshwater Advocate

Royal Forest and Bird Protection Society of New Zealand Inc.

ENDS

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10/9/2020

PO Box 489, [

Database Entry Date:

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Reference:

Database Entry Operator:

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10 September 2020

Ceri Edmonds
Acting Group Manager Strategic Planning
Hawke's Bay Regional Council
Private Bag 6006
NAPIER

Via email: OWB@hbrc.govt.nz

Dear Ceri

RE: Further Submission on Proposed Plan Change 7: Outstanding Water Bodies Plan Change

Please find attached a further submission from Silver Fern Farms Limited on the above plan change in accordance with Form 6 of the Resource Management (Forms, Fees & Procedure) Regulations 2003.

Yours sincerely,



Ethan Glover
Mitchell Daysh Ltd

ethan.glover@mitchelldaysh.co.nz

FORM 6

**FURTHER SUBMISSION IN SUPPORT OF, OR IN OPPOSITION TO,
SUBMISSIONS ON NOTIFIED PROPOSED POLICY STATEMENT
OR PLAN, CHANGE OR VARIATION**

Clause 8 of Schedule 1, Resource Management Act 1991

To Hawke's Bay Regional Council,
Private Bag 6006,
Napier 4142

Name Silver Fern Farms Limited ("**Silver Fern Farms**")

1. This is a further submission on the following proposed Plan Change:
 - Proposed Plan Change 7: Hawke's Bay Regional Resource Management Plan ("**PC7**")
2. Silver Fern Farms owns and operates the Pacific Processing Plant located adjacent to the Karamu River and over the Heretaunga Aquifer. The Plant provides employment to approximately 550 people year round. Operating over two shifts, the site produces beef for domestic and export markets. Operations include the receipt of animals, processing, packing, chilling and load out of product. By-product processing of hides and renderable material occurs off-site. A secure, reliable supply of quality water is essential for enabling the provision of service to our farmer suppliers, through hygienic production that meets the strict regulatory requirements for New Zealand and overseas markets. Silver Fern Farms therefore has an interest in PC7 that is greater than the interest of the general public. Silver Fern Farms did not lodge a primary submission on PC7.
3. Silver Fern Farms makes the following further submission pursuant to clause 8 of the First Schedule of the RMA.
 - 3.1 The further submissions from Silver Fern Farms on PC7 are attached as Attachment 1 and form part of this further submission.
4. Silver Fern Farms could not gain an advantage in trade competition through this submission.
5. Silver Fern Farms seeks the following decision from the local authority:

- 5.1 That the submission points contained in Attachment 1 which is attached to and forms part of this submission be accepted, or that PC7 be amended in a similar or such other way as may be appropriate to address Silver Fern Farms' submission points; and
- 5.2 Any consequential changes, amendments or decisions that may be required to give effect to the matters raised in Silver Fern Farms' submission.
6. Silver Fern Farms wish to be heard in support of its submission.
7. If others make a similar submission, Silver Fern Farms will consider presenting a joint case with them at a hearing.

Date: 10 September 2020



Signature:

(On behalf of Silver Fern Farms Limited by its authorised agent Ethan Glover, Mitchell Daysh Limited).

Address for Service: Silver Fern Farms Limited
c/- Mitchell Daysh Limited
PO Box 489
Dunedin 9054

Contact: Ethan Glover

Phone: 027 343 6936

Email: ethan.glover@mitchelldaysh.co.nz

ATTACHMENT 1

Submitter Number, Name & Address	Submission Point (Statement #)	Support/ Oppose	Silver Fern Farms Submission	Decision Requested
3 Brownrigg Agriculture Group Ltd 140 Pukekura Settlement Rd RD11 HASTINGS 4178	Amend Schedule 25 to delete freshwater bodies that are not 'quite out of the ordinary on a regional basis' in Hawke's Bay. (1)	Support	The number of water bodies listed as outstanding appears to be inconsistent with the proposed definition of 'outstanding'. This undermines the significance of the outstanding status.	Allow
	Amend definition to read: 'Outstanding freshwater body' Are those water bodies identified in a regional policy statement or regional plan as having outstanding values, including ecological, landscape, recreational and spiritual values. (2)	Support in part	Alignment of the 'outstanding water body' definition with that in the NPSFM 2020 is considered appropriate. <i>"outstanding water body means a water body, or part of a water body, identified in a regional policy statement, a regional plan, or a water conservation order as having one or more outstanding values."</i>	Allow in part
	Delete from Table 2 in Schedule 25 in Part 2 of PC7 any freshwater bodies for which there is no identification or description of the water body's significant values. (6 - 35)	Support	Silver Fern Farms agrees that there is insufficient evidence and justification provided to support the classification of outstanding water bodies. While some water bodies have significant values identified, descriptions of these values are absent from all listed water bodies. Further detail is therefore required to justify the significant values attributed to water bodies. In its current form, Plan Change 7 provides very little guidance as to the scale and extent of the significant values, and the recently notified TANK Plan Change does	Allow

Submitter Number, Name & Address	Submission Point (Statement #)	Support/ Oppose	Silver Fern Farms Submission	Decision Requested
			not provide any further guidance on this matter. In the absence of this detail, it is difficult to ascertain the appropriateness or otherwise of these water bodies being included in Plan Change 7 as outstanding water bodies. This also creates uncertainty during the consenting process as there is a significantly higher threshold required for assessments where activities might affect outstanding water bodies. This may be unnecessarily onerous if these values have not been suitably proven as part of this plan change process.	
	Amend Change 7 so that the policies refer only to protecting the 'significant values' of identified 'outstanding freshwater bodies' (consistent with A2(a) and B4 of the NPSFM). (38) 33	Support	The relief sought by the submitter aligns with Policy 8 of the NPSFM 2020.	Allow
4 Central Hawke's Bay District Council PO Box 127 WAIPAWA 4240	Amend Schedule 25 to include more detail in the 'description of outstanding values column', for outstanding water bodies. (4) 34	Support in part	The relief sought by the submitter will contribute to a better understanding of the relevant outstanding values and will assist in future consent process whereby effects on these values need to be assessed. However, consistent with the relief sought elsewhere in this submission, water bodies should be excluded from Schedule 25 until such descriptions are available.	Allow in part

Submitter Number, Name & Address	Submission Point (Statement #)	Support/ Oppose	Silver Fern Farms Submission	Decision Requested
5 Department of Conservation Private Bag 3072 HAMILTON 3240	Amend Policy LW3A.1 as follows: "... a consent authority must: (a) Not grant a consent where there is a more than minor effect on the outstanding value(s) (b) Not grant a consent where there is a more than minor effect on the significant values. ... (7) 35	Oppose	The relief sought by the submitter does not account for the appropriate mitigation or remediation of effects and seeks to override the consent authority's discretionary judgement in determining a resource consent under section 104 of the RMA.	Disallow
9 Federated Farmers of New Zealand 79 Dasent Road RD1 HASTINGS 4171	States the definition of 'outstanding' is not reflected by the high number of water bodies in Schedule 25, implying that Schedule 25 should be amended to so it is consistent with the definition of 'outstanding'. (1) 36	Support	The high number of water bodies listed in Schedule 25 undermines the proposed definition of 'outstanding'.	Allow
	Implies the definition of 'outstanding water body' should be amended to reflect the definition of 'outstanding water body' in the National Policy Statement for Freshwater Management. (7) 37	Support	Alignment of the 'outstanding water body' definition with that in the NPSFM 2020 is considered appropriate. <i>"outstanding water body means a water body, or part of a water body, identified in a regional policy statement, a regional plan, or a water conservation order as having one or more outstanding values."</i>	Allow
	Amend Policy LW1.2(bA)(iii) so that adverse effects which do not materially reduce the outstanding values present in a waterbody are provided for and managed, rather than completely avoided. (35) 38	Support in part	The relief sought by the submitter is consistent with RMA in that the adverse effects of an activity may be remedied or mitigated where they cannot be avoided. The remediation or mitigation of adverse effects does not preclude the protection of outstanding or significant values, noting that	Allow in part

Submitter Number, Name & Address	Submission Point (Statement #)	Support/ Oppose	Silver Fern Farms Submission	Decision Requested
			the NPSFM 2020 only requires protection of the significant values of outstanding water bodies.	
	Amend Policy LW3A.1 as follows: a) delete the requirement for activities to 'protect' outstanding and significant values; b) require activities to avoid, remedy or mitigate their adverse effects on identified outstanding values. (38) 39	Support in part	If Policy LW3A is not withdrawn as sought elsewhere in this submission, this change of wording could be considered acceptable.	Allow in part
	Delete the Heretaunga Aquifer [ID 2] from Schedule 25. (56) 40	Support	It is acknowledged that there are cultural and spiritual values associated with the Heretaunga Aquifer. However, as denoted by the double asterisk notation contained in Part 2 of Schedule 25, the assessment of these values appears to be incomplete. Further assessment is therefore necessary prior to including the Heretaunga Aquifer as an outstanding water body. Identifying the geological value of the Heretaunga Aquifer as outstanding is not considered appropriate as all aquifers are, by definition, geological features that are likely to exhibit some geological values. The description of this outstanding value (reproduced below) simply describes the	Allow

Submitter Number, Name & Address	Submission Point (Statement #)	Support/ Oppose	Silver Fern Farms Submission	Decision Requested
			<p>structure of the aquifer and could be applied, in principle, to any aquifer.</p> <p><i>"The Heretaunga aquifer system consists of interconnected layers of water bearing gravels, sands, silts, clays and shells located beneath the Heretaunga Plains."</i></p> <p>Therefore, in the absence of outstanding cultural values, it is inappropriate to classify the Heretaunga Aquifer as an outstanding water body.</p>	
	Delete the Karamu River [ID 3] from Schedule 25. (60) <i>L71</i>	Support	It is acknowledged that there are cultural and spiritual values associated with the Karamu River. However, as denoted by the double asterisk notation contained in Part 2 of Schedule 25, the assessment of these values appears to be incomplete. Further assessment is therefore necessary prior to including Karamu River as an outstanding water body.	Allow
10 Forest & Bird Society of NZ PO Box 631 WELLINGTON 6140	Amend Policy LW3A.1 to read: "In relation to those types of activities identified in Policy LW3A.2, [once the relevant catchment based regional plan change is operative or after 31 December 2025, whichever is sooner], a consent authority must have regard to: (a) The extent to which the activity would protect the outstanding	Oppose	If a water body is assigned an outstanding or significant status, the values associated with it should be well understood and clearly articulated within the Plan. It is appropriate that this policy therefore reflects those ascribed values. The amendments being sought by the submitter however	Disallow

Submitter Number, Name & Address	Submission Point (Statement #)	Support/ Oppose	Silver Fern Farms Submission	Decision Requested
	value(s) described in Schedule 25 [or identified through the consenting process] of the relevant outstanding waterbody (b). the extent to which the activity would protect the significant values [if any] identified in Schedule 25 or identified through the consenting process of the relevant outstanding waterbody: (c)... (d) [If there is a conflict between protecting an] How outstanding and [a] significant value[s] of the same water body will be protected. [protection of the outstanding value must be given preference]." (12) 42		create undue uncertainty and are not appropriate on this basis.	
12 Genesis Energy Ltd PO Box 17-188 Greenlane AUCKLAND 1051	Place Proposed Plan Change 7 on hold and defer processing until catchment-based management plans are completed to give full effect to the National Policy Statement for Freshwater Management. OR Delete Policy LW3A until such time the relevant catchment-based regional plan change(s) are operative. (7) 43	Support	The relief sought by the submitter would provide a more robust foundation for outstanding water bodies to be assessed and classified. This aligns with relief sought elsewhere in this submission whereby the decision making criteria outlined in Policy LW3A should be removed until there is further confidence in the classification of outstanding water bodies.	Allow
	Definition of 'outstanding water body' is inconsistent with the National Policy Statement for Freshwater Management. (9) 44	Support	Alignment of the 'outstanding water body' definition with that in the NPSFM 2020 is considered appropriate.	Allow

Submitter Number, Name & Address	Submission Point (Statement #)	Support/ Oppose	Silver Fern Farms Submission	Decision Requested
			"outstanding water body means a water body, or part of a water body, identified in a regional policy statement, a regional plan, or a water conservation order as having one or more outstanding values."	
14 Hawke's Bay Forestry Group 1241 Korokipo Road RD 3 NAPIER 4184	Amend Schedule 25 to identify the sections of each river which contain the outstanding values(s) AND limit the 'outstanding' classification to these parts. (18) 45	Support	The relief sought by the submitter aligns with NPSFM 2020 definition of 'outstanding water body' whereby only part of a water body may be identified as outstanding.	Allow
17 Hawke's Bay Airport Ltd C/- Mitchell Daysh Limited PO Box 149 NAPIER 4140	Implies opposition to the identification of a water body as outstanding in Schedule 25, when the significant values of that water bodies are not known. (1) 46	Support	The significant values of outstanding water bodies require protection both by the proposed provisions of Plan Change 7 and by higher order instruments (e.g. NPSFM 2020, Policy 8). Where these values are not known or are not adequately described there is significant uncertainty in consenting processes as it is difficult to determine the level of assessment required and potentially the management response. An unnecessarily onerous consenting process may result from these values not being suitably proven as part of this plan change process. It is considered that the identification of significant values should include their appropriate descriptions. In the absence of	Allow
	Implies opposition to Policy LW3A being included in Change 7 before the significant values of the outstanding water bodies in Schedule 25 have been identified, (3) 47	Support		Allow

Submitter Number, Name & Address	Submission Point (Statement #)	Support/ Oppose	Silver Fern Farms Submission	Decision Requested
			<p>this detail, it is difficult to ascertain the appropriateness or otherwise of these water bodies being included in Plan Change 7 as outstanding water bodies.</p> <p>Therefore, the decision making criteria outlined in Policy LW3A should be removed until there is further confidence in the classification of outstanding water bodies.</p>	
<p>19 Horticulture New Zealand C/- View Consultants Ltd PO Box 239 Napier 4140</p>	<p>Implies opposition to the Heretaunga Aquifer being identified as having outstanding geological values. (6) <i>40</i></p>	<p>Support</p>	<p>Identifying the geological value of the Heretaunga Aquifer as outstanding is not considered appropriate as all aquifers are, by definition, geological features that are likely to exhibit some geological values. The description of this outstanding value (reproduced below) simply describes the structure of the aquifer and could be applied, in principle, to any aquifer.</p> <p><i>"The Heretaunga aquifer system consists of interconnected layers of water bearing gravels, sands, silts, clays and shells located beneath the Heretaunga Plains."</i></p>	<p>Allow</p>

Submitter Number, Name & Address	Submission Point (Statement #)	Support/ Oppose	Silver Fern Farms Submission	Decision Requested
	Implies Schedule 25 should be amended to include: a) a detailed explanation of each outstanding value in Schedule 25 b) a set of assessment tools for each outstanding value, which can be used to measure whether a proposed activity can occur in a manner which protects the outstanding value(s) of the water body. (7) <i>42</i>	Support	The relief sought by the submitter would provide guidance and be beneficial to future consenting processes.	Allow
	Delete the Heretaunga Aquifer [ID 2] from Schedule 25. (20) <i>50</i>	Support	<p>It is acknowledged that there are cultural and spiritual values associated with the Heretaunga Aquifer. However, as denoted by the double asterisk notation contained in Part 2 of Schedule 25, the assessment of these values appears to be incomplete. Further assessment is therefore necessary prior to including the Heretaunga Aquifer as an outstanding water body.</p> <p>Identifying the geological value of the Heretaunga Aquifer as outstanding is not considered appropriate as all aquifers are, by definition, geological features that are likely to exhibit some geological values. The description of this outstanding value (reproduced below) simply describes the structure of the aquifer and could be applied, in principle, to any aquifer.</p>	Allow

Submitter Number, Name & Address	Submission Point (Statement #)	Support/ Oppose	Silver Fern Farms Submission	Decision Requested
			<p><i>"The Heretaunga aquifer system consists of interconnected layers of water bearing gravels, sands, silts, clays and shells located beneath the Heretaunga Plains."</i></p> <p>Therefore, in the absence of outstanding cultural values, it is inappropriate to classify the Heretaunga Aquifer as an outstanding water body.</p>	
25 Ngamatea Farming Company Ltd PO Box 146 HASTINGS 4156	Delete the Karamu River [ID 3] from Schedule 25. (21) 51	Support	It is acknowledged that there are cultural and spiritual values associated with the Karamu River. However, as denoted by the double asterisk notation contained in Part 2 of Schedule 25, the assessment of these values appears to be incomplete. Further assessment is therefore necessary prior to including Karamu River as an outstanding water body.	
25 Ngamatea Farming Company Ltd PO Box 146 HASTINGS 4156	Implies opposition to 38 water bodies being identified as 'quite out of the ordinary on a regional basis'. (1) 52	Support	The number of water bodies listed as outstanding appears to be inconsistent with the proposed definition of 'outstanding'. This undermines the significance of the outstanding status and is not properly justified by an adequate section 32 evaluation.	Allow

Submitter Number, Name & Address	Submission Point (Statement #)	Support/ Oppose	Silver Fern Farms Submission	Decision Requested
	Implies opposition to water bodies in Schedule 25 being listed as outstanding, where those values have not been described. (3) 33	Support	The double asterisk notation contained in Part 2 of Schedule 25 implies that further assessment and description of the cultural and spiritual values is required. In the absence of this detail, it is difficult to ascertain the appropriateness or otherwise of these values being considered as outstanding. Further assessment is therefore necessary prior to including water bodies as outstanding water bodies on the basis of their cultural and spiritual values alone.	Allow
32 Pernod Ricard Winemakers New Zealand Ltd Private Bag 92030 AUCKLAND 1142	Amend Table 2, Schedule 25 to delete water bodies that are not truly outstanding, and are not supported by a robust RMA Section 32 evaluation. (6) 54	Support	Silver Fern Farms agrees that the Council have not undertaken a robust section 32 evaluation in determining the list of outstanding water bodies within the region. There is concern that the absence of adequate descriptions of outstanding and significant values has precluded a thorough cost/benefit analysis, as required by section 32.	Allow
	Undertake a further Section 32 analysis on Proposed Plan Change 7 as follows: a) determine if the hierarchy proposed in Policy LW3A.1(d) is the most appropriate way to achieve the purpose of the RMA	Support	Silver Fern Farms agrees that the Council have not fulfilled their evaluation obligations under section 32 of the Act.	Allow

Submitter Number, Name & Address	Submission Point (Statement #)	Support/ Oppose	Silver Fern Farms Submission	Decision Requested
	b) determine the economic and social effects (including economic growth and employment) if priority is given to instream values, over primary production values. (11) 55			
36 Timberlands Limited PO Box 1284 ROTORUA 3010	Amend Schedule 25 to identify the sections of each river which contain the outstanding values(s) AND limit the 'outstanding' classification to these parts. (18) 56	Support	The relief sought by the submitter aligns with NPSFM 2020 definition of 'outstanding water body' whereby part of a water body may be identified as outstanding.	Allow
38 Trustpower Limited Private Bag 12023 TAURANGA 3143	States that an outstanding water body should be outstanding in its own right and the threshold for outstanding should be very high, implying that Schedule 25 should be amended in that context. (2) 57	Support	The relief sought by the submitter seeks to uphold the concept of "outstanding" that is currently undermined by Schedule 25, as proposed. This is consistent with the relief sought elsewhere in this submission.	Allow
	Schedule 25 should be amended to ensure all water bodies: - are superior to or stand out from others - meet the definition of outstanding in Change 7 - are outstanding in their own right. (9) 58	Support		Allow
	Retain the Heretaunga Aquifer [ID 2] as an outstanding water body in Schedule 25. (25) 59	Oppose		It is acknowledged that there are cultural and spiritual values associated with the Heretaunga Aquifer. However, as denoted by the double asterisk notation contained in Part 2 of Schedule 25, the assessment of these values appears to be incomplete. Further assessment is therefore necessary

Submitter Number, Name & Address	Submission Point (Statement #)	Support/ Oppose	Silver Fern Farms Submission	Decision Requested
			<p>prior to including the Heretaunga Aquifer as an outstanding water body.</p> <p>Identifying the geological value of the Heretaunga Aquifer as outstanding is not considered appropriate as all aquifers are, by definition, geological features that are likely to exhibit some geological values. The description of this outstanding value (reproduced below) simply describes the structure of the aquifer and could be applied, in principle, to any aquifer.</p> <p><i>"The Heretaunga aquifer system consists of interconnected layers of water bearing gravels, sands, silts, clays and shells located beneath the Heretaunga Plains."</i></p> <p>Therefore, in the absence of outstanding cultural values, it is inappropriate to classify the Heretaunga Aquifer as an outstanding water body.</p>	
	Delete the Karamu River [ID 3] from Schedule 25 (46) 60	Support	It is acknowledged that there are cultural and spiritual values associated with the Karamu River. However, as denoted by the double asterisk notation contained in Part 2 of Schedule 25, the assessment of these values appears to be incomplete. Further	Allow

Submitter Number, Name & Address	Submission Point (<i>Statement #</i>)	Support/ Oppose	Silver Fern Farms Submission	Decision Requested
			assessment is therefore necessary prior to including Karamu River as an outstanding water body.	

IN THE MATTER OF The Resource Management Act, 1991

AND IN THE MATTER OF Proposed Plan Change 7 to the Hawke's Bay Regional Resource Management Plan

A FURTHER SUBMISSION From Te Taiwhenua o Heretaunga, Te Runanganui o Heretaunga
supported by Ngāti Kahungunu Iwi Incorporated

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OFFICE USE ONLY
SUBMISSION ID#
F116
Date Received:
10/9/2020
Database Entry Date:
20/9/2020
Database Entry Operator:
NN

To:

Hawke's Bay Regional Council
Private Bag 6006,
Napier 4142

Email: OWB@hbrc.govt.nz

Te Taiwhenua o Heretaunga 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/whanaunga 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 Runanganui o Heretaunga and Te Manaaki Taiao , we assist those we represent to uphold their tikanga Māori values and aspirations through hui and wānanga, and engagement within resource management processes.

Te Taiwhenua o Heretaunga lodged a submission to Plan Change 7. This is our further submission wherein our support for or opposition to submissions from other parties – or parts thereof – 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 are supported by Ngāti Kahungunu Iwi Incorporated. Both our organisations 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 if other parties make submissions on similar matters seeking similar outcomes from Plan Change 7, we will consider making joint submissions at any relevant hearing or pre-hearing.

Stat# 7	naturalness, including hydrological, ecological and geological features'; Recreation: 'kayaking, fishing, swimming, tramping'; Geology.		
3	Amend Schedule 25, Table 2 to include the sizes of all lakes and wetlands, and the length of all rivers.	Support in part	Amend PC7 to include lengths of rivers/streams or parts thereof, that are identified as being outstanding, and the spatial area of outstanding lakes and outstanding wetlands. <i>In some cases, a whole river/stream may not be outstanding.</i>
Stat# 8	Amend Schedule 25, Table 2, Column 3, 'Description of Outstanding Values' for Lake Rotoroa and Lake Rototuna (Kaweka Lakes) [ID 5] to delete the fourth paragraph that incorrectly refers to the Kaweka and Ruahine Ranges wetlands.	Support in part	Amend PC7 to include proper/established names for lakes and wetlands. <i>This will enable consistency between regional plans and NZ geographical data sources and other references.</i>
4			

Submitter #3 Brownrigg Agriculture Group	Original submission statement (from HBRC summary)	TToH Support/ Oppose	Relief sought and reasons for our position
C7 General Stat# 38	Amend Change 7 so that the policies refer only to protecting the 'significant values' of identified 'outstanding freshwater bodies' (consistent with A2(a) and B4 of the NPSFM).	Support	Allow the submission and amend PC7 to reflect this. <i>When PC7 was notified, the RMA identified an outstanding water body as a water body that has one or more outstanding values, thereafter, only the significant values of the outstanding water body are required to be protected</i>
5			
C7 Schedule 25 Stat# 1	Amend Schedule 25 to delete freshwater bodies that are not 'quite out of the ordinary on a regional basis' in Hawke's Bay.	Support in part	Accept the submission insofar as the regional basis reference for 'outstanding' is concerned, however the 'out of the ordinary' aspect is sufficiently covered elsewhere in PC7 under different wording/criteria.
6			
C7 Glossary Stat# 2	'Outstanding water body' – Amend definition to read: " ' <u>Outstanding freshwater body</u> ' - Are those water bodies	Support in part	Add definition for 'outstanding freshwater body' with the parameters/values as requested, but include 'hydrological' as a value
7			

	<p><u>identified in a regional policy statement or regional plan as having outstanding values, including ecological, landscape, recreational and spiritual values.</u></p> <p><i>[Outstanding water body means freshwater bodies and estuaries, or parts thereof, identified in Schedule 25 that have one or more outstanding cultural, spiritual, recreation, landscape, geology, natural character or ecology value(s).]</i> "</p>		<p>Include additional definitions for those estuaries, lagoons and water resources located within the coastal environment that are also considered to be outstanding, while being cognisant of the definition of 'water body' in the RMA as meaning 'fresh water or geothermal water in a river, lake, stream, pond, wetland, or aquifer, or any part thereof, that is not located within the coastal marine area' which may constrain the inclusion of parts of estuaries and coastal lagoons where they cross mean high water springs.</p> <p><i>It would be beneficial to replicate the meanings and nomenclature used in the RMA and the NPS-FM to prevent confusion. The last faray into this area where HBRC sought to differ from the RMA definition of 'wetland' contained in the RMA led to several years of litigation.</i></p>
C7 Glossary Stat# 3	<p>'Outstanding' - Amend definition to read: "for the purposes of an outstanding water body; outstanding means [conspicuous], eminent, and/or remarkable in the context of the Hawke's Bay Region."</p>	Support in part	<p>Expand the definition of outstanding in PC7 to include 'prominent' and 'unique'. Add separate definition for 'outstanding' where it applies to an estuary, wetland or coastal lagoon in the coastal environment.</p> <p><i>Characteristics that some freshwater bodies have that are considered to be outstanding, are unique (e.g. Ruataniwha Aquifer System) and/or scarce nationally.</i></p>
C7 Schedule 25 Stat# 5	<p>No specific decision requested, but implies opposition to those water bodies in Schedule 25 being identified as having 'outstanding' spiritual and cultural values without an associated description of those values.</p>	Support in part	<p>Provide greater specificity around what the cultural and/or spiritual value is that is considered to be outstanding, and any significant values (that may or may not be cultural and spiritual values) associated with the water body.</p>
C7 Schedule 25 Statements #7, 9, 10, 11, 15, 16, 17, 20, 21, 24, 25, 28, 29, and 33.	<p>Delete the Kaweka and Ruahine Ranges Wetlands [ID 4] from Schedule 25.</p> <p>Delete Lake Waikareiti [ID 8] from Schedule 25.</p>	Oppose all	<p>Retain these freshwater bodies, coastal lagoons, estuaries and hot springs in Schedule 25, but provide clear distinctions between which are outstanding freshwater bodies subject to the NPS-FM, and which are outstanding water resources in the coastal environment subject to the</p>

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	<p>Delete Lake Waikaremoana [ID 9] from Schedule 25.</p> <p>Delete Whakaki Lake – Te Paeroa Lagoon – Wairau Lagoon and Wetlands [ID 10] from Schedule 25.</p> <p>Delete the Maungawhio Lagoon, Lower Kopuawhara River, and Pukenui Dunes Wetlands [ID 14] from Schedule 25.</p> <p>Delete the Mohaka River [ID 15] from Schedule 25.</p> <p>Delete the Mohaka River [ID 15] from Schedule 25.</p> <p>Delete the Porangahau River and Estuary [ID 21] from Schedule 25.</p> <p>Delete the Putere Lakes [ID 22] from Schedule 25.</p> <p>Delete the Ruataniwha Aquifer [ID 25] from Schedule 25.</p> <p>Delete the Tarawera Hot Springs [ID 26] from Schedule 25.</p> <p>Delete Te Whanganui a Orotu /Ahuriri Estuary [ID 30] from Schedule 25.</p>		<p>NZCPS, or regionally outstanding and unique in their own right (hot springs).</p> <p><i>Te Taiwhenua o Heretaunga and Ngāti Kahungunu Iwi Incorporated seek discrete RPS objectives and policies for each of the above categories to provide guidance for our two main regional plans in terms of sustainable management of water resources while elevating protection for those that are outstanding, in line with the requirements of the RMA and higher level policy.</i></p> <p><i>Following on extensive literature review, HBRC determined that these water bodies and estuaries/logoons have outstanding values/characteristics as well as significant values. The submitter has not come up with any definitive evidence to refute this.</i></p>
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	Delete the Tukituki River and Estuary [ID 31] from Schedule 25.		
	Delete the Waipawa River [ID 36] from Schedule 25.		

Submitter #5 Department of Conservation	Original submission statement (from HBRC summary)	TToH Support/ Oppose	Relief sought and reasons for our position
C7 General Stat #3 24	Add a framework to Change 7, which includes set of 'outstanding' criteria that can be used to identify additional water bodies across the region, not listed in Schedule 25.	Support in part	Amend PC7 to include a framework or tables wherein the outstanding values and the significant values for each water resource identified as 'outstanding', are specified. <i>This will help guide regional plans in terms of suitable objectives, policies and methods for protection and consideration of the identified values.</i>
C7 Gen process Stat #4 25	Ensure Change 7 is in place prior to Plan Change 9 (TANK), or undertaken at the same time	Support	Accept the submission and ensure hearings for PC7 are either held before PC9 (TANK hearings) or alternatively, hold concurrent hearings for PC9 and to consider those outstanding freshwater bodies within the four TANK catchments. <i>PC7 and PC9 address management/regulation of some freshwater bodies that are common to both plan changes. Concurrent hearings would ensure consistency and integration between the higher level RPS direction provided through PC7 (RPS) and the planning provisions in PC9 (Regional Plan). At same later date, changes to the Coastal Environment Plan will also be necessary for consistent regulation of outstanding coastal waters.</i>
C7 Pol LW3A Stat #7 26	Amend Policy LW3A.1 as follows: 1"...a consent authority must [<i>have regard to</i>]: (a) <u>Not grant a consent where there is a more than minor effect on</u> [<i>the extent to</i>	Support in part	Amend policy LW3A.1 but include the word 'adverse' in terms of '... more than minor <u>adverse</u> effect' in clauses (a) and (b). <i>There could be minor effects that are beneficial to upholding or supporting values in the freshwater body or estuary, from activities for which resource consent is being sought.</i>

<p>C7 General Stat #14</p> <p>27</p>	<p><i>which the activity would protect] the outstanding value(s)</i> (b) <u>Not grant a consent where there is a more than minor effect [on the extent to which the activity would protect] the significant values.</u> (c) <u>Have regard to</u> whether, in order to protect the waterbody's outstanding values..."</p> <p>Amend Change 7 to specify the criteria used to identify primary production as a significant value.</p>	<p>Oppose</p>	<p>Ensure that primary production is not identified as an outstanding value or a significant value for an outstanding freshwater body or for an outstanding water body in PC7 or regional plans, and make consequential amendments to PC7 provisions.</p> <p><i>Primary production and associated values only become relevant or 'able to be considered and evaluated' once the water is removed from the freshwater body that has outstanding status. Such abstractive values can only be realised when the freshwater is no longer part of the outstanding freshwater body, and the 'value' for primary production accrues through the addition of external costs and inputs – e.g., CAPEX and OPEX, and maybe tax deductions.</i></p> <p><i>During the transition from being part of the outstanding freshwater body, the 'water' from the natural resource or freshwater body then passes through a well, a pump and irrigation pipes. By RMA definition (definition of 'water' . . . <u>(c) does not include water in any form while in any pipe, tank, or cistern</u>'), it ceases to be water while in a pipe or in a storage tank, and is no longer part of a 'freshwater body', with inherent outstanding or significant values/characteristics.</i></p>
<p>C7 Schedule 25 Stat #15</p> <p>28</p>	<p>Add a new significant value for the Kaweka and Ruahine Ranges [ID 4] as being "<u>Ecological values due to rare habitat type in Hawke's Bay.</u>"</p>	<p>Support</p>	<p>Amend PC7 and Schedule 25 accordingly.</p> <p><i>Rare habitat types should be protected due to their scarcity and to support the new direction in the NPS-FM for greater protection for threatened/endangered species.</i></p>

Stat #19 29	Add a new significant value for the Morere Hot Springs [ID 16] as being " - <u>geological</u> ."	Support in part	Accept the submission and amend Schedule 25 to include the geological value for Morere Hot Springs. Make any consequential amendments to uphold and protect this and other values of the springs. <i>Morere Hot Springs have a unique geology/hydrology and their source comes from ancient salt-water. Their management and protection will require careful consideration as they are not covered by the NPS-FM, nor by the NZCPS, as they are neither derived from freshwater nor located in the CMA or coastal environment.</i>
Stat #20 30	Add a new significant value for the Opoutama Swamp [ID 20] as being " - <u>ecology (significant habitat for bittern)</u> ."	Support	Accept the submission and amend Schedule 25 to include the ecological value as a significant value for Opoutama Swamp. <i>Australasian Bittern are a rare species in Hawke's Bay. HBRC has recently adopted a comprehensive Biodiversity Strategy in line with national direction for increased protection of indigenous biodiversity. The RPS should reflect and be consistent with these initiatives.</i>
Stat #23 31	Add a new significant value for the Waipawa River [ID 36] as being " - <u>ecological values (avian)</u> ."	Support	Accept the submission and amend Schedule 25 to include the ecological value (avian) as a significant value for the Waipawa River.
Stat #25 32	Amend Schedule 25, Column 3, Ngaruroro River [ID 18] to read: " <u>Ecology (indigenous bird populations)</u> ."	Support	Accept the submission and amend Schedule 25 to include the ecological value (indigenous bird populations) for the Ngaruroro River.
Stat #26 33	Amend Schedule 25, Column 3, Lake Poukawa and Pekapeka [ID 6] to read: " <u>Ecology (indigenous bird populations)</u> ."	Support	Accept the submission and amend Schedule 25 to include the ecological value (indigenous bird populations) for Lake Poukawa and Pekapeka. <i>Braided sections of our rivers are threatened due to excessive water abstraction (both surface and groundwater), and aggradation, which risks losing some of these reaches. Greater protection is required to protect these habitat types.</i>

			<p><i>Our taango bird species are under increased threats due to exposure to predation due to less (water) habitat, as well as increased competition for food.</i></p> <p><i>Regional councils have a statutory duty to sustainably manage our freshwater resources, and appropriate direction is required through the RPS.</i></p> <p><i>There is an increased awareness of and consideration for Te Mana o te Woi in the new NPS-FM, with the health and well-being of freshwater given primacy over other considerations.</i></p>
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Submitter #8 Ernslaw One Ltd	Original submission statement (from HBRC summary)	TToH Support/Oppose	Relief sought and reasons for our position
C7 General Stat #2 34	Retain the separate provisions as currently exist in the RRMP Chapter 3.1A for Outstanding Freshwater Bodies and RRMP Chapter 3.2 for Outstanding Coastal Waters.	Support in part	Accept the submissions and amend PC7 accordingly. Provide a separate schedule, objectives and policies for outstanding estuaries, outstanding coastal lagoons and outstanding wetlands in the coastal environment.
C7 Gen NatPolicy Stat #3 35	Opposes Proposed Plan Change 7 including provisions for coastal water under the freshwater Chapter (RRMP Chapter 3.1A).	Support in part	<i>The chapter is headed 'Integrated Land Use and Freshwater Monagement' so should direct the management of freshwater only. By including estuaries and coastal lagoons within the ambit of the PC7 definition for water body, the plan change is inconsistent with the RMA – Definition of 'water body' – means fresh water or geothermal water in a river, lobe, stream,</i>
Stat #4 36	No specific decision requested but implies that Plan Change 7 should be amended to separate out the provisions that give effect to Policies 11, 13, 15 and 17 of the New Zealand Coastal Policy Statement.	Support in part	<i><u>pond, wetland, or aquifer, or any part thereof, that is not located within the coastal marine area.</u> PC7 will direct the management of land use and effects on outstanding estuaries and coastal waters, plus outstanding freshwater resources within the coastal environment – through the Regional Coastal Environment Plan. We need to retain consistency in terminology with clear connections to higher level policy in the NPS-FM and the NZCPS.</i>

Stat #5 37	No specific decision requested, but opposes Plan Change 7 requiring the identification and protection of outstanding coastal waters	Oppose	Decline this submission and provide specific schedule, objectives and policies for outstanding estuaries and coastal lagoons. <i>PC7 lacks substantive objectives and policies specifically directed at management of coastal water and estuaries.</i>
C7 Obj LW1.1 Stat #6 36	Amend Objective LW1.1 to read: "protecting the outstanding and significant values of outstanding <u>freshwater</u> bodies identified in Schedule 25."	Support	Allow the submission and amend PC7 accordingly. <i>The objective sits within a chapter headed "Integrated Land Use and Freshwater Management" and the objective commences with the statement "Integrated management of freshwater and land use and development".</i>
Stat #7 37	Amend Policy LW1.1 to delete references to 'water bodies' and replace with ' <u>freshwater bodies</u> '.	Support	Allow the submission and amend Policy LW1.1
C7 Pol LW3A.1 Stat #14 40	Delete Policy LW3A.1(d).	Oppose	Decline the submission. The management of discharges into outstanding freshwater bodies and outstanding estuaries/wetlands is a valid matter in terms of their sustainable management, and to limit adverse effects on their outstanding and significant values.
C7 C3.2 Gen Stat #16 41	Amend RRMP Section 3.2 (The Sustainable Management of Coastal Resources) as follows: a) delete Objective 11, Policy C1, Policy 2 and associated explanations; and b) introduce a variation to Change 7 which includes new objectives and policies which give effect to Policies 11, 13, 15 and 17 of the New Zealand Coastal Policy Statement AND apply to those estuaries identified in Schedule 25.	Support in part	Accept the submission insofar as to provide new objectives which give effect to Policies 11, 13, 15 and 17 of the NZCP5. Provide a separate schedule or separate part of Schedule 25 for estuaries and coastal lagoons considered to be outstanding. <i>This will provide a clear line of sight for coastal resources and better management due to provenance. Including estuaries and coastal lagoons under a freshwater planning construct is inconsistent and confusing.</i>
C7 Sch25 Porang Stat #18 42	Amend Schedule 25, Porangahau River [ID 21] to identify the sections of the Porangahau River which contain the outstanding values(s) AND limit the	Support	Accept the submission and provide spatial definition of the parts of the Porangahau River and estuary that are considered to be outstanding. <i>This is a logical approach to assist with better management of the outstanding values and significant values through Schedule 25.</i>

	'outstanding' classification to these parts.		
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Submitter #9 Federated Farmers of NZ	Original submission statement (from HBRC summary)	TToH Support/ Oppose	Relief sought and reasons for our position
C7 General Stat #17 43	Amend Change 7 to ensure consistent use of the following terminology: 'outstanding values', 'significant values', 'regional values', 'significant regional values' and 'national values'.	Support in part	Accept the submission insofar as amending PCY to more clearly articulate what these values are and where they apply, with the exception of 'regional values'. Ensure that the lower threshold for 'outstanding values' remains at the regional level. <i>PC5 directs that outstanding values are derived from regionally outstanding values.</i>
Stat #21	Amend Change 7 to ensure Section 14.3(b) takes and uses have an 'allowed' status in outstanding waterbodies, and are not regulated by the Regional Resource Management Plan.	Support in part	<i>See relief sought and reasons below *</i>
#Stat 22 44	Amend Change 7 to ensure future water allocation regimes for outstanding water bodies include: a) enough water for Section 14.3(b) RMA takes and uses b) enough water for stock to drink during times of low flow.	Support in part	<i>See relief sought and reasons below *</i>
C7 Obj LW1.1 Stat #24 45	Amend Objective LW1 to provide for Section 14.3(b) RMA water takes and uses in outstanding waterbodies.	Support in part	*Amend PC7 so that section 14 (3)(b) takes are enabled through regional plans but direct regional plans to allow such takes within limits, and include reference to "within limits" within the objective. <i>*Section 14 (3) (b) of the RMA contains the proviso "<u>and the taking or use does not, or is not likely to, have an adverse effect on the environment.</u>" The addition of 'within limits' would allow such takes but</i>

<p>Stat#25</p> <p style="text-align: right;">47</p>	<p>Amend Objective LW1 so that land use for farming is recognised and provided for in outstanding waterbodies.</p>	<p>Support in part</p>	<p><i>restrict them so they comply with the Act, and do not detract from significant values of outstanding freshwater bodies. There are other options for stock water provision during low-flow periods (increased storage capacity).</i></p> <p>Allow the submission insofar as land use and water use for farming is recognised and provided for adjacent to outstanding freshwater bodies and outstanding estuaries and lagoons, but subject to setbacks and limits (as prescribed in the RPS and regional plans)</p> <p><i>Farming should be enabled as it is an existing activity reliant on freshwater and different inputs, but the activity of farming should not be at the expense of the health and well-being of the outstanding freshwater body or estuary/wetland.</i></p>
<p>C7 Pol LW1.1 Stat #29</p> <p style="text-align: right;">48</p> <p>Stat #30</p> <p style="text-align: right;">49</p>	<p>Amend Policy LW1.1(dA) to insert the words 'where appropriate' when referring to the maintenance and/or enhancement of water quality.</p> <p>Amend Policy LW1.1(dA) to provide for: a) Section 14.3(b) RMA water takes and uses, and b) new water takes for other uses.</p>	<p>Oppose</p> <p>Support in part</p>	<p>Decline the submission point. <i>The requested relief is superfluous. It is always appropriate to maintain or enhance the water quality of outstanding freshwater bodies. It is also a requirement of the Act and a duty/function of regional councils under section 30.</i></p> <p>Allow the submission insofar as section 14 (3)(b) takes are provided for within limits, such that they do not cause an adverse effect on the outstanding freshwater body. <i>Section 14 enables the supply of stock drinking water and water for personal use provided that such taking or use "does not, or is not likely to, have an adverse effect on the environment." The new NPS-FM gives first priority to the health and well-being of the freshwater body.</i></p>
<p>C7 Schedule 25 Stat #31</p> <p style="text-align: right;">50</p>	<p>No specific decision requested, but implies Schedule 25, Table 2 should be amended to include the spatial extent of the significant and outstanding values determined through Policy LW1.2(bA)(I).</p>	<p>Support</p>	<p>Allow the submission and provide detailed maps/schedules showing the spatial extent of outstanding freshwater bodies and outstanding estuaries/wetlands.</p> <p><i>This would be helpful for directing the management of adverse effects through regional plans particularly where the outstanding values or</i></p>

			<i>significant values apply to only part of a freshwater resource or estuary/wetland.</i>
C7 Pol LW1.2 Stat #33 ⁵¹ (Also Stat #42 in terms of Pol C2. ⁵² 1)	No specific decision requested, but states support for non-regulatory methods having equal status with regulatory methods in order to protect an outstanding waterbody, as set out in Policy LW1.2(bA)(ii).	Oppose	Decline the submission. <i>Non-regulatory methods have not always been effective in managing adverse effect of activities in the past. The new NPS-FM requires greater consideration for the health and well-being of water bodies as a first priority.</i>
Stat #35 ⁵³	Amend Policy LW1.2(bA)(iii) so that adverse effects which do not materially reduce the outstanding values present in a waterbody are provided for and managed, rather than completely avoided.	Oppose	Decline the submission. <i>The requested relief would be difficult to implement. One would only be able to determine whether adverse effects have occurred after the fact. A more precautionary approach to protection of outstanding freshwater bodies and estuaries/wetlands would be easier, for directing management.</i>
Stat #36 ⁵⁴	Amend Policy LW2 to clarify that Section 14.3(b) RMA takes and uses have an 'allowed' status when prioritising values.	Support in part	Allow the submission but refer to 'limits' within the policy. <i>See reasons above for Statements 24 and 30.</i>
C7 Misc Stat #37 ⁵⁵	Add a new primary value into Table 2A as follows: "- <u>water and land use for farming.</u> "	Oppose	Decline the submission. <i>The values are not inherent within the outstanding freshwater body, estuary or wetland, they are external values and reliant on numerous other costs and inputs for them to be realised.</i>
C7 Pol LW3A.1 Stat #38 ⁵⁶ (Also Stat #45 Pol C2.1) ⁵⁷	Amend Policy LW3A.1 as follows: a) delete the requirement for activities to 'protect' outstanding and significant values; b) require activities to avoid, remedy or mitigate their adverse effects on identified outstanding values.	Oppose	Retain the policy clauses but amend to manage the effects of activities so as to protect outstanding and significant values, not the activities themselves. Retain Clause b). <i>PC7 needs to direct the management of the effects of activities on identified values.</i>

<p>C7 Pol LW3A Ge Stat #39 58</p>	<p>Amend Policy LW3A to require rule regimes to be tailored to each particular outstanding waterbody and its values.</p>	<p>Support in part</p>	<p>Allow the submission in that specific rules in regional plans are required to identify which objective(s) and policy(ies) relating to an outstanding freshwater body, estuary or wetland, the rule and associated criteria apply to. <i>There should be a clear line of sight to show what RPS and plan provisions help to determine decisions around application of the rule(s) in terms of managing effects of activities on outstanding freshwater bodies, estuaries and wetlands.</i></p>
<p>C7 Glossary 'OWBs' Stat #47 (and 59 Schedule 25 Stat #51) 60 Schedule 25 Stat #48 61 (and Stat #54) 62</p> <p>Stat #49</p> <p>Stat #52 63</p> <p>64</p>	<p>'Outstanding water body' – Amend definition to require two or more 'outstanding' criteria to be met before a waterbody is classified as outstanding.</p> <p>'Outstanding water body' – Amend definition to:</p> <p>a) include 'water use' as an outstanding value, b) include 'land use for primary production' as an outstanding value.</p> <p>'Outstanding' – Amend definition to read: "for the purposes of an outstanding water body; outstanding means conspicuous, eminent, and [/or] remarkable <u>on a national basis</u>. [in the context of the Hawke's Bay Region.]"</p>	<p>Oppose</p> <p>Oppose</p> <p>Oppose</p> <p>Oppose</p>	<p>Decline the submission. <i>The definition of outstanding water body in the NPS-FM 2020 requires that they have <u>one or more</u> outstanding values.</i></p> <p>Decline the submissions. <i>The values are not inherent within the outstanding freshwater body, estuary or wetland. Abstractive uses/values are reliant on numerous other costs and inputs for them to be realised, and to 'potentially' achieve outstanding status. In addition, how would you reconcile primary production activities as being 'outstanding' where primary production enterprises go into receivership, or where market forces result in loss in profits?</i></p> <p>Decline the submission. Retain the definition as notified. <i>Operative PC5 to the RPS (at Policy LW1A 1(a) states 'to identify outstanding freshwater bodies at a regional level'.</i></p> <p>Decline the submission in terms of 'high outstanding threshold'. <i>Having one or more outstanding values establishes a freshwater body, estuary or wetland as being outstanding. Thereafter, only the significant values are required to be protected.</i></p>

Stat #53	Amend Table 1 to include specific 'outstanding' criteria for each value set with a high 'outstanding' threshold.	Support in part	Allow the submission and amend PC7 insofar as it includes detailed maps of outstanding freshwater bodies, estuaries and wetlands, with associated table listing outstanding values and significant values that apply within each. <i>Spotial definition of the locotion of specific outstanding water bodies will be helpful for implementotion through regional plans.</i>
Stat #56	65 Amend Table 1 to include new text which states that the outstanding classification will be limited to the section(s) of the water body where the 'outstanding criteria' is met.	Oppose	Decline the submission. Rename the aquifer as the "Heretaunga Plains Aquifer System". <i>The aquifer system is outstanding in both the regional and national sense. Renaming it as the Heretaunga Plains Aquifer System will align with existing operative nomenclature used in the RPS, RRMP and the RCEP.</i>
Stat #57	66 Delete the Heretaunga Aquifer [ID 2] from Schedule 25.	Oppose	Decline the submission. <i>The statement is factually incorrect. The Heretaungo Aquifer does not have any economic importance. The water from the aquifer can attain economic importance or significonce but only after it is removed from the aquifer and combined with other inputs to produce goods and services.</i>
Stat #59	67 Amend the outstanding description for the Heretaunga Aquifer [ID 2] to emphasise its current economic importance.	Oppose	Decline the submission. <i>(see above and also comments/reasons for Statements 48 and 54).</i>
Stat #60	68 Add two new 'outstanding values' for the Heretaunga Aquifer [ID 2] as follows: "- <u>primary production water use</u> " and "- <u>primary production land use.</u> "	Oppose	Decline the submission and retain the Karamu River as an outstanding water body. <i>The Karamū is highly connected to the Heretaunga Plains Aquifer System which supplies a large proportion of its base flow through springs.</i>
	69	Oppose	Decline the submission. <i>Once water is abstracted from the Karamū River, the purported outstanding values are not part of the Karamū River, but are reliant on</i>

Stat#61	Delete the Karamū River [ID 3] from Schedule 25.		<i>other inputs (CAPEX/OPEX) and infrastructure to help derive an economic value, that may or may not be outstanding.</i>
70 Stat #62		Oppose	Decline the submission and retain the wetlands in Schedule 25. <i>The wetlands have been identified as unique and threatened habitat types. The NPS-FM 2020 requires one or more outstanding values to be identified to establish/confirm a water body as being outstanding.</i>
71 Stat #64	Add new outstanding values for the Karamū River [ID 3] as follows: " - primary production water use" and " - primary production land use." EITHER: Delete Kaweka and Ruahine Ranges [ID 4] wetlands from Schedule 25 OR Identify two or more 'outstanding' criteria for the Kaweka and Ruahine Ranges wetlands, and map these areas.	Support	Accept the submission and retain these lakes as outstanding freshwater bodies. <i>The lakes were identified following on extensive literature review. They have specific qualities/attributes that are distinctive to their location.</i>
72 Stat #65		Oppose	Decline the submission and retain these in Schedule 25. <i>The lake and wetland are remnants of a vast network of swamps/wetlands, and are outstanding in their own right.</i>
73 Stat #71	No specific decision requested but supports Lake Rotoroa and Lake Rototuna [ID5] being identified as outstanding water bodies in Schedule 25.	Oppose	Decline the submissions (71, 73, 78, 81, 90, 99, 103, 105, 106, 109). <i>The purported 'outstanding value' of the water is accrued after abstraction out of the freshwater bodies. The outstanding value, is not inherent within the outstanding water body. Nor is the value a significant value of the water body concerned.</i>
74 Stat #73	Delete Lake Poukawa and Pekapeka Swamp [ID 6] from Schedule 25.	Oppose	<i>The value derived from 'water use' is reliant on other inputs (CAPEX/OPEX), market forces and fluctuations, and infrastructure, to help derive an economic value, that may or may not be outstanding. The 'land use' components are likewise, separate from the water body concerned.</i>
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Stat #78	76	Add a new outstanding value for Whakaki Lake – Te Paeroa Lagoon- Wairau Lagoon [ID 10] and wetlands as follows: " - <u>water and land use for farming.</u> "	Oppose	
Stat #81	77	Add a new outstanding value for Lake Whatuma [ID 11] as follows: " - <u>water and land use for farming.</u> "	Oppose	
Stat #90	78	Add a new 'outstanding value' for the Maungawhio Lagoon, lower Kopuawhara River, Pukenui Dune wetlands [ID 14] as follows: " - <u>water and land use for farming.</u> "	Oppose	
Stat #99	79	Add a new outstanding value for Mohaka River [ID 15] as follows: " - <u>water and land use for farming.</u> "	Oppose	
Stat #103	80	Add a new outstanding value for Porangahau River and Estuary [ID 21] as follows: " - <u>water and land use for farming.</u> "	Oppose	
Stat #105	81	Add a new outstanding value for Taruarau River [ID 27] as follows: " - <u>water and land use for farming.</u> "	Oppose	
Stat #106	82	Add a new outstanding value for Te Whanganui a Orotu (Ahuriri Estuary) [ID 30] as follows: " - <u>water and land use for farming.</u> "	Oppose	
Stat #109	83	" - <u>water and land use for farming.</u> "	Oppose	

	<p>Add a new outstanding value for the Tukituki River and Estuary [ID 31] as follows: " - <u>water and land use for farming.</u>"</p> <p>Add a new outstanding value for the Tutaekuri River [ID 32] as follows: " - <u>water and land use for farming.</u>"</p> <p>Add a new outstanding value for the Waiau River [ID 33] as follows: " - <u>water and land use for farming.</u>"</p>		
Schedule 25			
Stat #91 84	Delete Putere Lakes [ID 22] from Schedule 25.	Oppose	<p>Decline these submissions and retain the identified water bodies within Schedule 25 as outstanding freshwater bodies, or outstanding water resource (for Tarawera Hot Springs). Separate hot springs from freshwater bodies in a table, as they contain minerals and compounds that detract from the 'fresh' designation. Specify which part(s) of each river/aquifer is outstanding and provide maps to show the spatial extent along with a table of their outstanding value(s) and significant values. Omit abstractive uses from being applied as outstanding or significant values.</p> <p>Rename the Ruataniwha Aquifer as Ruataniwha Plains Aquifer System, to maintain consistency with nomenclature in operative plans.</p> <p><i>The rivers, springs and aquifer system listed have been assessed through a comprehensive process including an extensive literature review. The Ruataniwha Plains Aquifer System requires protection of its water quality through operative objectives in regional plans (RRMP and RCEP).</i></p>
Stat #92 85	Delete Ripia River [ID 23] from Schedule 25.	Oppose	
Stat #94 86	Delete Ruataniwha Aquifer [ID 25] from Schedule 25.	Oppose	
Stat #96 87	Delete Tarawera Hot Springs [ID 26] from Schedule 25.	Oppose	
Stat #102 88	Delete Te Paerahi [ID 29] River from Schedule 25.	Oppose	
Stat #111 89	Delete Waihua River [ID 34] from Schedule 25.	Oppose	
Stat #113 90			
Stat #114 91			
Stat #116 92			

	<p>Delete Waikaretaheke River [ID 35] from Schedule 25.</p> <p>Delete Waipawa River [ID 36] from Schedule 25.</p> <p>Delete Wairoa River [ID 38] from Schedule 25.</p>		
<p>Schedule 25</p> <p>Stat #104 93</p>	<p>Amend Schedule 25, Column 2, Tukituki River and Estuary [ID 31] as follows:</p> <p>a) delete reference to the entire river</p> <p>b) state the section(s) of river where the outstanding values are present.</p>	<p>Support in part</p>	<p>Allow the submissions insofar as greater specification and detail is provided in PC7 along with maps showing what the outstanding values and significant values are and the spatial extent(s) of where they apply within the Tukituki, Tutaekuri and Waiau Rivers.</p> <p><i>The relief sought by TToH and Ngāti Kahungunu will help ensure that outstanding values and significant values are acknowledged through regional plans, and the provisions in the RPS relating to such values, can more readily be given effect to through regional plan provisions.</i></p>
<p>Stat #107 94</p>	<p>Amend Schedule 25, Column 2, Tutaekuri River [ID 32] as follows:</p> <p>a) delete reference to the entire river</p> <p>b) state the section(s) of river where the outstanding values are present (i.e upper reaches).</p>	<p>Support in part</p>	
<p>Stat #108 95</p>	<p>Amend Schedule 25, Column 2, Waiau River [ID 33] as follows:</p> <p>a) delete reference to the entire river</p> <p>b) state the section(s) of river where the outstanding values are present (i.e upper reaches).</p>	<p>Support in part</p>	

Submitter 10 Forest and Bird Society of NZ	Original submission statement (from HBRC summary)	TToH Support/Oppose	Relief sought and reasons for our position
C7 Pol LW1.1 Stat #6 96	Amend Policy LW1.1(dA) to read: "maintains, and where necessary enhances, the water quality of those outstanding water bodies identified [in Schedule 25], and [where appropriate], protects the water quantity of those outstanding water <u>bodies in order to protect their significant values</u> ".	Support in part	Allow the submission and amend the policy insofar as it includes "and where necessary enhances" and removes the words 'where appropriate.' <i>There may be instances where the enhancement of water quality is required to meet regional plan targets/limits and/or implement directives and policy from the NPS-FM 2020.</i> <i>The inclusion of both water quality and water quantity within the same policy helps to connect the potential decline of water quality with the over-abstraction and uses of water.</i>
C7 General Stat #9 97	Amend Change 7 to remove the hierarchy whereby outstanding values take priority over significant values, where conflicts arise.	Support in part	Allow the submission. <i>An outstanding water body is one that has one or more outstanding values (NPS-FM 2020). The significant values of outstanding water bodies that are then required to be protected.</i>
C7 Obj 11 Stat #15 98	Amend Objective 11 to read: "Protection of the outstanding and significant values of those outstanding water bodies within the Coastal Environment [listed in Schedule 25]."	Support in part	Allow the submission so that there is clear separation in objectives and policies that apply to freshwater bodies, from those that apply to other waters like coastal waters or estuaries.
C7 Pol C1 Stat #17 99	Amend Policy C1.1 to read: "When preparing regional plans, in relation to any relevant outstanding waterbodies [identified in Schedule 25]: (i)... (ii) establish how the outstanding and significant values of outstanding water bodies identified in Schedule 25 will be protected [by regulatory methods or non regulatory methods or both;]"	Support in part	Accept the submission and amend PC7 to reflect the changes sought, but remove the word 'relevant'. Also in clause (ii) include 'establish methods to protect the outstanding values and significant values of outstanding water bodies'. Provide clarity and distinction between freshwater bodies and coastal/estuarine waters given the RMA definition of a 'water body' being restricted to fresh water and not inclusive of coastal or estuarine waters. <i>Guidance and direction for regional plans needs greater clarity of intent and outcome.</i>
C7 Schedule 25.1 Stat #22 100	Amend the description of 'Natural Character' in Table 1, of Schedule 25 to read:	Support in part	Accept the submission insofar as the description includes the word 'or' because as notified the description could be interpreted as natural character requiring all identified components. Expand the descriptor to

	" a water body with high naturalness exhibiting [an] exceptional [combination of] natural processes, natural patterns, [and] or natural elements, with low levels of modifications to the river, its ecosystems and/or the surrounding landscape."		include and allow for the extension of natural character to apply to other water resources besides rivers, and include hydrological and geological functions and processes. <i>PC7 directs more prescriptive management and protection of outstanding water resources that could be freshwater, coastal water, estuaries, aquifer systems or mineral/hot water springs. The term natural character should be broad enough to encompass the different values and attributes that help constitute 'natural character' for each category. inclusion of the word 'or' ensures that the values and parameters are not required to be combined to achieve outstanding status.</i>
Stat #26 101	Amend Schedule 25 by deleting those values which are not found with the water body itself, such as primary production.	Support	Accept the submission and ensure that abstractive values and other values that are not inherent within or upon the specified outstanding water bodies in Schedule 25, are not included as outstanding or significant values in PC7. <i>The abstractive values derived from 'water use' are reliant on other inputs (CAPEX/OPEX), market forces and fluctuations, and infrastructure (amongst others), to help derive an economic value, that may or may not be outstanding. Land uses and growing commodities for economic return are likewise, values that are separate from the water body concerned.</i>

Submitter #12 Genesis Energy Limited	Original submission statement (from HBRC summary)	TToH Support/Oppose	Relief sought and reasons for our position
C7 GenProcess Stat #7 102 C7 Pol LW3A Stat #8 103	EITHER: Place Proposed Plan Change 7 on hold and defer processing until catchment-based management plans are completed to give full effect to the National Policy Statement for Freshwater Management. OR	Oppose	Decline the submission. <i>The operative RPS requires the protection of outstanding freshwater bodies. Progressing PC9 before PC7 (notified before PC9) means that the required level of protection for outstanding freshwater bodies is unlikely to be achieved.</i>

	Delete Policy LW3A until such time the relevant catchment-based regional plan change(s) are operative.		<i>This would be inconsistent with the requirements of the NPS-FM and undermine Te Mana o te Wai which prioritises the health and well-being of water above other considerations.</i>
C7 Schedule 25 Stat #1 104	No specific decision requested, but implies Schedule 25 should be amended to include social and economic values.	Support in part	Decline the submission where it seeks to include economic values derived from abstractive uses. Include social values that are outstanding or significant provided they are associated with the water body in its natural or existing state – i.e. within or upon the water body itself. <i>The economic values derived from abstractive 'water use' are reliant on other inputs (CAPEX/OPEX), market forces and fluctuations, and infrastructure (amongst others), to help derive an economic value, that may or may not be outstanding or significant. Land uses and growing commodities for economic return are likewise, values that are separate from the water body concerned.</i>
Stat #16 105	Amend Table 1 of Schedule 25, to include the National Values set out in Appendix 1 of the National Policy Statement Freshwater Management.	Oppose	Decline the submission. <i>HBRC and various parties went through an Environment Court appeal process for PC5 to help sort out primary and secondary values, some of which are contained in the table. PC5 became operative in August 2019, prior to PC7 being notified.</i>
Stat #17 106	Add a new 'outstanding value' for Lake Waikaremoana as follows: " <u>Waikaremoana Power Scheme and the renewable electricity generation facility.</u> "	Oppose	Decline the submission point. <i>Renewable electricity generation is not an outstanding value. Electricity generation already receives priority through the National Policy Statement for Renewable Electricity Generation</i>
C7 Gen Process Stat #5 107	No specific decision requested, but states the Section 32 Report for Change 7 does not comply with statutory requirements set out in the Resource Management Act.	Support in part	Accept the submission in terms of deficiencies in the section 32 assessment process. <i>PC7 went through a rather convoluted and extended process, with regional council at one stage seeking legal advice as to the consequences of not complying with Environment Court directives in terms of notifying an outstanding freshwater body plan change. There seemed to be a</i>

Stat #15 106	Place Change 7 on hold and defer processing until catchment-based management plans are completed to give full effect to the National Policy Statement for Freshwater Management.	Oppose	<p>preference to notify the TANK plan change before the outstanding freshwater body plan change.</p> <p>Inclusion of estuaries and coastal wetlands in PC7 further complicates matters, as they are not all freshwater, and the descriptor for 'outstanding water body' is problematic given the definition of 'water body' in the RMA stating 'water body <u>means fresh water or geothermal water</u> in a river, lake, stream, pond, wetland, or aquifer, or any part thereof, that is not located within the coastal marine area', creating an inconsistency between PC7 and the RMA, 1991 (October 2019 version).</p> <p>Decline the submission.</p> <p>HBRC agreed to progress an Outstanding Freshwater plan change back in 2013. It has taken 7 years to get this far. The most recent HBRC NPS-FM Implementation Plan suggests full implementation is not likely until 2030. That gives an interval of 13 years. It would be better to progress the TANK plan change PC9 and PC7 concurrently, at least in terms of regulating the management of water resources common to both plan changes, thus ensuring greater consistency between the RPS, PC7 and PC9.</p>
C7 Pol LW1.1 Stat #6 107	Retain POL LW1.1cC; subject to: - Schedule 25 being amended to include 'hydro- electric power generation' as an outstanding value for Lake Waikaremoana [ID 9] and Waikaretaheke River [ID 35].	Support in part	Accept the submission but include hydro-electric power generation' as a significant value. The National Policy Statement for Renewable Electricity Generation provides for generation facilities from these two water bodies as a priority. Power generation isn't particularly outstanding.
C7 Glossary 'OW' Stat #11 110	'Outstanding water body' – Amend definition to read: "means freshwater bodies and estuaries, or parts thereof, identified in Schedule 25 that have one or more [outstanding cultural, spiritual, recreation, landscape, geology, natural character	Oppose	Decline the submission point. The operative RPS includes specific reference to identifying freshwater bodies at a regional level, implying regionally outstanding value(s) to determine outstanding status, after which the significant values of each are required to be protected and upheld.

Stat #14 111	<p>or ecology value(s)] <u>national value(s) as set out in Appendix 1 of the National Policy Statement for Freshwater Management 2014. These values are:</u></p> <p><u>'Ecosystem health'; 'Human health for recreation'; 'Natural form and character'; 'Mahinga kai'; 'Fishing'; 'Irrigation, cultivation and food production'; 'Animal drinking water'; 'Wai tapu'; 'Water supply'; 'Commercial and industrial use'; 'Hydro-electric power generation'; 'Transport and Tauranga waka'.</u>"</p> <p>'Outstanding' - Amend definition to read: "for the purposes of an outstanding water body; outstanding means conspicuous, eminent, and/or remarkable in [the context of the Hawke's Bay Region] <u>New Zealand</u>".</p>	Oppose	<p>A 'water body' by RMA definition 'means fresh water or geothermal water in a river, lake, stream, pond, wetland, or aquifer, or any part thereof. . . ' so cannot include estuaries.</p> <p>Decline the submission. Retain the clause 'the context of the Hawke's Bay Region' See reasons above.</p>
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Submitter #13 Hawke's Bay Fish and Game	Original submission statement (from HBRC summary)	TToH Support/Oppose	Relief sought and reasons for our position
C7 General Stat #3 112	Amend Change 7 to protect outstanding water bodies and their significant values.	Support	Accept the submission and amend PC7 to reflect the submission. Once identified in a regional policy statement or regional plan as being 'outstanding', protection of the significant values are then required.

Submitter #14 Hawke's Bay Forestry Group	Original submission statement (from HBRC summary)	TToH Support/Oppose	Relief sought and reasons for our position
C7 General Stat #15 <i>113</i>	Implies Change 7 should be amended so that significant values are refinements of existing outstanding values.	Oppose	Decline the submission. <i>This is not a requirement of the RMA, 1991.</i>
C7 Gen NatPolicy Stat #2 <i>114</i> Stat #4 <i>115</i>	Retain the separate provisions as currently exist in the RRMP Chapter 3.1A for Outstanding Freshwater Bodies and RRMP Chapter 3.2 for Outstanding Coastal Waters. Implies Change 7 should be amended to separate out the provisions that give effect to Policies 11, 13, 15 and 17 of the New Zealand Coastal Policy Statement.	Support in part Support in part	Allow the submission and amend PC7 accordingly so that elements of PC5 that only recently became operative following appeals are retained, with a clear separation of planning provisions that apply to freshwater resources from those that apply to water in the coastal environment. Allow the submission and amend PC7 insofar as it clearly separates objectives, policies and methods that apply to water resources in the coastal environment that are regulated through the Coastal Environment Plan, from those that apply to freshwater that are regulated through the Regional Resource management Plan. We acknowledge that there may be some provisions that apply to both. <i>This will recognise and provide for the distinction between higher level policy in both the NPS-FM and the NZCPS, and provide clarity on how different types of water are managed. Hawke's Bay's two separate regional plans require different management constructs and the RPS through PC7 needs to acknowledge and direct this degree of separation to prevent confusing policy and nomenclature.</i>
C7 Obj LW1.1 Stat #6 <i>116</i>	Amend Objective LW1.1 to read: "protecting the outstanding and significant values of outstanding <u>freshwater</u> bodies identified in Schedule 25."	Support in part	Allow the submission insofar as the significant values of <u>outstanding freshwater bodies</u> are protected, and amend the objective to reflect this. Provide consequential amendments to include a separate objective and associated policies, to cater for other water resources considered to be outstanding, that are located in the 'coastal environment'. <i>The Objective as proposed sits within a chapter of the RPS that directs regulation of freshwater.</i>

C7 Pol LW1.1 Stat #7 117	Amend Policy LW1.1 to delete references to 'water bodies' and replace with ' <u>freshwater</u> bodies'.	Support	Allow the submission and amend PC7 accordingly. Make consequential amendments to PC7 to include policies that address and direct management of other outstanding water resources that are not comprised of 'freshwater'. <i>The policy sits within an RPS chapter on freshwater management.</i>
Stat #8 118	Amend Policy LW1.1(cC) to read: "...This assessment includes consideration of the values set out in Appendix 1 of the National Policy Statement for Freshwater Management, [and any other values that are determined] to be relevant taking into account local and/or regional circumstances."	Support in part	Decline the submission and retain the part of the policy in parentheses. Replace the word 'relevant' with 'significant'. <i>Through the resolution of PC5 appeals the RPS now contains a suite of values that are required to be given priority, and the acknowledgment that for outstanding freshwater bodies, their values will be determined within the regional context.</i>
C7 Pol LW1.2 Stat #9 119	Amend the policy explanation for Policy LW1.2 (bA)(i) and (ii) so it applies to freshwater bodies only.	Support	Accept the submissions and amend the Policy accordingly. Make consequential amendments to PC7 to include discrete policy to direct management of outstanding water resources within the coastal environment, that are regulated through the Coastal Environment Plan.
Stat #10 120	Amend Policy LW1.2(bA)(iii) so it applies to freshwater bodies only	Support in part	Accept the submission insofar as the policy is substantially amended to apply to freshwater bodies only, but make consequential amendments to PC7 to have separate objectives and policies for outstanding water resources located in the coastal environment.
Stat #11 121	Delete Policy LW1.2(bA)(iii).		
C7 Pol LW2.1 Stat #12 122	Amend Policy LW2 as follows: a) so it only relates to freshwater bodies that are not identified in Schedule 25 b) delete references to 'outstanding water bodies'.	Oppose in part	Amend policy amendments in PC7, such that the amended clauses only apply to the outstanding freshwater bodies in Schedule 25. <i>TToH and NKII perceive a need to have separate objectives and policies for outstanding water resources in the coastal environment. By making reference to an 'outstanding water body' in Schedule 25 that is not 'freshwater' the policy that sits within a freshwater chapter of the RPS creates inconsistent planning.</i>
C7 Pol LW3A.1 Stat #14 123	Delete Policy LW3A.1(d).	Oppose	Decline the submission and retain the clause. <i>The operative RPS requires some outstanding values to be given priority in regional plans.</i>

C7 C3.2 Gen Stat #16 <i>124</i>	Amend RRMP Section 3.2 (The Sustainable Management of Coastal Resources) as follows: a) delete Objective 11, Policy C1, Policy 2 and associated explanations; and b) introduce a variation to Change 7 which includes new objectives and policies which give effect to Policies 11, 13, 15 and 17 of the New Zealand Coastal Policy Statement AND apply to those estuaries identified in Schedule 25.	Support in Part	Accept the submission insofar as substantial amendments being necessary for PC7, as the most effective way to sort out better alignment between a) the RPS Freshwater provisions and the NPS-FM and RRMP, and b) between the RPS coastal resources/coastal environment provisions, the NZCPS requirements, and the management of outstanding coastal water resources through directing provisions in the Coastal Environment Plan. Decline the a) part of the submission and retain Objective 11, albeit to include reference to outstanding coastal resources rather than outstanding water bodies.
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Submitter #16 Hawke's Bay Regional Council	Original submission statement (from HBRC summary)	TToH Support/Oppose	Relief sought and reasons for our position
C7 Obj LW1.1 Stat #1 <i>125</i>	Amend third paragraph of the principal reasons and explanation for Objective LW1 to read: "...Objective LW1.1 is consistent with the NPSFM which expects [the] regional councils to protect..."	Oppose	Decline the submission. <i>The statement is misleading due to the chosen nomenclature in the notified plan, wherein an outstanding water body includes an outstanding coastal water body. There is conflict where the term as prescribed by HBRC, is included in a chapter on freshwater management.</i>
C7 Pol LW1.1 Stat #2 <i>126</i>	Amend Policy LW1.1 to delete Clause (cC) from Policy LW1.1 and incorporate into Clause (bA)(i) of Policy LW1.2.	Oppose	The location of this policy strand (as notified) provides for overall application of the policy whereas moving it to clause (bA) would mean that it is constrained and applies only to when preparing regional plans.
C7 Pol LW1.2 Stat #3 <i>127</i>	Amend Policy LW1.2(bA)(i) to read: "Carry out an assessment which identifies the significant values of that outstanding waterbody <i>[and the spatial and/or temporal extent of those values as relevant]</i> . <u>This assessment includes consideration of the</u>	Support in part	Accept the submission in terms of providing for greater clarity around values, but substitute the word 'significant' for 'relevant'. Change 'water body to freshwater body. Rather than delete all the words in parentheses, amend to ' <u>and the spatial and temporal extent of those values</u> ' Consequentially include detailed maps/charts of where the significant values apply within the freshwater body. Consequentially add a parallel policy strand for outstanding waters in the coastal environment, and reference to the NZCPS.

<p>Stat #4 128</p>	<p><u>values set out in Appendix 1 of the National Policy Statement for Freshwater Management, and any other relevant values taking into account local and/or regional circumstances.</u>"</p> <p>Amend Policy LW1.2(bA) by adding a new clause to read: "(ia) identify the spatial extent of the outstanding and significant values, as relevant."</p>	<p>Support in part</p>	<p><i>There should be clear separation etween objectives and policies that direct management of freshwater through the RRMP, and monagement of water located in the caastal environment.</i></p> <p>Accept the submission and amend the policy in respect of 'significant values'.</p> <p><i>The inclusion of detailed maps/charts of where the significant values apply within the freshwater body will ensure more prescriptive management.</i></p>
<p>C7 Pol LW2.1 Stat #7 129</p>	<p>Amend Policy LW2.1 by adding a new sub-clause to read: <u>"(bA) Policy LW2.1 does not apply: (i) once the relevant catchment based regional plan change is operative."</u></p>	<p>Oppose</p>	<p>Decline the submission.</p> <p><i>With the advent of the new NPS-FM 2020, there has been a re-prioritisation to inform management of freshwater resources. Operotive plans will need to be amended to comply over time. In addition, application of the NOF is likely to 'reset' management variables at the regional level.</i></p>
<p>C7 Pol C1 Stat #8 130</p> <p>Stat #9 131</p>	<p>Amend Policy C1.1(i) to read: "identify the significant values of that outstanding waterbody and the spatial [<i>and/or temporal</i>] extent of those values as relevant."</p> <p>Amend Policy C1.1(iii) to read: "...outstanding and significant values of an outstanding water body identified in Schedule 2S; <u>and include cross references to Policy C2, where appropriate.</u>"</p> <p>Amend Policy C1.1(iii) to read: "include regional plan provisions to <u>protect the</u></p>	<p>Oppose</p> <p>Support</p> <p>Support in part</p>	<p>Decline the submission and retain the clause 'and/or temporal'. <i>Several outstanding and significant values have temporal application/considerations (e.g. fish spawning, migration, some recreational and cultural uses). These need to be provided for in the plan.</i></p> <p>Accept the submission and add the new clause. <i>The decision-making criteria in Policy C2 have the potential to be helpful as part of the problem solving approach.</i></p> <p>Amend the policy by adding 'protect the' but move the words in parentheses to the end of the policy clause thus: <i>"include regional plan provisions to <u>protect the</u> outstanding and significant values of an outstanding water body identified in Schedule 25 and manage activities in a manner which avoids adverse effects on those values that are more than minor."</i></p>

	<i>[manage activities in a manner which avoids adverse effects that are more than minor on the] outstanding and significant values of an outstanding water body identified in Schedule 25."</i>		Make consequential amendments to decision-making criteria section of the RPS. <i>This will direct better management of adverse effects through resource consent processes where the activities have potential for adverse effects</i>
C7 Schedule 25.2 Stat #15 132	That the Hearing Panel consider the full set of evidence for each outstanding water body proposed in Schedule 25, making amendments where appropriate, while giving particular consideration to: a) any new information and evidence provided during the Change 7 submission period; b) any verbal evidence provided by iwi authorities and local marae and hapu groups during the Change 7 hearings; c) the Council's obligations with respect to Section 32 of the Resource Management Act.	Support in part	Accept the submission with the following amendments: Change 'outstanding water body' to ' <u>outstanding freshwater body and outstanding water resource in the coastal environment</u> ' In b) remove the word 'verbal' so that all evidence provided is considered. Add . . . ' <u>through submissions and during the Change 7 hearings. . .</u> ' In c) add ' <u>Section 30 and. . .</u> ' <i>Some substantive evidence has been provided prior to the hearings. All relevant evidence should be given particular consideration not just verbal evidence.</i>

Submitter #16 Hawke's Bay Winegrowers Association	Original submission statement (from HBRC summary)	TToH Support/Oppose	Relief sought and reasons for our position
C7 Pol LW3A.2 Stat #1 133	Amend Policy LW3A.2(b) to exclude water transfers within a sub-catchment from effects assessments. (Clause reference may be incorrect)	Oppose	Decline the submission. <i>Water transfers should be subject to scrutiny dependent on their effects, including the ability for them to affect a wider area than the original water take (lacation). Part of a sub-catchment may be classified as 'outstanding' while another part is not. There are the issues of scale and degree of effects to be considered too.</i>
C7 Pol LW3A.1 Stat #2 134	Amend Policy LW3A to require Council to undertake the assessments required by	Oppose	Decline the submission.

	sub-clause 1, instead of resource consent applicants		As it is likely to be resource consent applicants who will make a financial gain from their resource consent if approved, then it should be them that bears the cost of assessment, pursuant to the criteria contained in the RPS and/or regional plan.
C7 Sch25 Tukituki Stat #3 135	Add the following 'significant values', or similar, for the Tukituki River [ID 31]: - 'ecosystems'; ' <u>indigenous aquatic populations</u> '; ' <u>Indigenous bird populations</u> '; ' <u>social, recreational and cultural activities</u> '; ' <u>mahinga kai</u> '; ' <u>domestic water supply</u> '; ' <u>primary production water use (including for associated processing and other urban activities)</u> '	Support in part	Accept the submission with the exception of references to/inclusions of ' <u>domestic water supply</u> ' and ' <u>primary production water use (including for associated processing and other urban activities)</u> '. <i>Once water is extracted from the outstanding freshwater body, it is no longer part of it. In terms of the RMA, when contained within a pipe, it is no longer classed as 'water' for the purpose of the Act.</i>
C7 Sch25 Ruataniwha Stat #4 136	Add the following 'significant values', or similar, for the Ruataniwha Aquifer [ID 25]: - 'domestic water supply'; 'municipal water supply'; 'primary production water use (including for associated processing and other urban activities)'; 'hydrological'.	Support in part	Accept the submission in terms of including 'hydrological' as a significant value. Acknowledge the hydrological value as also being an outstanding value for the Ruataniwha Plains Aquifer System. Change the name in PC7 to state 'Ruataniwha Plains Aquifer System' so that it aligns and is consistent with existing operative plans and with other provisions in the RPS. <i>The relationship between the Tukituki River and several of its tributaries with the Ruataniwha Plains Aquifer System is unique in terms of the hydrological setting and how the aquifer system helps determine/regulate the flows in the Waipawa and Tukituki Rivers through the dividing range.</i>

Submitter #20 Jet Boating New Zealand	Original submission statement (from HBRC summary)	TToH Support/Oppose	Relief sought and reasons for our position
C7 Misc Stat # 1 137	Amend Policy LW2 as follows: Add a new bullet point to Table 2A, 'Greater Heretaunga / Ahuriri Catchment Area', Column 2, which reads: " * recreational jet	Support	Accept the submission and make the requested amendment. <i>The relief sought is for an existing activity that provides a unique experience and promotes outdoor and tourism activities in the region.</i>

	boating in the braided reach of the Ngaruroro River from Whanawhana to Fernhill Bridge.”		
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Submitter #31 Pan Pac Forest Limited	Original submission statement (from HBRC summary)	TToH Support/Oppose	Relief sought and reasons for our position
C7 General Stat #15 138	Implies Change 7 should be amended so that significant values are refinements of existing outstanding values.	Oppose	Decline the submission. <i>The RMA and the NPS-FM do not require the relief sought by the submitter in terms of outstanding freshwater bodies.</i>
C7 Gen Nat Policy Stat #2 139	Retain the separate provisions as currently exist in the RRMP Chapter 3.1A for Outstanding Freshwater Bodies and RRMP Chapter 3.2 for Outstanding Coastal Waters.	Support	Allow the submission and amend PC7 accordingly so that elements of PC5 that only recently became operative, are retained with a clear separation of planning provisions that apply to freshwater resources from those that apply to waters in the coastal environment. Consequentially amend PC7 to allow for and enable this separation for PC7 objectives and policies
Stat #3 140	Opposes Proposed Plan Change 7 including provisions for coastal water under the freshwater Chapter (RRMP Chapter 3.1A).	Support	Allow the submission and amend PC7 insofar as it clearly separates objectives, policies and methods that apply to water resources in the coastal environment from those that apply to freshwater. We acknowledge that there may be some provisions that apply to both.
Stat #4 141	Implies that Change 7 should be amended to separate out the provisions that give effect to Policies 11, 13, 15 and 17 of the New Zealand Coastal Policy Statement.	Support in part	<i>This will acknowledge the distinction between higher level policy in the NPS-FM and the NZCPS and provide clarity on how different types of water are managed. Hawke's Bay has separate regional plans for the management of freshwater and water resources in the coastal environment.</i>
C7 Obj LW1.1 Stat #6 142	Amend Objective LW1.1 to read: "protecting the outstanding and significant values of outstanding <u>freshwater</u> bodies identified in Schedule 25."	Support in part	Allow the submission insofar as the significant values of <u>outstanding freshwater bodies</u> are protected and amend the objective to reflect this.

			<i>Only the significant values of outstanding freshwater bodies are required to be protected, although more stringent criteria can be applied by regional council to reflect the wishes of the community.</i>
C7 Pol LW1.1 Stat #7 143	Amend Policy LW1.1 to delete references to 'water bodies' and replace with 'freshwater bodies'.	Support	Allow the submission and amend PC7 accordingly. <i>The policy sits within an RPS chapter on freshwater management. The PC7 definition for 'outstanding water body' such that it includes estuaries and coastal wetlands within its ambit, creates inconsistency with the RMA, and higher level policy.</i>
C7 Pol LW1.2 Stat #9 144	Amend the policy explanation for Policy LW1.2 (bA)(i) and (ii) so it applies to freshwater bodies only	Support	Allow the submission. Consequentially amend PC7 to direct and provide for the protection of water resources and their significant values in the coastal environment where such resources are considered to be 'outstanding'. <i>See reasons above.</i>
C7 C3.2 Gen Stat #16 145	Amend RRMP Section 3.2 (The Sustainable Management of Coastal Resources) as follows: a) delete Objective 11, Policy C1, Policy 2 and associated explanations; and b) introduce a variation to Change 7 which includes new objectives and policies which give effect to Policies 11, 13, 15 and 17 of the New Zealand Coastal Policy Statement AND apply to those estuaries identified in Schedule 25.	Support in part	Allow the submission in terms of PC& being substantially redrafted to include clear lines of separation between management of freshwater from waters in the coastal environment. <i>This would promote better policy and alignment between PC7 and higher level policies and documents.</i>

Submitter #32 Pernod Ricard Winemakers	Original submission statement (from HBRC summary)	TToH Support/Oppose	Relief sought and reasons for our position
C7 GenProcess Stat #11 146	Undertake a further Section 32 analysis on Proposed Plan Change 7 as follows:	Oppose	Decline the submission. <i>HBRC staff undertook substantial review of documents to assess and help establish whether specific freshwater bodies, estuaries and</i>

	<p>a) determine if the hierarchy proposed in Policy LW3A.1(d) is the most appropriate way to achieve the purpose of the RMA</p> <p>b) determine the economic and social effects (including economic growth and employment) if priority is given to instream values, over primary production values.</p>		<p>wetlands were outstanding or nat. The reviews have been available in council's website and through their meeting agendas for some time.</p> <p>Te Taiwhenua a Heretaunga and Ngāti Kahungunu Iwi Inc consider abstractive uses and values as being out of scope for defining and establishing outstanding water bodies, as the outstanding value that a water body has is separate from the values derived from taking water out of the water body and using it for other purposes.</p>
<p>C7 Pol LW3A.1 Stat #10 147</p>	Delete Policy LW3A.1(d).	Oppose	<p>Decline the submission and retain policy LW3A.1(d).</p> <p>The release or discharge of contaminants into outstanding freshwater bodies or outstanding water resources in the coastal environment, have the potential to detract from the outstanding and/or significant values of such bodies.</p>
<p>C7 Gen Process Stat #11 148</p>	<p>Undertake a further Section 32 analysis on Proposed Plan Change 7 as follows:</p> <p>a) determine if the hierarchy proposed in Policy LW3A.1(d) is the most appropriate way to achieve the purpose of the RMA</p> <p>b) determine the economic and social effects (including economic growth and employment) if priority is given to instream values, over primary production values.</p>	Oppose	<p>Decline the submission.</p> <p>The NPS-FM 2020 re-prioritises how freshwater is to be managed through Te Mana o te Wai, with the health and well-being of freshwater being given precedence over all other considerations with the exception of emergency uses.</p>

Submitter #33 Ravensdown Limited	Original submission statement (from HBRC summary)	TToH Support/Oppose	Relief sought and reasons for our position
<p>C7 Pol LW1.2 Stat #3 147</p>	<p>Amend Policy LW1.2(bA) (i) and (iii) as follows:</p> <p>(i) "identify the significant values of that outstanding waterbody and the spatial and/or temporal extent of those values [as relevant]";</p>	Support in part	<p>Accept the submission pint in clause i).</p> <p>Amend clause ii) thus:</p> <p>include regional plan provisions to <u>protect the</u> outstanding and significant values of an outstanding freshwater body identified in Schedule 25 and <u>manage activities in a manner which avoids adverse effects on those values that are more than minor.</u>"</p>

	(iii) "include regional plan provisions to manage activities in a manner which [avoids adverse effects that are more than minor and] protects the outstanding and significant values of an outstanding water body..."		Provide a similar policy for outstanding water resources in the coastal environment. <i>We consider it important to ensure that effects on outstanding and significant values, that are more than minor, are assessed appropriately through resource consent processes.</i>
C7 Misc Stat #10 150	Amend Table 2A, 5th bullet point, 'Greater Heretaunga/Ahuriri Catchment Area' to read: "Industrial & commercial water <u>uses</u> [supply]."	Oppose	Delete all abstractive values from the table. <i>They are not values that reside within or upon the water when it is within or part of the actual freshwater body.</i>
C7 Pol LW3A Ge Stat #12 151	Amend Policy LW3A to ensure that existing human related uses of outstanding water bodies are provided for into the future.	Support in part	Allow the submission in terms of 'uses' that occur within or upon the outstanding freshwater body, but not related to water once it has been abstracted from the freshwater body.
Stat #13 152	Amend Policy LW3A to exclude existing discharge activities (where there is no change) from the decision making criteria.	Oppose	Decline the submissions. require existing discharge consents to be reviewed and publicly notified to enable public input to the process. Require new consents to discharge to be subject to stringent criteria and public notification.
Stat #14 153	Amend Policy LW3A.1 (c) and (d) as follows: (c) "... any <u>existing</u> discharge of a contaminant into an outstanding waterbody". (d) "...increase in any <u>existing</u> discharge of a contaminant onto or into land ..."	Oppose	<i>Discharge consents have a set timeframe after which they are reviewed before renewal. Environmental policy and regional plans alter as more knowledge of effects is accumulated. In addition, the NPS-FM now requires the health and well-being of freshwater to receive primacy through decision-making.</i>
Stat #15 154	Amend the 'principal reason and explanation' for Policy LW3A to read: "...some cases the proposed <u>new or modified</u> activity may be inappropriate at that location or at certain times of the year..."	Support	Accept the submission and amend the policy. <i>The amendment allows for the consideration of seasonal variances in effects.</i>
C7 Pol C2 Gen Stat 25 155	Amend Policy C2 to ensure that existing human related uses of outstanding water bodies are provided for into the future.	Support in part	Allow the submission in terms of human related activities, provided they occur within or upon the water body in question. <i>In our view, the outstanding values and significant values should be inherent within or occur upon the relevant water body.</i>

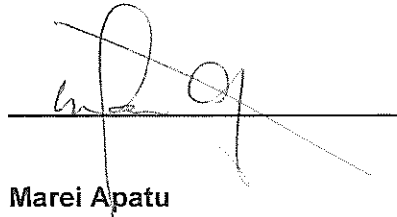
Stat #26 156	Amend Policy C2.2 (c) and (d) as follows: "(c) a discharge or a change or increase in any <u>existing</u> discharge of a contaminant into an outstanding waterbody" "(d) a discharge or a change or increase in any <u>existing</u> discharge of a contaminant onto or into land in circumstances..."	Oppose	Decline the amendment sought. <i>The policy should encompass both new and existing activities that have the capacity to have adverse effects on the freshwater body (or water resource in the coastal environment).</i>
Stat #27 157	Amend Policy C2.2 to exclude existing discharge activities (where there is no change) from the decision making criteria.	Oppose	Decline the amendment sought. <i>The policy should encompass both new and existing activities that have the capacity to have adverse effects on the freshwater body (or water resource in the coastal environment).</i>
Stat #31 158	Amend principal reason and explanation 3.2.18B for Policy C2 to read: "...In some cases the proposed <u>new or modified</u> activity may be inappropriate at that location..."	Oppose	Decline the amendment sought. <i>The policy should apply to all such activities, including the renewal of existing consents, not just new or modified activities.</i>
C7 Glossary 'OW' Stat #32 159	'Outstanding water body' – Amend definition to read: "means freshwater bodies and estuaries, or parts thereof, identified in Schedule 25 that have one or more outstanding cultural, spiritual, recreational, landscape, [<i>geology</i>], natural character or <u>ecological</u> [y] value(s)."	Support in part	Amend the definition in terms of 'ecological, but retain ' <u>geological</u> ' and add ' <u>hydrological</u> '. <i>The plan change is to do with water resources both freshwater and water in the coastal environment. It should include hydrological values within its scope.</i>
Stats #33 to 44 160 - 171	Delete the outstanding value 'geology'	Support in part	Accept the submissions but replace "geology" with " <u>geological</u> ". Aquifers and surface water bodies are reliant on the surrounding geology/gradients for their water supply. Geological parameters also contribute to other values (landscape, scenic). Protection of these from adverse effects should be provided for in PC7.

Submitter #19 Horticulture NZ	Original submission statement (from HBRC summary)	TToH Support/Oppose	Relief sought and reasons for our position
C7 General Stat #4 172	Amend Proposed Plan Change 7 to ensure the ability to balance consumptive and non-consumptive competing values is maintained.	Oppose	Decline the submission. Consumptive uses are generally not located within the water body concerned (apart from electricity generation and mahanga kai). The NPS-FM does not require a balance of consumptive and nonconsumptive values. Through Te mana o te Wai it prioritises the health and well-being of freshwater.
C7 Schedule 25 Stat #5 173	Amend Schedule 25 to include only those water bodies which are truly remarkable.	Oppose	Decline the submission and retain the freshwater bodies, estuaries and wetlands in Schedule 25 as notified, provided they have outstanding values. <i>The freshwater bodies, estuaries, wetlands and oquifer systems in the schedule have been derived from a fairly robust assessment process.</i>
Stat #7 174	No specific decision requested, but implies Schedule 25 should be amended to include: a) a detailed explanation of each outstanding value in Schedule 25, b) a set of assessment tools for each outstanding value, which can be used to measure whether a proposed activity can occur in a manner which protects the outstanding value(s) of the water body.	Support in part	Accept the submission insofar as a suite of criteria are provided within or attached to the schedule, to inform proposed activity assessment for consent applicants. <i>This would be useful for consent applicants to consider and weight their proposed activities, or the renewal of existing activities against.</i>
Stat #8 175	No specific decision requested, but implies opposition to the Heretaunga Aquifer being identified as an 'outstanding waterbody' due to significant implications for growers; and lack of precedent in New Zealand.	Oppose	Decline the submission and retain the Heretaunga <u>Plains</u> Aquifer <u>System</u> in Schedule 25. <i>The Heretaunga Plains Aquifer System has been given prescriptive protection since the Regional Water Resources Plan was notified back in the early 1990's, and this protection has continued through into the RPS and the RRMP today. It is nationally significant and outstanding in its own right.</i>

Submitter #35 Te Tumu Paeroa	Original submission statement (from HBRC summary)	TToH Support/Oppose	Relief sought and reasons for our position
C7 Ch3. 1A Gen Stat #1 181 Stat #3 182 Stat #4 183	Amend RRMP Chapter 3.1A to demonstrate the specific link to Te Mana o te Wai. Amend RRMP Chapter 3.1A to include reference to Mauri throughout the chapter. Amend RRMP Chapter 3.1A to include further discussion and specific objectives that focus on the improvement of Mauri.	Support	Allow the submissions and amend PC7 accordingly. <i>The NPS-FM requires primacy be given to Te Mana o te Wai through regional planning. As PC7 is a change to the RPS, it will direct how regional plans, including catchment-based regional plans will be undertaken and progressed.</i> <i>The operative RPS requires that when setting objectives – that adverse effects of land use and development on water quantity and water quality that diminish mauri, shall be avoided remedied or mitigated</i>

Ngā maua,

Signature:



Date: Thursday, 10 September 2020

Marei Apatu

Te Kaihautū

Te Manaaki Taiao

Te Taiwhenua o Heretaunga

Stat #9 176	No specific decision requested, but implies opposition to the Ruataniwha Aquifer [ID 25] being identified as an 'outstanding waterbody' due to significant implications for growers; and lack of precedent in New Zealand.	Oppose	Decline the submission and retain the Ruataniwha plains Aquifer System in Schedule 25 with associated RPS objectives and policies for its protection. <i>The aquifer system sustains the Tukituki and Waipawa Rivers when it is used sustainably.</i>
C7 Pol LW3A.1 Stat #11 177	Amend Policy LW3A.1 as follows: a) delete Clause (a) b) amend Clause (b) to read: "the extent to which the activity would protect the <u>outstanding and</u> significant values [(if any)] <u>described [identified]</u> in Schedule 25 of the relevant outstanding waterbody."	Support	Accept the submission points and amend the clauses as sought through the submission. Make consequential amendments to related parts of PC7. <i>The relief sought is logical and achieves the same purpose with fewer words.</i>
C7 Pol C2.1 Stat #15 178	Amend Policy C2.1 as follows: a) delete Clause (a) b) amend Clause (b) to read: "the extent to which the activity would protect the <u>outstanding and</u> significant values (if any) <u>described [identified]</u> in Schedule 25 of the relevant outstanding waterbody."	Support	Accept the submission points and amend the clauses as sought through the submission. Make consequential amendments to related parts of PC7 <i>The relief sought is logical and achieves the same purpose with fewer words.</i>
Stat #16 179	Delete Policy C2.1(c).	Oppose	Decline the submission.
Stat #17 180	Delete Policy C2.1(d).	Oppose	Decline the submission. <i>We consider these parts of the policy as necessary to provide a logical pathway towards achieving the objectives (subject to other amendments requested by Te Taiwhenua o Heretaunga).</i>



TIMBERLANDS

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SUBMISSION ID#

F117

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10/9/2020

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11/9/2020

Database Entry Operator:

NN

10 September 2020

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

FROM: Colin Maunder
Timberlands Limited
PO Box 1284
ROTORUA 3040

Contact: colin.maunder@tll.co.nz
And +64 274 664 132

Further submission on Proposed Plan Change 7 to the Hawke's Bay Regional Resource Management Plan

1. Timberlands has an interest greater than the public generally, by managing a significant area of forested land in the north west of the Hawkes Bay region. Timberlands made a submission on proposed PC7 to the Hawke's Bay Regional Resource Management Plan.
2. Timberlands could not gain an advantage in trade competition through this submission.
3. Timberlands 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.

Your Sincerely
Timberlands Limited

Colin Maunder
Sustainability Manager



TIMBERLANDS

Table 1: Timberlands supports or out below.

Timberlands Limited

PO Box 1284, Rotorua 3040, New Zealand
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 website: www.tll.co.nz

opposes the following submissions or parts thereof as set

Submitter ID name and address	parts of submission	Support/oppose	Reason for support/opposition	Decision sought
3 Brownrigg Agriculture Group Ltd 140 Pukekura Settlement Road RD11 HASTINGS 4178	schedule 25	support	Support statement #1 For the reason given in the submission – there appears to be inconsistency between the proposed definition of “outstanding” and the water bodies listed in Schedule 25. <i>1</i>	Accept
	definition of “outstanding freshwater body”	support	Support statement #2 For the reason given in the submission – it is appropriate to align the ‘outstanding water body’ definition with that in the NPSFM 2020. <i>2</i>	Accept
10 Forest and Bird Society of NZ P O Box 631 Wellington 6140	Policy LW1	oppose	Statement #8 Although it would be preferable to have this advice in the policy rather than a footnote to it, to have the footnote does add clarity to how the policy is to be used. <i>3</i>	Reject
	AER #7	oppose	Statement #14 oppose the suggested Amendment of AER Number 7, as the outstanding water bodies should all be in Schedule 25. <i>4</i>	Reject
	C7 Pol LW3A.1 C7 Glossary 'OW	oppose	Statements #12 and #20. It is inappropriate for outstanding water bodies to be identified through a resource consent process rather than through a pan-region process. This is because various factors/criteria can only be assessed in the context of the region as a whole, via a formal regional council process and it is inappropriate to do so via a single resource consent. <i>5</i>	Reject
15 Hawke's Bay Regional Council Private Bag 6006 NAPIER 4110 Attn: Tom Skerman	General	Support in part	Support suggested changes that are editorial in nature and increase the clarity of the plan. <i>13</i>	Accept In Part
	C7 Pol LW1.1	Support	Support statement #2: because this clarifies that HBRC assesses water bodies for outstanding values at the point of a plan change, rather than when assessing a resource consent application. <i>7</i>	Accept
	C7 Pol LW1.2	Support	Support statement # 4 Amend Policy LW1.2(bA) by adding a new clause to read: “(ia) identify the spatial extent of the outstanding and significant values, as relevant.” As this will add clarity for policy implementation <i>8</i>	Accept
	C7 Pol LW1.2	Oppose	Oppose statement #6, as it removes a de minimis provision, making protection absolute. <i>9</i>	Reject
	C7 Pol LW2.1	Support	Support statement #7 as it will add clarity for policy implementation <i>10</i>	Accept
C7 Pol C1	Oppose	Oppose statement #10 as it removes a de minimis provision, making protection absolute. <i>11</i>	Reject	



TIMBERLANDS

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	C7 Schedule 25.2	Support	Support statement #15: because it is appropriate for the hearing panel to consider all relevant and available evidence. 12	Accept
26 Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al. C/- Te Taiwhenua o Heretaunga PO Box 718 HASTINGS 4156	General	Support	Support statement #3 Amending PPC7 to include narratives that clearly articulate outstanding and significant values for outstanding freshwater bodies, are prescribed and defined at the regional level assists in plan interpretation. 13	Accept
	General – re national policy	Support	Support statement #14 Amending PPC7 to include separate issues statements, objectives and policies will ensure that that the hierarchy of RMA instruments are clear: (a) outstanding freshwater bodies sit under NPSFM and RRMP Chapter 3.1A, and (b) outstanding water resources in the coastal environment sit under the NZCPS and RRMP Chapter 3.2. 14	Accept
	C7 Obj LW1.1	Support	Support statement #69 Amend Objective LW1.1 to read: "protecting the outstanding and significant values and water quality of outstanding freshwater bodies identified [listed] in Schedule 25 [Hawke's Bay]." 15	Accept
	C7 Obj LW1.1	Support	Support statement #70 Amend the Principal Reasons and Explanation for Objective LW1.1 to replace the word 'water' with 'freshwater' 16	Accept
	Chapter 3.1A in General	Support	Support statement #79 as amending the AER Table in Chapter 3.1A to clarify that 'outstanding freshwater body' is dealt with through different higher level policy instruments – national and regional, so the AER should reflect these differences 17	Accept
	General - timing	Support	Support statement #84 as ensuring that PPC7 is scheduled to go to hearing before any other catchment-based plan changes was the intent of the RPS and is vital to ensure values are identified in PC7 and then protected by PC9 (or other plans required by the NPSFM 2020). Dealing with these sequentially will also reduce confusion. 18	Accept



FURTHER SUBMISSIONS THAT ARE IN SUPPORT OF, OR IN OPPOSITION TO,
SUBMISSIONS ON PROPOSED PLAN CHANGE 7 (OUTSTANDING WATERBODIES
TO THE REGIONAL RESOURCE MANAGEMENT PLAN
UNDER CLAUSE 8 OF THE FIRST SCHEDULE TO THE RESOURCE MANAGEMENT ACT

OFFICE USE ONLY

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Submission on: Proposed Plan Change 7 (Outstanding Waterbodies) to the Regional Resource Management Plan

Submitter Name: Trustpower Limited ('Trustpower')

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Further submission from Trustpower on the Proposed Plan Change 7 (Outstanding Waterbodies) is as follows and contains:

- The particular parts of the original submission (as derived from the summary of submissions) that Trustpower has submitted on;
- Reasons for the submission; and
- The decision sought

As a generator and supplier of electricity, Trustpower has an interest in the proposal that is greater than the interest the general public.

Trustpower wishes to be heard in support of its submission.

If others make a similar submission, Trustpower would not be prepared to consider a joint case.

Signature: Shelby Macfarlane-Hill
Environmental Advisor - Policy
for and on behalf of Trustpower Limited

Date: 10 September 2020

Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
C7 General Comments					
1-9 1	Bayliss, Kathryn	Amend Plan Change 7 to prohibit dams and diversions in outstanding water bodies.	Oppose	Does not align with Trustpowers submission	Reject
2-1 2	Booster Wine Group	No specific decision requested, but implies opposition to those provisions in Change 7 which are contrary to Objective LW1, Policy LW2 and Issue UD2 of the Regional Policy Statement which recognise the value of land based primary production.	Oppose	Does not align with Trustpowers submission	Reject
2-2 3	Booster Wine Group	No specific decision requested, but states support for outstanding values being given preference over significant values in Change 7, where there is a conflict.	Support	Aligns with Trustpowers submission	Accept
3-36 4	Brownrigg Agriculture Group Ltd	No specific decision requested, but states opposition to Proposed Plan Change 7 requiring the protection of both outstanding and significant values, with the priority for protection given to outstanding values.	Oppose	In so far as Trustpower sought the protection of both significant and outstanding values	Reject
3-38 5	Brownrigg Agriculture Group Ltd	Amend Change 7 so that the policies refer only to protecting the 'significant values' of identified 'outstanding freshwater bodies' (consistent with A2(a) and B4 of the NPSFM).	Oppose	In so far as Trustpower sought the protection of both significant and outstanding values	Reject
5-3 6	Department of Conservation	Add a framework to Change 7, which includes set of 'outstanding' criteria that can be used to identify additional water bodies across the region, not listed in Schedule 25.	Support	In so far as an outstanding criteria framework should be made available.	Accept
5-14 7	Department of Conservation	Amend Change 7 to specify the criteria used to identify primary production as a significant value.	Support	Aligns with Trustpowers submission	Accept
8-15 8	Ernslaw One Limited	No specific decision requested, but implies Plan Change 7 should be amended so that significant values are refinements of existing outstanding values.	Support	Aligns with Trustpowers submission	Accept

Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
9-6 9	Federated Farmers of New Zealand	No specific decision requested, but opposes the identification of 38 water bodies, including two large aquifers and five major rivers as outstanding water bodies, stating this undermines both the concept of outstanding.	Support	Aligns with Trustpowers submission	Accept
9-8 10	Federated Farmers of New Zealand	No specific decision requested, but opposes the strict regulation proposed in Change 7 being applied across the full extent of 38 outstanding water bodies many of which have existing concentrated human use.	Support	Aligns with Trustpowers submission	Accept
9-9 11	Federated Farmers of New Zealand	No specific decision requested, but opposes provisions in Change 7 which will result a large range of activities over the Heretaunga Aquifer (ID 2) to be discretionary or non-complying and needing resource consent.	Oppose	Does not align with relief sought by Trustpower	Reject
9-18 12	Federated Farmers of New Zealand	Amend Change 7 to clarify the ranking of the following values: 'outstanding values', 'significant values', 'regional values', 'significant regional values' and 'national values'.	Support	Aligns with Trustpowers submission	Accept
10-4 13	Forest and Bird Society of NZ	Add a new schedule to Change 7 setting out a list of criteria that can be used to determine what qualifies as 'outstanding'; which: a) can be referred to when considering resource consent applications b) reflects the 'outstanding water bodies assessment criteria' used by the Expert Panel to identify a list of outstanding water bodies across the region.	Support	Aligns with Trustpowers submission	Accept
10-9 14	Forest and Bird Society of NZ	Amend Change 7 to remove the hierarchy whereby outstanding values take priority over significant values, where conflicts arise.	Oppose	Does not align with Trustpower's submission	Reject
10-10 15	Forest and Bird Society of NZ	No specific decision requested, but implies Change 7 should be amended to clarify that where a conflict arises between outstanding and significant	Support	Aligns with Trustpowers submission	Accept



Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
		values, the values should be prioritised as per the NPSFM direction set out in Objective A2.			
13-1 16	Hawkes Bay Fish and Game Council	No specific decision requested, however implies Change 7 should be amended to ensure protection is not confined to the outstanding values of outstanding water bodies.	Support	Support in so far as the submission aligns with the NPS-FM 2020.	Accept
13-2 17	Hawkes Bay Fish and Game Council	Amend Change 7 to protect outstanding water bodies and their significant values.	Support	Support in so far as the submission aligns with the NPS-FM 2020.	Accept
14-15 18	Hawkes Bay Forestry Group	No specific decision requested, but implies Change 7 should be amended so that significant values are refinements of existing outstanding values.	Support	Aligns with Trustpowers submission	Accept
19-1 19	Horticulture New Zealand	No specific decision requested, but states opposition to Proposed Plan Change 7 requiring the protection of the outstanding values of outstanding water bodies.	Oppose	Does not align with Trustpowers submission	Reject
19-2 20	Horticulture New Zealand	No specific decision requested, but states opposition to Proposed Plan Change 7 prioritising the protection of outstanding values over significant values.	Oppose	Does not align with Trustpowers submission	Reject
19-4 21	Horticulture New Zealand	Amend Proposed Plan Change 7 to ensure the ability to balance consumptive and non-consumptive competing values is maintained.	Support	Aligns with Trustpowers submission	Accept
19-39 22	Horticulture New Zealand	No specific decision requested, but supports the protection of the outstanding and significant values (on a balanced case by case basis) of the truly outstanding water bodies in Hawke's Bay.	Support	Aligns with Trustpowers submission	Accept
22-1 23	Maungaharuru-Tangitu Trust	No specific decision requested, but states support for the intent of Change 7 to provide increased protection for outstanding waterbodies, particularly for cultural and spiritual values identified by tangata whenua.	Oppose	In so far as cultural and spiritual values are given the same protection as other outstanding and significant values	Reject

Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
22-6	Maungaharuru-Tangitu Trust 24	Add a disclaimer to the beginning of Schedule 25, and several other prominent places in Change 7, which reads: <u>"The Council is aware that there are numerous areas, including waterbodies, where two or more iwi groups have agreed, shared interests and/or contested overlapping claims within the Hawke's Bay region. The information about cultural and spiritual values in this plan are not intended to imply exclusive rights over particular waterbodies or areas for one or more iwi groups, nor does it confirm the validity of the claims of any groups over that waterbody or area. The information contained in this plan as to cultural and spiritual values is solely for the purpose of recording important cultural and spiritual values identified by iwi groups in the region as sourced from existing published documents or those groups themselves."</u>	Support	Trustpower agrees with the intent of the submission	Accept
26-6	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al. 25	Amend Proposed Plan Change 7 as follows: a) provide a separate descriptor for Morere Hot Spring [ID 16] stating their source is from ancient salt water springs b) include a discrete objective and policy that ensures their protection.	Oppose (b)	In so far as the significant values of the waterbody should already be protected if the waterbody is outstanding, as per the NPS-FM 2020	Reject (b)
26-8	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al. 26	Amend Proposed Plan Change 7 to include narratives that clearly articulate outstanding and significant values for outstanding freshwater bodies, are prescribed and defined at the regional level.	Oppose	Does not align with Trustpowers submission	Reject
26-96	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al. 27	Amend Proposed Plan Change 7 to prevent abstractive use values having the ability to be identified as an outstanding value of an outstanding water body, where such values are	Oppose	Does not align with Trustpowers submission	Reject



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		reliant on water abstraction and on other inputs to enable the values to be accorded outstanding status (e.g. additional infrastructure, pipes, machinery, nutrient inputs, veterinary and animal health costs, advertising, transport costs etc.).			
27-1	Ngati Kahungunu Wairoa Taiwhenua Inc. 28	No specific decision requested, but states opposition to Change 7.	Oppose	Does not align with Trustpowers submission	Reject
27-3	Ngati Kahungunu Wairoa Taiwhenua Inc. 29	Amend Change 7 to incorporate the Tangata Whenua worldview of the iwi and hapu of Wairoa District, and recognise that all waterbodies above and below ground are outstanding.	Oppose	Does not align with Trustpowers submission in so far as not all waterbodies can be considered outstanding within the context of this plan change	Reject
31-15	Pan Pac Forest Limited - Forests Division 30	No specific decision requested, but implies Change 7 should be amended so that significant values are refinements of existing outstanding values.	Support	Aligns with Trustpowers submission	Accept
32-9	Pernod Ricard Winemakers New Zealand Ltd 31	No specific decision requested, but implies opposition to the prioritising of outstanding values over significant values.	Oppose	Does not align with Trustpowers submission	Reject
34-15	Rayonier Matariki 32	No specific decision requested, but implies Change 7 should be amended so that significant values are refinements of existing outstanding values.	Support	Aligns with Trustpowers submission	Accept
35-1	Te Tumu Paeroa 33	Amend Change 7 to identify and protect the values and attributes for freshwater bodies, which have been specifically identified for protection and enhancement in iwi planning documents.	Oppose	In so far as iwi planning documents have a statutory requirement to be included in regional planning documents	Reject
36-15	Timberlands Ltd 34	No specific decision requested, but implies Change 7 should be amended so that significant values clearly relate to parameters relevant to outstanding values.	Support	Aligns with Trustpowers submission	Accept

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C7 Gen NatPolicy General comments on National Policy for Change 7					
8-1	Ernslaw One Limited 35	No specific decision requested, but states regulations under the RMA manage freshwater and coastal waters differently and implies Proposed Plan Change 7 should be amended to reflect this.	Support in part	Support in so far as the directions of the two national policy documents have different requirements.	Accept
12-3	Genesis Energy Ltd 36	No specific decision requested, but implies Change 7 should be amended to give effect to the National Policy Statement Freshwater Management by providing for the continued operation of the Waikaremoana Power Scheme.	Oppose	In so far as the NPS-FM 2017 version, nor the new 2020 version does not include specific provisions for the Waikaremoana Power Scheme. However, Trustpower supports renewable electricity generation generally being provided for where relevant	Reject
14-1	Hawke's Bay Forestry Group 27	No specific decision requested, but states regulations under the RMA manage freshwater and coastal waters differently and implies Proposed Plan Change 7 should be amended to reflect this.	Support in part	Support in so far as the directions of the two national policy documents have different requirements.	Accept
26-1	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al. 38	No specific decision requested, but states the definition of a 'water body' in the Resource Management Act does not include coastal waters or estuaries, implying terminology in Proposed Change 7 should be amended to reflect this.	Support in part	Support in so far as correct interpretation and implementation of the RMA.	Accept
26-3	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al. 39	Amend Proposed Plan Change 7 to include separate issue statements, objectives and policies for outstanding freshwater bodies, from other outstanding water resources located within the coastal environment (e.g. estuaries, coastal wetlands and lagoons).	Support	The intent of the submission aligns with Trustpowers submission in so far as all outstanding waterbodies, should be dealt with in the appropriate chapters of the RRMP.	Accept
26-4	Ngati Kahungunu Iwi Inc, Te 40	Amend Change 7 to include separate issues statements, objectives and policies, so that:	Support	Aligns with Trustpowers submission in that fresh and	Accept



Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
	Taiwhenua o Heretaunga, et. al.	a) outstanding freshwater bodies sit clearly under the hierarchy of the National Policy Statement and RRMP Chapter 3.1A, b) outstanding water resources located within the coastal environment sit clearly under the hierarchy of the New Zealand Coastal Policy Statement and RRMP Chapter 3.2. AND c) Amend 'Principal Reasons and Explanation' statements to clearly reflect this distinction.		coastal waters have been identified	
31-1 41	Pan Pac Forest Limited - Forests Division	No specific decision requested, but states regulations under the RMA manage freshwater and coastal waters differently and implies Proposed Plan Change 7 should be amended to reflect this.	Support	Support in so far as the directions of the two national policy documents have different requirements.	Accept
34-1 42	Rayonier Matariki	No specific decision requested, but states regulations under the RMA manage freshwater and coastal waters differently and implies Proposed Plan Change 7 should be amended to reflect this.	Support	Support in so far as the directions of the two national policy documents have different requirements	Accept
36-1 43	Timberlands Limited	No specific decision requested, but states regulations under the RMA manage freshwater and coastal waters differently and implies Proposed Plan Change 7 should be amended to reflect this.	Support	Support in so far as the directions of the two national policy documents have different requirements.	Accept
OBJ LW1					
9-24 44	Federated Farmers of New Zealand	Amend Objective LW1 to provide for Section 14.3(b) RMA water takes and uses in outstanding waterbodies	Oppose	In principle in so far as the submission is outside of the scope of the plan change	Reject
9-25 45	Federated Farmers of New Zealand	Amend Objective LW1 so that land use for farming is recognised and provided for in outstanding waterbodies	Oppose	In principle in so far as the submission is outside of the scope of the plan change	Reject

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10-1 46	Forest & Bird Society of NZ	No specific decision requested, but states support for the inclusion of all water bodies in Objective LW1 (not just freshwater bodies).	Support	Aligns with Trustpowers submission	Accept
10-2 47	Forest & Bird Society of NZ	Amend Objective LW1 to read: "protecting the outstanding and significant values of outstanding water bodies <u>in Hawke's Bay</u> [identified in Schedule 25]"	Oppose	In so far as the plan change already accommodates the submission point.	Reject
13-2 48	Hawke's Bay Fish and Game Council	Amend Objective LW1 to protect outstanding water bodies and their significant values (or similar words), to better implement the NPS-FM, or similar wording that better reflects the NPS-FM.	Support	Support in so far as the submission aligns with the NPS-FM 2020.	Accept
35-6 49	Te Tumu Paeroa	Amend Objective LW1 to add the following: " <u>Recognising the unique characteristics of Maori land and ensuring that, as a result of the legal framework which this land is operated under, there is equal access to sustainable economic development options that have been enjoyed by land owners of general title in the past consistent with the protection of the Outstanding Water Bodies.</u> "	Oppose	Outside the scope of this plan change.	Reject
POL LW1.1					
5-6 50	Department of Conservation	Amend Policy LW1.1(cC) to read: "Assesses the outstanding water bodies identified in Schedule 25 to determine the significant <u>or outstanding</u> values..."	Support	Aligns with Trustpowers submission	Accept
8-8 51	Ernslaw One Limited	Amend Policy LW1.1(cC) to read: "...This assessment includes consideration of the values set out in Appendix 1 of the National Policy Statement for Freshwater Management, [and any other values that are determined] to be relevant taking into account local and/or regional circumstances."	Support	Aligns with Trustpowers submission	Accept

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9-26 52	Federated Farmers of New Zealand	No specific decision requested, but implies that Policy LW1.1(dA) should be amended clarify that where a water body's outstanding value is unaffected by water quality, then water quality does not need to be enhanced.	Support	Aligns with Trustpowers submission	Accept
9-27 53	Federated Farmers of New Zealand	No specific decision requested, but implies that Policy LW1.1(dA) should be amended to allow for new takes for human uses (i.e farming), from large water bodies such as the Heretaunga Aquifer.	Support	In so far as takes from an outstanding waterbody would still be subject to a standard consenting process	Accept
9-28 54	Federated Farmers of New Zealand	Amend Policy LW1.1(cC) to refer only to the criteria in Schedule 25, Part 1 Table 1.	Support	In so far as the relief sought would provide clarity to the criteria of 'outstanding'	Accept
9-29 55	Federated Farmers of New Zealand	Amend Policy LW1.1(dA) to insert the words 'where appropriate' when referring to the maintenance and/or enhancement of water quality.	Support	Aligns with Trustpowers submission	Accept
9-30 56	Federated Farmers of New Zealand	Amend Policy LW1.1(dA) to provide for: a) Section 14.3(b) RMA water takes and uses, and b) new water takes for other uses.	Support	In so far as takes from an outstanding waterbody would still be subject to a standard consenting process	Accept
10-3 57	Forest & Bird Society of NZ	Amend Policy LW1.1(cC) to read: " <u>assesses [the outstanding] water bodies to determine if they are outstanding, and, where they are outstanding, assess them [identified in Schedule 25] to determine the significant values of those water bodies. This assessment should be made against the criteria set out in Schedule X and include consideration of the values set out in</u> ".	Oppose	Does not align with Trustpowers submission	Reject
10-6 58	Forest & Bird Society of NZ	Amend Policy LW1.1(dA) to read: "maintains, and where necessary enhances, the water quality of those outstanding water bodies identified [in Schedule 25], and [where appropriate], protects	Oppose	Does not align with Trustpowers submission	Reject

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		the water quantity of those outstanding water bodies <u>in order to protect their significant values</u> ".			
14-7 59	Hawke's Bay Forestry Group	Amend Policy LW1.1 to delete references to 'water bodies' and replace with ' <u>freshwater bodies</u> '.	Oppose	Does not align with Trustpowers submission	Reject
14-8 60	Hawke's Bay Forestry Group	Amend Policy LW1.1(cC) to read: "...This assessment includes consideration of the values set out in Appendix 1 of the National Policy Statement for Freshwater Management, <u>[and any other values that are determined]</u> to be relevant taking into account local and/or regional circumstances."	Oppose	Does not align with Trustpowers submission	Reject
26-71 61	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Amend Policy LW1.1(cC) to read: "assesses the outstanding <u>freshwater bodies</u> identified in Schedule 25 to determine their significant values <u>[of those water bodies]</u> . This assessment <u>shall include[consideration of] taking into account</u> the values set out in Appendix 1 of the National Policy statement for Freshwater Management, and <u>[any]</u> other values <u>that the water body contains</u> that are determined to be <u>significant [relevant]</u> taking into account <u>[local and/or]</u> regional circumstances."	Oppose	Does not align with Trustpowers submission	Reject
26-72 62	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Amend Policy LW1.1(d) to read: " <u>gives effect to provisions relating to outstanding freshwater bodies arising from the implementation of Policy LW1A and</u> protects the outstanding and significant values of those outstanding freshwater bodies identified in Schedule 25;"	Oppose	Does not align with Trustpowers submission	Reject
31-8 63	Pan Pac Forest Limited - Forests Division	Amend Policy LW1.1(cC) to read: "...This assessment includes consideration of the values set out in Appendix 1 of the National Policy Statement for Freshwater Management, <u>[and any</u>	Oppose	Does not align with Trustpowers submission	Reject



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		<i>other values that are determined</i>] to be relevant taking into account local and/or regional circumstances."			
33-2 64	Ravensdown Limited	Amend Policy LW1.1(cC) to read: "...this assessment includes consideration of the values set out in Appendix 1 of the National Policy [s]Statement for Freshwater..."	Oppose	Does not align with Trustpowers submission	Reject
33-7 65	Ravensdown Limited	No specific decision requested, but states support for hierarchy between outstanding and significant values set out in Policy LW1.	Support	Aligns with Trustpowers submission	Accept
33-8 66	Ravensdown Limited	Retain the 'Principal reasons and explanation' for Policy LW1.	Support	Aligns with Trustpowers submission	Accept
34-8 67	Rayonier Matariki	Amend Policy LW1.1(cC) to read: "...This assessment includes consideration of the values set out in Appendix 1 of the National Policy Statement for Freshwater Management, <i>and any other values that are determined</i>] to be relevant taking into account local and/or regional circumstances."	Oppose	Does not align with Trustpowers submission	Reject
35-11 68	Te Tumu Paeroa	Amend Policy LW1.1(cC) to expressly take into account the continued sustainable development of Maori owned land due to its special status.	Oppose	Outside scope of Plan Change 7	Reject
36-8 69	Timberlands Limited	Amend Policy LW1.1(cC) to read: "...This assessment includes consideration of the values set out in Appendix 1 of the National Policy Statement for Freshwater Management, <i>and any other values that are determined</i>] to be relevant taking into account local and/or regional circumstances."	Oppose	Does not align with Trustpowers submission	Reject
POL LW1.2					
8-11 70	Ernslaw One Limited	Delete Policy LW1.2(bA)(iii).	Oppose	Does not align with Trustpowers submission	Reject

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9-33 71	Federated Farmers of New Zealand	No specific decision requested, but states support for non-regulatory methods having equal status with regulatory methods in order to protect an outstanding waterbody, as set out in Policy LW1.2(bA)(ii)	Support	Aligns with relief sought in Trustpowers submission	Accept
9-34 72	Federated Farmers of New Zealand	No specific decision requested, but implies Policy LW1.2(bA) should be amended to clarify that activities with less than minor effects do not need regional plan provisions (i.e. takes and uses as per Section 14.3(b) of the RMA).	Support	Aligns with relief sought in Trustpowers submission	Accept
9-35 73	Federated Farmers of New Zealand	Amend Policy LW1.2(bA)(iii) so that adverse effects which do not materially reduce the outstanding values present in a waterbody are provided for and managed, rather than completely avoided.	Support	Aligns with Trustpowers submission	Accept
10-7 74	Forest & Bird Society of NZ	Amend Policy LW1.2(bA) to read: "in relation to any relevant outstanding waterbodies identified [in Schedule 25]: (i) ... (ii) establish how the outstanding and significant values of outstanding water bodies identified [in Schedule 25] will be protected [by regulatory methods or non-regulatory methods or both]; (iii) include regional plan provisions to manage activities in a manner which avoids adverse effects that are more than minor on the outstanding and significant values of an outstanding water body [identified in Schedule 25.] (iv) list those water bodies known to be outstanding in Schedule 25 of the plan.	Oppose	In so far as the submission does not make a material difference to the policy	Reject
10-8 75	Forest & Bird Society of NZ	Delete Footnote 4 and Footnote 5, of Policy LW1.	Oppose	Does not align with Trustpowers submission	Reject



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14-11 76	Hawke's Bay Forestry Group	Delete Policy LW1.2(ba)(iii).	Oppose	Does not align with Trustpowers submission	Reject
15-3 77	Hawke's Bay Regional Council	Amend Policy LW1.2(ba)(i) to read: <u>"Carry out an assessment which identifies the significant values of that outstanding waterbody [and the spatial and/or temporal extent of those values as relevant]. This assessment includes consideration of the values set out in Appendix 1 of the National Policy Statement for Freshwater Management, and any other relevant values taking into account local and/or regional circumstances."</u>	Support	In so far as the submission aligns with the NPS-FM	Accept
15-4 78	Hawke's Bay Regional Council	Amend Policy LW1.2(ba) by adding a new clause to read: <u>"(ia) identify the spatial extent of the outstanding and significant values, as relevant."</u>	Support	Aligns with relief sought in Trustpowers submission	Accept
15-6 77	Hawke's Bay Regional Council	Amend Policy LW1.2(ba)(iii) to read "include regional plan provisions to <u>protect the [manage activities in a manner which avoids adverse effects that are more than minor on the]</u> outstanding and significant values of an outstanding water body identified in Schedule 25."	Support	Aligns with relief sought in Trustpowers submission	Accept
26-74 80	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Amend Policy LW1.2(ba) so that the original operative wording for Clause (ba) is retained: <u>"recognise and provide for outstanding freshwater bodies and their values arising from the implementation of Policy LW1A;</u> AND" Amend Policy LW1.2(ba) as follows: a) <u>[[ba]] (bb) "</u> in relation to any relevant outstanding <u>fresh</u> water bodies identified in Schedule 25: (i) identify the significant values of that outstanding <u>fresh</u> water body and the spatial	Oppose	Does not align with Trustpowers submission	Reject

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		and/or temporal extent of those values <i>[as relevant]</i> ; (ii) establish how the outstanding and significant values of outstanding <i>freshwater</i> bodies identified in Schedule 25 will be protected by regulatory methods or non-regulatory methods or both; (iii) include regional plan provisions to manage activities in a manner which avoids adverse effects, <i>including cumulative adverse effects</i> that are more than minor on the outstanding and significant values of an outstanding <i>freshwater</i> body identified in Schedule 25." AND b) consequential amendments to footnotes 4 and 5 and the explanations and reasons for Policy LW1.			
31-11 81	Pan Pac Forest Limited - Forests Division	Delete Policy LW1.2(bA)(iii).	Oppose	Does not align with Trustpowers submission	Reject
33-3 82	Ravensdown Limited	Amend Policy LW1.2(bA) (i) and (iii) as follows: (i) "identify the significant values of that outstanding waterbody and the spatial and/or temporal extent of those values <i>[as relevant]</i> "; (iii) "include regional plan provisions to manage activities in a manner which <i>[avoids adverse effects that are more than minor on]</i> <i>protects</i> the outstanding and significant values of an outstanding water body..."	Support	Aligns with Trustpowers submission	Accept
33-4 83	Ravensdown Limited	No specific decision requested, but implies opposition to the requirement to 'avoid' adverse effects on outstanding and significant values in LW1.2(bA) (iii) which is more stringent than the requirements of Objective 11.	Support	In so far as the values which make the waterbody significant are protected	Accept
34-11 84	Rayonier Matariki	Delete Policy LW1.2(bA)(iii).	Oppose	Does not align with Trustpowers submission	Reject



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36-11 85	Timberlands Limited	Delete Policy LW1.2(bA)(iii).	Oppose	Does not align with Trustpowers submission	Reject
37-1 86	Transpower New Zealand Limited	Amend Policy LW1.2 (bA)(iii) as follows: "bA)(iii) include regional plan provisions to manage activities in a manner which avoids adverse effects that are more than minor on the outstanding and significant values of an outstanding water body identified in Schedule 25, <u>Except, in the case of the National Grid, where the National Grid has a functional, operational or technical need to locate in an outstanding water body identified in Schedule 25, manage the arising adverse effects by:</u> <u>a) When undertaking a route, site and method selection process, seeking to avoid adverse effects on the values of the Outstanding waterbody;</u> <u>b) Where it is not practicable to avoid adverse effects on the values because of the functional, operational or technical needs of the National Grid, consider utilising the more modified parts of the Outstanding waterbody;</u> <u>c) Adverse effects which cannot be avoided are remedied or mitigated to the extent practicable, having regard to the activity's technical and operational requirements;</u> <u>d) Avoiding, remedying or mitigating other adverse effects to the extent practicable."</u>	Support	It is important to recognise the locational, functional and technical constraints some infrastructure has.	Accept
41-4 87	Z-Energy Ltd, BP Oil NZ Ltd & Mobil Oil NZ Ltd	No specific decision requested, but states supports for the intention of Policy LW1.2 (bA)(iii) to manage avoid adverse effects that are more than minor, with the inference that minor effects may be acceptable.	Support	Aligns with relief sought in Trustpowers submission	Accept
POL LW2.1					

Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
8-12 88	Ernslaw One Limited	Amend Policy LW2 as follows: a) so it only relates to freshwater bodies that are not identified in Schedule 25 b) delete references to 'outstanding water bodies'.	Oppose	Does not align with Trustpowers submission	Reject
10-11 89	Forest & Bird Society of NZ	Delete Policy LW2.1(c).	Oppose	Does not align with Trustpowers submission	Reject
14-12 90	Hawke's Bay Forestry Group	Amend Policy LW2 as follows: a) so it only relates to freshwater bodies that are not identified in Schedule 25 b) delete references to 'outstanding water bodies'.	Oppose	Does not align with Trustpowers submission	Reject
15-7 91	Hawke's Bay Regional Council	Amend Policy LW2.1 by adding a new sub-clause to read: "(bA) Policy LW2.1 does not apply: (i) <u>once the relevant catchment based regional plan change is operative.</u> "	Oppose	Does not align with Trustpowers submission	Reject
19-10 92	Horticulture New Zealand	Amend Policy LW2.1 as follows: a) delete Clause (c)(i) b) amend Clause (c)(ii) to read: "Protecting <u>outstanding and</u> significant values of any outstanding waterbody in Schedule 25."	Support	Aligns with Trustpowers submission	Accept
31-12 93	Pan Pac Forest Limited - Forests Division	Amend Policy LW2 to: a) only relate to freshwater bodies that are not identified in Schedule 25 b) delete references to 'outstanding water bodies'.	Oppose	Does not align with Trustpowers submission	Reject
34-12 94	Rayonier Matariki	Amend Policy LW2 as follows: a) so it only relates to freshwater bodies that are not identified in Schedule 25 b) delete references to 'outstanding water bodies'.	Oppose	Does not align with Trustpowers submission	Reject
36-12 95	Timberlands Limited	Amend Policy LW2 as follows: a) so it only relates to freshwater bodies that are not identified in Schedule 25 b) delete references to 'outstanding water bodies'.	Oppose	Does not align with Trustpowers submission	Reject



Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
41-6 96	Z-Energy Ltd, BP Oil NZ Ltd & Mobil Oil NZ Ltd	No specific decision requested, but states support for the prioritisation of outstanding and significant values over other values.	Support	Aligns with Trustpowers submission	Accept
POL LW3A.1					
8-14 97	Ernslaw One Limited	Delete Policy LW3A.1(d).	Oppose	Does not align with Trustpowers submission	Reject
9-38 98	Federated Farmers of New Zealand	Amend Policy LW3A.1 as follows: a) delete the requirement for activities to 'protect' outstanding and significant values; b) require activities to avoid, remedy or mitigate their adverse effects on identified outstanding values.	Support	Aligns with relief sought in Trustpowers submission	Accept
10-12 99	Forest & Bird Society of NZ	Amend Policy LW3A.1 to read: "In relation to those types of activities identified in Policy LW3A.2, [once the relevant catchment based regional plan change is operative or after 31 December 2025, whichever is sooner], a consent authority must have regard to: (a) The extent to which the activity would protect the outstanding value(s) described in Schedule 25 <u>[or identified through the consenting process]</u> of the relevant outstanding waterbody (b). the extent to which the activity would protect the significant values <u>[if any]</u> identified in Schedule 25 <u>or identified through the consenting process</u> of the relevant outstanding waterbody; (c)... (d) <u>[If there is a conflict between protecting an] How</u> outstanding and <u>[a]</u> significant value[s] of the same water body will be protected. [protection of the outstanding value must be given preference]."	Oppose (d)	Submission on LW3A.1(d) does not align with Trustpowers submission	Reject (d)

Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
14-14 100	Hawke's Bay Forestry Group	Delete Policy LW3A.1(d).	Oppose	Does not align with Trustpowers submission	Reject
16-2 101	Hawke's Bay Winegrowers' Assoc. Inc.	Amend Policy LW3A to require Council to undertake the assessments required by sub-clause 1, instead of resource consent applicants,	Oppose	In so far as the assessment required by sub-clause 1 should be supplementary to resource consent applications when a consent is sought in relation to an outstanding waterbody	Reject
19-11 102	Horticulture New Zealand	Amend Policy LW3A.1 as follows: a) delete Clause (a) b) amend Clause (b) to read: "the extent to which the activity would protect the <u>outstanding and</u> significant values <u>[(if any)] described [identified]</u> in Schedule 25 of the relevant outstanding waterbody."	Oppose	Does not align with Trustpowers submission	Reject
19-12 103	Horticulture New Zealand	Delete Policy LW3A.1(c).	Oppose	Does not align with Trustpowers submission	Reject
19-13 104	Horticulture New Zealand	Delete Policy LW3A.1(d).	Oppose	Does not align with Trustpowers submission	Reject
31-14 105	Pan Pac Forest Limited - Forests Division	Delete Policy LW3A.1(d).	Oppose	Does not align with Trustpowers submission	Reject
32-10 106	Pernod Ricard Winemakers New Zealand Ltd	Delete Policy LW3A.1(d).	Oppose	Does not align with Trustpowers submission	Reject
33-14 107	Ravensdown Limited	Amend Policy LW3A.1 (c) and (d) as follows: (c) "... any <u>existing</u> discharge of a contaminant into an outstanding waterbody". (d) "...increase in any <u>existing</u> discharge of a contaminant onto or into land ..."	Support	In principle	Accept



Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
34-14 108	Rayonier Matariki	Delete Policy LW3A.1(d).	Oppose	Does not align with Trustpowers submission	Reject
36-14 109	Timberlands Limited	Delete Policy LW3A.1(d).	Oppose	Does not align with Trustpowers submission	Reject
C7 Glossary 'OWB' Meaning of 'outstanding water body'					
3-2 110	Brownrigg Agriculture Group Ltd	'Outstanding water body' – Amend definition to read: " <u>Outstanding freshwater body's are those water bodies identified in a regional policy statement or regional plan as having outstanding values, including ecological, landscape, recreational and spiritual values. [Outstanding water body means freshwater bodies and estuaries, or parts thereof, identified in Schedule 25 that have one or more outstanding cultural, spiritual, recreation, landscape, geology, natural character or ecology value(s).]</u> "	Oppose	In so far as the definition proposed by the council gives effect to the NPS-FM as is.	Reject
9-7 111	Federated Farmers of New Zealand	No specific decision requested, but implies the definition of 'outstanding water body' should be amended to reflect the definition of 'outstanding water body' in the National Policy Statement for Freshwater Management.	Oppose	In so far as the definition proposed gives effect to the NPS-FM as is.	Reject
9-12 112	Federated Farmers of New Zealand	Amend Change 7 so that two or more 'outstanding' criteria are met before a waterbody is found to be outstanding.	Support	Aligns with relief sought in Trustpowers submission	Accept
9-47 113	Federated Farmers of New Zealand	'Outstanding water body' – Amend definition to require two or more 'outstanding' criteria to be met before a waterbody is classified as outstanding.	Support	Aligns with relief sought in Trustpowers submission	Accept
9-48 114	Federated Farmers of New Zealand	'Outstanding water body' – Amend definition to: a) include 'water use' as an outstanding value, b) include 'land use for primary production' as an outstanding value.	Oppose	Does not align with Trustpowers submission	Reject

Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
9-50 115	Federated Farmers of New Zealand	No specific decision requested, but states the definition of 'outstanding water body' in the National Policy Statement for Freshwater Management does not exclude primary production, implying the definition should be amended to reflect this.	Oppose	Does not align with Trustpowers submission	Reject
10-20 116	Forest & Bird Society of NZ	'Outstanding water body' – Amend to read: "means <u>any water body</u> [freshwater bodies and estuaries], or parts thereof, identified in Schedule 25 <u>or through a resource consenting or other appropriate process</u> , that has/ve) one or more outstanding cultural, spiritual, recreation, landscape, geology, natural character or ecology value(s) as <u>determined by the criteria in Schedule X</u> ."	Support in part	In so far as a criteria should be made available, but do not support that a waterbody has only one value to be considered outstanding.	Accept a criteria of "outstanding" being made available
12-2 117	Genesis Energy Ltd	No specific decision requested, but implies Change 7 should be amended to give effect to the National Policy Statement for Renewable Electricity Generation by providing for the continued operation of the Waikaremoana Power Scheme.	Support in part	Aligns with Trustpowers submission, however Trustpower supports all renewable electricity generation generally being provided for where relevant	Accept
12-11 118	Genesis Energy Ltd	'Outstanding water body' – Amend definition to read: "means freshwater bodies and estuaries, or parts thereof, identified in Schedule 25 that have one or more [outstanding cultural, spiritual, recreation, landscape, geology, natural character or ecology value(s)] <u>national value(s) as set out in Appendix 1 of the National Policy Statement for Freshwater Management 2014. These values are: 'Ecosystem health'; 'Human health for recreation'; 'Natural form and character'; 'Mahinga kai'; 'Fishing'; 'Irrigation, cultivation and food production'; 'Animal drinking water'; 'Wai tapu'; 'Water supply'; 'Commercial and industrial</u>	Support in part	In so far as it is consistent with National Direction.	Accept



Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
		<u>use'; 'Hydro-electric power generation'; 'Transport and Tauranga waka'.</u>			
32-8 119	Pernod Ricard Winemakers New Zealand Ltd	No specific decision requested, but implies Primary Production water use should have the ability to be identified as an outstanding value in Proposed Plan Change 7.	Oppose	Does not align with Trustpowers submission	Reject
C7 Glossary Meaning of 'outstanding'					
3-3 120	Brownrigg Agriculture Group Ltd	Amend definition to read: "for the purposes of an outstanding water body; outstanding means [conspicuous], eminent, and/or remarkable in the context of the Hawke's Bay Region."	Oppose	Does not align with Trustpowers submission	Reject
5-12 121	Department of Conservation	Add a new definition for 'outstanding value.'	Oppose	In so far as the definition for 'outstanding' is sufficient in determining an 'outstanding value'	Reject
9-3 123	Federated Farmers of New Zealand	No specific decision requested, but implies opposition to the definition of 'outstanding' referring to a single 'outstanding' criterion	Support	Aligns with Trustpowers submission	Accept
9-49 122	Federated Farmers of New Zealand	Amend definition to read: "for the purposes of an outstanding water body; outstanding means conspicuous, eminent, and [//or] remarkable <u>on a national basis</u> . [in the context of the Hawke's Bay Region.]"	Support	Aligns with Trustpowers submission	Accept
12-12 125	Genesis Energy Ltd	No specific decision requested, but implies opposition to the 'regional context' referred to in the definition of 'outstanding'.	Support	Aligns with Trustpowers submission	Accept
12-13 124	Genesis Energy Ltd	No specific decision requested, but states the 'regional context' referred to in the definition of 'outstanding' is inconsistent with Policy LW1.1(cC), implying opposition.	Support	Aligns with Trustpowers submission	Accept
12-14 123	Genesis Energy Ltd	"Outstanding" - Amend definition to read: "for the purposes of an outstanding water body; outstanding means conspicuous, eminent, and/or	Support	Aligns with Trustpowers submission	Accept

Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
		remarkable in [the context of the Hawke's Bay Region] New Zealand".			
33-45 127	Ravensdown Limited	'Outstanding' – Amend definition to read "for the purposes of an outstanding water body; outstanding means [conspicuous], eminent, and/or remarkable in the context of the Hawke's Bay Region."	Oppose	Does not align with Trustpowers submission	Reject
C7 Schedule 25 Gen Schedule 25 in general					
3-5 128	Brownrigg Agriculture Group Ltd	No specific decision requested, but implies opposition to those water bodies in Schedule 25 being identified as having 'outstanding' spiritual and cultural values without an associated description of those values.	Support	Aligns with relief sought in Trustpowers submission	Accept
3-37 129	Brownrigg Agriculture Group Ltd	No specific decision requested, but implies Table 2 should be amended so the outstanding values are clearly articulated.	Support	Aligns with relief sought in Trustpowers submission	Accept
4-4 130	Central Hawke's Bay District Council	Amend Schedule 25 to include more detail in the 'description of outstanding values column', for outstanding water bodies.	Support	Aligns with relief sought in Trustpowers submission	Accept
5-26 131	Department of Conservation	Amend Schedule 25, Column 3, Lake Poukawa and Pekapeka [ID 6] to read: "Ecology (<u>indigenous bird populations</u>)."	Oppose	Does not align with Trustpowers submission	Reject
9-1 132	Federated Farmers of New Zealand	No specific decision requested, but states the definition of 'outstanding' is not reflected by the high number of water bodies in Schedule 25, implying that Schedule 25 should be amended to so it is consistent with the definition of 'outstanding'.	Support	Aligns with relief sought in Trustpowers submission	Accept
9-10 133	Federated Farmers of New Zealand	Amend Schedule 25 as follows: a) reapply 'outstanding' criteria which is stricter with a higher threshold of 'outstandingness'.	Support	Aligns with relief sought in Trustpowers submission	Accept



Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
		b) identify only pristine, or low human intervention waterbodies, as outstanding water bodies.			
134	Federated Farmers of New Zealand	No specific decision requested, but states opposition to the entire spatial extent of an aquifer or river being classified as outstanding, if only a small area meets the 'outstanding' criteria.	Support	In principle	Accept
135	Federated Farmers of New Zealand	Amend Schedule 25 so that the outstanding status is limited to the section of the water body which meets the 'outstanding' criteria.	Support	In principle	Accept
136	Federated Farmers of New Zealand	No specific decision requested, but implies Schedule 25, Table 2 should be amended to include the spatial extent of the significant and outstanding values determined through Policy LW1.2(bA)(i).	Support	In principle	Accept
137	Federated Farmers of New Zealand	Amend Schedule 25 so that a water body must have two or more outstanding values in order to be qualify as an outstanding water body.	Support	Aligns with relief sought in Trustpowers submission	Accept
138	Forest & Bird Society of NZ	Amend Schedule 25 to include the 'outstanding water bodies assessment criteria' used by the Expert Panel to identify outstanding water bodies in Hawke's Bay.	Support	Aligns with relief sought in Trustpowers submission	Accept
139	Forest & Bird Society of NZ	Amend Schedule 25 to clarify how 'Outstanding Values' and sub-values' in Table 1 interact with 'significant values' in Table 2.	Support	Aligns with relief sought in Trustpowers submission	Accept
140	Forest & Bird Society of NZ	Amend Schedule 25 by deleting those values which are not found with the water body itself, such as primary production.	Support	Aligns with Trustpowers submission	Accept
141	Forest & Bird Society of NZ	Amend Schedule 25 to include known significant values, particularly those identified by the Expert Panel, for water bodies that have an asterisk (*).	Support	Aligns with relief sought in Trustpowers submission	Accept
142	Genesis Energy Ltd	No specific decision requested, but implies Schedule 25 should be amended to include social and economic values.	Oppose	Does not align with relief sought by Trustpower	Reject

Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
12-10 143	Genesis Energy Ltd	No specific decision requested, but implies the process used to identify outstanding water bodies in Schedule 25 should be consistent with the process set out in Policy LW1.1cC.	Support	Aligns with relief sought in Trustpowers submission	Accept
14-18 144	Hawke's Bay Forestry Group	Amend Schedule 25 to identify the sections of each river which contain the outstanding values(s) AND limit the 'outstanding' classification to these parts.	Support	In principle	Accept
19-3 145	Horticulture New Zealand	No specific decision requested, but implies economic and consumptive use values should have the ability to be considered as 'outstanding values' in Proposed Plan Change 7.	Oppose	Does not align with Trustpowers submission	Reject
19-5 146	Horticulture New Zealand	Amend Schedule 25 to include only those water bodies which are truly remarkable.	Support	Aligns with relief sought in Trustpowers submission	Accept
19-7 147	Horticulture New Zealand	No specific decision requested, but implies Schedule 25 should be amended to include: a) a detailed explanation of each outstanding value in Schedule 25, b) a set of assessment tools for each outstanding value, which can be used to measure whether a proposed activity can occur in a manner which protects the outstanding value(s) of the water body.	Support	Aligns with relief sought in Trustpowers submission	Accept
26-5 148	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Amend Proposed Plan Change 7 as follows: a) amend Schedule 25 to provide a separate section for outstanding waters within the coastal environment b) make consequential amendments to objectives polices and AERs in RRMP Chapter 3.2 to reflect this separation.	Support	Support in so far as the directions of the two national policy documents have different requirements.	Accept
26-94 149	Ngati Kahungunu Iwi Inc, Te	Amend Schedule 25 to clearly articulate the outstanding values and significant values, including significant cultural and/or tikanga Maori values.	Support	Aligns with relief sought in Trustpowers submission	Accept



Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
	Taiwhenua o Heretaunga, et. al.				
33-44 152	Ravensdown Limited	Delete 'geology' as an outstanding value from Schedule 25.	Oppose	Does not align with Trustpowers submission	Reject
36-18 157	Timberlands Limited	Amend Schedule 25 to identify the sections of each river which contain the outstanding values(s) AND limit the 'outstanding' classification to these parts.	Support	In principle	Accept
C7 Schedule 25.1 Schedule 25 Part 1 (overview of categories for outstanding values...)					
1-5 152	Bayliss, Kathryn	Amend Table 1 of Schedule 25 to include two new sub-values for 'Recreation' as being " - 'swimming', 'walking along riversides and lakes'."	Support	In so far as the inclusion of "swimming" aligns with the other sub-values listed in Table 1.	Accept "swimming"
1-6 153	Bayliss, Kathryn	Delete 'angling' from Table 1, Column 3, 'Recreation' sub-values.	Oppose	Does not align with Trustpowers submission	Reject
2-3 154	Booster Wine Group	Add an additional outstanding value category to Table 1, of Schedule 25 which reads: " - primary production water use."	Oppose	Does not align with Trustpowers submission	Reject
9-4 155	Federated Farmers of New Zealand	EITHER Amend Change 7 so that the 'outstanding' criteria is stricter with a higher threshold, so only pristine waterbodies with a low level of human use are found to be outstanding; OR If waterbodies that have high human land and water use are found to be outstanding, then add a new 'outstanding' criteria for human uses (i.e. land and water use for farming) for inclusion as a potential outstanding value.	Support in part	In so far as the first option aligns with the relief sought in Trustpowers submission	Accept option one
9-52 156	Federated Farmers of New Zealand	Amend Table 1 to include specific 'outstanding' criteria for each value set with a high 'outstanding' threshold.	Support	Aligns with Trustpowers submission	Accept

Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
9-53 157	Federated Farmers of New Zealand	Amend Table 1 to include new text which states that the outstanding classification will limited the section(s) of the water body where the 'outstanding criteria' is met.	Support	Aligns with Trustpowers submission	Accept
9-54 158	Federated Farmers of New Zealand	Amend Table 1 to include water use and land use for primary production as an outstanding value, with associated criteria.	Oppose	Does not align with Trustpowers submission	Reject
10-22 159	Forest & Bird Society of NZ	Amend the description of 'Natural Character' in Table 1, of Schedule 25 to read: " a water body with high naturalness exhibiting [an] exceptional [combination of] natural processes, natural patterns, [and] or natural elements, with low levels of modifications to the river, its ecosystems and/or the surrounding landscape."	Oppose	Does not align with Trustpowers submission	Reject
10-23 160	Forest & Bird Society of NZ	Add a new sub value for 'Recreation' in Table 1 of Schedule 25 which reads: " <u>swimming</u> "	Support	In so far as "swimming" aligns with the other sub-values listed in Table 1.	Accept
12-16 161	Genesis Energy Ltd	Amend Table 1 of Schedule 25, to include the National Values set out in Appendix 1 of the National Policy Statement Freshwater Management.	Oppose	In so far as the national values set out in Appendix 1 are not specific to council's identifying outstanding waterbodies	Reject
18-4 162	Hineuru Iwi Trust	Add the following sub values for 'Cultural and Spiritual' into Table 1 of Schedule 25: - ' <u>mauri (the mauri (life force and life supporting capacity) and mana of the waterbody and catchment)</u> '; ' <u>contemporary esteem (the waterbody and catchment has special amenity or educational significance to Ngati Hineuru)</u> '; ' <u>travel or trade (the waterbody and catchment has special amenity or educational significance to Ngati Hineuru)</u> ';	Oppose	In so far as Table 1 demonstrates values and descriptions which are not specific to one body of water or one group of people	Reject



Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
		'taniwha: (Ngati Hineuru have identified taniwha as residing in the water resource)'; 'whakawhanaungatanga (the water resource and its catchment are important and symbolic of Hineuru connectivity with whanaunga)'; 'rangatiratanga (Ngati Hineuru exercise rangatiratanga (self- determination) in an area of interest in which the waterbody and its catchment is situated)'; 'kaitiakitanga (Ngati Hineuru exercise kaitiakitanga over the water resource).'			
33-46 163	Ravensdown Limited	Amend Schedule 25, Part 1 as follows: a) delete repetition of sub-values and values listed under the descriptions in Table 1 b) -use consistent terminology and terms in Table 1, specifically remove reference to angling and fishing c) -amend second paragraph of Part 1 to read " <u>Additional</u> information held by HBRC on the outstanding and significant values..."	Oppose (b)	Does not align with Trustpowers submission	Reject (b)
C7 Schedule 25 New Schedule 25 (new content)					
19-38 164	Horticulture New Zealand	Amend Table 2 in Schedule 25 as follows: a) add an additional column titled 'outcome/indicator' b) add outcomes and/or indicators that can be used to assess whether the outstanding values of each water body in Schedule 25 is being protected.	Oppose	In so far as the submission is outside the scope of the plan change	Reject
29-4 165	Pain, Gerard	Add the tributaries that feed into the main rivers from the Ruahine and Kaweka Ranges [ID 4] to Schedule 25, as outstanding water bodies in their own right.	Oppose	Does not align with Trustpowers submission	Reject

Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
C7 Sch25 Hautapu Schedule 25.2.1 - Hautapu River					
18-5 166	Hineuru Iwi Trust	Amend the 'description of outstanding value(s)' column for Hautapu River [ID 1], in Schedule 25 to include the following key values: - 'mauri'; 'whakawhanaungatanga'; 'travel and trade'; 'rohe boundary'; 'Ngatapa Pa and kainga'; 'mahinga kai'; 'waahi tapu (burial site)'; 'kaitiakitanga'; 'acknowledged in korero tuku iho (Tauparapara)'.	Oppose	In so far as Trustpower sought the deletion of this waterbody from schedule 25	Reject
26-30 167	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following 'significant values' for the Hautapu River [ID 1]: "- ' <u>Nohoanga/Pahi</u> '; ' <u>Fish passage</u> '; ' <u>Fish spawning</u> '; ' <u>Waahi taonga</u> '; ' <u>Waahi tapu</u> '; ' <u>Mahinga kai</u> '; ' <u>Tauranga waka</u> '; ' <u>Wai Tapu</u> '; ' <u>Rohe Boundary</u> '; ' <u>Korero tawhito</u> '; ' <u>Maramataka</u> '; ' <u>Whakapapa o te tangata</u> '; ' <u>Life-supporting capacity</u> '; ' <u>Taonga rongoa</u> '."	Oppose	In so far as Trustpower sought the deletion of this waterbody from schedule 25	Reject
20-103 168	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add a new 'outstanding value' titled ' <u>Wairua</u> ' to all outstanding freshwater bodies and outstanding freshwater resources in Schedule 25.	Oppose	Does not align with Trustpowers submission	Reject
Schedule 25.2.2 - Heretaunga Aquifer					
9-57 169	Federated Farmers of New Zealand	Amend the outstanding description for the Heretaunga Aquifer [ID 2] to emphasise its current economic importance.	Oppose	Does not align with Trustpowers submission	Reject
9-58 170	Federated Farmers of New Zealand	No specific decision requested, but implies opposition to the Heretaunga Aquifer [ID 2] being identified as having outstanding geology values.	Oppose	Does not align with Trustpowers submission	Reject
9-59 171	Federated Farmers of New Zealand	Add two new 'outstanding values' for the Heretaunga Aquifer [ID 2] as follows: "- ' <u>primary production water use</u> ' and "- ' <u>primary production land use</u> ."	Oppose	Does not align with Trustpowers submission	Reject

Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
19-6 172	Horticulture New Zealand	No specific decision requested, but implies opposition to the Heretaunga Aquifer being identified as having outstanding geological values.	Oppose	Does not align with Trustpowers submission	Reject
19-8 173	Horticulture New Zealand	No specific decision requested, but implies opposition to the Heretaunga Aquifer being identified as an 'outstanding waterbody' due to significant implications for growers; and lack of precedent in New Zealand.	Oppose	Does not align with Trustpowers submission	Reject
26-10 174	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following text to the 'Description of outstanding values' for the Heretaunga Aquifer [ID 2] set out in Column 3, Schedule 25: <u>- Whakapapa o te wai: The connectivity between the Heretaunga Plains Aquifer System and culturally significant/iconic rivers and tributaries;</u> <u>- Ki Uta ki Tai: The flow of water from the mountains to the sea – Including through the unique layers of strata that make up our aquifer systems</u> <u>- Hauora o te wai: (In Part) The unique cleansing that occurs with hydrogeology, where wai passes through the whenua and is cleansed over time and distance, then re-emerges as springs that contribute clean water to surface water bodies – to our rivers, lakes and streams.</u> <u>- Muriwaihou."</u>	Support	In so far as the submission provides further clarification of the outstanding values	Accept
26-67 175	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following 'significant values' for the Heretaunga Aquifer [ID 2]: "- 'Maramataka'; 'Whakapapa o te tangata'; 'Life-supporting capacity'; 'Taonga rongoa'."	Support	In so far as the submission provides further clarification of the significant values	Accept
Schedule 25.2.3 - Karamu River					
9-61 176	Federated Farmers of New Zealand	Add new outstanding values for the Karamu River [ID 3] as follows: "- primary production water use" and	Oppose	Does not align with Trustpowers submission	Reject

Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
		" - primary production land use."			
26-11	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al. <i>177</i>	Add the following text to the 'Description of outstanding values' for the Karamu River [ID 3] set out in Column 3, Schedule 25: <u>" - Whakapapa o te wai: The Karamu receives spring water from within the whenua, connecting both spiritually and physically to the Heretaunga Muriwaihau – the Heretaunga Plains Aquifer System.</u> <u>- Ki Uta ki Tai: The flow of water from the mountains to the sea – From the Raukawa and Kaokaoroa Ranges through Lake Poukawa, Pekapeka and down into Heretaunga, and from Kohinerakau into the streams that feed into the Karamu.</u> <u>- Hauora o te wai: In part - The unique cleansing that occurs with hydrogeology, where the wai passes through the whenua and is cleansed over time and distance, then re-emerges as springs that contribute to the Karamu River."</u>	Oppose	In so far as Trustpower sought the deletion of this waterbody from schedule 25	Reject
26-31	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al. <i>178</i>	Add the following 'significant values' for the Karamu River [ID 3]: <u>" - 'Nohoanga/Pahi'; 'Fish passage'; 'Fish spawning'; 'Waahi taonga'; 'Waahi tapu'; 'Mahinga kai'; 'Tauranga waka'; 'Wai Tapu'; 'Rohe Boundary'; 'Korero tawhito'; 'Maramataka'; 'Whakapapa o te tangata'; 'Life-supporting capacity'; 'Taonga rongoa'."</u>	Oppose	In so far as Trustpower sought the deletion of this waterbody from schedule 25	Reject
Schedule 25.2.4 - Kaweka & Ruahine Ranges wetlands					
5-15	Department of Conservation <i>179</i>	Add a new significant value for the Kaweka and Ruahine Ranges [ID 4] as being " <u>- Ecological values due to rare habitat type in Hawke's Bay.</u> "	Oppose	Does not align with Trustpowers submission	Reject

Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
9-62 180	Federated Farmers of New Zealand	EITHER: Delete Kaweka and Ruahine Ranges [ID 4] wetlands from Schedule 25 OR Identify two or more 'outstanding' criteria for the Kaweka and Ruahine Ranges wetlands, and map these areas.	Support	Aligns with relief sought in Trustpowers submission	Accept
26-26 181	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following new 'outstanding values' for the Kaweka and Ruahine Ranges Wetlands [ID 4]: "- ' <u>Kohanga ika</u> '; ' <u>Mahinga mataitai</u> '; ' <u>Nohoanga/Pahi</u> '."	Oppose	In so far as Trustpower sought the deletion of this waterbody from schedule 25	Reject
26-32 182	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following 'significant values' for the Kaweka and Ruahine Ranges Wetlands [ID 4]: "- ' <u>Nohoanga/Pahi</u> '; ' <u>Fish passage</u> '; ' <u>Fish spawning</u> '; ' <u>Waahi taonga</u> '; ' <u>Waahi tapu</u> '; ' <u>Mahinga kai</u> '; ' <u>Tauranga waka</u> '; ' <u>Wai Tapu</u> '; ' <u>Rohe Boundary</u> '; ' <u>Korero tawhito</u> '; ' <u>Maramataka</u> '; ' <u>Whakapapa o te tangata</u> '; ' <u>Life-supporting capacity</u> '; ' <u>Taonga rongoa</u> '."	Oppose	In so far as Trustpower sought the deletion of this waterbody from schedule 25	Reject
Schedule 25.2.5 - Lake Rotoroa & Lake Rototuna (Kaweka Lakes)					
26-33 183	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following 'significant values' for the Lake Rotoroa and Lake Rototuna (Kaweka Lakes) [ID 5]: "- ' <u>Nohoanga/Pahi</u> '; ' <u>Fish passage</u> '; ' <u>Fish spawning</u> '; ' <u>Waahi taonga</u> '; ' <u>Waahi tapu</u> '; ' <u>Mahinga kai</u> '; ' <u>Tauranga waka</u> '; ' <u>Wai Tapu</u> '; ' <u>Rohe Boundary</u> '; ' <u>Korero tawhito</u> '; ' <u>Maramataka</u> '; ' <u>Whakapapa o te tangata</u> '; ' <u>Life-supporting capacity</u> '; ' <u>Taonga rongoa</u> '."	Support	Aligns with Trustpowers submission	Accept
Schedule 25.2.6 - Lake Poukawa & Pekapeka swamp					
3-41 184	Brownrigg Agriculture Group Ltd	Amend Schedule 25, Lake Poukawa [ID 6] to delete reference to ' <i>social and cultural activities</i> ' and ' <i>mahinga kai</i> ' and replace with "Customary cultural activities including tuna (eel) harvesting."	Oppose	In so far as 'social and cultural activities and mahinga kai' are fundamentally different to 'customary cultural activities	Reject

Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
				including tuna (eel) Harvesting'.	
185	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following new 'outstanding values' for Lake Poukawa and Pekapeka Swamp [ID 6]: " - <u>'Kohanga ika'</u> ; <u>'Mahinga mataitai'</u> ; <u>'Nohoanga/Pahi'</u> ."	Oppose	In so far as Trustpower sought the deletion of this waterbody from schedule 25	Reject
186	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following 'significant values' for the Lake Poukawa and Pekapeka Swamp [ID 6]: " - <u>'Nohoanga/Pahi'</u> ; <u>'Fish passage'</u> ; <u>'Fish spawning'</u> ; <u>'Waahi taonga'</u> ; <u>'Waahi tapu'</u> ; <u>'Mahinga kai'</u> ; <u>'Tauranga waka'</u> ; <u>'Wai Tapu'</u> ; <u>'Rohe Boundary'</u> ; <u>'Korero tawhito'</u> ; <u>'Maramataka'</u> ; <u>'Whakapapa o te tangata'</u> ; <u>'Life-supporting capacity'</u> ; <u>'Taonga rongoa'</u> ."	Oppose	In so far as Trustpower sought the deletion of this waterbody from schedule 25	Reject
Schedule 25.2.7 - Lake Tutira (incl. Aropoanui River & Papakiri Stream)					
187	Department of Conservation	Add a new significant value for Lake Tutira (including Aropoanui River + Papakiri Stream) [ID 7] as being " - <u>ecological (bird values)</u> ."	Oppose	In so far as Trustpower sought the deletion of this waterbody from schedule 25	Reject
188	Hawke's Bay Fish and Game Council	Add a new 'outstanding value' for Lake Tutira [ID 7] as being " - <u>'recreation'</u> ."	Oppose	In so far as Trustpower sought the deletion of this waterbody from schedule 25	Reject
189	Hawke's Bay Fish and Game Council	Add a new 'significant value' for Lake Tutira [ID 7] as being " - <u>'trout fishery'</u> ."	Oppose	In so far as Trustpower sought the deletion of this waterbody from schedule 25	Reject
190	Maungaharuru-Tangitu Trust	No specific decision requested, but states support for Lake Tutira (including Aropoanui River & Papakiri Stream) [ID 7] being identified as an outstanding water body, with outstanding cultural and spiritual values.	Oppose	In so far as Trustpower sought the deletion of this waterbody from schedule 25	Reject
191	Maungaharuru-Tangitu Trust	Amend Schedule 25, Lake Tutira (including Aropoanui River & Papakiri Stream) [ID 7] as follows:	Oppose	In so far as Trustpower sought the deletion of this waterbody from schedule 25	Reject

Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
		a) delete references to 'Aropaoanui River' and replace with 'Aropaoanui/Arapawanui River' b) clarify that Ngati Kurumokihī view the water bodies holistically and as a whole from the former inlet of Papakiri Stream, Lake Tutira, the outlet of Mahiaruhe, which flows into the Waikoau River, and then into the Arapawanui River. c) delete references to 'Lake Tutira (including Aropaoanui River & Papakiri Stream)' and replace with ' <u>Lake Tutira (including Papakiri Stream, Mahiaruhe Stream + Waikoau River + Aropaoanui/Arapawanui River)</u> '. d) delete text 'the milk of our ancestors.'			
192	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following 'significant values' for Lake Tutira (including Aropaoanui River and Papkiri Stream) [ID 7]: "- ' <u>Nohoanga/Pahi</u> '; ' <u>Fish passage</u> '; ' <u>Fish spawning</u> '; ' <u>Waahi taonga</u> '; ' <u>Waahi tapu</u> '; ' <u>Mahinga kai</u> '; ' <u>Tauranga waka</u> '; ' <u>Wai Tapu</u> '; ' <u>Rohe Boundary</u> '; ' <u>Korero tawhito</u> '; ' <u>Maramataka</u> '; ' <u>Whakapapa o te tangata</u> '; ' <u>Life-supporting capacity</u> '; ' <u>Taonga rongoa</u> '."	Oppose	In so far as Trustpower sought the deletion of this waterbody from schedule 25	Reject
Schedule 25.2.8 - Lake Waikareiti					
193	Department of Conservation	Add a new significant value for Lake Waikareiti [ID 8] as being " <u>-naturalness</u> ."	Oppose	In so far as Trustpower sought the deletion of this waterbody from schedule 25	Reject
194	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following 'significant values' for Lake Waikareiti [ID 8]: "- ' <u>Nohoanga/Pahi</u> '; ' <u>Fish passage</u> '; ' <u>Fish spawning</u> '; ' <u>Waahi taonga</u> '; ' <u>Waahi tapu</u> '; ' <u>Mahinga kai</u> '; ' <u>Tauranga waka</u> '; ' <u>Wai Tapu</u> '; ' <u>Rohe Boundary</u> '; ' <u>Korero tawhito</u> '; ' <u>Maramataka</u> '; ' <u>Whakapapa o te tangata</u> '; ' <u>Life-supporting</u> '	Oppose	In so far as Trustpower sought the deletion of this waterbody from schedule 25	Reject

Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
		<u>capacity</u> ; <u>'Taonga rongoa'</u> ."			
Schedule 25.2.9 - Lake Waikaremoana					
12-17 195	Genesis Energy Ltd	Add a new 'outstanding value' for Lake Waikaremoana as follows: " - <u>Waikaremoana Power Scheme and the renewable electricity generation facility</u> ."	Oppose	In so far as it is inconsistent with the NPS:FM	Reject
26-37 196	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following 'significant values' for Lake Waikaremoana [ID 9]: " - <u>'Nohoanga/Pahi'</u> ; <u>'Fish passage'</u> ; <u>'Fish spawning'</u> ; <u>'Waahi taonga'</u> ; <u>'Waahi tapu'</u> ; <u>'Mahinga kai'</u> ; <u>'Tauranga waka'</u> ; <u>'Wai Tapu'</u> ; <u>'Rohe Boundary'</u> ; <u>'Korero tawhito'</u> ; <u>'Maramataka'</u> ; <u>'Whakapapa o te tangata'</u> ; <u>'Life-supporting capacity'</u> ; <u>'Taonga rongoa'</u> ."	Support	In so far as the submission provides further clarification of the significant values	Accept
33-34 197	Ravensdown Limited	Delete the outstanding value of 'geology' for Lake Waikaremoana [ID 9].	Oppose	Does not align with Trustpowers submission	Reject
Schedule 25.2.10 – Whakaki Lake – Te Paeroa Lagoon – Wairau Lagoon & wetlands					
9-71 198	Federated Farmers of New Zealand	Add a new outstanding value for Whakaki Lake – Te Paeroa Lagoon- Wairau Lagoon [ID 10] and wetlands as follows: " - <u>water and land use for farming</u> ."	Oppose	Does not align with Trustpowers submission	Reject
26-17 199	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following new 'outstanding values' for the Whakaki Lake – Te Paeroa Lagoon – Wairau Lagoon and Wetlands [ID 10]: " - <u>'Kohanga ika'</u> ; <u>'Mahinga mataitai'</u> ; <u>'Nohoanga/Pahi'</u> ."	Support	In so far as the submission provides further clarification of the outstanding values	Accept
26-38 200	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following 'significant values' for Whakaki Lake – Te Paeroa Lagoon – Wairau Lagoon and Wetlands [ID 10]: " - <u>'Nohoanga/Pahi'</u> ; <u>'Fish passage'</u> ; <u>'Fish spawning'</u> ; <u>'Waahi taonga'</u> ; <u>'Waahi tapu'</u> ; <u>'Mahinga kai'</u> ; <u>'Tauranga waka'</u> ;	Support	In so far as the submission provides further clarification of the significant values	Accept

Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
		'Wai Tapu'; 'Rohe Boundary'; 'Korero tawhito'; 'Maramataka'; 'Whakapapa o te tangata'; 'Life-supporting capacity'; 'Taonga rongoa'."			
Schedule 25.2.11 - Lake Whatuma					
9-73 201	Federated Farmers of New Zealand	Add a new outstanding value for Lake Whatuma [ID 11] as follows: "- <u>water and land use for farming</u> ."	Oppose	Does not align with Trustpowers submission	Reject
26-28 202	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following new 'outstanding values' for Lake Whatuma [ID 11]: "- ' <u>Kohanga ika</u> '; ' <u>Mahinga mataitai</u> '; ' <u>Nohoanga/Pahi</u> ."	Support	In so far as the submission provides further clarification of the outstanding values	Accept
26-39 203	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following 'significant values' for Lake Whatuma [ID 11]: "- ' <u>Nohoanga/Pahi</u> '; ' <u>Fish passage</u> '; ' <u>Fish spawning</u> '; ' <u>Waahi taonga</u> '; ' <u>Waahi tapu</u> '; ' <u>Mahinga kai</u> '; ' <u>Tauranga waka</u> '; ' <u>Wai Tapu</u> '; ' <u>Rohe Boundary</u> '; ' <u>Korero tawhito</u> '; ' <u>Maramataka</u> '; ' <u>Whakapapa o te tangata</u> '; ' <u>Life-supporting capacity</u> '; ' <u>Taonga rongoa</u> ."	Support	In so far as the submission provides further clarification of the significant values	Accept
Schedule 25.2.12 - Makirikiri River					
1-2 204	Bayliss, Kathryn	Amend Schedule 25, Table 2, Column 3, 'Description of Outstanding Values' for the Makirikiki River [ID 12], first paragraph to read: " <u>The Makirikiki River flows into the Porangahau Stream. The Porangahau Stream then flows into the Maharakeke Stream.</u> "	Oppose	In so far as Trustpower sought the deletion of this waterbody from schedule 25	Reject
26-40 205	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following 'significant values' for Makirikiri Stream [ID 12]: "- ' <u>Nohoanga/Pahi</u> '; ' <u>Fish passage</u> '; ' <u>Fish spawning</u> '; ' <u>Waahi taonga</u> '; ' <u>Waahi tapu</u> '; ' <u>Mahinga kai</u> '; ' <u>Tauranga waka</u> '; ' <u>Wai Tapu</u> '; ' <u>Rohe Boundary</u> '; ' <u>Korero tawhito</u> '; ' <u>Maramataka</u> ;	Oppose	In so far as Trustpower sought the deletion of this waterbody from schedule 25	Reject

Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
		'Whakapapa o te tangata'; 'Life-supporting capacity'; 'Taonga rongoa'."			
Schedule 25.2.13 - Maungahoanga Stream					
5-18 206	Department of Conservation	Add a new significant value for the Mangahouanga Stream [ID 13] as being " <u>natural character</u> ."	Support	In so far as the submission provides further clarification of the outstanding values	Accept
9-76 207	Federated Farmers of New Zealand	No specific decision requested, but states support of the high 'outstanding' threshold applied to the Mangahouanga Stream [ID 13].	Support	Aligns with Trustpowers submission	Accept
18-9 208	Hineuru Iwi Trust	Amend the 'description of outstanding value(s)' column for Mangahouanga Stream [ID 13], in Schedule 25 to include the following key values: " <u>contemporary esteem (matauranga)</u> ."	Support	In so far as the submission provides further clarification of the outstanding values	Accept
26-41 209	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following 'significant values' for Mangahouanga Stream [ID 13]: " <u>Nohoanga/Pahi</u> '; ' <u>Fish spawning</u> '; ' <u>Waahi taonga</u> '; ' <u>Waahi tapu</u> '; ' <u>Mahinga kai</u> '; ' <u>Tauranga waka</u> '; ' <u>Wai Tapu</u> '; ' <u>Rohe Boundary</u> '; ' <u>Korero tawhito</u> '; ' <u>Maramataka</u> '; ' <u>Whakapapa o te tangata</u> '; ' <u>Life-supporting capacity</u> '; ' <u>Taonga rongoa</u> '."	Support	In so far as the submission provides further clarification of the significant values	Accept
Schedule 25.2.14 - Maungawhio Lagoon - lower Kopuawhara River, Pukenui dune wetlands					
9-78 210	Federated Farmers of New Zealand	Add a new 'outstanding value' for the Maungawhio Lagoon, lower Kopuawhara River, Pukenui Dune wetlands [ID 14] as follows: " <u>water and land use for farming</u> ."	Oppose	Does not align with Trustpowers submission	Reject
26-18 211	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following new 'outstanding values' for the Maungawhio Lagoon, Lower Kopuawhara River, Pukenui Dunes Wetlands [ID 14]: " <u>Kohanga ika</u> "; ' <u>Mahinga mataitai</u> '; ' <u>Nohoanga/Pahi</u> '."	Support	In so far as the submission provides further clarification of the outstanding values	Accept
26-42 212	Ngati Kahungunu Iwi Inc, Te	Add the following 'significant values' for Maungawhio Lagoon, Lower Kopuawhara River, Pukenui Dunes Wetlands	Support	In so far as the submission provides further clarification of the significant values	Accept

Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
	Taiwhenua o Heretaunga, et. al.	[ID 14]: "- 'Nohoanga/Pahi'; 'Fish passage'; 'Fish spawning'; 'Waahi taonga'; 'Waahi tapu'; 'Mahinga kai'; 'Tauranga waka'; 'Wai Tapu'; 'Rohe Boundary'; 'Korero tawhito'; 'Maramataka'; 'Whakapapa o te tangata'; 'Life-supporting capacity'; 'Taonga rongoa'."			
Schedule 25.2.15 - Mohaka River					
9-79 213	Federated Farmers of New Zealand	Amend Schedule 25, Column 2, Mohaka River [ID 15] as follows: a) Delete reference to the entire river b) state the section(s) of river where the outstanding values are present (Mohaka River – above Willow Flat).	Support	In principle	Accept
9-81 214	Federated Farmers of New Zealand	Add a new outstanding value for Mohaka River [ID 15] as follows: "- water and land use for farming."	Oppose	Does not align with Trustpowers submission	Reject
26-25 215	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following new 'outstanding values' for the Mohaka River Mouth [ID 15] : "- 'Kohanga ika'; 'Mahinga mataitai'; 'Nohoanga/Pahi'."	Support	In so far as the submission provides further clarification of the outstanding values	Accept
26-43 216	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following 'significant values' for Mohaka River [ID 15]: "- 'Nohoanga/Pahi'; 'Fish passage'; 'Fish spawning'; 'Waahi taonga'; 'Waahi tapu'; 'Mahinga kai'; 'Tauranga waka'; 'Wai Tapu'; 'Rohe Boundary'; 'Korero tawhito'; 'Maramataka'; 'Whakapapa o te tangata'; 'Life-supporting capacity'; 'Taonga rongoa'."	Support	In so far as the submission provides further clarification of the significant values	Accept
31-18 217	Pan Pac Forest Limited - Forests Division	No specific decision requested, but states opposition to all the descriptions of outstanding values, for the Mohaka River [ID 15], except cultural and spiritual.	Oppose	Does not align with Trustpowers submission	Reject

Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
218 31-19	Pan Pac Forest Limited - Forests Division	Amend Schedule 25, Mohaka River [ID 15] to clearly identify the river sections which contain the outstanding values, as set out in the water conservation order for the Mohaka River AND limit the 'outstanding' classification to these parts.	Support	In principle	Accept
219 33-36	Ravensdown Limited	Delete the outstanding value of 'geology' for the Mohaka River [ID 15].	Oppose	Does not align with Trustpowers submission	Reject
220 34-18	Rayonier Matariki	No specific decision requested, but states opposition to all the descriptions of outstanding values for the Mohaka River [ID 15], except cultural and spiritual.	Oppose	Does not align with Trustpowers submission	Reject
221 34-19	Rayonier Matariki	Amend Schedule 25, Mohaka River [ID 25] to clearly identify the river sections which contain the outstanding values, as set out in the water conservation order for the Mohaka River AND limit the 'outstanding' classification to these parts.	Support	In principle	Accept
Schedule 25.2.16 - Morere Springs					
222 5-19	Department of Conservation	Add a new significant value for the Morere Hot Springs [ID 16] as being " - <u>geological</u> ."	Oppose	In so far as Trustpower sought the deletion of this waterbody from schedule 25	Reject
223 26-44	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following 'significant values' for Morere Springs [ID 16]: " - <u>'Nohoanga/Pahi'</u> ; <u>'Fish passage'</u> ; <u>'Fish spawning'</u> ; <u>'Waahi taonga'</u> ; <u>'Waahi tapu'</u> ; <u>'Mahinga kai'</u> ; <u>'Tauranga waka'</u> ; <u>'Wai Tapu'</u> ; <u>'Rohe Boundary'</u> ; <u>'Korero tawhito'</u> ; <u>'Maramataka'</u> ; <u>'Whakapapa o te tangata'</u> ; <u>'Life-supporting capacity'</u> ; <u>'Taonga rongoa'</u> ."	Oppose	In so far as Trustpower sought the deletion of this waterbody from schedule 25	Reject
Schedule 25.2.17 - Ngamatea East Swamp					
224 25-4	Ngamatea Farming Company Ltd	No specific decision requested, but states opposition to outdated information being used to identify Ngamatea East Swamp [ID 17] as an outstanding water body.	Support	In so far as current information should be used in the assessment of significant and	Accept

Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
				outstanding values where relevant.	
225 26-29	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following new 'outstanding values' for Ngamatea East Swamp [ID 17]: " - ' <u>Kohanga ika</u> '; ' <u>Mahinga mataitai</u> '; ' <u>Nohoanga/Pahi</u> '."	Support	In so far as the submission provides further clarification of the outstanding values	Accept
226 26-45	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following 'significant values' for Ngamatea East Swamp [ID 17] " - ' <u>Nohoanga/Pahi</u> '; ' <u>Fish spawning</u> '; ' <u>Waahi taonga</u> '; ' <u>Waahi tapu</u> '; ' <u>Mahinga kai</u> '; ' <u>Tauranga waka</u> '; ' <u>Wai Tapu</u> '; ' <u>Rohe Boundary</u> '; ' <u>Korero tawhito</u> '; ' <u>Maramataka</u> '; ' <u>Whakapapa o te tangata</u> '; ' <u>Life-supporting capacity</u> '; ' <u>Taonga rongoa</u> '."	Support	In so far as the submission provides further clarification of the significant values	Accept
Schedule 25.2.18 - Ngaruroro River & estuary					
227 2-4	Booster Wine Group	Add a new 'outstanding value' and associated description, for Ngaruroro River as follows: " - ' <u>primary production water use</u> ' (" <u>the abstraction and use of water being of outstanding value in supporting the ongoing existence of the regionally and nationally significant primary production on the Heretaunga Plains</u>)."	Oppose	Does not align with Trustpowers submission	Reject
228 5-25	Department of Conservation	Amend Schedule 25, Column 3, Ngaruroro River [ID 18] to read: "Ecology (<u>indigenous bird populations</u>)."	Oppose	Does not align with Trustpowers submission	Reject
229 26-12	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following text to the 'Description of outstanding values' for the Ngaruroro River [ID 18] set out in Column 3, Schedule 25: " - <u>Whakapapa o te wai: The connectivity between the Kaweka and the Ngaruroro River and through into the Heretaunga Plains and its Aquifer System, where the river is the main recharge. Then the</u>	Support	In so far as the submission provides further clarification of the outstanding values	Accept

Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
		<p><u>river flowing through to Waitangi Estuary and Tangaroa.</u></p> <p>- Ki Uta ki Tai: <u>The flow of water from the mountains to the sea – The Ngaruroro River is one of the conduits for this physical and spiritual connection. The Ngaruroro has wahi tapu sites within the river channel. This operates at different levels, including within indigenous biodiversity and the recruitment and health of aquatic species.</u></p> <p>-Hauora o te wai : <u>In part - The Ngaruroro provides healthy water to the whole of the Heretaunga Plains."</u></p>			
26-19 236	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following new 'outstanding values' for the Waitangi Estuary : " - ' <u>Kohanga ika</u> '; ' <u>Mahinga mataitai</u> '; ' <u>Nohoanga/Pahi</u> '."	Oppose	In so far as the values requested are captured under the 'cultural & spiritual' outstanding value and can be further refined in the description	Reject
26-46 231	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following 'significant values' for Ngaruroro River and Estuary [ID 18]: " - ' <u>Nohoanga/Pahi</u> '; ' <u>Fish passage</u> '; ' <u>Fish spawning</u> '; ' <u>Waahi taonga</u> '; ' <u>Waahi tapu</u> '; ' <u>Mahinga kai</u> '; ' <u>Tauranga waka</u> '; ' <u>Wai Tapu</u> '; ' <u>Rohe Boundary</u> '; ' <u>Korero tawhito</u> '; ' <u>Maramataka</u> '; ' <u>Whakapapa o te tangata</u> '; ' <u>Life-supporting capacity</u> '; ' <u>Taonga rongoa</u> '."	Support	In so far as the submission provides further clarification of the significant values	Accept
31-20 232	Pan Pac Forest Limited - Forests Division	No specific decision requested, but states opposition to all the descriptions of outstanding values for the Ngaruroro River [ID 18], except cultural and spiritual.	Oppose	Does not align with Trustpowers submission	Reject

Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
233 31-21	Pan Pac Forest Limited - Forests Division	Amend Schedule 25, Ngaruroro River [ID 18] to clearly identify the river sections which contain the outstanding values, as set out in the hearing decision on the water conservation order for the Ngaruroro River AND limit the 'outstanding' classification to these parts.	Support	In principle	Accept
234 31-22	Pan Pac Forest Limited - Forests Division	Delete list of significant values for the Ngaruroro River [ID 18].	Oppose	Does not align with Trustpowers submission	Reject
235 33-37	Ravensdown Limited	Delete the outstanding value of 'geology' for the Ngaruroro River and Estuary [ID 18].	Oppose	Does not align with Trustpowers submission	Reject
236 33-49	Ravensdown Limited	Amend the 'primary production' significant value for the Ngaruroro River and Estuary [ID 18] read: "Primary production, <u>Industrial and commercial</u> water use (including for associated processing and other urban activities)."	Oppose	Does not align with Trustpowers submission	Reject
237 33-50	Ravensdown Limited	Amend Schedule 25, Ngaruroro River and Estuary [ID 18] to allow for Ravensdown's treated stormwater discharge (and other process water) to be recognised as a significant value.	Oppose	Does not align with Trustpowers submission	Reject
Schedule 25.2.19 - Nuhaka River					
238 26-47	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following 'significant values' for Nuhaka River [ID 19]: " - ' <u>Nohoanga/Pahi</u> '; ' <u>Fish passage</u> '; ' <u>Fish spawning</u> '; ' <u>Waahi taonga</u> '; ' <u>Waahi tapu</u> '; ' <u>Mahinga kai</u> '; ' <u>Tauranga waka</u> '; ' <u>Wai Tapu</u> '; ' <u>Rohe Boundary</u> '; ' <u>Korero tawhito</u> '; ' <u>Maramataka</u> '; ' <u>Whakapapa o te tangata</u> '; ' <u>Life-supporting capacity</u> '; ' <u>Taonga rongoa</u> ."	Oppose	In so far as Trustpower sought the deletion of this waterbody from schedule 25	Reject
Schedule 25.2.20 - Opoutama Swamp					
239 5-20	Department of Conservation	Add a new significant value for the Opoutama Swamp [ID 20] as being " - <u>ecology (significant habitat for bittern)</u> ."	Oppose	Does not align with Trustpowers submission	Reject

Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
26-20 246	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following new 'outstanding values' for the Opoutama Swamp [ID 20]: "- 'Kohanga ika'; 'Mahinga mataitai'; 'Nohoanga/Pahi'."	Oppose	In so far as Trustpower sought the deletion of this waterbody from schedule 25	Reject
26-48 241	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following 'significant values' for the Opoutama Swamp [ID 20]: "- 'Nohoanga/Pahi'; 'Fish passage'; 'Fish spawning'; 'Waahi taonga'; 'Waahi tapu'; 'Mahinga kai'; 'Tauranga waka'; 'Wai Tapu'; 'Rohe Boundary'; 'Korero tawhito'; 'Maramataka'; 'Whakapapa o te tangata'; 'Life-supporting capacity'; 'Taonga rongoa'."	Oppose	In so far as Trustpower sought the deletion of this waterbody from schedule 25	Reject
Schedule 25.2.21 - Porangahau River & estuary					
1-4 242	Bayliss, Kathryn	Amend Schedule 25, Table 2, Column 3, 'Description of Outstanding Values' for the Porangahau River and Estuary [ID 21], third paragraph to read: "The Porangahau River and Estuary supports large population of wrybill and banded dotterel and is the only <u>known</u> location in <u>Hawke's Bay</u> where Caspian terns and royal spoonbill nest..."	Support	Aligns with Trustpowers submission	Accept
8-18 243	Ernslaw One Limited	Amend Schedule 25, Porangahau River [ID 21] to identify the sections of the Porangahau River which contain the outstanding values(s) AND limit the 'outstanding' classification to these parts.	Support	In principle	Accept
9-90 244	Federated Farmers of New Zealand	Add a new outstanding value for Porangahau River and Estuary [ID 21] as follows: "- <u>water and land use for farming</u> ."	Oppose	Does not align with Trustpowers submission	Reject
26-21 245	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following new 'outstanding values' for the Porangahau Estuary [ID 21]: "- 'Kohanga ika'; 'Mahinga mataitai'; 'Nohoanga/Pahi'."	Oppose	In so far as the values requested are captured under the 'cultural & spiritual' outstanding value and can be	Reject

Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
				further refined in the description	
26-49	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al. 246	Add the following 'significant values' for the Porangahau River and Estuary [ID 21]: " - <u>'Nohoanga/Pahi'</u> ; <u>'Fish passage'</u> ; <u>'Fish spawning'</u> ; <u>'Waahi taonga'</u> ; <u>'Waahi tapu'</u> ; <u>'Mahinga kai'</u> ; <u>'Tauranga waka'</u> ; <u>'Wai Tapu'</u> ; <u>'Rohe Boundary'</u> ; <u>'Korero tawhito'</u> ; <u>'Maramataka'</u> ; <u>'Whakapapa o te tangata'</u> ; <u>'Life-supporting capacity'</u> ; <u>'Taonga rongoa'</u> ."	Support	In so far as the submission provides further clarification of the significant values	Accept
Schedule 25.2.22 - Putere Lakes					
26-50	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al. 247	Add the following 'significant values' for the Putere Lakes [ID 22]: " - <u>'Nohoanga/Pahi'</u> ; <u>'Fish passage'</u> ; <u>'Fish spawning'</u> ; <u>'Waahi taonga'</u> ; <u>'Waahi tapu'</u> ; <u>'Mahinga kai'</u> ; <u>'Tauranga waka'</u> ; <u>'Wai Tapu'</u> ; <u>'Rohe Boundary'</u> ; <u>'Korero tawhito'</u> ; <u>'Maramataka'</u> ; <u>'Whakapapa o te tangata'</u> ; <u>'Life-supporting capacity'</u> ; <u>'Taonga rongoa'</u> ."	Oppose	In so far as Trustpower sought the deletion of this waterbody from schedule 25	Reject
Schedule 25.2.23 - Ripia River					
5-21	Department of Conservation 248	Add a new significant value for the Ripia River [ID 23] as being " - <u>landscape and recreation values</u> ."	Oppose	In so far as Trustpower sought the deletion of this waterbody from schedule 25	Reject
18-6	Hineuru Iwi Trust 249	Amend the 'description of outstanding value(s)' column for Ripia River [ID 23], in Schedule 25 to include the following key values: - <u>'mauri'</u> ; <u>'travel and trade Boundary'</u> ; <u>'acknowledged in korero tuku iho (Tauparapara)'</u> ; <u>'kainga (Orangikapua Pa)'</u> ; <u>'waahi tapu'</u> ; <u>'battles'</u> ; <u>'mahinga kai: (fish, birds (e.g. kereru, ducks, pakura) and vegetation food; food processing, drinking water; springs for washing</u>	Oppose	In so far as Trustpower sought the deletion of this waterbody from schedule 25	Reject

Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
		<u>purposes</u> '; <u>'waahi taonga: (flax and other textile and utilitarian resources; drinking water)</u> '; <u>'Tunamaro tributary (longest and finest tuna; kiwi habitat)</u> '; <u>'wai tapu (cleansing, healing, spiritual cleansing of tupapaku, ta moko'; contemporary esteem (matauranga)</u> '; <u>'kaitiakitanga</u> '; <u>'whakawhanaungatanga</u> '; <u>'Rangikapua Rock – he toka tipua - he waahi tapu</u> '.			
26-51	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al. 250	Add the following 'significant values' for the Ripia River [ID 23]: " - <u>'Nohoanga/Pahi</u> '; <u>'Fish passage</u> '; <u>'Fish spawning</u> '; <u>'Waahi taonga</u> '; <u>'Waahi tapu</u> '; <u>'Mahinga kai</u> '; <u>'Tauranga waka</u> '; <u>'Wai Tapu</u> '; <u>'Rohe Boundary</u> '; <u>'Korero tawhito</u> '; <u>'Maramataka</u> '; <u>'Whakapapa o te tangata</u> '; <u>'Life-supporting capacity</u> '; <u>'Taonga rongoa</u> ."	Oppose	In so far as Trustpower sought the deletion of this waterbody from schedule 25	Reject
9-93	Federated Farmers of New Zealand 251	Amend Schedule 25, Column 2, Ruakituri River [ID 24] as follows: a) delete reference to the entire river b) state the section(s) of river where the outstanding values are present (upstream from the Waitangi Falls/Wilderness Zone).	Oppose	In so far as Trustpower sought the deletion of this waterbody from schedule 25	Reject
26-52	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al. 252	Add the following 'significant values' for the Ruakituri River [ID 24]: " - <u>'Nohoanga/Pahi</u> '; <u>'Fish passage</u> '; <u>'Fish spawning</u> '; <u>'Waahi taonga</u> '; <u>'Waahi tapu</u> '; <u>'Mahinga kai</u> '; <u>'Tauranga waka</u> '; <u>'Wai Tapu</u> '; <u>'Rohe Boundary</u> '; <u>'Korero tawhito</u> '; <u>'Maramataka</u> '; <u>'Whakapapa o te tangata</u> '; <u>'Life-supporting capacity</u> '; <u>'Taonga rongoa</u> ."	Oppose	In so far as Trustpower sought the deletion of this waterbody from schedule 25	Reject
33-40	Ravensdown Limited 253	Delete the outstanding value of 'geology' for the Ruakituri River [ID 24].	Oppose	Does not align with Trustpowers submission	Reject
Schedule 25.2.24 - Ruakituri River					

Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
9-93 254	Federated Farmers of New Zealand	Amend Schedule 25, Column 2, Ruakituri River [ID 24] as follows: a) delete reference to the entire river b) state the section(s) of river where the outstanding values are present (upstream from the Waitangi Falls/Wilderness Zone).	Support	In principle	Accept
26-52 255	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following 'significant values' for the Ruakituri River [ID 24]: "- 'Nohoanga/Pahi'; 'Fish passage'; 'Fish spawning'; 'Waahi taonga'; 'Waahi tapu'; 'Mahinga kai'; 'Tauranga waka'; 'Wai Tapu'; 'Rohe Boundary'; 'Korero tawhito'; 'Maramataka'; 'Whakapapa o te tangata'; 'Life-supporting capacity'; 'Taonga rongoa'."	Support	In so far as the submission provides further clarification of the significant values	Accept
33-40 256	Ravensdown Limited	Delete the outstanding value of 'geology' for the Ruakituri River [ID 24].	Oppose	Does not align with Trustpowers submission	Reject
Schedule 25.2.25 – Ruataniwha Aquifer					
9-95 257	Federated Farmers of New Zealand	Amend the outstanding description for the Ruataniwha Aquifer [ID 25] to recognise its social and economic importance.	Oppose	Does not align with Trustpowers submission	Reject
16-4 258	Hawke's Bay Winegrowers' Assoc. Inc.	Add the following 'significant values', or similar, for the Ruataniwha Aquifer [ID 25]: "- <u>domestic water supply</u> '; ' <u>municipal water supply</u> '; ' <u>primary production water use (including for associated processing and other urban activities)</u> '; ' <u>hydrological</u> '.	Oppose	In so far as Trustpower does not support 'primary production water use' as is not a significant value	Reject 'primary production water use' and 'domestic water supply' as a significant value
19-9 259	Horticulture New Zealand	No specific decision requested, but implies opposition to the Ruataniwha Aquifer [ID 25] being identified as an 'outstanding waterbody' due to significant implications for growers; and lack of precedent in New Zealand.	Oppose	Does not align with Trustpowers submission	Reject

Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
260	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Amend name of the Ruataniwha Aquifer [ID 25] in Column 2, Schedule 25 to read: "Ruataniwha <u>Plains</u> Aquifer <u>System</u> ."	Support	Reflects commonly used naming.	Accept
261	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following text to the 'Description of outstanding values' for the Ruataniwha Aquifer [ID 25] set out in Column 3, Schedule 25: <u>" - Whakapapa o te wai: The connectivity between the Ruahine and the Tukituki River and through into the Ruataniwha Plains and its Aquifer System, where along with the Waipawa and its tributaries, the two river catchments are the main source of recharge.</u> <u>- Ki Uta ki Tai : The flow of water from the Ruahine and into the Ruataniwha Aquifer System which regulates the flow of water out from the Ruataniwha Plains.</u> <u>- Hauora o te wai: In part - The Ruataniwha Aquifer System provides healthy water to the rest of Central Hawke's Bay where it exits through the Turiri Range as the Waipawa and Tukituki Rivers."</u>	Support	In so far as the submission provides further clarification of the significant values	Accept
262	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following 'significant values' for the Ruataniwha Aquifer [ID 25]: <u>" - 'Maramataka'; 'Whakapapa o te tangata'; 'Life-supporting capacity'; 'Taonga rongoa'."</u>	Support	In so far as the submission provides further clarification of the significant values	Accept
263	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Amend name of the Ruataniwha Aquifer [ID 25] to read: "Ruataniwha <u>Plains</u> Aquifer <u>System</u> "	Support	Reflects commonly used naming.	Accept
264	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following 'significant values' for the Ruataniwha Aquifer [ID 25]: <u>" - 'hydrogeological processes'; 'aquifer recharge'; 'puna wai'; 'freshwater spring's source'."</u>	Support	In so far as the submission provides further clarification of the significant values	Accept



Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
33-41 265	Ravensdown Limited	Delete the outstanding value of 'geology' for the Ruataniwha Aquifer [ID 25].	Oppose	Does not align with Trustpowers submission	Reject
Schedule 25.2.26 – Tarawera Hot Springs					
5-22 260	Department of Conservation	Add a new significant value for the Tarawera Hot Springs [ID 26] as being " <u>- geological.</u> "	Oppose	In so far as Trustpower sought the deletion of this waterbody from schedule 25	Reject
18-8 267	Hineuru Iwi Trust	Amend the 'description of outstanding value(s)' column for Tarawera Hot Springs [ID 26] in Schedule 25 to include the following key values: - 'mauri; 'travel and trade'; 'boundary'; 'kaitiakitanga'; 'waahi taonga (Lake Puharau; Waipunga Falls; Waipunga Hot Springs; rongoa; food resources; textile and other utilitarian resources'; 'mahinga kai (rongoa; maara kai (cultivations); fish, birds and vegetation food; food processing; drinking water; springs for washing purposes; birds; fish'; 'pa, kainga (Pohoi a Te Mumuhu; some of the recorded sites located along the river are: Te Ahimotumotu pa; Kopitanui/Kopitonui kainga and wahi tapu; Whananganga pa; Piripirau fighting pa; Whakanae kainga; Hikawera pa; Hopemutu pa; Ohinekonehu pa and wahi tapu; Matawhero pa; Parua pa; Taranaki pa; Taupounamu kainga; Waiariki kainga and hot spring; Tukiatea kainga; Paraumu kainga; Waipuhupuhi fighting pa; Mangauwhio/ Mangauhio pa; Porimeke pa; and Papakopuru kainga'; 'contemporary esteem (matauranga)'; 'wai tapu'; 'kaitiakitanga'; "whakawhanaungatanga"; 'Waipunga River acknowledged in korero tuku iho (Tauparapara)'. 267	Oppose	In so far as Trustpower sought the deletion of this waterbody from schedule 25	Reject

Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
26-53 268	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following 'significant values' for the Tarawera Hot Springs [ID 26]: "- <u>'Nohoanga/Pahi'; 'Fish passage'; 'Fish spawning'; 'Waahi taonga'; 'Waahi tapu'; 'Mahinga kai'; 'Tauranga waka'; 'Wai Tapu'; 'Rohe Boundary'; 'Korero tawhito'; 'Maramataka'; 'Whakapapa o te tangata'; 'Life-supporting capacity'; 'Taonga rongoa'.</u> "	Oppose	In so far as Trustpower sought the deletion of this waterbody from schedule 25	Reject
Schedule 25.2.27 - Taruarau River					
9-98 269	Federated Farmers of New Zealand	No specific decision requested, but implies opposition to the Taruarau River [ID 27] being identified as containing an outstanding 'recreational value'.	Oppose	Does not align with Trustpowers submission	Reject
9-99 270	Federated Farmers of New Zealand	Add a new outstanding value for Taruarau River [ID 27] as follows: "- <u>water and land use for farming.</u> "	Oppose	Does not align with Trustpowers submission	Reject
26-54 271	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following 'significant values' for the Taruarau River [ID 27]: "- <u>'Nohoanga/Pahi'; 'Fish passage'; 'Fish spawning'; 'Waahi taonga'; 'Waahi tapu'; 'Mahinga kai'; 'Tauranga waka'; 'Wai Tapu'; 'Rohe Boundary'; 'Korero tawhito'; 'Maramataka'; 'Whakapapa o te tangata'; 'Life-supporting capacity'; 'Taonga rongoa'.</u> "	Support	In so far as the submission provides further clarification of the significant values	Accept
33-42 272	Ravensdown Limited	Delete the outstanding value of 'geology' for Taruarau River [ID 27].	Oppose	Does not align with Trustpowers submission	Reject
Schedule 25.2.28 – Te Hoe River					
18-7 273	Hineuru Iwi Trust	Amend the 'description of outstanding value(s)' column for Te Hoe River [ID 28] to include the following key values: "- <u>'waahi tapu, waahi taonga'; 'acknowledged in korero tuku iho (tauparapara)'; mahinga kai (maara kai)</u>	Support	In so far as the submission provides further clarification of the outstanding values	Accept

Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
		(cultivations); fish, birds and vegetation food; food processing; drinking water; springs for washing purposes); 'pa, kainga (Ngatapa Pa and kainga); 'rohe boundary'; wai tapu (cleansing, healing, spiritual cleansing of tupapaku, ta moko); 'taniwha'; 'mauri'; 'contemporary esteem (matauranga; tikanga; kawa); 'travel or trade'; 'kaitiakitanga'; 'rangatiratanga'; 'whakawhanaungatanga'.			
26-55 274	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following 'significant values' for Te Hoe River [ID 28]: "- 'Nohoanga/Pahi'; 'Fish passage'; 'Fish spawning'; 'Waahi taonga'; 'Waahi tapu'; 'Mahinga kai'; 'Tauranga waka'; 'Wai Tapu'; 'Rohe Boundary'; 'Korero tawhito'; 'Maramataka'; 'Whakapapa o te tangata'; 'Life-supporting capacity'; 'Taonga rongoa'."	Support	In so far as the submission provides further clarification of the significant values	Accept
Schedule 25.2.29 - Te Paerahi River					
26-56 275	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following 'significant values' for Te Paerahi Stream [ID 29]: "- 'Nohoanga/Pahi'; 'Fish passage'; 'Fish spawning'; 'Waahi taonga'; 'Waahi tapu'; 'Mahinga kai'; 'Tauranga waka'; 'Wai Tapu'; 'Rohe Boundary'; 'Korero tawhito'; 'Maramataka'; 'Whakapapa o te tangata'; 'Life-supporting capacity'; 'Taonga rongoa'."	Oppose	In so far as Trustpower sought the deletion of this waterbody from schedule 25	Reject
Schedule 25.2.30 - Te Whanganui a Orotu (Ahuriri Estuary)					
9-103 276	Federated Farmers of New Zealand	Add a new outstanding value for Te Whanganui a Orotu (Ahuriri Estuary) [ID 30] as follows: "- water and land use for farming."	Oppose	Does not align with Trustpowers submission	Reject
17-5 277	Hawke's Bay Airport Ltd	Amend the description of Te Whanganui a Orotu /Ahuriri Estuary [ID 30] to acknowledge the	Oppose	Does not align with Trustpowers submission	Reject

Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
		Hawke's Bay Airport and it's associated activities, as part of the existing environment.			
26-22 278	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following new 'outstanding values' for Te Whanganui a Orotu (Ahuriri Estuary) [ID 30]: "- ' <u>Kohanga ika</u> '; ' <u>Mahinga mataitai</u> '; ' <u>Nohoanga/Pahi</u> '."	Oppose	In so far as the values requested are captured under the 'cultural & spiritual' outstanding value and can be further refined in the description	Reject
26-57 279	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following 'significant values' for Te Whanganui a Orotu (Ahuriri Estuary) [ID 30]: "- ' <u>Nohoanga/Pahi</u> '; ' <u>Fish passage</u> '; ' <u>Fish spawning</u> '; ' <u>Waahi taonga</u> '; ' <u>Waahi tapu</u> '; ' <u>Mahinga kai</u> '; ' <u>Tauranga waka</u> '; ' <u>Wai Tapu</u> '; ' <u>Rohe Boundary</u> '; ' <u>Korero tawhito</u> '; ' <u>Maramataka</u> '; ' <u>Whakapapa o te tangata</u> '; ' <u>Life-supporting capacity</u> '; ' <u>Taonga rongoa</u> '."	Support	In so far as the submission provides further clarification of the significant values	Accept
Schedule 25.2.31 - Tukituki River & estuary					
1-3 280	Bayliss, Kathryn	Amend Schedule 25, Table 2, Column 3, 'Description of Outstanding Values' for the Tukituki River and Estuary [ID 31], first paragraph to read: "The Tukituki River and Estuary area is a large, 145 km long braided river system. [in Central Hawke's Bay]. <u>The Tukituki River starts and flows through Central Hawke's Bay. The Tukituki River then flows north to reach the Tukituki Estuary and the coast in the Hastings district.</u> It is a tupuna awa (ancestral river) and has significant cultural values. Legend tells of how..."	Support	Adds further detail to the descriptor of the waterbody	Accept
9-104 281	Federated Farmers of New Zealand	Amend Schedule 25, Column 2, Tukituki River and Estuary [ID 31] as follows: a) delete reference to the entire river b) state the section(s) of river where the outstanding values are present.	Support	In principle	Accept



Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
9-105 282	Federated Farmers of New Zealand	Add a new outstanding value for the Tukituki River and Estuary [ID 31] as follows: "- <u>water and land use for farming.</u> "	Oppose	Does not align with Trustpowers submission	Reject
16-3 283	Hawke's Bay Winegrowers' Assoc. Inc.	Add the following 'significant values', or similar, for the Tukituki River [ID 31]: - <u>'ecosystems'; 'indigenous aquatic populations'; 'Indigenous bird populations'; 'social, recreational and cultural activities'; 'mahinga kai'; 'domestic water supply'; 'primary production water use (including for associated processing and other urban activities)'</u> .	Support	In so far as the submission provides further clarification of the significant values	Accept
26-15 284	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following text to the 'Description of outstanding values' for the Tukituki River and Estuary [ID 31] set out in Column 3, Schedule 25: "- <u>Whakapapa o te wai: The Tukituki River catchment has outstanding cultural value as it connects the hapu of Tamatea with the hapu of Heretaunga. The Tukituki and its tributaries, enable the recruitment of indigenous species throughout its catchment</u> - <u>Ki Uta ki Tai: The flow of water from the Ruahine through the Ruataniwha Plains and down into the lower river, where it joins the ocean at Haumoana. The Tukituki River is one of the conduits for these physical and spiritual connections. It has wahi tapu sites within the main river channel and tributaries, and on adjacent lands. These need an elevated level of protection. Maintenance of the Ki Uta ki Tai value assists with indigenous biodiversity and the recruitment and health of aquatic species.</u> - <u>Hauora o te wai: In part - The Tukituki River provides healthy water throughout Central Hawke's Bay where it exits through the Turiri Range.</u> "	Support	In so far as the submission provides further clarification of the outstanding values	Accept

Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
26-23 285	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following new 'outstanding values' for the Tukituki Estuary [ID 31]: " - ' <u>Kohanga ika</u> '; ' <u>Mahinga mataitai</u> '; ' <u>Nohoanga/Pahi</u> .' "	Oppose	In so far as the values requested are captured under the 'cultural & spiritual' outstanding value and can be further refined in the description	Reject
26-58 286	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following 'significant values' for Tukituki River and Estuary [ID 31]: " - ' <u>Nohoanga/Pahi</u> '; ' <u>Fish passage</u> '; ' <u>Fish spawning</u> '; ' <u>Waahi taonga</u> '; ' <u>Waahi tapu</u> '; ' <u>Mahinga kai</u> '; ' <u>Tauranga waka</u> '; ' <u>Wai Tapu</u> '; ' <u>Rohe Boundary</u> '; ' <u>Korero tawhito</u> '; ' <u>Maramataka</u> '; ' <u>Whakapapa o te tangata</u> '; ' <u>Life-supporting capacity</u> '; ' <u>Taonga rongoa</u> .' "	Support	In so far as the submission provides further clarification of the outstanding values	Accept
Schedule 25.2.32 - Tutaekuri River					
9-106 287	Federated Farmers of New Zealand	Add a new outstanding value for the Tutaekuri River [ID 32] as follows: " - <u>water and land use for farming</u> ."	Oppose	Does not align with Trustpowers submission	Reject
9-107 288	Federated Farmers of New Zealand	Amend Schedule 25, Column 2, Tutaekuri River [ID 32] as follows: a) delete reference to the entire river b) state the section(s) of river where the outstanding values are present (i.e upper reaches).	Support	In principle	Accept
26-59 289	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following 'significant values' for Tutaekuri River [ID 32]: " - ' <u>Nohoanga/Pahi</u> '; ' <u>Fish passage</u> '; ' <u>Fish spawning</u> '; ' <u>Waahi taonga</u> '; ' <u>Waahi tapu</u> '; ' <u>Mahinga kai</u> '; ' <u>Tauranga waka</u> '; ' <u>Wai Tapu</u> '; ' <u>Rohe Boundary</u> '; ' <u>Korero tawhito</u> '; ' <u>Maramataka</u> '; ' <u>Whakapapa o te tangata</u> '; ' <u>Life-supporting capacity</u> '; ' <u>Taonga rongoa</u> .' "	Support	In so far as the submission provides further clarification of the significant values	Accept



Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
290 31-23	Pan Pac Forest Limited - Forests Division	Delete the outstanding value of 'ecology' for the Tutaekuri River [ID 32].	Oppose	Does not align with Trustpowers submission	Reject
291 31-24	Pan Pac Forest Limited - Forests Division	Delete list of significant values for the Tutaekuri River [ID 32].	Oppose	Does not align with Trustpowers submission	Reject
292 33-52	Ravensdown Limited	Amend Schedule 25, Tutaekuri River [ID 32] to allow for Ravensdown's treated stormwater discharge to be recognised as a significant value.	Oppose	Does not align with Trustpowers submission	Reject
293 33-53	Ravensdown Limited	Amend the 'primary production' significant value for the Tutaekuri River [ID 32] to read: "Primary production, <u>Industrial and commercial</u> water use (including for associated processing and other urban activities)."	Oppose	Does not align with Trustpowers submission	Reject
Schedule 25.2.33 - Waiau River					
294 9-108	Federated Farmers of New Zealand	Amend Schedule 25, Column 2, Waiau River [ID 33] as follows: a) delete reference to the entire river b) state the section(s) of river where the outstanding values are present (i.e upper reaches).	Support	In principle	Accept
295 9-109	Federated Farmers of New Zealand	Add a new outstanding value for the Waiau River [ID 33] as follows: "- <u>water and land use for farming.</u> "	Oppose	Does not align with Trustpowers submission	Reject
296 26-60	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following 'significant values' for Waiau River [ID 33]: "- ' <u>Nohoanga/Pahi</u> '; ' <u>Fish passage</u> '; ' <u>Fish spawning</u> '; ' <u>Waahi taonga</u> '; ' <u>Waahi tapu</u> '; ' <u>Mahinga kai</u> '; ' <u>Tauranga waka</u> '; ' <u>Wai Tapu</u> '; ' <u>Rohe Boundary</u> '; ' <u>Korero tawhito</u> '; ' <u>Maramataka</u> '; ' <u>Whakapapa o te tangata</u> '; ' <u>Life-supporting capacity</u> '; ' <u>Taonga rongoa</u> '."	Support	In so far as the submission provides further clarification of the significant values	Accept
Schedule 25.2.34 - Waihua River					

Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
207 26-61	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following 'significant values' for Waihua River [ID 34]: "- 'Nohoanga/Pahi'; 'Fish passage'; 'Fish spawning'; 'Waahi taonga'; 'Waahi tapu'; 'Mahinga kai'; 'Tauranga waka'; 'Wal Tapu'; 'Rohe Boundary'; 'Korero tawhito'; 'Maramataka'; 'Whakapapa o te tangata'; 'Life-supporting capacity'; 'Taonga rongoa'."	Oppose	In so far as Trustpower sought the deletion of this waterbody from schedule 25	Reject
Schedule 25.2.35 - Waikaretaheke River					
298 12-18	Genesis Energy Ltd	EITHER: Delete Waikaretaheke River from Schedule 25 OR Add a new 'outstanding value' for Waikaretaheke River [ID 35] which reads: " <u>Waikaremoana Power Scheme and the renewable electricity generation facility.</u> "	Support in part	Support the option to delete this waterbody from schedule 25 as it aligns with Trustpower's submission, however do not support the inclusion of an outstanding values for the Power Scheme.	Accept in part
299 21-1	Jones, Audrey	No specific decision requested, but implies the outstanding description for Waikaretaheke River [ID 35] should be amended to include the following: - 'it is the only river originating from Lake Waikaremoana [ID 9]'; 'extremely important culturally and spiritually to local iwi'; 'the upper reaches of this river are unusually clear and include an impressive waterfall'; 'the river is important and necessary for migration of eel/tuna and has the highest aquatic macroinvertebrate count in the area'; 'the river is used for white-water kayaking competitions'.	Oppose	In so far as Trustpower sought the deletion of this waterbody from schedule 25	Reject
300 26-62	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following 'significant values' for the Waikaretaheke River [ID 35]: "- 'Nohoanga/Pahi'; 'Fish passage'; 'Fish spawning'; 'Waahi taonga'; 'Waahi tapu';	Oppose	In so far as Trustpower sought the deletion of this waterbody from schedule 25	Reject



Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
		<u>'Mahinga kai'; 'Tauranga waka'; 'Wai Tapu'; 'Rohe Boundary'; 'Korero tawhito'; 'Maramataka'; 'Whakapapa o te tangata'; 'Life-supporting capacity'; 'Taonga rongoa'.</u>			
Schedule 25.2.36 - Waipawa River					
5-23 301	Department of Conservation	Add a new significant value for the Waipawa River [ID 36] as being " <u>ecological values (avian).</u> "	Oppose	In so far as Trustpower sought the deletion of this waterbody from schedule 25	Reject
26-16 302	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following text to the 'Description of outstanding values' for the Waipawa River [ID 36] set out in Column 3, Schedule 25: " <u>Whakapapa o te wai: The connectivity between the Ruahine and throughout the Waipawa River where the wairua from the maunga is connected to the wairua of the river and tangata whenua.</u> - <u>Ki Uta ki Tai: The integrated flow of water from the Ruahine down to the ocean. The Waipawa River provides a conduit for these physical and spiritual connections. Maintenance of the Ki Uta ki Tai value assists with indigenous biodiversity and the recruitment and health of aquatic species.</u> - <u>Hauora o te wai: In part - The Waipawa River provides water to the Waipawa community and replenishes groundwater further downstream.</u> "	Oppose	In so far as Trustpower sought the deletion of this waterbody from schedule 25	Reject
26-63 303	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following 'significant values' for the Waipawa River [ID 36]: " <u>'Nohoanga/Pahi'; 'Fish passage'; 'Fish spawning'; 'Waahi taonga'; 'Waahi tapu'; 'Mahinga kai'; 'Tauranga waka'; 'Wai Tapu'; 'Rohe Boundary'; 'Korero tawhito'; 'Maramataka'; 'Whakapapa o te tangata'; 'Life-supporting capacity'; 'Taonga rongoa'.</u> "	Oppose	In so far as Trustpower sought the deletion of this waterbody from schedule 25	Reject

Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
Schedule 25.2.37 - Waipunga River					
26-64 304	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following 'significant values' for the Waipunga River [ID 37]: " - <u>'Nohoanga/Pahi'</u> ; <u>'Fish passage'</u> ; <u>'Fish spawning'</u> ; <u>'Waahi taonga'</u> ; <u>'Waahi tapu'</u> ; <u>'Mahinga kai'</u> ; <u>'Tauranga waka'</u> ; <u>'Wai Tapu'</u> ; <u>'Rohe Boundary'</u> ; <u>'Korero tawhito'</u> ; <u>'Maramataka'</u> ; <u>'Whakapapa o te tangata'</u> ; <u>'Life-supporting capacity'</u> ; <u>'Taonga rongoa'</u> ."	Support	In so far as the submission provides further clarification of the significant values	Accept
Schedule 25.2.38 - Wairoa River					
5-24 305	Department of Conservation	Add a new significant value for the Wairoa River [ID 38] as being " - <u>Ecological values (fish ranks highest in RIVAS for native fish in Hawke's Bay)</u> ."	Oppose	In so far as Trustpower sought the deletion of this waterbody from schedule 25	Reject
26-24 306	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following new 'outstanding values' for the Wairoa River Mouth [ID 38]: " - <u>'Kohanga ika'</u> ; <u>'Mahinga mataitai'</u> ; <u>'Nohoanga/Pahi'</u> ."	Oppose	In so far as Trustpower sought the deletion of this waterbody from schedule 25	Reject
26-65 307	Ngati Kahungunu Iwi Inc, Te Taiwhenua o Heretaunga, et. al.	Add the following 'significant values' for the Wairoa River [ID 38]: " - <u>'Nohoanga/Pahi'</u> ; <u>'Fish passage'</u> ; <u>'Fish spawning'</u> ; <u>'Waahi taonga'</u> ; <u>'Waahi tapu'</u> ; <u>'Mahinga kai'</u> ; <u>'Tauranga waka'</u> ; <u>'Wai Tapu'</u> ; <u>'Rohe Boundary'</u> ; <u>'Korero tawhito'</u> ; <u>'Maramataka'</u> ; <u>'Whakapapa o te tangata'</u> ; <u>'Life-supporting capacity'</u> ; <u>'Taonga rongoa'</u> ."	Oppose	In so far as Trustpower sought the deletion of this waterbody from schedule 25	Reject
Miscellaneous / Beyond scope of Change 7					
9-37 308	Federated Farmers of New Zealand	Add a new primary value into Table 2A as follows: " - <u>water and land use for farming</u> ."	Oppose	Does not align with Trustpowers submission	Reject
18-2 309	Hineuru Iwi Trust	That Council fosters the capacity of Ngati Hineuru to contribute to Council consent and planning decisions by:	Oppose	In so far as the submission is outside of scope for Plan Change 7	Reject

Submission Number	Submitter Name	Provision	Support or Oppose	Trustpower's Reason for Support or Opposition	Relief Sought
		a) discussing with Ngati Hineuru the means by which Council can foster this capacity b) ensuring that Hineuru Iwi Trust is notified of consents c) ensuring consent applicants are referred to Hineuru Iwi Trust to undertake cultural impact assessments of proposed activities d) ensuring Ngati Hineuru written cultural impacts assessments are taken into account in consents decision-making e) advising consent applicants that it is necessary to engage and commission Ngati Hineuru to provide a cultural impacts assessment in order to inform Council.			
35-7	Te Tumu Paeroa 310	Amend Objective LW3 to add the following: <u>" - Recognising the unique characteristics of Maori land and ensuring that, as a result of the legal framework which this land is operated under, there is equal access to sustainable economic development options that have been enjoyed by land owners of general title in the past consistent with the protection of the Outstanding Water Bodies."</u> <u>" - Recognising the rights and interests of tangata whenua landowners to sustainably develop their land in a manner consistent with the other values outlined in this section."</u> <u>" - Recognising the overarching imperative of Te Mana o te Wai in the application of all policies in this plan."</u>	Oppose	Outside of the scope of this plan change.	Reject
35-8	Te Tumu Paeroa 311	Amend Policy LW1.1(b) to read: "provides for matauranga a hapu and local tikanga values and uses of the catchment <u>including mauri and is aligned with achieving Te Mana o te Wai."</u>	Oppose	Outside of the scope of this plan change	Reject