

**IN THE ENVIRONMENT COURT  
WELLINGTON REGISTRY**

**ENV-2019-WGN-**

**IN THE MATTER** of the Resource Management Act 1991

**AND**

**IN THE MATTER** of appeals under Clause 14(1) of the First  
Schedule of the Act in relation to the  
proposed Natural Resources Plan for the  
Wellington Region

**BETWEEN** **Horticulture New Zealand**

Appellant

**AND** **WELLINGTON REGIONAL COUNCIL**

Respondent

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**NOTICE OF APPEAL  
ON THE PROPOSED NATURAL RESOURCES PLAN FOR THE  
WELLINGTON REGION**

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**To:** The Registrar

Environment Court

Wellington

1. Horticulture New Zealand (“**HortNZ**”) appeals part of the decisions on the proposed Natural Resources Plan for the Wellington Region.
2. HortNZ made a submission and further submissions on the Proposed Natural Resources Plan for the Wellington Region (submitter number S307 and further submitter number FS53).
3. HortNZ is not a trade competitor for the purposes of section 308D of the Resource Management Act 1991.
4. HortNZ received notice of the decisions on 31 July 2019.
5. The decisions were made by the Wellington Regional Council.
6. Decisions appealed against:
  - (a) Policy P14
  - (b) Policy P55
  - (c) Policy P90
  - (d) Policy P111
  - (e) Policy P112
  - (f) Rules R1, R2, General conditions for the discharge of agrichemicals
  - (g) General conditions for the discharge of agrichemicals
  - (h) Rule R36B
  - (i) Rule R94
7. The reasons for the appeals and relief sought are detailed in the table below.
8. General relief sought:
  - (a) That consequential amendments be made as a result of the relief sought from the specific appeal points above.

9. The following documents are attached to this notice:
- (a) a copy of HortNZ's submission and further submissions
  - (b) a list of names and addresses of persons to be served with a copy of this notice



**Jordyn Landers**

Environmental Policy Advisor, Natural Resources and Environment  
Horticulture New Zealand

6 September 2019

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**Decisions of Wellington Regional Council on the proposed Natural Resources Plan which are appealed by HortNZ:**

Appeal Point	Provision or Decision	Scope	Reason	Relief sought
1.	Policy P14 (Incompatible activities adjacent to regionally significant infrastructure, renewable energy generation and significant mineral resources)	HortNZ submitted and further submitted on Policy P14	<p>HortNZ is concerned that with the deletion of 'new'. Existing activities such as horticulture (particularly with regard to the National Grid) may be unduly affected where it not possible to 'locate or design' use and development to avoid, remedy or mitigate any reverse sensitivity effects.</p> <p>The deletion of 'new' overrides existing use rights that currently exist. If new infrastructure decides to locate next to existing activities the onus would be on the existing activities not the new infrastructure.</p>	<p>Amend Policy P14 to reinstate 'new', as follows:</p> <p><b>'Regionally significant infrastructure, renewable energy generation activities</b> and significant mineral resources shall be protected from <u>new</u> incompatible use and development occurring under, over or adjacent to it, by locating and designing any <u>new</u> use and development to avoid, remedy or mitigate any <b>reverse sensitivity</b> effects.'</p>
2.	Policy P55 (Managing air amenity)	HortNZ made a submission on Policy P55	<p>It is important to recognise within the plan that air amenity expectations reflect the different receiving environments that exist in the region (e.g. urban, rural, industrial and the coastal marine areas).</p> <p>This is important when assessing the appropriateness of a discharge of contaminants to air. This is particularly the case when assessing whether something is offensive or objectionable; it is noted that there is no further guidance provided elsewhere in the plan as to how this assessment will be undertaken.</p> <p>HortNZ considers the proposed amendment will better align with the rules of the pNRP.</p>	<p>Amend Policy P55 to recognise that receiving environments across the region differ:</p> <p>'Air quality amenity in urban, rural and the coastal marine areas shall be managed to minimise offensive or objectionable odour, smoke and dust, particulate matter, fumes, ash and visible emissions, <u>recognising that the background receiving environment varies across the region.</u>'</p> <p>OR</p> <p>Insert a new policy to this effect.</p>
3.	Policy P90 (Discharges of hazardous substances)	HortNZ made submissions and further submissions on P90	HortNZ supported Policy P90 as notified as it included management through the use of good management practice.	<p>Amend Policy P90:</p> <p>The adverse effects of the discharge of a <b>hazardous substance</b> (excluding a</p>

Appeal Point	Provision or Decision	Scope	Reason	Relief sought
			<p>The decision has re-worded P90 to remove reference to good management practice and make the policy an 'avoid' policy (i.e adverse effects ..shall be avoided). HortNZ considered this inappropriate in light ok the King Salmon decision, as fertiliser and agrichemicals are considered hazardous substances. The proposed change (to a avoid, remedy or mitigate) better reflects the RMA.</p>	<p>discharge subject to Policy P89) to land, fresh water, including groundwater, coastal water or air shall be avoided, <u>remedied or mitigated using good management practice.</u></p> <p>OR</p> <p>Amend Policy P90 so that significant adverse effects are avoided.</p>
4.	Policy P111 (Water takes at minimum flows and minimum water levels	HortNZ made a further submission on Policy P111 and submitted and further submitted on Policy P115 (which has now been deleted and incorporated into P111)	<p>The decision version of Policy P111 (which now includes matters addressed within the now deleted Policy P115) introduced a limitation that rootstock protection provisions only apply to replacement of existing resource consents.</p> <p>This fails to recognise the potential for horticultural growth in the region, particularly as we move towards a low carbon economy; this is inconsistent with the climate emergency that has been declared by Greater Wellington Regional Council.</p> <p>HortNZ consider that it would be appropriate that rootstock protection be provided for when assessing a consent application, whether this be a new consent or renewal of an existing consent.</p> <p>It is also noted that rootstock protection is provided for and/or referred to in Chapter 7 (Ruamahanga Whaitua), Chapter 10 (Kapiti Coast Whaitua) and Schedule R ; we seek that rootstock protection is appropriately provided for in the policy framework.</p>	<p>Amend Policy P111(iv) as follows:</p> <p>'(iv) permanent horticultural or viticultural root crops (excluding pasture species, animal fodder crops and maize), where an application is for the replacement of <del>an existing resource consent</del>, for the sole purpose of avoiding their death provided: ...'</p>

Appeal Point	Provision or Decision	Scope	Reason	Relief sought
5.	Policy P112 (Priorities in drought and serious water storage)	HortNZ submitted and further submitted on Policy P112	<p>Recognition of rootstock protection is particularly important (with reference to both this appeal point and appeal point 4) because the social and economic benefits of the use of water for food production has been removed from the decision version of the plan.</p> <p>HortNZ seek that provision of rootstock protection within Policy P112 be reinstated.</p>	<p>Amend Policy P112 to reinstate the reference to rootstock protection, as follows:</p> <p>'In times of drought and <b>serious water shortage</b> when flows or water levels fall below the <b>minimum flows</b> or <b>minimum water levels</b> in the whaitua chapters of the Plan (chapters 7-11), water takes shall be limited to that required for <b>health needs of people</b>, animal drinking water, <u>rootstock protection</u> and firefighting.'</p>
6.	Rules R1 (Outdoor burning), R2 (Frost protection devices), General conditions for the discharge of agrichemicals	HortNZ made submissions on Rule R1, Rule R2, and made submissions and further submissions on Rule R36 and R37 (predecessors to the general conditions)	<p>These rules require that to be a permitted activity "the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the property" – this is an uncertain permitted activity standard.</p> <p>This interpretation is uncertain in that an assessment of the effects (particularly offensive and objectionable) could not be undertaken until after the event. Further, there is no further guidance within the plan as to how this would be determined or assessed.</p> <p>HortNZ seeks an amended wording that requires a user to take all reasonable steps to minimise the potential for noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the property.</p>	<p>Amend Rules R1(a), R2 (a) and General conditions for the discharge of agrichemicals (a), as follows:</p> <p>'<u>all reasonable steps are taken to minimise the potential for the discharge to <del>shall not</del> cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the property</u>'</p> <p>AND any consequential amendments required to give effect to this relief.</p>
7.	General conditions for	HortNZ made submissions and	HortNZ is concerned about condition (c) which states that agrichemical discharge cannot occur	Amend (c) to include a distance upstream of a group drinking water

Appeal Point	Provision or Decision	Scope	Reason	Relief sought
	the discharge of agrichemicals	further submissions on Rule R36 and R37 (predecessors to the general conditions)	<p>anywhere upstream of a surface water intake for a group drinking water supply. While we appreciate the intent of this condition, with no distance upstream this limitation applies anywhere upstream.</p> <p>Clause (g) as drafted, has the presumably unintended consequence of requiring all agrichemical spraying (including by hand held sprayers on private property) to display prominent signage advising that agrichemical spraying is taking place.</p> <p>HortNZ considers that this requirement would be more appropriate under (f), and therefore only apply to agricultural spraying in public places, including alongside roadways.</p> <p>A consequential amendment to (i) is sought, consistent with the relief sought in appeal point 6 above.</p>	<p>supply where agrichemical discharge is not permitted.</p> <p>AND</p> <p>Amend f) and to incorporate the requirement of (g) and delete (g), as follows:</p> <p>(f) in public places, including alongside roadways,</p> <p>(i) <u>all reasonable steps are taken to minimise the potential for the discharge to shall not cause noxious dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash on any <b>property</b> adjacent to where the discharge originates, and</u></p> <p>(ii) <u>the applicator must display prominent signage advising that <b>agrichemical</b> spraying is taking place.</u></p> <p><del>(g) the applicator must display prominent signage advising that agrichemical spraying is taking place.</del></p>
8.	Rule R36B (Motorised and aerial discharge of agrichemicals)	HortNZ made submissions and further submissions on Rule R36 and R37 (predecessors to this rule)	A predecessor to this rule, Rule R27 of the notified plan, provided for agrichemical discharges into water. In the decisions version, the general conditions for the discharge of agrichemicals include as a permitted condition discharge into a surface water body (or the CMA) where the	<p>Amend Rule R36B(b), as follows:</p> <p>'(b) there is no discharge <del>into water, or</del> onto a roof used for rain water collection, and'</p>

Appeal Point	Provision or Decision	Scope	Reason	Relief sought
			<p>agrchemical is approved for use by the Environmental Protection Authority; however Rule R36(b) requires there be no discharge to water, this is inconsistent with the general conditions noted above.</p> <p>Additionally we note that the decision does not provide specific provision for discharge of to manage an incursion of unwanted organisms as declared by MPI Chief Technical Officer or an emergency declared by the Minister under the Biosecurity Act 1993, therefore this activity may be unable to occur at short notice (should this be required to occur over water).</p> <p>HortNZ seek an amendment to this condition as there needs to be provision for application to water to control aquatic weeds, would include drains (considered surface water bodies) and on banks.</p> <p>Rules R36B and R36A, along with the general conditions for the discharge of agrichemicals) replace Rules R36 and R37 in the notified pNRP; the new framework removes the reference to GROWSAFE and only refers to NZS 8409: 2004 Management of Agrichemicals (section 5.3, and Appendix M4) as a note.</p> <p>HortNZ seeks the inclusion of GROWSAFE training, as this will help ensure that best practice is followed and that adequate training has been undertaken.</p> <p>The note which refer to spray plans being prepared in accordance NZS 8409: 2004 Management of Agrichemicals, is worded as though it is a permitted activity condition and is the only reference to spray</p>	<p>OR reinstate Rule R37 Agrichemicals into surface water.</p> <p>AND</p> <p>Reinstate GROWSAFE requirements as additional clauses in Rule R36B, as follows:</p> <p><u>(f) Persons carrying out spraying of agrichemicals under this rule, must be certified as follows:</u></p> <p>(i) <u>For ground-based applications by a commercial operator, a current GROWSAFE® Registered Chemical Applicators Certificate, or a current GROWSAFE® Introductory Certificate and be supervised by a person holding a current GROWSAFE® Registered Chemical Applicators Certificate</u></p> <p>(ii) <u>For ground-based applications by a non-commercial operator, a GROWSAFE® Introductory Certificate, or be supervised by a person holding a current GROWSAFE® Advanced Certificate</u></p> <p>(iii) <u>For aerial applications, hold a Pilot's Agrichemical Rating Certificate issued by the Civil Aviation Authority under Civil Aviation Rule 61, and the</u></p>

Appeal Point	Provision or Decision	Scope	Reason	Relief sought
			plans; it is therefore unclear whether a spray plan is required. In our view spray plans are an important part of managing and mitigating potential effects.	<p><u>company or operator must hold a suitable accreditation for agrichemical application</u></p> <p>AND</p> <p>Amend the note 'A spray plan is prepared in accordance with NZS 8409: 2004 Management of Agrichemicals (section 5.3, and Appendix M4)', so that it is a condition of the rule.</p>
9.	Rule R94 (Cultivation of land)	HortNZ made a submission and further submission on Rule R94.	<p>HortNZ sought in our submission that cultivation be undertaken in accordance with good management practice to minimise potential sediment run-off to a surface water body, with HortNZ's Erosion and Sediment Control Guidelines for Vegetable Production (Horticulture New Zealand 2014) referred to as a note.</p> <p>While the decision version is preferred over the notified version (which required a blanket 5m setback), this rule stills gives preference to one method for managing cultivation and introduces 3 degrees as a qualifier.</p> <p>The conditions in b) for cultivation over 3 degrees are impractical and not based on best management practice for cultivation.</p> <p>This is particularly significant on the context of the definition of surface water body, which includes a drain or water race, and the default to a Discretionary activity.</p>	<p>Amend Rule R94, to delete (a) and (b) and insert, as follows:</p> <p>(a) Cultivation is undertaken in accordance with good management practice, and shall either:</p> <ul style="list-style-type: none"> <li>i. not occur within 5m of the bed of a surface water body or the coastal marine area; or</li> <li>ii. not occur within 2m of the bed of a surface water body or the coastal marine area, if the land between the cultivated land and the bed of a surface water body or the coastal marine area is in pasture or other groundcover vegetation throughout the period of cultivation; or</li> <li>iii. be undertaken with suitable mitigation measures, which could include bunding, silt traps,</li> </ul>

Appeal Point	Provision or Decision	Scope	Reason	Relief sought
			<p>The addition of section 70 (RMA) matters in (c), provides sufficient safeguards with regard to water quality that the means of reaching this outcome should be more flexible.</p>	<p>interception drains, cultivation on the contour or other alternative methods, as documented in a erosion and sediment control plan.</p> <p>OR an alternative relief that achieves the outcome sought and consequential amendments to give effect to this relief.</p>

## **Advice to recipients:**

### *How to become a party to proceedings*

You may be a party to the appeal if you made a submission or further submission on the matter of this appeal.

To become a party you must:

- within 15 working days after the period for lodging a notice of appeal ends lodge a notice of your wish to be a party to the proceedings (in Form 33) with the Environment Court and serve copies of your notice on the relevant local authority and the appellant
- Within 20 working days after the period for lodging a notice of appeal ends serve copies of your notice on all other parties

Your right to be a party to the proceedings in the court may be limited by the trade competition provisions in [section 274\(1\)](#) and [Part 11A](#) of the Resource Management Act 1991.

You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing requirements (see Form 38).

### *How to obtain copies of documents relating to the appeal*

The copy of this notice served on you does not attach a copy of the appellants submission or the decisions appealed. These documents may be obtained, on request, from the appellant.

### *Advice*

If you have any question about this notice contact the Environment Court in Wellington.

**APPENDIX A - Copy of the Appellant's submission and further submission to which this appeal relates.**

## **SUBMISSION ON PROPOSED NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION**

**TO:** Greater Wellington

**SUBMISSION ON:** Proposed Natural Resources Plan for the Wellington Region

**NAME:** Horticulture New Zealand

**ADDRESS:** PO Box 10 232  
WELLINGTON

**1. Horticulture New Zealand's submission, and the decisions it seeks, are detailed as follows:**

Schedule 1: Introduction  
Schedule 2: Interpretation and Definitions  
Schedule 3: Objectives  
Schedule 4: Policies  
Schedule 5: Rules  
Schedule 6: Other methods  
Schedule 7: Schedules

**2. Submission of Horticulture New Zealand:**

- 2.1 Horticulture New Zealand was established on 1 December 2005, combining the New Zealand Vegetable and Potato Growers' and New Zealand Fruitgrowers' and New Zealand Berryfruit Growers Federations.
- 2.2 On behalf of its 5,500 active grower members Horticulture New Zealand takes a detailed involvement in resource management planning processes as part of its National Environmental Policies. The principles that Horticulture New Zealand considers in assessing the implementation of the Resource Management Act 1991 (RMA) include:
- The effects based purpose of the Resource Management Act,
  - Non-regulatory methods should be employed by councils;
  - Regulation should impact fairly on the whole community, make sense in practice, and be developed in full consultation with those affected by it;
  - Early consultation of land users in plan preparation;
  - Ensuring that RMA plans work in the growers interests both in an environmental and "right to farm" sense;
- 2.3 Horticulture New Zealand works to raise growers' awareness of the RMA to ensure effective grower involvement under the Act, whether in the planning process or through resource consent applications.

3. **Horticulture New Zealand wishes to be heard in support of this submission if hearings are held.**
4. **Horticulture NZ is not a trade competitor and will not gain in trade competition through this submission.**

Horticulture NZ thanks the Council for granting an extension for the submission on the Proposed Natural Resources Plan.

Thank you for the opportunity to submit on the Proposed Natural Resources Plan for the Wellington Region.



Angela Halliday  
**Advisor – Natural Resources and Environment**

Date: 23 October 2015

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## **SCHEDULE ONE – Introduction**

### 1.1 1.6 Values of water in the Plan

Section 1.6 sets out the values of water in the Plan that establish a framework for freshwater management to implement the National Policy Statement for Freshwater Management (NPSFM).

Horticulture NZ supports the inclusion of the values but consider that there is no statutory status accorded the values by incorporating them in an Introduction.

The section states that they are 'given practical application through the different objectives, policies and methods of the Plan'. However it is important in implementing the NPSFM that there is an appropriate status given to the values.

It is important that the text identifies that the contact recreation value will be expressed as either a primary or secondary contact recreation value depending on the location.

As the values have been developed to provide a framework for implementing the NPSFM they should refer to freshwater.

#### **Decision sought:**

Retain the text regarding the values of water in Section 1 but amend to add at the end of the 4<sup>th</sup> para: The contact recreation value will be expressed in the plan as either a primary or secondary contact recreation value depending on the location.

Move the table of values of water to an Objective in Section 3, preferably as an overarching objective in 3.1 as follows:

The values of freshwater are recognised and provided for.

Include Table 1.1 with the listed values.

### 1.2 Consequential amendments

#### **Decision sought:**

Horticulture NZ seeks that consequential amendments are made as a result of amending the Plan as sought in this submission.

## SCHEDULE TWO: Interpretation and Definitions

### 2.1 Cultivation

There needs to be recognition of strip tilling in the exclusions of cultivation as the soil disturbance is minimal. Harvesting of crops from the cultivated soil should be included as part of the cultivation definition as it is a consequence that the crops will be harvested, which can disturb the soil such as harvesting root crops.

**Decision Sought:** Amend definition of cultivation

A process that involves turning over the soil for growing and harvesting of pasture or crops, but does not include:

- (a) direct drilling and strip tilling
- (b) no-till practices
- (c) forestry

### 2.2 Efficient allocation

The definition of efficient allocation should also include efficient use as the allocation and use are used together throughout the Plan. It is important that use is efficient, not just allocation and that economic, technical and dynamic efficiency apply to use of water.

**Decision sought:**

Amend the definition of efficient allocation to 'efficient allocation and use'.

### 2.3 Fertiliser

Horticulture NZ sought that the definition of fertiliser be the definition that is used in the ACVM regulations to ensure that it adequately includes all substances that are used to improve soil and plant growth, not just in provision of nutrients but also to facilitate the uptake of nutrients. The proposed definition has taken aspects of the ACVM definition and incorporated into the draft definition. While the effect is that it includes substances of concern to Horticulture NZ it is considered that the ADVM definition has status in regulations so is appropriate to use in the Plan.

The [ACVM standard](#) covers the requirements for the fertiliser group of agricultural compounds that are regulated under the Agricultural Compounds and Veterinary Medicines (ACVM) Act 1997.

#### **Fertiliser**

The ACVM Regulations define fertiliser as:

- (a) *means a substance or biological compound or mix of substances or biological compounds that is described as, or held out to be for, or suitable for, sustaining or increasing the growth, productivity, or quality of plants or, indirectly, animals through the application to plants or soil of—*
  - (i) *nitrogen, phosphorus, potassium, sulphur, magnesium, calcium, chlorine, and sodium as major nutrients; or*

- (ii) manganese, iron, zinc, copper, boron, cobalt, molybdenum, iodine, and selenium as minor nutrients; or*
- (iii) fertiliser additives; and*

*(b) includes non-nutrient attributes of the materials used in fertiliser; but*

*(c) does not include substances that are plant growth regulators that modify the physiological functions of plants.*

The ACVM Regulations define fertiliser additive as:

- (a) a non-nutrient substance added to a fertiliser, or applied to land by itself, that—*
  - (i) improves the supply and uptake of nutrients; or*
  - (ii) increases the biological activity of soil; or*
  - (iii) modifies the physical characteristics of a fertiliser to make it more fit for its purpose; but*
- (b) does not include substances that are plant growth regulators that modify the physiological functions of plants*

Agricultural lime, is applied to condition and change the pH of the soil and under these definitions is considered to be a fertiliser additive and so is a fertiliser under the ACVM definition.

**Decision sought:**

Amend definition of fertiliser as follows:

*Fertiliser means*

*a) a substance or biological compound or mix of substances or biological compounds that is described as, or held out to be for, or suitable for, sustaining or increasing the growth, productivity, or quality of plants or, indirectly, animals through the application to plants or soil of—*

- (i) nitrogen, phosphorus, potassium, sulphur, magnesium, calcium, chlorine, and sodium as major nutrients; or*
- (ii) manganese, iron, zinc, copper, boron, cobalt, molybdenum, iodine, and selenium as minor nutrients; or*
- (iii) fertiliser additives; and*

*(b) includes non-nutrient attributes of the materials used in fertiliser; but*

*(c) does not include substances that are plant growth regulators that modify the physiological functions of plants.*

2.4 Good management practices

Horticulture NZ supports the use of good management practices in the Plan and recognition that they evolve over time. However it is unclear how practices will be assessed as being 'effective at achieving the desired performance' or how they will be incorporated into guidelines on the GW website. There needs to be clarity that there are good management practices which are available and appropriate to be used that are not on the GW website.

**Decision sought:**

Amend the definition of good management practice:

Practices, procedure or tools that are designed to be effective at achieving the desired performance while provide for desired environmental outcomes. Good management practice evolves through time and results in continuous improvement as new information, technology and awareness of issues are developed and disseminated. Industry has a key role in developing good management practices which can be used to implement provisions in the Plan. GW will identify good management practice guidelines and place them on the Council's website but good management practices will not be limited to those on the website.

## 2.5 High risk soils

The definition refers to soils on 'rolling/ sloping country'. There needs to be clarity as to the slope that is intended to be included as high risk soils.

### **Decision sought:**

Include a slope category of over 20 degrees as being high risk soils.

## 2.6 National electricity grid

The definition should refer to the National Grid, which is the commonly used term.

### **Decision sought:**

Amend 'National electricity grid' to 'National Grid'

## 2.7 Natural wetland

The definition of natural wetland is dependent on a list of exclusions. However that presents issues if not all relevant areas are included in the exclusions.

BOP regional plan has a good definition of wetland with an example figure. While it has a list of exclusions it also has a description of what are not considered to be wetlands.

*Wetlands – Includes permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions.*

*For the avoidance of doubt, the term 'wetland' applies to water bodies, and intermittently wet areas. The term does not apply to dry land that does not support a natural ecosystem of plants and animals that are adapted to wet conditions, and that occurs within an area commonly referred to in its entirety as a wetland.*

*For the purposes of this regional plan, 'wetland' excludes:*

*(a) Wetted pasture and pasture with patches of rushes.*

*(b) Oxidation ponds.*

*(c) Artificial water bodies used for wastewater or stormwater treatment. This includes wetlands that have been developed primarily for effluent or stormwater treatment or disposal, but are managed to appear 'natural'.*

*(d) Artificial Farm dams and detention dams.*

*(e) Land drainage canals and drains.*

*(f) Artificial Reservoirs for firefighting, domestic or municipal water supply.*

*(g) Temporary ponded rainfall over areas that would not otherwise be considered a wetland.*

*(h) Artificial water bodies that are not in the bed of a stream, river or lake; and are not degraded natural wetlands that have been modified. This includes artificial water bodies that are managed to appear 'natural'*

*The edge of a wetland (i.e. where a wetland becomes land) should be determined by a person with appropriate expertise.*

*(See Figure 12 and photos to assist in interpretation)*

<http://www.boprc.govt.nz/media/31241/Plan-100301-Operative-RWLP-Definitions.pdf>

**Decision sought:**

Amend definition of wetland to that in the BOP Land and Water Plan.

## **SCHEDULE THREE: Objectives**

### 3.1 Ki uta ki tai: mountains to sea

#### 3.1.1 New Objective

Horticulture NZ seeks that the values of water in Table 1.1 are included as an objective in 3.1. As the values have been developed to provide a framework for implementing the NPSFM they should be specific to freshwater.

It is important that all the values are recognised and provided for in the Plan so an objective that seeks that outcome is necessary to provide a framework to ensure that they are implemented through the plan.

#### **Decision sought:**

Add new objective in 3.1:

The values of freshwater are recognised and provided for.

Include Table 1.1 with the listed values.

Amend Table 1.1 'Use values – direct' by adding after 'Human sustenance, health and wellbeing' – 'including production of food'.

#### 3.1.2 New Objective

In addition to an objective that recognises and provides for the values of freshwater an objective is sought that sets out how the values will be incorporated through the Plan, ensuring that there is consideration of the balance between the range of values.

#### **Decision sought:**

Add new Objective in 3.1

Natural and physical resources, are managed to provide an appropriate balance across values and uses in a catchment.

#### 3.1.3 Objective 05

Objective 05 sets out a number of matters that freshwater and coastal marine areas will be managed for, 'as a minimum'. However the way the objective is written only some of the matters that will need to be considered in managing the resources are listed, therefore it implies a priority. It is essential that there is a balance across the range of values in managing natural and physical resources. While the health needs to people is listed it does not include the need to produce food for their sustenance. This is an essential part of human wellbeing and should be explicitly provided for.

#### **Decision sought:**

Amend Objective 05 by adding:

d) production of food for human sustenance

## 3.2 Beneficial use and development- 3.2

### 3.2.1 New Objective - Biosecurity

Horticulture NZ seeks that provisions are included in the Proposed NR Plan to provide a framework for an appropriate response in the event of a biosecurity incursion of an unwanted organism including provisions to enable disposal of material by burying, burning or application of agrichemicals to manage incursions of biosecurity threats. In the event of a biosecurity incursion there is the need to be able to respond rapidly to manage spread. Burial burning or spraying of material are two methods that may be used. There also needs to be the ability to remove infected material from riparian margins.

The recent PSA incursion in kiwifruit has identified a number of issues in terms of responses to incursions. There are a range of threshold levels for biosecurity incursions and it is only when a biosecurity emergency is declared by the Minister that the emergency provisions in the Biosecurity Act override the RMA provisions. Such an emergency was not declared in the PSA incursion so the regional and district plan rules needed to be met in terms of disposal of infected material and in undertaking a response. In such a situation it is not practical to have to obtain resource consent. Therefore provisions are sought in the Proposed NR Plan to provide a framework for such responses including enabling removal, burial, burning or spraying of infected material

#### **Decision sought:**

Add a new objective in 3.2 Beneficial use and development

Take an integrated management approach to biosecurity risks to ensure that rural production is not adversely affected by incursions of pests and unwanted organisms.

### 3.2.2 New objective

A new objective is sought to specifically provide for rural production activities as a beneficial use and development. Recognition is given to some activities under the objective suite, but rural production activities, which are essential to the social, economic and cultural wellbeing of the region are not recognised and provided for.

#### **Decision sought:**

Add a new objective in 3.2 Beneficial use and development:

The social, economic and cultural wellbeing benefits of rural production activities are recognised and provided for.

## 3.3 Natural character, form and function- 3.4

### 3.3.1 Objective 019

The objective is currently worded:

'The interference from use and development on natural processes is minimised.'

'Natural processes' is defined in the Plan and is very wide ranging and the use of 'interference' implies that all interactions with natural processes is negative.

The objective should be either deleted or reworded to be more neutral.

**Decision sought:**

Either delete Objective 019 or amend as follows:

~~'The interference~~ Adverse effects on natural processes arising from use and development are avoided remedied or mitigated. ~~minimised.'~~

3.4 Water quality - 3.5

3.4.1 Objective 023

The focus should be on the 'overall' water quality as required by the NPSFM.

**Decision sought:**

Amend Objective 023 as follows:

The overall quality of water .....

3.4.2 Objective 024

The objective sets out how contact recreation will be provided for.

Generally Horticulture NZ supports the approach of identifying specific freshwater bodies where the objective is primary contact recreation and secondary contact recreation in all other rivers and lakes.

The provisions are linked to Schedule H. While this is included in the definition for 'significant contact recreation fresh water bodies' it would be more appropriate that it is included in the objective. In addition Schedule H identifies the whole river. It is considered that the places where primary contact recreation is undertaken should be the parts identified.

**Decision sought:**

Amend Objective 024 by reference to Schedule H

b) i) significant contact recreation fresh water bodies, as identified in Schedule H1...

Amend Schedule H1 to identify the parts of the rivers where primary contact recreation is undertaken.

3.5 Biodiversity, aquatic ecosystem health and mahinga kai - 3.6

3.5.1 Objective 025

The objective sets out tables with specific numeric and narrative objectives to be met and also a note about the whitua sections of the plan taking precedence.

Horticulture NZ is concerned that the inclusion of the tables in Objective 025 will undermine the whitua process to establish appropriate objectives for respective areas and the response that is determined appropriate in each area.

While it is recognised that there needs to be some objectives while the whitua plans are being developed it is considered that a set of simpler numerics and narratives should be included as the interim measures.

**Decision sought:**

Amend Objective 025 Tables 3.4-3.8 to include simpler numerics and narratives as the interim measures pending the Whitua plan processes for specific areas.

3.6 Air - 3.8

3.6.1 Objective 039

The objective is for 'ambient air' quality but the term is not defined in the Plan. It should be clear the air quality that is being referred to and that it is distinct from localised air quality.

The National Ambient Air Quality Guidelines (2002) has the following definition for ambient air:

*The air outside buildings and structures. This does not refer to indoor air, air in the workplace, or contaminated air discharged from a source.*

**Decision sought:**

Include a definition for 'ambient air' as follows:

Ambient air is the air outside buildings and structures. This does not refer to indoor air, air in the workplace, or contaminated air discharged from a source.

3.6.2 Objective 041

Objective 041 seeks that the adverse effects of odour, smoke and dust on amenity values and peoples well-being are reduced.

The objective makes an assumption that the adverse effects are such that they need to be reduced. It would be preferable that the objective set in place a forward looking framework.

**Decision sought:**

Amend Objective 041

Discharges of odour, smoke and dust on are managed to avoid, remedy or mitigate adverse effects on amenity values and peoples well-being.

3.6.3 New objective

Discharges to air need to be assessed in the context of the receiving environment and amenity expectations, which varies across the region. For instance the receiving environment of industrial, rural and urban areas will all be different. The Plan needs to ensure that such differences are taken into account when establishing the framework and managing discharges to air in the Region.

**Decision sought:**

Add a new objective in 3.8 Air  
Manage air quality to reflect the different receiving environments across the region, taking into account the location and characteristics of the background receiving environment, including the underlying landuse patterns or zoning.

3.7 Soil - 3.9

3.7.1 Objective 042

Objective 042 seeks that soils are healthy and productive and accelerated soil erosion is reduced. The RMA seeks that life supporting capacity of soils is safeguarded and this while this may mean that soils are healthy and productive it establishes a presumption that may not always reflect the situation.

The issue of accelerated erosion should be a separate objective as it will lead to a different policy suite than life supporting capacity of soil.

An objective of enhancing life supporting capacity of soil is inconsistent with s5 of the RMA.

**Decision sought:**

Amend Objective 042

The life supporting capacity of soils is maintained.

Add new objective:

Accelerated soil erosion is reduced.

3.8 Land use - 3.10

3.8.1 Objective 044

The objective seeks that adverse effects on soil and water from land use activities are minimised. The RMA provides for avoid, remedy or mitigate and also application of best practicable options. These should be reflected in the objective.

**Decision sought:**

Land use activities will take all reasonable steps to avoid, remedy or mitigate adverse effects on soil and water.

3.9 Discharges -3.11

3.9.1 Objective 046

The objective seeks to reduce the runoff or leaching of contaminants to water. The focus should be on the 'potential' for such runoff.

**Decision sought:**

Amend Objective 046

Discharges to land are managed to reduce the potential for runoff or leaching of contaminants to water.

### 3.9.2 Objective 047

The objective relates to sediment laden run off and that it should be reduced which implies that all water is subject to sediment laden run off. The objective also makes an assumption that the adverse effects are such that they need to be reduced. It would be preferable that the objective set in place a forward looking framework.

**Decision sought:**

Amend Objective 047

Minimise potential for sediment laden run off to water where current levels are elevated.

### 3.10 Water Allocation - 3.12

#### 3.10.1 Objective 052

The objective sets out how efficiency of allocation and use of water will be improved and maximised over time through a number of means. However the objective should also seek to achieve reliability. There should also be recognition of the role that water storage can make to address water allocation issues.

**Decision sought:**

Amend Objective 052

Objective 052 as follows:

The reliability and efficiency of allocation and use water use is improved and maximised through time, including by ....

OR

Add matter f) achieving reliability of supply

## SCHEDULE FOUR: Policies

### 4.1 Ki uta ki tai and integrated catchment management

#### 4.1.1 Policy P1 Integrated catchment management

The policy seeks to provide for an integrated catchment management approach in the Plan and lists a number of principles that will apply. It is considered that use good management practices is a principle that should be included as it is used throughout the Plan and is fundamental to achieving the outcomes that the Plan is seeking. While it is included in Policy P4 it is also an important principle that needs to be recognised as part of integrated catchment management.

**Decision sought:**

Amend Policy P1 by adding f) use of good management practices.

#### 4.1.2 Policy P4 Minimising adverse effects

While the intent of Policy P4 is recognised the Plan also needs to be consistent with the RMA and provide for adverse effects to be avoided, remedied or mitigated. In addition minimising adverse effects should include to the extent 'reasonable' not just 'practicable'. Something may be 'practicable' but actually quite unreasonable.

**Decision sought:**

Amend Policy P4:

Where minimisation of adverse effects is required by the policies in the Plan minimisation means taking all reasonable steps to reduce adverse effects of the activity and includes:.....

### 4.2 Beneficial use and development

#### 4.2.1 Policy P7 Uses of land and water

The policy seeks to recognise the beneficial use of a number of activities. However the activities should also be provided for. Horticulture NZ supports the recognition of food production and harvesting but the list should also include primary production, which may produce goods other than food.

**Decision sought:**

Add l) primary production

Amend Policy P7 by adding: shall be recognised and provided for.

#### 4.2.2 Policy P8 Beneficial activities:

Policy P8 sets out a range of activities that are 'recognised and generally appropriate.'

Horticulture NZ seeks that removal and disposal of pest species and material declared as unwanted organisms under the Biosecurity Act 1993 be included as a beneficial activity. The ability to remove and dispose of such pests and organisms is essential for the wellbeing of the region.

The inclusion in the policy will establish the framework to implement the new objective as sought in Schedule 3 of this submission to ensure that the Plan has a framework to enable disposal of infected material for biosecurity purposes and treatment of areas to manage incursions of unwanted organisms.

It is noted that the policy includes retirement, fencing and planting of riparian margins. The need for on-going maintenance should also be recognised.

**Decision sought:**

Include an additional policy in Policy P8 Beneficial activities:

m) removal of pest species identified in the Regional Pest Management Strategies and material declared as unwanted organisms under the Biosecurity Act 1993.

Amend point f) to include management of riparian margins.

4.2.3 Policy P10 Contact recreation and Maori customary use

Policy P10 sets out the policy framework for contact recreation. Objective 024 differentiates between primary contact recreation and secondary contact recreation. Policy P10 does not make the clear separation as provided for in the Objective. It needs to be clear in the policy that there is differentiation. For instance b) appears to apply to primary contact recreation but it is not clear.

**Decision sought:**

Amend Policy P10 to differentiate between provisions which apply to primary contact recreation and those which apply to secondary contact recreation. Alternatively have a separate policy for each.

4.2.4 Policy P14 Incompatible activities adjacent to regionally significant infrastructure and renewable electricity generation activities.

Horticulture NZ appreciates the need to ensure that regionally significant infrastructure and renewable electricity generation activities are not compromised by location of incompatible activities. It is considered that this approach also needs to apply to primary production activities which can be compromised by location of incompatible activities.

**Decision sought:**

Add a new policy - Incompatible activities adjacent to primary production activities. Primary production activities will be enabled by ensuring that new use and development, particularly sensitive activities do not locate adjacent to primary production activities to avoid potential reverse sensitivity effects, particularly through complaints about odour, smoke, dust or spray drift.

4.3 Natural form and function

4.3.1 Policy P26 Natural processes

Policy P26 should refer to 'adverse effects' as positive effects need not be minimised. The approach should be that the adverse effects are avoided, remedied or mitigated,

which includes minimising effects.

**Decision sought:**

Amend Policy P26: use and development will be managed to avoid, remedy or mitigate adverse effects on the integrity and functioning of natural processes.

4.4 Biodiversity, aquatic ecosystem health and mahinga kai

4.4.1 Policy P32 Adverse effects on aquatic ecosystem health and mahinga kai

The policy sets out a number of steps for managing aquatic ecosystem health and mahinga kai but links them all with 'and'. The management approaches are steps and should be linked with 'or' as it is not practical to achieve all the steps.

**Decision sought:**

Amend Policy P32 clauses a) b) and c) by changing 'and' to 'or'

4.4.2 Policy P37 Values of wetlands

The policy seeks to include activities in and **adjacent** to natural wetlands to maintain their values. It is recognised that managing the activities in the natural wetlands is appropriate but there is a question as to what extent the council should be controlling activities adjacent – which is not defined as to what the extent may be.

**Decision sought:**

Delete 'and adjacent' from Policy P37.

4.5 Sites with significant values

4.5.1 Policy P41 Managing adverse effects on ecosystem and habitats with significant indigenous biodiversity values

The policy sets out a number of steps for managing adverse effects on ecosystem and habitats with significant indigenous biodiversity values but links them all with 'and'. The management approaches are steps and should be linked with 'or' as it is not practical to achieve all the steps.

**Decision sought:**

Amend Policy P41 clauses a) b) and c) by changing 'and' to 'or'.

4.5.2 Policy P49 Use and development adjacent to outstanding natural features and landscapes and special amenity landscapes

The policy seeks to include activities on sites **adjacent** to outstanding natural features and landscapes and special amenity landscapes. It is unreasonable to place a burden on a landowner for being adjacent to a site that is identified. The identification should include that appropriate area and not apply controls beyond that site. The RMA provides for the protection of the outstanding natural features and landscapes – not the land around the feature.

**Decision sought:**

Delete Policy P49

4.6 Air Quality – 4.7

4.6.1 Policy P52 Managing ambient air quality

Changes have been sought to Objective 039 as the objective is for ‘ambient air’ quality but the term is not defined in the Plan. The policy seeks to implement the objective and the same comment applies - It should be clear ambient air quality is distinct from localised air quality.

The National Ambient Air Quality Guidelines (2002) has the following definition for ambient air:

*The air outside buildings and structures. This does not refer to indoor air, air in the workplace, or contaminated air discharged from a source.*

**Decision sought:**

Include a definition for ‘ambient air’ as follows:

Ambient air is the air outside buildings and structures. This does not refer to indoor air, air in the workplace, or contaminated air discharged from a source.

4.6.2 Policy P55 Managing air amenity

Policy P55 seeks to manage air amenity to minimise offensive or objectionable odour, dust, smoke and particulate matter, fumes, ash and visible emissions. It needs to be clear that the air quality amenity is different according to the receiving environment and that the management should reflect the different environments. This is particularly important in terms of assessing complaints, such as reverse sensitivity complaints.

**Decision sought:**

Amend Policy P55 as follows:

Activities are managed to achieve air quality amenity which reflect the characteristics of the different receiving environments in urban, rural, industrial and the coastal marine areas to minimise potential for offensive or objectionable odour, dust, smoke and particulate matter, fumes, ash and visible emissions and to avoid reverse sensitivity conflicts.

4.6.3 Policy P56 Outdoor burning.

The focus should be on avoiding, remedying or mitigating adverse effects.

**Decision sought:**

Amend Policy P56:

The adverse effects on amenity, people’s health and property from odour, smoke and dust, fumes and visible emissions from outdoor burning will be avoided, remedied or mitigated, particularly through the use of good management practices.

#### 4.6.4 Policy P60: Agrichemicals and fumigants

Policy P60 is supported as it incorporates good management practices.

**Decision sought:**

Retain Policy P60.

#### 4.7 Discharges to land and water

##### 4.7.1 Policy P65 Minimising effects of nutrient discharges

The approach in Policy P65 is generally supported but there needs to be clear recognition of the need to work with industry organisations in establishing good management practices.

**Decision sought:**

Amend the definition of good management practices as sought in Schedule 2 to include recognition of the contribution industry organisations make to developing good management practices.

##### 4.7.2 Policy P69 Human drinking water supplies.

It is recognised that human drinking water supplies are essential and the policy seeks that adverse effects are 'avoided to the extent practicable'. There should be recognition of good management practices as a tool to manage avoid adverse effects.

**Decision sought:**

Amend Policy P69:

The adverse effects from discharges to land and water on the quality of **community drinking water supplies** and **group drinking water supplies** shall be avoided to the extent practicable through the use of good management practices.

##### 4.7.3 Policy P90 Discharges of hazardous substances

Policy P90 for discharges of hazardous substances is supported as it relies on good management practices which is supported.

**Decision sought:**

Retain Policy P90 Discharges of Hazardous substances

##### 4.7.4 Policy P95 Discharges to land

Policy P95 is a generic policy applying across all discharges to land and the relationship to other policies, such as Policy P96 for rural land use activities is unclear. Horticulture NZ considers that the focus should be on life supporting capacity of soil – not soil health. By ensuring that the discharge doesn't cause more than minor adverse effects of life supporting capacity of soils means that clauses c) and d) are not necessary as those are considerations in life supporting capacity of soils. It needs to be clear what effects the policy is seeking to address under public health and amenity.

If it is odours that arise from the discharge then the matter is addressed under air quality. The background receiving environment also needs to be taken into account when considering effects on public health and amenity.

**Decision sought:**

Clarify the relationship between Policy P95 and more activity specific policies.

Clarify what public health and amenity issues the policy seeks to address.

Amend Policy P95 as follows

The discharge of contaminants to land shall be managed by:

- a) ensuring the discharge does not result in more than minor adverse effects to life supporting capacity of soil health
- b) Avoiding discharges that would create contaminated land
- ~~c) not exceeding the natural capacity of the soil to treat, use or remove the contaminant, and~~
- ~~d) not exceeding the available capacity of the soil, to absorb and infiltrate the discharge~~
- e) minimising effects on public health and amenity, taking into account the existing background environment and
- f) ~~not result in a discharge that enters water~~ minimising adverse effects on surface and groundwater quality.

4.7.5 Policy P96 Managing land use

The policy is specific to rural land use so the title should be amended. Use of good management practices is supported.

**Decision sought:**

Amend Policy P96 Managing rural land use

4.7.6 Policy P100 Riparian margins for cultivation and break feeding

Riparian margins and setbacks are only one form of management for cultivation and may not necessarily be the most appropriate in some situations. The policy should establish the framework for use of all relevant and appropriate good management practices, not one specific tool.

**Decision sought:**

Delete specific reference to 'riparian setbacks'.

4.8 Taking, using, damming and diverting water

4.8.1 Policy P112 Priorities in times of drought and sever water shortage

Inclusion of rootstock protection in Policy P112 is supported. However it needs to be clear what is meant by 'rootstock protection' so a definition is sought.

**Decision sought:**

Retain provisions for rootstock protection.

Include a definition for rootstock protection:

Rootstock protection means provision of water required to maintain survival of horticultural or viticultural root crops in drought.

#### 4.8.2 Policy P114 Priorities when demand exceeds supply

Policy P114 establishes a hierarchy for when demand exceeds supplies of health needs of people, stock drinking water then 'other values'. It is unclear what 'other values' may include and if there is a hierarchy between other values. The policy framework should be clear. There also needs to be recognition of existing use rights under section 124.

**Decision sought:**

Specify 'other values' including food production.

Include recognition of existing takes under section 124 in priority to other consumptive takes.

#### 4.8.3 Policy P115 Authorising takes below minimum flows and lake levels

Policy P115 provides how water will be allocated in times of shortages. Clause b) provides protection for industry where they take from a community drinking water supply which provides a priority over those who take from other sources. It is unclear how the seven years will be applied. It should be for uses prior to the notification of the Plan.

The protection of rootstock survival water is supported. However a change to clause c is sought to be consistent with the definition sought for rootstock protection.

**Decision sought:**

Amend clause b) by changing 'from' to 'prior to'.

Amend clause c): horticultural and viticultural root crops including perennial crops (excluding pasture species, animal fodder crops and maize) for the soil purpose of avoiding their death provided:

#### 4.8.4 Policy P118 Reasonable and efficient use of water

Policy P118 establishes a framework for considering reasonable and efficient use of water which is supported in principle. Clause b) weeds that efficient use if maximised when designing systems but recognition should also be given to existing systems which would be an unreasonable cost to replace.

**Decision sought:**

Add to Policy P118

e) taking into account the cost of replacing existing systems.

#### 4.8.5 Policy P120 Taking water for storage

Providing water takes for storage is supported.

**Decision sought:**

Retain Policy P120.

#### 4.8.6 Policy P128 Transfer of resource consents

Providing for transfer of water permits is supported.

**Decision sought:**  
Retain Policy P128.

## **SCHEDULE FIVE: Rules**

### 5.1 Air Quality

#### 5.1.1 Rule R1 Outdoor burning – permitted activity

Horticulture NZ supports a permitted activity rule for outdoor burning.

A condition of the rule, and a number of other rules, is that the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the property. However there is no direction in the Plan as to how noxious, dangerous, offensive or objectionable will be assessed, or any definitions to provide guidance as to how Council may implement the provision. It is particularly important that any assessment is done in the context of the receiving environment and anticipated amenity for the area.

It is noted that the Policy framework for managing air quality amenity – particularly Policy P55 only includes offensive and objectionable effects. The rules are implementing the policy so noxious and dangerous should be deleted.

There also needs to be specific provision for burning of material for biosecurity purposes to ensure that a rapid response can be undertaken to burn material.

#### **Decision sought:**

Add policies to provide:

- guidance as to how, offensive or objectionable will be assessed
- clarity that air quality will vary according the receiving environment in which a discharge is located.

Delete 'noxious, dangerous' from Rule R1.

#### 5.1.2 Rule R2 Frost prevention devices – permitted activity

Horticulture NZ supports the rule to provide for frost prevention devices but notes that the rule refers to noxious, dangerous, offensive or objectionable effects and seeks clarity as to how these are defined and will be assessed.

It is noted that the Policy framework for managing air quality amenity – particularly Policy P55 only includes offensive and objectionable effects. The rules are implementing the policy so noxious and dangerous should be deleted.

#### **Decision sought:**

Add policies to provide:

- guidance as to how noxious, dangerous, offensive or objectionable will be assessed
- clarity that air quality will vary according the receiving environment in which a discharge is located.

Delete 'noxious, dangerous' from Rule R2.

#### 5.1.3 New rule – outdoor burning for biosecurity purposes

There needs to be clarity that burning can be undertaken to supposes of disposing of

material infected by unwanted organisms as declared under the Biosecurity Act 1993.

**Decision sought:**

Add a new rule in Air Quality:

The discharge of contaminants into air from outdoor burning that is undertaken to dispose of unwanted organisms as a declared by MPI Chief Technical Officer or and emergency declared by the Minister under the Biosecurity Act 1993.

5.1.4 Rule R36 Agrichemicals – permitted activity

Horticulture NZ supports the provision for applications of agrichemicals. A few changes are sought to provide clarity.

Clause d) refers to 'residential areas' which is not defined in the Plan. There needs to be clarity as to the extent of 'residential areas' and seek that this is amended to refer to areas zoned 'residential or urban' in district plans.

Clause e) states that there is to be no discharge to water or within 'community drinking water supply protection areas'. These areas are identified on Maps 26, 27, 27a and 27b. The protection areas include significant areas where primary production activities are undertaken. Policy P69 provides that adverse effects on community drinking water supplies is avoided to the extent practicable. It does not seek a restriction within the community drinking water supply protection area. But the rule would preclude any use of agrichemicals in these areas as a permitted activity. Clause c) provides for agrichemicals to be used in accordance with the HSNO Act. The controls on substances address the risks that the substance presents to the environment. To require a limitation on use within 'community drinking water supply protection areas' adds an additional layer of regulation when the efficacy of the substance has been assessed and controls imposed under HSNO which will ensure that adverse effects on community drinking water supplies is avoided to the extent practicable.

Clause f) refers to sections of NZS8409:2004 Management of Agrichemicals that the application is to be in accordance with. However the clause uses the term 'including'. This means that the list is not specific to the listed sections. The sections listed are the most appropriate sections to require compliance with in a regional plan. Other sections in the Standard are not relevant to the functions of the Regional Council so there should not be a requirement that they could be included in the agrichemical provisions in the Plan.

Clause g) requires preparation of a spray plan and notification. Horticulture NZ supports the provisions except not the clause g iii) should be an 'or' rather than 'and'. If written notification as per clause iii) is obtained then there should not be a requirement to comply with clause iv). Clause iv) should only apply if a person has requested that notification for each spray application be provided. Notification should not be the full spray plan as that has been previously provided and the time should be 12 hours as there is often the need to undertake spray operations at short notice to manage pest incursions. Specific notification should only be if the application is to be undertaken close to the boundary of the adjacent property.

It is noted that the Policy framework for managing air quality amenity – particularly Policy P55 only includes offensive and objectionable effects. The rules are implementing the policy so noxious and dangerous should be deleted.

**Decision sought:**

Add policies to provide:

- guidance as to how noxious, dangerous, offensive or objectionable will be assessed
- clarity that air quality will vary according the receiving environment in which a discharge is located.

Delete 'noxious, dangerous' from Rule R36

Amend clause d): There is no aerial spraying in areas zoned residential or urban in district plans.

Clause e) Delete 'or within community drinking water supply protection areas'.

Clause f) Delete 'including'

Clause g iii) Change 'and' to 'or'

Amend Clause g iv) If requested by the owner/ occupier of property identified as a sensitive area and the application will be within 100 metres of that property provide notification of intent to spray 12 hours prior to the discharge of agrichemicals.

5.1.5 Rule R 37 Agrichemicals into water – permitted activity

Horticulture NZ supports the rule for applications of agrichemicals into water. However the rule requires 'the applicator' to carry out the notification requirements.

In many cases the 'applicator' may not be the person responsible for the operation and may not have the information required for notification. It is more appropriate that the notification is carried out by the person who is responsible for the operation.

**Decision sought:**

Amend Rule R 37 Clause e) by deleting 'applicator' and replacing with 'person responsible for the application'.

5.1.6 Rule R 38 Agrichemicals not permitted – discretionary activity

It is considered that if an application of agrichemicals is not permitted it should be provided for as a Restricted Discretionary Activity with clear matters of discretion listed. Such an approach provides certainty to both council and users as to what matters will be considered.

**Decision sought:**

Amend Rule R 38 to Restricted Discretionary and include matters of discretion as follows:

Matters of discretion

The council will restrict its discretion to the matters below for restricted discretionary activities:

1. The location, nature, scale, timing, method and duration of the agrichemical application.
2. The nature of the areas sensitive to agrichemicals that may be affected and methods to avoid adverse effects on those areas.
3. Any beneficial effects of the agrichemical application.
4. Any effects on species which are not the target of the agrichemical application.
5. Any effects on water quality including potable water.
6. Adverse effects or risks to human health or public use of the area.
7. Extent of compliance with relevant national regulations, nationally accepted guidelines or codes of practice, including compliance with the NZS 8409:2004 Management of Agrichemicals.

5.1.7 New rule – application of agrichemicals for biosecurity purposes.

There needs to be clear provision agrichemical applications required as part of a response to a biosecurity incursion of unwanted organisms. This may need to be undertaken at short notice.

**Decision sought:**

Add a new rule as follows:

Rxx Agrichemicals for biosecurity purposes – permitted activity

The discharge of agrichemicals into air or onto or into land where it may enter water to manage an incursion of unwanted organisms as declared by MPI Chief Technical Officer or an emergency declared by the Minister under the Biosecurity Act 1993 is a permitted activity.

5.2 Discharges to water

5.2.1 Rule R57 Discharge of hazardous substances – non complying activity

Rule R57 conflicts with Rule R38.

Rule R38 provides for discharge of agrichemicals where it is not permitted by Rule R36 or Rule R37 is a discretionary activity.

Rule R57 states that where an activity is not permitted by Rule R36 and Rule R37 it is a non-complying activity.

Rule R38 is the specific rule for agrichemicals so should be the rule that applies. There are no listed matters of discretion in Rule R38 so there is no need to default to a non-complying rule if Rule R38 is not met.

It should also be clear that application of fertilisers that does not meet the conditions of Rule R82 is provided for under the discharges to land provisions and not Rule R57.

Rule R42 is for minor discharges as a permitted activity but Rule R57 makes any activity not complying with Rule R42 a non-complying activity. This is considered an

inappropriate activity status for minor discharges that may not meet one of the conditions in Rule R42.

**Decision sought:**

Delete Rule R36, R37 and R38 from Rule R57.

Include a restricted discretionary rule for minor discharges that do not meet conditions in Rule R42 and delete Rule R42 from Rule R57 and include matters of discretion, being the permitted activity conditions that are not met.

Include fertiliser applications that do not meet conditions in Rule R82 in the new restricted discretionary activity rule, include matters of discretion, being the permitted activity conditions that are not met.

5.3 Discharges to land

5.3.1 Rule R82 Application of fertilisers from ground based or aerial applications – permitted activity

The rule provides for the application of fertiliser as long it does not go beyond the property boundary, including as a result of wind drift. The premise should be that there are no adverse effects of the discharge beyond the boundary – not a prohibition. The rule does not require the use of good management practices, which are the mechanism by which drift is avoided.

**Decision sought:**

Amend Rule R82 clause a)

The discharge does not cause adverse effects beyond the boundary of the property

Add new clause: The applications will be undertaken using good management practices to minimise the potential for wind drift having regard to the Code of Practice for Nutrient Management (Fertiliser Association).

5.3.2 Rule R92 All discharges to land within community drinking water supply protection areas – restricted discretionary activity

The way that Rule R92 is written requires that activities that all discharges other than those permitted in specified rules are restricted discretionary rules. The intent appears to be that the rule applies to a specific set of activities. Changes are sought to the wording to clarify this intent.

**Decision sought:**

Amend Rule R92 as follows:

The discharge of contaminants onto or into land from pit latrines, wastewater systems, biosolids or farm refuse dumps that occurs within a community drinking water supply protection area and is not permitted in rules R71, R75, R77, R78 or R 89 is a restricted discretionary activity.

Amend the title: Specific discharges to land within community drinking water supply protection areas

### 5.3.3 Rule R93 All other discharges to land

Rule R93 makes any activity that does not meet the permitted activity conditions a discretionary activity. It is considered that these activities which could appropriately be managed as restricted discretionary activities with clear matters of discretion listed.

If some activities are considered to specifically need consideration under a full discretionary rule then the s32 should provide reasons to justify this approach.

**Decision sought:**

Amend Rule R93 to a restricted discretionary rule with matters of discretion.

## 5.4 Land use

### 5.4.1 Rule R94 Cultivation or tilling of land

The effects of cultivation and especially sediment run off into surface water bodies can be managed in many ways, from land contouring to silt traps, earth bunds and raised headlands. It is considered that having a generic 5m rule here is not useful in managing run off, especially considering that a drain or water race is currently considered a surface water body under the proposed definition.

The focus should be on the most appropriate methods to minimise sediment run-off to water. The Plan uses good management practices for a number of activities and management of cultivation is one such activity where such an approach is appropriate. The Horticulture NZ 'Erosion and sediment control guidelines' could be included on the GW website of good management practices. This approach implements Policy P96 which seeks that rural land use activities are managed using good management practices.

**Decision Sought:**

Amend as follows:

Delete clauses a) and c) and replace with amended b) as follows:

**cultivation** is undertaken in accordance with **good management practice** such as bunding, silt traps, interception drains, cultivation on the contour or other alternative methods to minimise potential sediment run-off to surface water body.

Add an Advice Note:

Examples of methods for minimising sediment run-off can be found in the 'Erosion and Sediment Control Guidelines for Vegetable Production (Horticulture New Zealand 2014).

<http://www.hortnz.co.nz/assets/Uploads/Auckland-Waikato-ES-Control-Guidelines-1-1.pdf>

### 5.4.2 Rule R96 Cultivation and break feeding – discretionary activity

It is considered that if cultivation is not permitted it should be provided for as a Restricted Discretionary Activity with clear matters of discretion listed. Such an approach provides certainty to both council and users as to what matters will be

considered.

**Decision sought:**

Amend Rule R96 to Restricted Discretionary and include matters of discretion as follows:

The council will restrict its discretion to the matters below for restricted discretionary activities:

- (a) the location, nature, scale, timing and duration of the activity,
- (b) effects of the activity and associated sediment run-off and the methods to be taken to avoid, remedy or mitigate them.

5.4.3 New rule Earthworks and vegetation clearance for biosecurity purposes– permitted activity

There needs to be provision for both earthworks and vegetation clearance to be undertaken as permitted activities. Vegetation clearance, including in riparian areas, may be required to remove infected vegetation or unwanted plants and earthworks may be required for burial of infected material. The permitted activity thresholds may be exceeded in the event of a major incursion that requires significant burial of infected material. Requiring resource consent would increase response times and increase the threat posed by the unwanted organism. Vegetation clearance needs to be provided for as plants in riparian areas may be infected and so require removal. In the PSA incursion wilding kiwifruit in riparian areas needed to be removed as they were affected.

**Decision sought:**

Add a new rule as follows:

Rxx Earthworks and vegetation clearance for biosecurity purposes – permitted activity

Earthworks and vegetation clearance undertaken to manage an incursion of unwanted organisms as declared by MPI Chief Technical Officer or an emergency declared by the Minister under the Biosecurity Act 1993 is a permitted activity.

5.5 Wetland and beds of lakes and rivers

5.5.1 Rule R105 Planting and pest plant control in natural wetlands, significant natural wetlands and outstanding natural wetlands

The rule provides for the removal or control of pest plants, which is undefined. It should also include removal of unwanted organisms for biosecurity purposes.

**Decision sought:**

Amend Rule R 105 by adding after 'pest plants' 'or unwanted organisms'

Amend Condition g) only appropriate pest plants as identified in the Regional Pest Management Strategy or unwanted organisms as declared by MPI Chief Technical Officer or an emergency declared by the Minister under the Biosecurity Act 1993 are deliberately removed or controlled.

## 5.5.2 Rule R122 Removing vegetation – permitted activity

The rule provides for removal of vegetation as a permitted activity subject to conditions.

Removal of vegetation infected by unwanted organisms should be provided for as a permitted activity without limitations on the size of the area for removal.

### **Decision sought:**

Amend Rule R122 by adding: Conditions a-m do not apply to the removal of vegetation or unwanted organisms for biosecurity purposes.

## 5.6 Water allocation

### 5.6.1 Rule R136 Take and use of water – permitted activity

Rule R136 provides for the take and use of water as a permitted activity but establishes thresholds for the size of the take based on property size.

Horticulture NZ considers that the thresholds unfairly penalise horticultural users who may be on a small property. This is an inequitable allocation mechanism and gives priority to those with larger properties. The definition of property applies to a contiguous area of land in one ownership. Therefore if a grower has a number of small titles with the total area under 20ha the lower threshold will apply. In addition Dairy shed washdown is provided for as a permitted activity up to 70L per day per stock unit yet horticultural use on small properties is limited to 10m<sup>3</sup>.

### **Decision sought:**

Amend Rule R136 a) by adding an additional line:

Property size	Rate	Volume per day
Less than 20ha in horticultural production	2.5 L/s	20m <sup>3</sup>

### 5.6.2 Rule R141 Take and use of water – controlled activity

Rule R141 provides for takes on properties of less than 20ha subject to conditions, including that the take does not exceed 20m<sup>3</sup> in combination with takes provided for in Rule R136.

Changes have been sought to Rule R136 to provide for smaller horticultural properties so amendments are sought to Rule R141.

### **Decision sought:**

Amend Rule R 141 as follows:

Add to clause b) or for properties of less than 20ha in horticultural production shall not exceed 40m<sup>3</sup>.

### 5.6.3 Rule R143 All other take and use – discretionary activity

Rule R143 makes the majority of take and use of water consents discretionary activities. Horticulture NZ considers that such an activity status is appropriate where a water body is near full allocation, it is not necessary where there is adequate water to be allocated. The activity status should reflect the potential for adverse effects and where the potential is lower restricted discretionary status should apply with matters of discretion.

**Decision sought:**

Include a new rule – takes and uses restricted discretionary activity for takes where the water body is less than 80% allocated.

Include matters of discretion:

Volume of water taken, efficiency, effects on neighbouring bores, reductions in times of low flow, metering requirements.

5.6.4 Rule R143 Temporary water permit transfers – controlled activity

The rule to provide for temporary transfer of water permits as a controlled activity is supported as it provides flexibility for growers where they are sharing or leasing land.

**Decision sought:**

Retain Rule R143.

## **SCHEDULE SIX: Other methods**

### 6.1 Method M12 Sustainable land management practices

Method M12 will 'encourage sustainable land management' and 'promote good management practices' developed in partnership with land owners and rural industries.

Good management practices are a central method for managing activities in the Plan. There should be an explicit method that provides for the development of good management practices that involves all relevant parties. It is essential that if there is to be buy-in to the good management practices that they are developed jointly.

**Decision sought:**

Add a new method - Development of good management practices.

The Council will work with industries and relevant stakeholders to develop good management practices that provide for robust and reasonable tools to manage activities regulated through the Plan.

## **SCHEDULE SEVEN: Schedules**

### 7.1 Maps 26, 27 27a, 27b and 27c. – Community drinking water supply protection areas

Horticulture NZ is concerned about the impacts of the community drinking water supply protection areas. It is recognised that the community drinking water sources should be protected but the extent to which the protection areas are necessary or the most practicable response is questioned.

**Decision sought:**

Delete Maps 26, 27 27a, 27b and 27c. – Community drinking water supply protection areas and replace with community drinking water sources.

**Further Submission on Proposed Wellington Natural Resources Regional Plan**

(Closing date: Tuesday 29 March 2016)

To: Greater Wellington Regional Council  
PO Box  
Wellington

Email: [regionalplan@gw.govt.nz](mailto:regionalplan@gw.govt.nz)

Full Name of Further Submitter:  
Horticulture New Zealand

Full Postal Address:  
P O Box 10 232  
Wellington 6143

Attn: Angela Halliday

Telephone Number: 04 470 5664  
Email: [angela.halliday@hortnz.co.nz](mailto:angela.halliday@hortnz.co.nz)

Fax Number: 04 471 2861

Horticulture New Zealand represents horticultural growers in the Wellington Region, so represents a relevant aspect of the public interest.

Horticulture New Zealand is not a trade competitor and would not gain any advantage through this further submission.

**I do** wish to be heard in support of my submission

If others make a similar submission, I **would not** be prepared to consider preparing a joint case with them at any hearing.



.....  
**Signature of person making submission or person authorised to sign on behalf of person making submission.**

**Date:** 29 March 2016

Submitter Name	Submission No	Plan Provision	Support/ Oppose	Reason	Relief sought
Federated Farmers	S352/035	Definition Mana Whenua	Support	The change sought seeks to limit the definition to identified sites in the Plan. This is supported as it provides certainty for landowners.	Accept submission of Federated Farmers
Dairy NZ and Fonterra Co-operative Group Ltd	S316/016	Definition of Mean Annual Low Flow (MALF)	Support	The submission seeks to amend the definition to more accurately determine the mean annual low flow as the 7 day or 5 day variant in use by hydrologists. This is supported as it is science based.	Accept submission by Dairy NZ and Fonterra.
Dairy NZ and Fonterra Co-operative Group Ltd	S316/017	Definition of Point source discharge	Support	The changes sought are necessary so that the definition is linked to clearly identified point sources.	Accept submission by Dairy NZ and Fonterra.
Fertiliser Assoc of NZ	S302/008	Definition of property	Oppose	The submitter seeks to amend the definition of Property to include land held in one or more than one ownership that is utilised as a single operating unit, and may include one or more certificates of title. This is much broader than the definition proposed and would impact on how the Plan is implemented.	Retain definition of property as proposed.
Wairarapa Water User's Incorporated Society	S124/002	Definition Regionally significant infrastructure	Support	The submitter seeks that water race networks and facilities for the irrigation of pasture and crops are included in the definition. This is supported as these are important regional infrastructure.	Accept submission by Wairarapa Water User's Incorporated Society to amend the definition of regionally significant infrastructure.
PowerCo	S29/060	Definition Regionally significant infrastructure	Oppose	The submitter seeks to amend the definition to include all supply within the local electricity distribution network as 'regionally significant'. While supply of electricity is important not all the local distribution is 'regionally significant' in that it is critical to the region.	Reject the submission by Powerco to amend the definition of regionally significant infrastructure.

Submitter Name	Submission No	Plan Provision	Support/ Oppose	Reason	Relief sought
Dairy NZ and Fonterra Co-operative Group Ltd	S316/006	2.1.5 Whaitua chapters	Support	The additional text sought provides clarity about the relationship of the Whaitua chapters in the Plan.	Accept submission by Dairy NZ and Fonterra to add additional text re the Whaitua chapters.
NZTA	S146/031	Def of reverse sensitivity	Oppose in part	The submitter seeks that the definition of reverse sensitivity includes provision for activities to be upgraded or developed, not just operated. Horticulture NZ supports the proposed definition and considers that the extent of development of an activity that is protected from reverse sensitivity complaint needs to consider the change in scale and nature of the activity	Retain definition of reverse sensitivity as proposed in the Plan.
Porirua Harbour and Catchment Community Trust	S33/044	New definition aerial spraying	Oppose	The submitter seeks a definition for aerial spraying for the purposes of rules R36 and R37. It is unclear why a definition is required and specific wording has not been sought.	Reject the submission to include a definition of aerial spraying.
Fish and Game	S308/006	New definition for natural productive capability of land and soils	Oppose in part	The submitter seeks a definition for natural productive capability of land and soils based on the natural capital allocation system including soil type, slope and rainfall. The approach is not supported by Horticulture NZ as it reduces the flexibility for land use on land that does not have high natural capital which is essentially constrained by land with high leaching potential being allocated a significant proportion of the share of the nutrients available.	Reject the submission to include a definition for natural productive capability of land and soils based on the natural capital allocation system and incorporation into the allocation framework.
Fish and Game	S308/007	New definition for natural character	Oppose	Natural character has been defined through case law and it is best to rely on that.	Reject the submission to include a definition for natural character
Porirua City Council	S163/020	New definitions	Oppose	The submitter seeks to add a range of definitions linked to future growth and development, including scheduled areas being mapped and RDA status for activities within such areas. Such an approach is inappropriate in a definition and identified areas should be open for submission.	Reject the submission of Porirua City Council to add definitions for future growth and development.

Submitter Name	Submission No	Plan Provision	Support/ Oppose	Reason	Relief sought
Dairy NZ and Fonterra Co-operative Group Ltd	S316/020	Definition stepdown allocation	Support	The submitter seeks to amend the definition to link low flows to protect minimum flows. This is a simpler definition to apply.	Accept submission by Dairy NZ and Fonterra to amend definition of step down allocation.
Wellington Water Ltd	S135/027	Definition stormwater	Oppose	The submitter seeks to broaden the definition of stormwater to include water that has infiltrated and percolated through soil to a drain and includes groundwater (or to like effect). This considerably extends the scope of the stormwater provisions in the plan and is inappropriate in rural locations.	Reject the submission by Wellington Water Ltd to broaden the definition of stormwater.
Masterton District Council	S367/033	Definition stormwater network	Oppose	The submitter seeks to include water races as part of the stormwater network. The definition should be limited to those devices managed by the local authority as part of the stormwater network.	Reject the submission by Masterton District Council to amend the definition of stormwater network.
Federated Farmers	S352/051	Definition surface water body	Support	The change sought seeks to better align the definition with the RMA. This is supported	Accept submission of Federated Farmers to amend the definition of surface water body.
Meridian Energy Ltd	S82/007	Definition upgrade	Support	The submitter seeks to amend the definition of upgrade but retains the important component that the scale and intensity are the same as the existing activity. It is important that this is retained to ensure that upgrades don't adversely affect other parties.	Amend definition of upgrade as sought by Meridian Energy Ltd.
Federated Farmers	S352/052	Definition vegetation clearance	Support	The change sought seeks to better incorporate that not all vegetation clearance needs to be captured by the definition and rules.	Accept submission of Federated Farmers to amend the definition of vegetation clearance.
Federated Farmers	S352/019	Definition category 2 surface water body	Support	The change sought seeks provide greater clarification and link to the relevant rule	Accept submission of Federated Farmers to amend the definition of category 2 surface water body.
The Oil Companies	S55/070	Definition contaminated land	Support	The change sought seeks provide greater clarification.	Accept submission of the Oil Companies to amend the definition of contaminated land

Submitter Name	Submission No	Plan Provision	Support/ Oppose	Reason	Relief sought
Beef and Lamb NZ	S311/003	Definition drain	Support in part	The submitter appears to be seeking clarity as to how various definitions interrelate. Clarification is supported.	Clarify the purpose of definition of drain, artificial farm drainage canal and highly modified water course
Federated Farmers	S352/024	Definition earthworks	Support in part	Farm drains, dams and tracks should be able to maintained without being included in the earthwork provisions	Accept submission of Federated Farmers to amend the definition of earthworks by adding farm drains and farm dams and maintenance of farm tracks.
Beef and Lamb NZ	S311/007	Definition erosion prone land	Oppose	The submitter seeks to include all Land that has an erosion (e) classification under the Land Use Capability soil classification system as Erosion prone land regardless of slope. The intent of the rules and definition as proposed is effects based as it is linked to slope.	Reject submission to amend the definition of erosion prone land.
Federated Farmers	S352/027	Definition fertiliser	Oppose	The submitter seeks that lime is excluded for the purpose of Rule R82. If it was excluded then a consent would be required for the application of lime. This is not effects based.	Reject the submission to delete lime from the definition of fertiliser for the purpose of R82.
Derek Neal	S278/002	Definition fertiliser	Oppose	The submitter seeks that lime is excluded from the definition of fertiliser. If it was excluded then a consent would be required for the application of lime. This is not effects based.	Reject the submission to delete lime from the definition of fertiliser.
Dairy NZ and Fonterra Co-operative Group Ltd	S316/014	Definition of good management practice	Support	The changes sought provide clarification and is similar in intent to changes sought by Horticulture NZ.	Accept submission by Dairy NZ and Fonterra to amend the definition of good management practices.
Fertiliser Assoc of NZ	S302/007	Definition of high risk soils	Oppose	The submitter seeks to amend the definition of by including risk of nutrient leaching. This is not appropriate given how the definition is used in the Plan.	Reject the submission to amend the definition of high risk soil as sought by Fertiliser Assoc.
Beef and Lamb NZ	S311/005	Definition highly modified river or stream	Support in part	The submitter appears to be seeking clarity as to how various definitions interrelate by including the definition within 'drain'. Clarification is supported.	Clarify the purpose of definition of drain, artificial farm drainage canal and highly modified water course

Submitter Name	Submission No	Plan Provision	Support/ Oppose	Reason	Relief sought
Fish and Game	S308/039	New objectives	Oppose	The submitter seeks new objectives and provisions that set numerical targets/ limits to achieve a list of matters for water quality identified by the submitter. The objectives for water quality and water quantity should take into account a range of values, including food production and social and economic wellbeing.	Reject submissions to introduce new objectives by Fish and Game.
Fish and Game	S308/013	Objective O2	Oppose	The submitter seeks that recognition of ecosystem health, ecological processes, natural character, and ecosystem services to the economic, social, and cultural aspects be included within Objective O2. The objective is focussed on contribution of land and water to social, economic and cultural wellbeing so specific matters do not need to be listed.	Reject submissions to amend O2 by Fish and Game.
Fish and Game	S308/015	Objective O5	Oppose	The objective sets out how fresh water bodies will be managed. The submitter seeks to substantially add to the matters listed. The objective should set the overall approach with details in the policy.	Reject submissions to amend O5 by Fish and Game.
Fertiliser Assoc of NZ	S302/011	Objective O5	Support in part	The submitter seeks that recognition is included for primary production in the objective. It would be more consistent with the NPSFM that food production is recognised, as sought by Horticulture NZ.	Accept in part the submission and include recognition of food production in Objective O5
Fertiliser Assoc of NZ	S302/014	3.2 Beneficial use and development new objectives	Support	The submitter seeks new objectives that provide for the use of land for cultural, social and economic activities that benefit the community and the Region is enabled and provided for within the Plan and an Objective that provides for the efficient and productive use of land for primary production that contributes to the economic wellbeing of the Region and New Zealand. The addition of such objectives would provide better balance in the plan.	Accept the submission to include new objectives as sought by Fertiliser Assoc.

Submitter Name	Submission No	Plan Provision	Support/ Oppose	Reason	Relief sought
Ravensdown Ltd	S310/012	3.2 Beneficial use and development new objectives	Support	The submitter seeks that a new objective is added to address reverse sensitivity issues. Reverse sensitivity is an important issue that needs to be addressed in the Plan/	Accept the submission to include a new objective as sought by Ravensdown.
Federated Farmers	S352/066	3.2 Beneficial use and development new objectives	Support	The submitter seeks that a new objective is added to address reverse sensitivity issues. Reverse sensitivity is an important issue that needs to be addressed in the Plan/	Accept the submission to include a new objective as sought by Federated Farmers.
Irrigation NZ	S306/001	Objective O8	Support	The addition of water storage is appropriate to ensure that it is adequately provided for in the Plan.	Accept the submission by INZ to include water storage in O8.
Fish and Game	S308/017	Objective O8	Oppose	The objective is in the 'beneficial use and development' section. The matters sought by the submitter are included within other objectives.	Reject submissions to amend O8 by Fish and Game.
Dairy NZ and Fonterra Co-operative Group Ltd	S316/029	Objective O17	Support	The submitter seeks a separation between coastal marine waters and freshwater to ensure consistency with provisions in the RMA and NPSFM. This is appropriate and supported.	Accept submission by Dairy NZ and Fonterra to amend Objective O17.
Fish and Game	S308/018	Objective O17	Oppose	The objective sets out how natural character will be managed. The submitter seeks to substantially add to the matters listed. The objective should set the overall approach with details in the policy.	Reject submissions to amend O17 by Fish and Game.
Fish and Game	S308/019	Objective O19	Oppose	The objective sets out how natural processes will be managed. The submitter seeks to substantially add to the matters listed. The objective should set the overall approach with details in the policy.	Reject submissions to amend O19 by Fish and Game.
Fish and Game	S308/148	Table 3.2	Oppose	It is important that secondary contact is retained for water bodies where appropriate.	Reject submissions to delete Table 3.2 by Fish and Game.
Fish and Game	S308/012	New objectives, policies and rules	Oppose	The submitter seeks wide ranging changes focused on sports fishing and angling values. These values need to be balanced against all other appropriate values.	Reject submissions to add new objectives, policies and rules by Fish and Game.

Submitter Name	Submission No	Plan Provision	Support/ Oppose	Reason	Relief sought
Fish and Game	S308/023	Objective 24	Oppose	The submitter seeks to require primary contact recreation values in all water bodies. It is important that secondary contact is retained for water bodies where appropriate.	Reject submissions to amend O24 by Fish and Game.
Minister of Conservation	S75/027	Objective O25: Aquatic ecosystem health and mahinga kai	Oppose in part	The submitter that all tables are amended to use numeric objectives in preference to narrative objectives, where possible, and replace words such as 'balanced' and 'unacceptable' with clear, meaningful terms that support the objective. It is not possible to have numeric objectives for all matters so narrative objectives are required. This is consistent with the NPSFM.	Retain narrative objectives in the tables following Objective 25.
Fish and Game	S308/027	Objective 25	Support in part  Oppose in part	Separation of aquatic ecosystem health from mahinga kai is supported as they may necessitate different provisions.  The relationship of the Whaitua chapters needs to be included but they should not be subservient but provide for catchment specific responses.	Separate aquatic ecosystem health from mahinga kai.  Retain reference to the Whaitua chapters as notified.
Dairy NZ and Fonterra Co-operative Group Ltd	S316/033	Objective O25	Support	Separation of aquatic ecosystem health from mahinga kai is supported as they may necessitate different provisions.  The relationship of the Whaitua chapters needs to be included but provide for catchment specific responses.	Accept submission by Dairy NZ and Fonterra Co-operative Group Ltd to amend Objective 25.
Masterton District Council	S367/049	Objective 27	Support	The submitter seeks that vegetated riparian margins are established and maintained, <u>where appropriate and necessary</u> . Horticulture NZ supports this approach as vegetated margins is only one tool to achieve the outcome sought and may not be the most appropriate in some situations.	Accept submission by Masterton District Council to amend Objective 27.

Submitter Name	Submission No	Plan Provision	Support/ Oppose	Reason	Relief sought
Fish and Game	S308/030	Objective 30	Oppose	The submitter seeks changes to provide greater protection on sports fishing and angling values. These values need to be balanced against all other appropriate values.	Reject submissions to add new objectives, policies and rules by Fish and Game.
Masterton District Council	S367/051	Objective 31	Support	The submitter seeks that the objective is linked to protection from inappropriate use and development which is consistent with the RMA. Clearly specifying the relevant schedules provides certainty for users.	Accept submission by Masterton District Council to amend Objective 31.
Masterton District Council	S367/052	Objective 32 - 38	Support	The submitter seeks that the objectives are clearly linked to the relevant schedules which provides certainty for users.	Accept submission by Masterton District Council to amend Objectives 32-38 as sought.
Masterton District Council	S367/058	Objective 32 - 38	Support	The submitter seeks that the objectives are clearly linked to the relevant schedules which provides certainty for users.	Accept submission by Masterton District Council to amend Objectives 32-38 as sought.
The Oil Companies	S55/005	Objective 41	Support in part	The change sought is similar in approach to the changes sought by Horticulture NZ.	Amend Objective 41 as sought by Horticulture NZ.
Federated Farmers	S352/097	3.8 Air new objective	Support in part	The submitter seeks a new objective regarding location of sensitive activities. Horticulture NZ sought a new objective (does not appear to be included in summary) that recognises different background receiving environments to achieve a similar outcome in managing potential for reverse sensitivity	Include new objective as sought by Horticulture NZ.
Fish and Game	S308/033	3.9 Soil new objectives	Oppose	The submitter seeks that Hill country land uses, intensive farming, horticulture, cropping and plantation forestry are regulated to good management practice and output based standards which avoid discharges of sediment to freshwater habitats and ensure that these land use activities include provisions which establish appropriate riparian setback distances.  The objective sets out the outcome sought. The matters sought by the submitter are specific methods to achieve the	Reject the submission by Fish and Game to add provisions to regulate specific sectors.

Submitter Name	Submission No	Plan Provision	Support/ Oppose	Reason	Relief sought
				outcomes. The rule framework provides for appropriate measures to manage the potential for adverse effects	
Fish and Game	S308/034	Objective 42	Support in part  Oppose in part	<p>The submitter seeks that Objective 042 is amended to ensure that: Land use is sustainably managed to protect the life supporting capacity of soils and where degraded to improve soil health and structure. That land use is sustainably managed so as to prevent loss of soils to freshwater habitats to achieve the freshwater objectives set in table 3.4 and 3.4a by 2030.</p> <p>Horticulture NZ supports that life supported capacity of soils is safeguarded but seeks a new objective to better provide for accelerated soil erosion.</p> <p>Objective 44 addresses a number of matters raised by the submitter.</p>	Accept the submission of Horticulture NZ to amend Objective 42 and add a new objective for accelerated soil erosion.
NZ Transport Agency	S146/062	Objective 43	Support in part	<p>The submitter seeks that Objective O43 is amended to ensure that Contaminated land is <u>identified and managed to protect human health and the environment from unacceptable contamination related effects.</u></p> <p>The NES for soil contamination focusses on human health so this should be retained. The Regional Council has the function of identifying contaminated land. It also needs to be clear what the land is being managed for.</p>	Accept in part the submission to amend Objective O43.
Fish and Game	S308/034	Objective 44	Oppose	The submitter seeks to Amend objectives O44, O46, and O47, or create new objectives, and create associated	Reject the submission to amend O44, O46, and O47, or create

Submitter Name	Submission No	Plan Provision	Support/ Oppose	Reason	Relief sought
				<p>policies and rules to manage the impacts of water takes, land use and ancillary discharge activities on freshwater.</p> <p>These matters are appropriately managed in the Plan.</p>	<p>new objectives, and create associated policies and rules to manage the impacts of water takes, land use and ancillary discharge activities on freshwater.</p>
The Oil Companies	S55/008	Objective 46	Support in part	<p>Horticulture NZ has sought changes to O46 but the focus on adverse effects as sought by the submitter is appropriate.</p>	<p>Amend O46 as sought by Horticulture NZ and the Oil Companies.</p>
Fish and Game	S308/035	Objective 46	Oppose	<p>The submitter seeks to Amend objectives O44, O46, and O47, or create new objectives, and create associated policies and rules to manage the impacts of water takes, land use and ancillary discharge activities on freshwater.</p> <p>These matters are appropriately managed in the Plan.</p>	<p>Reject the submission to amend O44, O46, and O47, or create new objectives, and create associated policies and rules to manage the impacts of water takes, land use and ancillary discharge activities on freshwater.</p>
Ravensdown	S310/019	Objective 47	Support in part	<p>The focus on good management practice is supported.</p>	<p>Include use of good management practice in Objective 47.</p>
Fish and Game	S308/036	Objective 47	Oppose	<p>The submitter seeks to Amend objectives O44, O46, and O47, or create new objectives, and create associated policies and rules to manage the impacts of water takes, land use and ancillary discharge activities on freshwater.</p> <p>These matters are appropriately managed in the Plan.</p>	<p>Reject the submission to amend O44, O46, and O47, or create new objectives, and create associated policies and rules to manage the impacts of water takes, land use and ancillary discharge activities on freshwater.</p>
Ravensdown	S310/020	Objective 51	Support	<p>The focus on avoiding, remedying or mitigating adverse effects is supported.</p>	

Submitter Name	Submission No	Plan Provision	Support/ Oppose	Reason	Relief sought
Wairarapa Water User's Incorporated Society	S124/006	Objective 52	Support	The changes sought improve the objective	
Fish and Game	S308/038	Objective 52	Oppose	<p>The submitter seeks that objective O52 is amended to ensure that water take and use is 1) necessary, 2) reasonable, and where it is both necessary and reasonable it is 3) efficient. Include numerical criteria for technical efficiency and for what is considered reasonable.</p> <p>The provisions in the Plan provide for these matters so amendments are not required.</p>	Reject submission by Fish and Game to amend Objective 52.
Beef and Lamb NZ	S311/002	New policy	Support	The submitter seeks a new nutrient allocation policy based on a set of principles included in the submission. Horticulture NZ accepts some of the principles as being appropriate but has concerns about the natural capital of soils being the primary consideration when establishing an allocation. Natural capital or an LUC type approach does not take into account the capacity of soils for different crops so a blanket natural capital approach may not be appropriate depending on what is being grown (eg grapes vs vegetables). The use of good management practice is supported.	Ensure that Principles 1-4 and 6-14 are incorporated into the nutrient allocation approach in the Plan.
Dairy NZ and Fonterra Co-operative Group Ltd	S316/042	Policy P3	Support	The splitting of the policy into one for the coastal environment and another for other areas provides for the different management regimes for the respective areas.	Accept the submission by Dairy NZ and Fonterra Co-operative Group Ltd to amend P#.
Fish and Game	S308/043	Policy P4	Oppose	The submitter seeks that the policy is deleted and replaced with a policy that seeks to avoid a range of adverse effects. Such an approach would effectively prohibit a range of activities in the region that can be appropriately managed.	Reject submission by Fish and Game to amend Policy P4.

Submitter Name	Submission No	Plan Provision	Support/ Oppose	Reason	Relief sought
The Oil Companies	S55/013	Policy P5	Support	The submitter seeks that the policy is amended to add "where evidence can be produced of adverse effects attributable to the exercise of the consent." This is supported as it identifies when a review is appropriate.	Accept the submission by the Oil Companies to amend Policy P5.
Fish and Game	S308/045	Policy P6	Oppose	The Whaitua process will determine if common expiry dates are appropriate.	Reject the submission to include common expiry dates.
Federated Farmers	S352/114	Policy P6.	Support	A common review date is appropriate, rather than common expiry dates.	Accept the submission to include common review dates.
Federated Farmers	S352/126	4.2 Beneficial use and development New policy	Support	Provision for irrigation and water storage are important for the region and need to be provided for in the Plan	Add a new policy as sought to provide for irrigation and water storage.
Federated Farmers	S352/129	4.2 Beneficial use and development New policy	Support	A policy to provide recognition of reverse sensitivity is supported as it is an important issue for primary producers.	Add a new policy as sought to recognise reverse sensitivity.
Federated Farmers	S352/125	4.2 Beneficial use and development New policy	Support	Provision for primary production is important for the region and need to be provided for in the Plan	Add a new policy as sought to provide for primary production.
Fish and Game	S308/049	Policy P10	Oppose	It is important that secondary contact is retained for water bodies where appropriate.	Reject submission to amend Policy P10.
Dairy NZ and Fonterra Co-operative Group Ltd	S316/047	Policy P11	Support	Provisions for water storage are important for the region and the changes sought to the policy assist.	Accept the submission by Dairy NZ and Fonterra to amend Policy P11.
Wellington Electricity Lines Ltd	S126/015	Policy P12	Oppose in part	Horticulture NZ does not support that local distribution lines be classed as regionally significant infrastructure – rather focussing on lines which are critical to the whole region.	Ensure that local distribution lines are not classed as regionally significant infrastructure.

Submitter Name	Submission No	Plan Provision	Support/ Oppose	Reason	Relief sought
Wellington Electricity Lines Ltd	S126/016	Policy P13	Oppose in part	Horticulture NZ does not support that local distribution lines be classed as regionally significant infrastructure – rather focussing on lines which are critical to the whole region.	Ensure that local distribution lines are not classed as regionally significant infrastructure.
Wellington Electricity Lines Ltd	S126/017	Policy P14	Oppose in part	Horticulture NZ does not support that local distribution lines be classed as regionally significant infrastructure – rather focussing on lines which are critical to the whole region.	Ensure that local distribution lines are not classed as regionally significant infrastructure.
Dairy NZ and Fonterra Co-operative Group Ltd	S316/050	Policy P14	Support in part	The submitter seeks that primary production is included in Policy P14. Horticulture NZ has sought that a new policy be included for primary production activities. It is important that the existence of incompatible activities to primary production is recognised in the Plan.	Ensure that the existence of incompatible activities to primary production is recognised in the Plan.
NZTA	S146/090	Policy P25	Support	The changes sought provide better balance in the policy and avoid the use of 'avoid' as a consequence of the King Salmon decision	Amend Policy P25 as sought by NZTA.
Forest and Bird	S353/066	Policy P25	Oppose	The change from coastal marine area to coastal environment raises issues as coastal environment is not defined so is not clear what land the policy would apply to.	Reject the submission by Forest and Bird to amend Policy P25.
NZTA	S146/094	Policy P31	Support	The changes sought provide better balance in the policy by use of avoid, remedy or mitigate.	Amend Policy P31 as sought by NZTA.
Federated Farmers	S352/145	Policy P37	Support	Recognition of the sediment trapping functions of wetland is supported	Amend Policy P37 as sought by Federated Farmers.
Dairy NZ and Fonterra Co-operative Group Ltd	S316/063	Policy P48	Support	The changes sought provide better balance in the policy by providing a separation of different issues	Amend Policy P48 as sought by Dairy NZ and Fonterra.
NZTA	S146/110	Policy P52	Support	The changes sought provide better balance in the policy by use of avoid, remedy or mitigate.	Amend Policy P52 as sought by NZTA.
Fish and Game	S308/060	Policy P63	Oppose	It is important that secondary contact is retained for water bodies where appropriate.	Reject submission to amend Policy P63.
Ravensdown Ltd	S310/033	Policy P65	Support	The submitter seeks that the policy be amended to focus on managing adverse effects	Amend Policy P65 as sought by Ravensdown Ltd.

Submitter Name	Submission No	Plan Provision	Support/ Oppose	Reason	Relief sought
Fish and Game	S308/062	Policy P65	Oppose	The submitter seeks wide ranging changes including new policies, as it is not considered that the policy framework will achieve the outcomes the submitter seeks.	Reject the submission of Fish and Game to add new policies.
Ravensdown Ltd	S310/034	Policy P67	Support	The submitter seeks that the policy be amended to focus on managing the activity	Amend Policy P67 as sought by Ravensdown Ltd.
Carterton District Council	S301/042	Policy P69	Oppose	Deleting 'to the extent practicable' as sought by the submitter means that all adverse effects would have to be avoided, regardless of the circumstances or situation.	Reject submission to amend Policy P69 by Carterton District Council.
Fertiliser Assoc	S302/052	Policy P90	Support in part	Horticulture NZ seeks that Policy P90 is retained but changes sought by the submitter improve the policy by reference to HSNO	Accept submission to change Policy P90 by Fertiliser Assoc.
Fish and Game	S308/061	Policy P96	Oppose	The submitter seeks wide ranging changes including new policies, as it is not considered that the policy framework will achieve the outcomes the submitter seeks.	Reject the submission of Fish and Game to add new policies.
Forest and Bird	S353/102	Policy P96	Oppose	The policy should stand alone rather than reference back to Policy P65.	Reject the submission by Forest and Bird to amend Policy P96.
NZTA	S146/122	Policy P97	Support	The changes sought are effects based and supported.	Accept changes to Policy P97 sought by NZTA.
Porirua City Council	S163/074	Policy P97	Oppose	Good management practice is defined in the Plan so provides guidance as to what good management practices are being referred to.	Reject the submission by Porirua City Council to amend Policy P97.
Federated Farmers	S352/175	Policy P100	Support	The changes sought by the submitter clarify the intent of the policy. Riparian setbacks are a good management practice that may be appropriate in some situations but shouldn't be given priority over other mechanisms.	Accept the submission by Federated Farmers to amend Policy P100.
Dairy NZ and Fonterra Co-operative Group Ltd	S316/069	Policy P101	Oppose	Riparian setbacks are a good management practice that may be appropriate in some situations but shouldn't be given priority over other mechanisms so inclusion of cultivation in Policy P101 and deleting Policy P100 is not supported.	Reject the submission of Dairy NZ and Fonterra to amend Policy P101.

Submitter Name	Submission No	Plan Provision	Support/ Oppose	Reason	Relief sought
Wairarapa Regional Irrigation Trust	S127/029	4.9 Taking, using, damming and diverting water New policy	Support	There should be provisions in the Plan to enable takes from storage reservoirs.	Accept submission by Wairarapa Regional Irrigation Trust to include provisions for takes from storage reservoirs.
Dairy NZ and Fonterra Co-operative Group Ltd	S316/081	Policy P107	Support	There should be provisions in the Plan to enable takes from storage reservoirs.	Accept submission by Dairy NZ and Fonterra to amend Policy 107
Fish and Game	S308/071	Policy P107	Oppose	The submitter seeks that water quantity standards/ limits/ targets are clearly stated and should include minimum flows, core allocations, and requirements to maintain hydrological processes and variability, and protect flows which provide for fish migration and spawning, and which manage periphyton and cyanobacteria growths. Policy P107 is an overall direction policy with specific matters addressed in other policies to reflect the range of values that exist for water allocation.	Reject the submission to amend Policy P107.
Federated Farmers	S352/177	Policy P107	Support in part	The change sought by the submitter provides for interim provisions until the Whaitua have completed consideration of catchment specific allocation.	Amend Policy P107 as sought by Federated Farmers.
Wellington Water Ltd	S135/108	Policy P111	Support	Rootstock protection should be added to be consistent with Policy 112	Accept submission to add rootstock protection to Policy P111.
Fish and Game	S308/073	Policy P111	Oppose	The submitter seeks deletion of water for rootstock protection. This water is important for the regional economy and should be retained.	Reject submission to amend Policy P111.
Minister of Conservation	S75/100	Policy P112	Support in part	The submitter suggests an alternative mechanism for incorporating water for rootstock protection through the setting of minimum flows. The important aspect is that this water is considered as part of the allocation framework.	Consider the approach to allocation of water for rootstock protection.

Submitter Name	Submission No	Plan Provision	Support/ Oppose	Reason	Relief sought
Fish and Game	S308/074	Policy P112	Oppose	The submitter seeks deletion of water for rootstock protection. This water is important for the regional economy and should be retained.	Reject submission to amend Policy P112.
Rangitane o Wairarapa Inc	S279/143	Policy P112	Oppose	The submitter seeks deletion of water for rootstock protection. This water is important for the regional economy and should be retained.	Reject submission to amend Policy P112.
Federated Farmers	S352/180	Policy P113	Support	The change sought by the submitter provides for interim provisions until the Whaitua have completed consideration of catchment specific allocation.	Amend Policy P113 as sought by Federated Farmers.
Wellington Water Ltd	S135/111	Policy P113	Support	Rootstock protection should be added to be consistent with Policy 112	Accept submission to add rootstock protection to Policy P113.
Fish and Game	S308/076	Policy P113	Oppose	The submitter seeks that policies are amended to meet criteria. The Plan provides an overall framework to meet objectives for the region.	Reject the submission by Fish and Game to amend Policy P113
Fish and Game	S308/077	Policy P115	Oppose	The submitter seeks changes including deletion of water for rootstock protection. This water is important for the regional economy and should be retained.	Reject the submission by Fish and Game to amend Policy P115
Irrigation NZ	S306/010	Policy P115 c)	Support in part	The submitter seeks additional criteria for provision of water for rootstock protection: The amount of water needed should be determined through considering crop type, soil type and weather forecast. These matters are in part included in c ii)	Consider the approach to allocation of water for rootstock protection.
Fish and Game	S308/082	Policy P117	Oppose	The current policy has a framework for supplementary allocations to meet Objective O25. The additional matters listed are not necessary.	Reject the submission by Fish and Game to amend Policy P117.
Fish and Game	S308/079	Policy P118	Oppose	The submitter seeks changes to ensure that water takes are efficient. The Plan has provisions to assess efficiency.	Reject the submission by Fish and Game to amend Policy P118
Dairy NZ and Fonterra Co-operative Group Ltd	S316/091	Policy P129	Support	Reference to Policy P117 is appropriate	Amend Policy P129 as sought by Dairy NZ and Fonterra.

Submitter Name	Submission No	Plan Provision	Support/ Oppose	Reason	Relief sought
Fish and Game	S308/128	5. Rules	Oppose	The submitter seeks changes to the rules including that provisions are deleted which allow takes below minimum flow for root stock and encourage water saving and storage options. These are important for the regional economy and should be retained.	Reject the submission by Fish and Game to amend rules.
Fish and Game	S308/84	5. Rules	Oppose	The submitter seeks changes to the rules to implement an alternative approach to managing water as set out in objectives sought by the submitter. Horticulture NZ does not consider that the alternative approach is the most appropriate or efficient for the Wellington region.	Reject the submission by Fish and Game to amend rules.
Fish and Game	S308/97	5. Rules	Oppose	The submitter seeks changes to the rules to implement an alternative approach to managing water as set out in objectives sought by the submitter. Horticulture NZ does not consider that the alternative approach is the most appropriate or efficient for the Wellington region.	Reject the submission by Fish and Game to amend rules.
Fish and Game	S308/98	5. Rules	Oppose	The submitter seeks changes to the rules to implement an alternative approach to managing water as set out in objectives sought by the submitter. Horticulture NZ does not consider that the alternative approach is the most appropriate or efficient for the Wellington region.	Reject the submission by Fish and Game to amend rules.
Federated Farmers	S352/184	5.Rules	Support	Restricted Discretionary rules should be used where possible with clear matters of discretion	Accept submission by Federated Farmers to include Restricted discretionary rules.
Roading, Parks and Gardens and Solid Waste departments of Hutt City Council and Upper Hutt City Council	S85/079	5.1 Air Quality rules	Oppose	The submitter seeks that agrichemical spraying in public places should not require an annual spray plan, neighbour notification, or a risk assessment. These are best practice and are important where spraying is undertaken in public places.	Reject the submission
Porirua City Council	S163/081	Rule R36	Oppose	The submitter seeks that the rules for agrichemical spraying should not apply along roads and urban areas should not	Reject the submission

Submitter Name	Submission No	Plan Provision	Support/ Oppose	Reason	Relief sought
				These are best practice and are important where spraying is undertaken in public places.	
Simon Stannard	S115/001	Rule R 36	Oppose	Commercial applicators should be appropriately trained in agrichemical use, regardless of quantity applied	Reject the submission
Wairarapa Winegrowers Association	S103/004	Rule R36	Support in part	There should be clear provisions for hand held knapsack spraying and use in residential areas.	Add a rule for hand held knapsack spraying and use in residential areas.
Wairarapa Winegrowers Association	S103/005	Rule R36	Oppose	Conditions g- o are best practice and all users of agrichemicals should be using such practices.	Reject the submission
Minister of Conservation	S75/116	Rule R36	Oppose in part	Condition b) does not preclude use for controlling environmental weeds.	Reject the submission
Minister of Conservation	S75/122	Rule R36	Oppose	Condition k, l and m are best practice and should be used by all agrichemical users.	Reject the submission
Minister of Conservation	S75/117	Rule R36	Support	The submitter seeks that (e) be amended so that it refers to discharge directly into water, and allows discharge to land where it may enter water. This provides greater clarity.	Accept the submission to amend clause e) of R36.
Minister of Conservation	S75/123	Rule R36	Oppose	Condition n i) is best practice and should be used by all agrichemical users.	Reject the submission
Minister of Conservation	S75/119	Rule R36	Oppose	NZS8409 is an approved code of Practice under HSNO and is an appropriate mechanism to achieve HSNO regulations.	Reject the submission
Minister of Conservation	S75/120	Rule R36	Oppose	Condition h and i)are best practice and should be used by all agrichemical users.	Reject the submission
Federated Farmers	S352/185	Rule R 36	Oppose	The submitter seeks to delete condition g requiring a spray plan. A spray plan is best practice and should be used by all agrichemical users.  An Approved Handler Certificate is not adequate or appropriate to assess and manage potential for spray drift.	Reject the submission

Submitter Name	Submission No	Plan Provision	Support/ Oppose	Reason	Relief sought
Porirua Harbour and Catchment Community Trust	S33/031	Rule R36	Oppose in part	The submitter seeks that those undertaking spraying on small rural properties not require GROWSAFE training. If the activity is undertaken using a hand held knapsack sprayer training is not required. Other forms of application should require appropriate training.	Reject the submission
Land Matters	S285/078	Rule R36	Oppose	The submitter seeks to delete conditions which are best practice for agrichemical spraying, including appropriate training.	Reject the submission
Waa Rata Estate	S152/047	Rule R37	Oppose in part	Those who take water below where the discharge to water is to occur should be notified so they can take action to avoid adverse effects	Reject the submission
Minister of Conservation	S75/126	Rule R37	Oppose	The submitter seeks that training requirements for aquatic applications be deleted. It is best practice that users applying agrichemicals to water are appropriately trained.	Reject the submission
Ravensdown Ltd	S310/042	Rule R42	Support	There should be provision for primary production until such time as the Whaitua processes are complete	Accept the submission
Dairy NZ and Fonterra Co-operative Group Ltd	S316/096	Rule R 48	Support	The submitter seeks that condition a) is that the discharge should not be directly into a site identified in Schedule A. This is supported as it provides greater certainty as to how the rule will apply.	Accept the submission
The Oil Companies	S55/050	Rule R54	Support	The changes sought consider the scale of the activity which is appropriate.	Accept the submission
The Oil Companies	S55/051	Rule R55	Support in part	The submitter seeks to redraft the rule. Horticulture NZ supports the deletion of the time limit as it is not practical and would limit future investigations by requiring resource consents. However Horticulture NZ seeks that the rule retains focus on those contaminated sites that are likely to have significant adverse effects.	Accept the submission to delete R 55 a).

Submitter Name	Submission No	Plan Provision	Support/ Oppose	Reason	Relief sought
Fertiliser Assoc	S302/068	5.3.6 Fertiliser and animal effluent New rule	Support	The new rule provides for an RDA where Rule 82 cannot be met. This is an effects based approach.	Accept the submission
Regional Public Health	S136/018	Rule R82	Oppose	Fertiliser can be applied to areas where there are elevated nitrate groundwater levels – the issue is how the adverse effects are being managed – rather than requiring a blanket limitation.	Reject the submission
Ravensdown Ltd	S310/046	Rule R85	Support	The submitter seeks that condition c) is deleted. Nitrogen loads are addressed in other rules so shouldn't be included in Rule R85.	Accept the submission
Masterton District Council	S367/116	Rule R89	Support	A limitation of 20ha does not provide for smaller rural properties, such as horticultural blocks. 4ha is more appropriate	Accept the submission
Federated Farmers	S352/201	Rule R89	Support	The addition of "or farm properties under the same ownership" provides for where an operation may manage a number of properties.	Accept the submission
Beef and Lamb	S311/018	Rule R94	Oppose in part	A vegetated buffer is one mechanism to manage potential for sediment to enter water, but should not be required as other mechanisms may be more appropriate, as sought by Horticulture NZ.	Accept the Horticulture NZ submission to amend Rule R94.
Fish and Game	S308/099	Rule R94	Oppose in part	The submitter seeks permitted activities are only applied where clear measureable and enforceable standards are able to be set which ensure that s70 RMA is met, and that significant adverse effects will not occur. It is unclear what standards are sought for Rule R94. Horticulture NZ has sought changes to the rule to ensure that good management practices are used to minimise potential sediment runoff to surface water.	Accept the Horticulture NZ submission to amend Rule R94.

Submitter Name	Submission No	Plan Provision	Support/ Oppose	Reason	Relief sought
Federated Farmers	S352/205	Rule R94	Support in part	The submitter seeks the addition of a condition that “does not cause conspicuous change in colour or clarity beyond the zone of reasonable mixing”. This may assist as a measure of the effects of the activity.	Accept the Horticulture NZ submission to amend Rule R94 and consider the Federated Farmers submission as a measure of the effects of the activity.
Federated Farmers	S352/209	Rule R99	Support in part	The application of Rule R99 is determined by the relevant definitions, which are subject to submissions. Horticulture NZ supports or seeks changes to such definitions to ensure that Rule R99 is practical and effects based.	Accept submission.
Federated Farmers	S352/210	Rule R100	Support in part	The application of Rule R100 is determined by the relevant definitions, which are subject to submissions. Horticulture NZ supports or seeks changes to such definitions to ensure that Rule R100 is practical and effects based.	Accept submission.
Meridian Energy Ltd	S82/031	Rule R101	Support	An RDA rule with clear matters of discretion as sought by the submitter where Rule R100 cannot be met is supported	Accept submission.
Irrigation NZ	S306/018	5.6.2 Take and use of water New rule	Support	The submitter seeks a new RDA rule with clear matters of discretion for where a replacement consent is sought for an existing take. This is supported	Accept submission.
Federated Farmers	S352/271	Schedule C	Support	The additional details sought by the submitter are necessary to determine the relevance of the respective sites.	Accept submission.
Wairarapa Water User's Incorporated Society	S124/031	Schedule Q	Oppose	Not all water takes in the Wellington Region are in Wairarapa	Reject submission
Fish and Game	S308/080	Schedule Q	Oppose	The submitter seeks changes to ensure that water takes are efficient. The Plan has provisions to assess efficiency.	Reject the submission by Fish and Game to amend Schedule Q
Fish and Game	S308/150	Schedule Q	Oppose in part	Horticulture NZ supports efficient use of water. The submitter seeks that takes and uses of water are first necessary, second reasonable and, where they are both necessary and reasonable, are used efficiently. Include	Ensure that assessment of efficiency encompasses all aspects of efficiency, not just technical efficiency.

Submitter Name	Submission No	Plan Provision	Support/ Oppose	Reason	Relief sought
				numerical standards to define what is meant by efficient and which defines technical efficiency. Efficiency includes economic and dynamic efficiency, not just technical efficiency. A consideration of all aspects of efficiency will address matters raised by the submitter.	
Wairarapa Water User's Incorporated Society	S124/032	Schedule R	Support	The addition of stock drinking water and rootstock protection implements the policies	Accept the submission

**APPENDIX B - Name and address of persons to be served with a copy of this notice.**

**Greater Wellington Regional Council**

RegionalPlanAppeals@gw.govt.nz

PO Box 11646, Manners Street, Wellington 6142

**Minister of Conservation**

kanton@doc.govt.nz

PO Box 10420, Wellington 6143

<b>Submitter</b>	<b>Address</b>
DairyNZ and Fonterra Co-operative Group Limited	PO Box 10002, Wellington 6143
Kāpiti Coast District Council	Private Bag 60 601, Paraparaumu, 5032
Wellington Water Limited	Private Bag 39804, Wellington Mail Centre, Lower Hutt, 5045
Masterton District Council	C/ Boffa Miskell Ltd, PO Box 11340, Wellington 6142
South Wairarapa District Council	PO Box 6, Martinborough 5741
Wellington Chamber of Commerce	PO Box 1087, Wellington 6140
Carterton District Council	PO Box 9, Carterton 5743
Wellington International Airport Limited	PO Box 489, Dunedin 9054
Federated Farmers of New Zealand	PO Box 715, Wellington 6140
Transpower NZ Ltd	PO Box 11 340, Level 4, Huddart Parker Building, 1 Post Office Square, Wellington 6142
Kiwi Rail Holdings Limited	PO Box 593, Wellington, 6140
Meridian Energy Limited	PO Box 2146, Christchurch 8140
Rangitāne o Wairarapa Inc	PO Box 9348, Hamilton 3240
The Oil Companies	201 Victoria Street West, PO Box 911 310, Victoria St, West Auckland 1142
Spark New Zealand Trading Limited	Private Bay 92028, 167 Victoria Street, West Auckland 1010
Kapiti Coast Airport Holdings Limited	PO Box 2313, Wellington 6140
First Gas Ltd	PO Box 3942, Wellington, 6140
Chorus New Zealand Limited	PO Box 632, Wellington, 6140
NZ Transport Agency	PO Box 5084, Lambton Quay, Wellington, 6145
CentrePort Limited (CentrePort)	PO Box 794, Hinemoa Street, Wellington, 6140
Wellington Electricity Lines Limited	PO Box 31049, Lower Hutt, Wellington, 5040
Rural Residents Environmental Society Incorporated	56 Settlement Road, Greytown 5794

Joan Allin and Rob Crozier	47 Rodney Ave, RD1, Otaki, 5581
Robert Jackson	4 Napier Grove, Waikanae Beach, Waikanae 5036
Wellington Civic Trust	PO Box 10183, Wellington 6143
Porirua City Council	PO Box 50-218, 16 Cobham Court, Porirua, 5240
Ravensdown Limited	8 Stafford Street, Dunedin 9016
Fertiliser Association of New Zealand Inc	Ground Floor, 4 Hazeldean Road, PO Box 110, Christchurch 8140
Minister of Conservation	RMA Shared Services, Department of Conservation, Private Bag 3072, Hamilton 3240
Powerco	201 Victoria Street West, PO Box 911 310, Victoria St, West Auckland 1142
Jeffrey Arthur	Unknown
Richard Osborne	8 Backwater Road, RD 3, Martinborough 5783
Brad Gooding	Prairie Holm Company, 1346 Western Lake Road, Featherston 5773
Noel and Ann Gray	113 Te Maire Rd, RD 1, Featherston 5771
Jim Hedley	153 Hikunui Road, RD 1, Featherston 5771
NDR and BA Davies	151 Papatahi Road, RD 3, Featherston 5773
Alexander Haddon Webster	50 Bicknells Rd, RD1, Featherston, 5771
Sandra Shivas	28 Mangatere Road, RD 1, Carterton 5791
Lewis Herrick	1513 State Highway 53, RD 3, Martinborough 5783
Gary James and Anne Marie Daysh	112 Hururua Road, RD 1, Carterton 5791
Bob Tosswill	277 Woodside Road, RD 1, Greytown 5794
Michael John Slater	24A Hupenui Road, RD 1, Greytown, 5794
Susannah and Mark Guscott	1087 Ponatahi Road, RD 2, Carterton 5792
Graeme Hugh Tulloch	Mahoe, 302 Cornwall Road, RD 7, Masterton 5887
Mike Moran	153 Whareroto Road, RD 2, Featherston 5772
Sandy Bidwell	153 Whareroto Road, RD 2, Featherston 5772
Bernie George	28 Georges Rd, RD 3, Martinborough 5783
Daniel George	100 Georges Rd, RD 3, Martinborough 5783
Owen Butcher	PO Box 370, Masterton 5840
Blair Roberts	94 Georges Road, RD 3, Martinborough 5783

Stewart Weatherstone	2154 Kahutara Rd, RD 2, Featherston 5772
Hayden Thurston	299 Kahutara Road, RD 1, Featherston 5771
Gerard Vollebregt	107 Buicks Road, RD 1, Featherston 5771
Willy and Sally Bosch	1339 State Highway 53, RD 3, Martinborough 5783
Donald McCreary	1974 Hinakura Road, RD 4, Martinborough 5784
Leo Vollebregt	235 Pahautea Rd, RD 1, Featherston 5771
George Ritchie	243 Te Maire Road, RD 1, Featherston 5771
Brian Bosch	1145 Kahutara Road, RD 2, Featherston 5772
Edward Handyside	24 Te Hopai Road, RD 2, Featherston 5772
Andrew Patrick	102 Buchanan Road, RD 4, Masterton 5884
Chris Engel	Waihakeke Rd, RD 2, Carterton, 5792
Hamish Trolove	188 Whites Line, East Waiwhetu, Lower Hutt 5010
Gary Svenson	148 Whareroto Road, RD 2, Featherston 5772
Willem Stolte	153 Wiltons Road, RD 1, Carterton 5791
Shaun Rose	127 Dorset Road, RD 2, Carterton 5792
Ray Craig	144 Lincoln Road, Carterton 5713
Richard Kershaw	134 Moiki Road, RD 1, Greytown 5794
David G Holmes	Pakaraka, RD 4, Masterton 5884
Rod Sutherland	2582 Lake Ferry Road, RD 2, Featherston 5772
Matthew Honeysett	806 Kahutara Road, RD 1, Featherston 5771
Bryan Thompson Tucker	76 Cross Line, RD 1, Greytown 5794
Simon Vaughan Campbell	471 Te Muna Road, RD 1, Martinborough 5781
Stephen Hammond	120 Papawai Road, RD 1, Greytown 5794
Mike Warren	36 Warrens Road, RD 2, Featherston 5772
Shane Matthew Gray	197 Park Road, RD 2, Carterton 5792
Andrew Douglas Harvey	100 Fenwicks Line, RD 1, Greytown 5794
Richard John and Carolyn Ann Stevenson	288 Kokotau Road, RD 2, Carterton 5792
Peter Vollebregt	301 South Featherston Road, RD 1, Featherston 5771
John Petrie	40 Pahautea Road, RD 1, Featherston 5771
Kurt Simmonds	Unknown
Simon Vaughan Campbell	471 Te Muna Road, RD 1, Martinborough 5781

Stephen Hammond	120 Papawai Road, RD 1, Greytown 5794
Royal Forest and Bird Protection Society	PO Box 631, Wellington 6140
Kintyre Meats/Kintyre Trust	530 Gladstone Road, Carterton 5792
Te Runanga o Toa Rangatira Inc	26 Ngati Toa Street, Takapuwahia, Porirua 5022
Fish and Game	PO Box 1325, Palmerston North 4440
Christine Marjorie Stanley	325 Grays Road, Pauatahanui, RD1, Porirua 5381
New Zealand Fire Commission and Wellington Rural Fire Authority	PO Box 3942, Wellington, 6140
Wairarapa Water Users Society Incorporated	235 Pahautea Road, RD 1, Featherston, 5771
Irrigation New Zealand Incorporated	PO Box 69119, Lincoln, Christchurch 7640
Waa Rata Estate	149 Terrace Road, Reikorangi, RD 1, Waikanae, 5391
Hugh Lundie	916 Bidwills Cutting Road, RD 1, Greytown, 5794
Hammond Limited	Private Bag 1959, Dunedin, 9054
Allan A Smith	150 Terrace Road, RD 1, Waikanae 5391
Wairarapa Winegrowers Association	c/o T De Jonge, 15 Cologne Street, Martinborough 5711
Forest Owner Marketing Services Ltd	8 Weld St, Feilding 4702
Kyle Wells	715 East Taratahi Road, RD 7, Masterton 5887
AJ Barton	Ongaha Farm, RD 1, Featherston 5771
Tim Mansell and family	20 Addington Road, RD1, Otaki 5581
Rex McKay	1142 Longbush Road, Masterton 5884
Chris and Steven Price	138 Gordon Street, Masterton 5810
Max Lutz	20 Addington Road, RD 1, Otaki 5581
Julian and Ruth Blackett	235 Akatarawa Road, RD1, Waikanae 5391
Lewis Herrick	1513 State Highway 53, RD 3, Martinborough 5783
Beryl Masters Stuart	107 Manuka Street, Masterton 5810
AB and DE Smith	60 Chester Road, RD 1, Carterton 5791
James and Jane Smallwood	19 Homestead Lane, Greytown 5712
Blair Percy	36 Masterton Stronvar Road, RD 6, Masterton 5886
N and S Terry	Richmond Road, Carterton, 5713
Ali and Dion Kilmister	1665 Te Ore Ore Bideford Rd, RD 11, Masterton 5871

Gary James and Anne Marie Daysh	112 Hururua Road, RD 1, Carterton 5791
Garry Daniell	Te Ore Ore Road, Masterton 5810
Regional Public Health	Private Bag 31907, Lower Hutt, 5040
Kaiwairua Dairies Limited	893a State Highway 53, RD 1, Featherston, 5771
Beef and Lamb NZ	PO Box 121, Wellington 6140
Roading, Parks and Gardens and Solid Waste departments of Hutt City Council and Upper Hutt City Council	PO Box 2083, Wellington 6140
New Zealand Defence Force	Private Bag 902, National Service Centre, Cnr Alexander and Dante Roads, Upper Hutt 5018
Greater Wellington Regional Council	PO Box 11646, Manners Street, Wellington, 6142
Porirua Harbour and Catchment Community Trust	Porirua Harbour Trust, PO Box 50078, Porirua 5240
New Zealand Deer Farmers Association - Wairarapa Branch	121 Perrys Rd, RD7, Masterton 5887
Derek Neal	1791 Whangaehu Valley Road, RD6, Masterton, 5886
Kennott Family Trust	20 Addington Road, RD 1, Otaki 5581
Bell Camp Trust	115 Manly Street, Paraparaumu Beach, Paraparaumu 5032
Land Matters Ltd	20 Addington Road, RD 1, Otaki 5581
David Hume	2605 Lake Ferry Road RD 2 Featherston, 5772 New Zealand
GBC Winstone	26 Patrick Street, Petone, Wellington 5012
Queen Elizabeth II National Trust	PO Box 3341, Level 4, 138 The Terrace, Wellington, 6140
Wairarapa Regional Irrigation Trust	235 Pahautea Road, RD 1, Featherston, 5771
Wainuiomata Rural Community Association	c/- The Secretary, Craig Innes, 29 Sunny Grove, Wainuiomata, Lower Hutt 5014