

To: Waikato Regional Council
Name of submitter: Hancock Forest Management (NZ) Limited (“HFM” or “the submitter”)

To: The Chief Executive
Waikato Regional Council
healthyrivers@waikatoregion.govt.nz

Date: 17 September 2018
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Further Submissions under Clause 8 of the First Schedule to the Resource Management Act 1991 ('RMA').

Introduction

This is a further submission in support of or in opposition to submissions on Proposed Change 1 to the Waikato Regional Plan ('PC1') and Variation 1 to PC1 under Clause 8 of the First Schedule to the Resource Management Act 1991 ('RMA').

Hancock Forest Management ('HFM') has an interest in PC1 and Variation 1 that is greater than the interest the general public has, as it is the manager of approximately 90,000 ha of plantation forest in the region, that are potentially affected by PC1 and Variation 1. Refer to HFM's primary submissions on PC1 for further detail.

HFM does not gain an advantage in trade competition through these further submissions.

Specific Submission Points

HFM's specific further submission points are set out in the table below. For the avoidance of doubt HFM continues to seek the relief set out in its primary submissions although it recognises that in some cases the relief sought by other submitters may provide an alternative, or propose an addition, to PC1 that is generally consistent with HFM's primary relief.

To the extent that the following further submissions oppose the relief sought by another party, HFM considers that the relief sought is inappropriate, unreasonable, unnecessary or inconsistent with the provisions of the RMA. This relief is also generally inconsistent with the relief that HFM sought in its submissions on PC1.

To the extent that the following further submissions support the relief sought by another party, HFM considers that the relief sought is generally appropriate, reasonable and / or necessary including for the reasons set out in the submission, or that it is otherwise consistent with the provisions of the RMA and / or HFM's own submissions.

The above reasons are deemed to be included as part of the "reason for support or opposition" for each further submission referred to in the following table.

Decisions sought

For all submissions, whether supported (in part), or opposed (in part), HFM seeks that the decisions sought by the submitters be allowed to the extent consistent with the relief sought by HFM in its primary submissions and that this relief is deemed to be incorporated into the table.

HFM wishes to be heard in support of these further submissions.

If others make a similar submission HFM would consider presenting a joint case with them at the hearing.



Sally Strang
Hancock Forest Management (NZ) Ltd

Dated This 17th day of September 2018

Submitter name	Submission Point ID	Plan Section	Support / Oppose	Reason for Support / Opposition	Relief Sought
Background and Explanation					
Beef + Lamb New Zealand Limited ID: 73369	PC1-11146	Full achievement of the Vision and Strategy will be intergenerational	Support in part	To the extent consistent with HFM's submissions, the relief sought is appropriate for the reasons set out in the submission.	Allow the relief sought.
Brooks, Hayden Gregory and Susan Jennifer ID: 71174	PC1-103	Full achievement of the Vision and Strategy will be intergenerational	Support	Deletion of this section is appropriate as the provision provides an unnecessary and potentially inconsistent explanation of the provisions that follow.	Allow the relief sought.
Fonterra Co-operative Group Ltd ID: 74057	PC1-11256	Full achievement of the Vision and Strategy will be intergenerational	Oppose	The submitter's proposed amendment to delete the words "and sub-catchment limits and targets" from the paragraph relating to municipal and industrial point source dischargers is inappropriate and unreasonable to the extent that it could be interpreted as requiring an unscheduled or early change in the term and or conditions of the Resource Consent providing for an existing activity.	Decline the relief sought.
3.11.1 Values and uses for the Waikato and Waipa Rivers					
Hamilton City Council ID: 73369	PC1-10152	Use Values – Commercial, municipal and industrial use	Support	The amendments sought are consistent with the relief sought by HFM in its primary submissions and are supported for the reasons outlined in the Hamilton City Council submissions.	Allow the relief sought to the extent not inconsistent with HFM's primary

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					submissions.
Fonterra Co-operative Group Ltd ID: 74057	PC1-11258	3.11.1 Values and uses for the Waikato and Waipa Rivers	Oppose	The relief sought is inappropriate. As the proposed wording change implies that the Plan would require different standards of environmental performance in the short and long term and between current and alternative uses of land, the change is inconsistent with the objective of progressive improvement in catchment water quality to the extent possible through the application of Best Practicable Option (BPO) management of the adverse effects of land use. It is also inconsistent with the provisions of the NPS and Vision and Strategy in view of the submitter's proposed definition of the freshwater objectives of the plan as being limited to the short term objectives as defined in Objective 3.	Decline the relief sought.

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Objectives					
Fonterra Co-operative Group Ltd ID: 74057	PC1-10455	Objective 1:	Oppose	The submitter proposes amendment of Objective 1 to include the words "...and where necessary restoration....". An implication of the proposed change is that a variable obligation to 'restore' could be applied in addition to any improvement and restoration achieved through the adoption of the Best Practicable Option water quality management. The wording "where necessary" could be further interpreted as requiring different levels of obligation applying to different property owners / resource users to 'restore' water quality on some as yet to be developed basis.	Decline the relief sought.
Hamilton City Council ID: 74051	PC1-10248	Reasons for adopting Objective 3	Support	The amendments sought are consistent with the relief sought by HFM in its primary submissions and are supported for the reasons outlined in the Hamilton City Council submissions.	Allow the relief sought to the extent not inconsistent with HFM's primary submissions.
Policies					
Hamilton City Council ID: 74051	PC1-10259	3.11.3 Policies	Oppose in part	The addition to policy 10A is opposed to the extent that it is not necessarily consistent with sustainable management to require point source discharges to achieve sub catchments limits and targets as conditions of consent as these may not be able to be achieved over the life of the consent. The relief	Disallow the relief sought to the extent identified in the reasons.

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				sought is also inconsistent with the additional new policy 5a requested by the submitter which provides for an increased discharge of contaminants. To the extent that new policy 5a is considered appropriate it should also extend to regionally significant industry.	
The Royal Forest and Bird Protection Society of New Zealand Inc ID: 74122	PC1-8252	Policy 2	Support in part	To the extent that the relief is broadly consistent with the approach proposed by HFM, the relief is supported as it will appropriately provide for the sustainable management of freshwater.	Accept the relief sought .
Hamilton City Council ID: 74051	PC1-10262	Policy 6	Support in part	If the land use change rule is not deleted as requested by HFM in its primary submissions the relief sought is supported subject to amendments to Policy 5a.	Allow the relief sought to the extent identified in the reasons.
Wairakei Pastoral Ltd ID: 74095	PC1-11347	Policy 7	Oppose in part	The amendments proposed <i>inter alia</i> seek to predetermine future allocation on a sub catchment basis. This is inappropriate in the context of the policy.	Decline the relief sought in part.
Department of Conservation ID: 71759	PC1-10676	Policy 10	Oppose	The amendments sought are unnecessary and inappropriate and / or uncertain: the provisions of the operative Regional Plan address point source discharges. It is not clear how the relief sought would be implemented.	Decline the relief sought.
Genetic Technologies Ltd	PC1-3254	Policy 10	Oppose	The amendments sought are unnecessary and inappropriate and / or uncertain: the provisions of the	Decline the

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ID: 73953				operative Regional Plan address point source discharges. Diffuse discharges are subject to Policies 11 and 12 that require the adoption of the BPO and consideration of the PC1 targets.	relief sought.
Oil Companies ID: 73716	PC1-2593	Policy 10	Support	The amendments proposed are potentially an alternative and appropriate method for the reasons outlined in the submission.	Allow the relief sought.
Wairakei Pastoral Ltd ID: 74095	PC1-11350	Policy 10	Support	The amendments proposed are potentially an alternative and appropriate method for the reasons outlined in the submission.	Allow the relief sought.
Contact Energy Limited ID: 73714	PC1-7380	Policy 11	Support	The submission is generally supported for the reasons outlined therein to the extent that it is consistent with HFM's submissions.	Allow the relief sought.
Oil Companies ID: 73716	PC1-2594	Policy 11	Support	The submission is generally supported for the reasons outlined therein, to the extent that it is broadly consistent with HFM's submissions.	Allow the relief sought.
Wairakei Pastoral Ltd ID: 74095	PC1-11351	Policy 11	Support	The submission is generally supported for the reasons outlined therein, to the extent that it is broadly consistent with HFM's submissions.	Allow the relief sought.
Oil Companies ID: 73716	PC1-2596	Policy 12	Support	The submission is generally supported for the reasons outlined therein, to the extent that it is broadly consistent with HFM's submissions.	Allow the relief sought.

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The Royal Forest and Bird Protection Society of New Zealand Incorporated ID: 74122	PC1-8304	Policy 12	Oppose	The relief sought is inappropriate and unreasonable unless the intention is to remove policies relating to the management of all point source discharges from PC1. It is appropriate to provide for the economic and social wellbeing of people and communities.	Reject the relief sought.
Waikato River Authority ID: 74033	PC1-11562	Policy 12	Oppose	The submission is opposed as it is unnecessary, unreasonable and inconsistent with the purpose of the RMA.	Reject the relief sought.
Wairakei Pastoral Ltd ID: 74095	PC1-11352	Policy 12	Support	The submission is generally supported for the reasons outlined therein, to the extent that it is broadly consistent with HFM's submissions.	Allow the relief sought.
Watercare Services Ltd ID: 74077	PC1-8151	Policy 12	Support	The submission is generally supported for the reasons outlined therein, to the extent that it is broadly consistent with HFM's submissions.	Allow the relief sought.
Fulton Hogan Limited ID: 74048	PC1-10818	Policy 13	Support	The submission is generally supported for the reasons outlined therein, to the extent that it is broadly consistent with HFM's submissions.	Allow the relief sought.
Oil Companies ID: 73716	PC1-2595	Policy 13	Support	The submission is generally supported for the reasons outlined therein, to the extent that it is broadly consistent with HFM's submissions.	Allow the relief sought.
Wairakei Pastoral Ltd ID: 74095	PC1-11354	Policy 14	Support	The submission is generally supported for the reasons outlined therein, to the extent that it is broadly consistent with HFM's submissions.	Allow the relief sought.

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Implementation Methods					
New Zealand Forest Owners Association Inc ID: 73524	PC1-9953	3.11.4	Support	The submission is generally supported for the reasons outlined therein, to the extent that it is broadly consistent with HFM's submissions.	Allow the relief sought.
Wairakei Pastoral Ltd ID: 74095	PC1-11360	3.11.4.4	Support	The submission is generally supported for the reasons outlined therein, to the extent that it is broadly consistent with HFM's submissions.	Allow the relief sought.
Rules					
The Royal Forest and Bird Protection Society of New Zealand Inc ID: 74122	PC1-8414	3.11.4.12	Support	The inclusion of new schedules that outline good and best management practice and incorporation of these into the rules is supported as it represents the most effective and efficient means of achieving the objectives of the plan. This approach is generally consistent with HFM's primary submissions.	Accept the relief sought.
The Royal Forest and Bird Protection Society of New Zealand Inc ID: 74122	PC1-8194	3.11.5	Support	To the extent that they are broadly consistent with HFM's submissions, the amendments sought are appropriate for the reasons outlined in the submission.	Accept the relief sought.
Wairakei Pastoral Ltd ID: 74095	PC1-11382 PC1-11374 PC1-11377	3.11.5 3.11.5.4 3.11.5.5	Oppose	The submission is opposed to the extent that: (a) it is not apparent how the objectives of PC1 will be achieved through the ADM / sub-catchment approach; (b) on what basis BPO will be applied, regulated or	Decline the relief sought.

Submitter name	Submission Point ID	Plan Section	Support / Oppose	Reason for Support / Opposition	Relief Sought
	PC1-11378 PC1-11379	3.11.5.6 3.11.5.7		enforceable; and (c) the overall approach is inconsistent with HFM's submissions.	
Fonterra Co-operative Group Ltd ID: 74057	PC1-10496 PC1-10500 PC1-10505 PC1-10506 PC1-10513 PC1-10517 PC1-10580	3.11.5.3 3.11.5.4 3.11.5.5 3.11.5.6 3.11.5.7 Schedule B Definition - Nitrogen Reference Point	Oppose	Regulation targeted at maintaining a pre-determined nitrogen reference point is inconsistent with BPO management of diffuse source discharges and the obligation to avoid, remedy or mitigate adverse effects. It implies uncertain and potentially unreasonable differences in the obligations inherent in farm environment planning.	Decline the relief sought.
Definitions					
Wairakei Pastoral Ltd ID: 74095	PC1-11400	New Definition of Adaptive Management	Oppose	The submission is opposed to the extent that: (a) it is not apparent how the objectives of PC1 will be achieved through the ADM / sub-catchment approach; (b) on what basis BPO will be applied, regulated or enforceable; and (c) the overall approach is inconsistent with HFM's submissions.	Decline the relief sought.

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Waikato Regional Council ID 72890	PC1-3665	Definition - Best management practice	Oppose	The submission is opposed to the extent that it is uncertain what is proposed by the changes and whether those will equate to BPO, GMP or something less.	Decline the relief sought.
The Royal Forest and Bird Protection Society of New Zealand Inc ID: 74122	PC1-8694 PC1-8696 PC1-8697 PC1-8698 PC1-8698 PC1-8699 PC1-8700 PC1-8701 PC1-8703 PC1-8704 PC1-8706 PC1-8708 PC1-8709 PC1-8719	Definitions: Diffuse discharge, drain, drystock farming Edge of field mitigation Enterprise Escheria Coli (E. coli) Farm Environment Plan Farming Activities Five year rolling average Forage Crop Livestock crossing	Support	To the extent that they are broadly consistent with HFM's submissions, the retention or deletion of the definitions is appropriate for the reasons outlined in the submission. To the extent that they are broadly consistent with HFM's submissions, the amendments to the definitions are appropriate for the reasons outlined in the submission.	Accept the relief sought.

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	PC1-8722	Mahinga kai Microbial Pathogen Offset Point Source Discharge			
Schedules / Tables					
Perrin Ag Consultants Ltd ID: 73859	PC1-3379	Schedule B	Oppose	The proposal to amend Schedule B to facilitate trading and transfer of nitrogen is opposed on the grounds that it is premature to allocate Nitrogen under PC1, and for the reasons contained in HFM's submissions	Decline the relief sought.
Fonterra Co-operative Group Ltd ID: 74057	PC1-10559	Schedule 1	Oppose	Regulation targeted at maintaining a pre-determined nitrogen reference point is inconsistent with BPO management of diffuse source discharges and the obligation to avoid, remedy or mitigate adverse effects. It implies uncertain and potentially unreasonable differences in the obligations inherent in farm environment planning. The proposed change related to waste water irrigation from a consented industrial discharge being deemed a Farm Environment Plan is inappropriate. It potentially circumscribes the determination of appropriate conditions at the time a consent is granted.	Decline the relief sought.

Submitter name	Submission Point ID	Plan Section	Support / Oppose	Reason for Support / Opposition	Relief Sought
Department of Conservation ID: 71759	PC1-11067	Table 3.11-2: List of sub-catchments showing Priority 1, Priority 2, and Priority 3 sub-catchments	Oppose	If a priority subcatchment approach is retained, the inclusion of all wetland and lake sub-catchments as Priority 1 is unnecessary as it is not evident that the relief sought is based on any analysis of current quality justifying greater priority. In any event it is a question of workability when assessing priority. This issue would be overcome through application of the BPO across the board as an interim approach to attaining the water quality objectives.	Decline the relief sought.
General					
Wairakei Pastoral Ltd ID: 74095	PC1-11406 PC1-13165 PC1-13166 PC1-13167	General / all	Oppose	The submission is opposed to the extent that: (a) it is not apparent how the objectives of PC1 will be achieved through the ADM / sub-catchment approach; (b) on what basis BPO will be applied, regulated or enforceable; and (c) the overall approach is inconsistent with HFM's submissions.	Decline the relief sought.
The Royal Forest and Bird Protection Society of New Zealand Inc ID: 74122	PC1-8188	General	Support in part	Items 3 to 7 are supported to the extent that the relief sought will most appropriately provide for the sustainable management of freshwater, to the extent that the relief is broadly consistent with the approach proposed by HFM.	Accept the relief sought as identified.
Horticulture New Zealand	PC1-9899	General	Support	To the extent consistent with HFM's primary submission, the relief sought is generally supported for	Allow the relief sought.

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ID: 73801				the reasons outlined in Horticulture New Zealand's submission.	
Fonterra Co-operative Group Ltd ID: 74057	PC1-11255	Water quality and National Policy Statement for Freshwater Management	Oppose	The relief sought is inappropriate. As the proposed wording change implies that the Plan would require different standards of environmental performance in the short and long term and between current and alternative uses of land, the change is inconsistent with the objective of progressive improvement in catchment water quality to the extent possible through the application of Best Practicable Option (BPO) management of the adverse effects of land use. It is also inconsistent with the provisions of the NPS and Vision and Strategy in view of the submitter's proposed definition of the freshwater objectives of the plan as being limited to the short term objectives as defined in Objective 3.	Decline the relief sought.
Beef + Lamb New Zealand Limited ID: 73369	All of submissions	All of plan	Support	To the extent that the submissions by the submitter represent a viable alternative approach to achieving the objectives of PC1, they are supported for the reasons outlined in the submission of HFM and the submitter.	Allow the relief sought.
Oji Fibre Solutions (NZ) Limited ID: 73725	All of submissions	All of plan	Support	To the extent that the submissions by the submitter represent a viable alternative approach to achieving the objectives of PC1, they are supported for the reasons outlined in the submission of HFM and the submitter.	Allow the relief sought.