

FURTHER SUBMISSIONS ON PROPOSED PLAN CHANGE 1 AND VARIATION 1

Waikato and Waipa River Catchments (Healthy Rivers) to the Waikato Regional Plan

Clause 8 of First Schedule, Resource Management Act 1991

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

Further Submitter Details

Full name of submitter: **Mercury NZ Limited ("Mercury")**
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Further Submissions

Mercury is a person who has an interest in the proposal that is greater than the interest of the public generally. Mercury made submissions on Plan Change 1 and Variation 1 (collectively known as the Healthy Rivers Plan Change). Mercury owns and operates the Waikato Hydro Scheme and is a key stakeholder in the Waikato River catchment, particularly with respect to any matters that impact or potentially affect renewable electricity generation activities.

Mercury makes the further submissions as set out in Table A (relating to Plan Change 1 submissions) and Table B (relating to Variation 1 submissions).

Mercury **wishes to be heard** in support of its further submissions. If others make a similar submission, Mercury will **not** consider presenting a joint case with them at the hearing.



Stephen Colson
Manager Planning & Policy
for Mercury NZ Limited

Date: 14 September 2017

TABLE A – FURTHER SUBMISSIONS TO SUBMISSIONS ON PLAN CHANGE 1

Reference number	Submitter name	Plan Section	Relief sought in Submission	Support /Oppose	Mercury's reasons for support/opposition	Decision requested
PC1-8860	Wiremu Trust	General	AMEND PC1 to have hydro operations contribute money to subsidise the Council to employ staff to help land owners with mitigation on land.	Oppose	The submission point is opposed as it seeks financial contributions from one user of the Waikato River to subsidise other users. Mercury submits that the plan change is not the appropriate mechanism for resolving how Council will fund and resource the implementation of plan change 1. This is better achieved through the WRC annual plan and long-term plan processes.	Disallow
PC1-8223	Judith McGrath	General	AMEND to address major problems below the confluence of the Waikato and Waipā rivers and also the hydro lakes, using alternative measures to reduce nitrogen and phosphorous.	Oppose	Plan Change 1 seeks to primarily address the diffuse discharges of key contaminants within the Waikato and Waipa catchments and will complement point source water quality provisions in the operative Plan resulting in a more holistic water quality management. Mercury opposes this submission point because the hydro dams are not the source of contaminants entering the river and their effects on water quality are already recognised appropriately in Chapters 3 and 4 of the operative Waikato Regional Plan and authorised by resource consent.	Disallow
PC1-7171 PC1-10141	Zach Mounsey Leith Chick	General	AMEND to include context around the impact of hydro dams.	Oppose	Plan Change 1 seeks to primarily address the diffuse discharges of key contaminants within the Waikato and Waipa catchments and will complement point source water quality provisions in the operative Plan resulting in a more holistic water quality management. Mercury opposes this submission point because the hydro dams are not the source of contaminants entering the river and their effects on water quality are already recognised appropriately in Chapters 3 and 4 of the operative Waikato Regional Plan and authorised by resource consent.	Disallow
PC1-7265	Homestead Oaks Ltd	General	AMEND PPC1 so it addresses all contaminants, including Koi carp, hydro-dams and point source discharge.	Oppose	Plan Change 1 seeks to primarily address the diffuse discharges of key contaminants within the Waikato and Waipa catchments and will complement point source water quality provisions in the operative Plan resulting in a more holistic water quality management. Mercury opposes this submission point because the hydro dams are not the source of contaminants entering the river and their effects on water quality are already recognised appropriately in Chapters 3 and 4	Disallow



Reference number	Submitter name	Plan Section	Relief sought in Submission	Support /Oppose	Mercury's reasons for support/opposition	Decision requested
					of the operative Waikato Regional Plan and authorised by resource consent.	
PC1-4559	J Cotman	General	AMEND to ensure that the adverse impacts of the hydro schemes on water quality are considered and the environmental effects documented along with a cost benefit analysis of the adverse effects that is then balanced against the importance to the Regional and National economy.	Oppose	Plan Change 1 seeks to primarily address the diffuse discharges of key contaminants within the Waikato and Waipa catchments and will complement point source water quality provisions in the operative Plan resulting in a more holistic water quality management. Mercury opposes this submission point because the hydro dams are not the source of contaminants entering the river and their effects on water quality are already recognised appropriately in Chapters 3 and 4 of the operative Waikato Regional Plan and authorised by resource consent.	Disallow
PC1-10923	Trevor Simpson	General	AMEND to quantify the effects of the hydro dams and lakes on water quality and include those in mitigation calculations in PC1.	Oppose	Plan Change 1 seeks to primarily address the diffuse discharges of key contaminants within the Waikato and Waipa catchments and will complement point source water quality provisions in the operative Plan resulting in a more holistic water quality management. Mercury opposes this submission point because the hydro dams are not the source of contaminants entering the river and their effects on water quality are already recognised appropriately in Chapters 3 and 4 of the operative Waikato Regional Plan and authorised by resource consent.	Disallow
PC1- 7251	David Wilson	General	AMEND to include treatment of E.coli/Algal blooms at point source (i.e. the hydro dams).	Oppose	Mercury opposes the submission point as research into algal production shows that reducing phosphorus relative to nitrogen can limit algal growth, as can reducing the overall concentration of nutrients at source before it enters the river. In addition, the hydro dams are not the source of contaminants (nutrients) entering the river.	Disallow
PC1-2194	Jefferis Bodley	General	AMEND PC1 to be holistic and include all sources of contaminant for example koi carp and Canadian geese, and the effects of the hydro dams.	Oppose	Plan Change 1 seeks to primarily address the diffuse discharges of key contaminants within the Waikato and Waipa catchments and will complement point source water quality provisions in the operative Plan resulting in a more holistic water quality management. Mercury opposes this submission point because the hydro dams are not the source of contaminants entering the river and their effects on water quality are already recognised appropriately in Chapters 3 and 4	Disallow



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					of the operative Waikato Regional Plan and authorised by resource consents.	
PC1-4431 PC1-2195 PC1-2536 PC1-1365 PC1-6129 PC1-7616 PC1-4333 PC1-4531 PC1-6812 PC1-3214 PC1-12191 PC1-2995 PC1-6850 PC1-2014 PC1-3911 PC1-7133 PC1-2566 PC1-1210 PC1-6772 PC1-6715 PC1-6889 PC1-4143 PC1-15523	Patricia Balle Jefferis Bodley Carol Buckley Peter Buckley Bruce Cameron Matthew Denzie S Goodwright Gavin Holmes Daniel Jefferis Brian Lees Andrea Logan David Mackenzie Mark Muir D & L Munro C & V Nicholson Jessica Roberts L Shaw & B Hall B & G Smith M & R Twinning R Walker A & G Wilcox Woodacre Partnership D, L & Y Yule	Objective 1	AMEND PPC1 to be holistic and include all sources influencing the health and well-being of the Waikato River and its catchment including koi carp, point source discharges and the hydro dams.	Oppose	Plan Change 1 seeks to primarily address the diffuse discharges of key contaminants within the Waikato and Waipa catchments and will complement point source water quality provisions in the operative Plan resulting in a more holistic water quality management. Mercury opposes this submission point because the hydro dams are not the source of contaminants entering the river and their effects on water quality are already recognised appropriately in Chapters 3 and 4 of the operative Waikato Regional Plan and authorised by resource consents.	Disallow
PC1-3067	Timberlands Ltd	Objective 1	AMEND Objective 1 by expressing the 80 year numerical attribute targets for nitrogen as a single set of TN numerical attribute targets measured in the main stem of the Waikato River at the bottom of each Freshwater Management Unit.	Oppose	Mercury oppose the removal of sub-catchment targets for Total nitrogen in preference for setting targets just in the main stem of the Waikato River and at the bottom of the FMU's. Sub-catchment targets are needed to understand and manage nutrient and sediment inputs and meet PC1 short term and long-term objectives. The Waikato River FMU's are considered too coarse a scale to achieve the necessary improvements in land management to achieve the plan objectives.	Disallow



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PC1-7933	Andrew Welch	Objective 1	AMEND Objective 1 to acknowledge the highly modified nature of the Waikato River environment.	Oppose	Plan Change 1 seeks to primarily address the diffuse discharges of key contaminants within the Waikato and Waipa catchments and will complement point source water quality provisions in the operative Plan resulting in a more holistic water quality management. Mercury opposes this submission point because the hydro dams are not source of contaminants entering the river and their effects on water quality are already recognised appropriately in Chapters 3 and 4 of the operative Waikato Regional Plan and authorised by resource consent.	Disallow
PC1-2197	Jefferis Bodley	Objective 3	AMEND PPC1 to be holistic and include all sources of contaminants for example koi carp and Canadian geese, and effects of hydro-dams.	Oppose	Plan Change 1 seeks to primarily address the diffuse discharges of key contaminants within the Waikato and Waipa catchments and will complement point source water quality provisions in the operative Plan resulting in a more holistic water quality management. Mercury opposes this submission point because the hydro dams are not the source of contaminants entering the river and their effects on water quality are already recognised appropriately in Chapters 3 and 4 of the operative Waikato Regional Plan and authorised by resource consent.	Disallow
PC1-2199	Jefferis Bodley	Policy 1	AMEND PC1 to be holistic and include all sources of contaminant for example koi carp and Canadian geese, and the effects of the hydro dams.	Oppose	Plan Change 1 seeks to primarily address the diffuse discharges of key contaminants within the Waikato and Waipa catchments and will complement point source water quality provisions in the operative Plan resulting in a more holistic water quality management. Mercury opposes this submission point because the hydro dams are not the source of contaminants entering the river and their effects on water quality are already recognised appropriately in Chapters 3 and 4 of the operative Waikato Regional Plan and authorised by resource consents.	Disallow
PC1-10196	Dairy NZ	Policy 1	AMEND Policy 1 to read: "Manage diffuse and point source discharges of nitrogen, phosphorus, sediment and microbial pathogens."	Oppose	Plan Change 1 seeks to primarily address the diffuse discharges of key contaminants within the Waikato and Waipa catchments. Proposed provisions will complement the existing point source discharge provisions in the operative Plan (i.e. point source discharges to land and water in Chapter 3.5 of the Plan) and together will result in a more holistic water quality management. The change to add point source	Disallow



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					discharges into the policy is not appropriate or necessary.	
PC1-10229	Dairy NZ	Policy 7	AMEND to ensure there is a focus on the course of action to fill information gaps before the review of PC1. AND DELETE Policy 7 (a – d).	Oppose	Plan Change 1 seeks to primarily address the diffuse discharges of key contaminants within the Waikato and Waipa catchments and will complement point source water quality provisions in the operative Plan resulting in a more holistic water quality management. Mercury opposes this submission point because the hydro dams are not the source of contaminants entering the river and their effects on water quality are already recognised appropriately in Chapters 3 and 4 of the operative Waikato Regional Plan and authorised by resource consents. In particular clauses a. to d. of Policy 7 should be retained.	Disallow
PC1-2112	Wairarapa Moana	Policy 7	DELETE Policy 7 reference to land suitability. In the future allocations the hydro dam system needs to be incorporated into the solution.	Oppose	Mercury opposes this submission point because the hydro dams are not the source of contaminants entering the river and their effects on water quality are already recognised appropriately in Chapters 3 and 4 of the operative Waikato Regional Plan and authorised by resource consents. It is important that future approaches are signalled for reducing contaminants from land use.	Disallow
PC1-4009 PC1-5693	Angus Robson Save Lake Karapiro Inc.	Policy 10	AMEND Policy 10 so that all infrastructure should be in play for mitigations which are effective, provided this does not force the infrastructure to be unfit for purpose.	Oppose	The submission point is opposed as it seeks financial contributions from one group of users of the Waikato River to subsidise other users. Mercury submits that the plan change is not the appropriate mechanism for resolving how Council will fund and resource the implementation of Plan Change 1. This is better achieved through the WRC annual plan and long-term plan processes and/or through resource consent conditions.	Disallow
PC1-4478 PC1-1403 PC1-6352 PC1-7637 PC1-4382 PC1-4573 PC1-6828	Patricia Balle Carol Buckley Bruce Cameron Mathew Denzie Sydney Goodright Gavin Holmes Daniel Jefferis	Policy 10	AMEND PC1 to be holistic and include all sources of contaminant for example koi carp, point source discharges and hydro dams.	Oppose	Plan Change 1 seeks to primarily address the diffuse discharges of key contaminants within the Waikato and Waipa catchments and will complement point source water quality provisions in the operative Plan resulting in a more holistic water quality management. Mercury opposes this submission point because the hydro dams are not the source of contaminants entering the river and their effects on water quality are already recognised appropriately in Chapters 3 and 4	Disallow



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PC1-12268 PC1-3191 PC1-6871 PC1-2033 PC1-3941 PC1-7175 PC1-2623 PC1-6792 PC1-6733 PC1-4230 PC1-11537	Andrea Logan David MacKenzie Mark Muir D & L Munro C & V Nicholson Jessica Roberts L Shaw & B Hall M & R Twinning Richard Walker Woodacre Partnership D, L & Y Yule				of the operative Waikato Regional Plan and authorised by resource consents.	
PC1-7759 PC1-5995	Charion Investment Trust Fletcher Trust	Policy 10	ADD to Policy 10 to read: "...c. Continued operation of associated farming operations and their economic benefit to the region/sub-catchment."	Oppose	Policy 10 gives effect to the Regional Policy Statement with respect to regionally significant infrastructure and regional significant industry. Mercury opposes this submission point because the it is not appropriate to extend Policy 10 to point source discharges associated with agricultural activities. Agricultural point source discharges are already addressed in Chapters 3 of the operative Waikato Regional Plan. The addition of agricultural activities would also be inconsistent with the definition of "industry" that is already in the Waikato Regional Plan.	Disallow
PC1-10087	Horticulture NZ	Policy 10	AMEND Policy 10 to ensure that the recognition in the Regional Policy Statement for agriculture as a regionally significant industry is given equal weight when ensuring that point source discharges are to give effect to the targets of the Vision and Strategy as outlined in Table 3.11-1.	Oppose	Policy 10 gives effect to the Regional Policy Statement with respect to regionally significant infrastructure and regional significant industry. Mercury opposes this submission point because the it is not appropriate to extend Policy 10 to point source discharges associated with agricultural activities. Agricultural point source discharges are already addressed in Chapters 3 of the operative Waikato Regional Plan. The addition of agricultural activities would also be inconsistent with the definition of "industry" that is already in the Waikato Regional Plan.	Disallow
PC1-3505	Matamata-Piako District Council	Policy 10	RETAIN Policy 10 and amend PC1 to provide the following definition: "Regionally significant infrastructure means 'municipal wastewater	Oppose in part	Mercury's primary submission supported the existing definition in the Waikato Regional Policy Statement for regionally significant infrastructure. The definition	Disallow in part



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			treatment plants, water supply treatment plants and bulk water supply, wastewater conveyance and storage systems, municipal supply dams and ancillary infrastructure."		proposed by MPDC for regionally significant infrastructure is supported to the extent that it provides for infrastructure provided by territorial authorities. However, the proposed definition is too narrow in scope and does not reflect the broader definition of the RPS.	
PC1-11157 PC1-876	Primary Land Users Group John Reeves	Policy 10	AMEND Policy 10 to reflect the regional significance of primary production sectors.	Oppose	Policy 10 gives effect to the Regional Policy Statement with respect to regionally significant infrastructure and regional significant industry. Mercury opposes this submission point because the it is not appropriate to extend Policy 10 to point source discharges associated with agricultural activities. Agricultural point source discharges are already addressed in Chapters 3 of the operative Waikato Regional Plan. The addition of agricultural activities into the policy would also be inconsistent with the definition of "industry" that is already in the Waikato Regional Plan.	Disallow
PC1-2688 PC1-6874 PC1-2038	Carol Buckley Mark Muir David and Lisa Munro	Policy 12	AMEND PC1 to be holistic and include all sources of contaminant for example koi carp and Canadian geese, and the effects of the hydro dams.	Oppose	Plan Change 1 seeks to primarily address the diffuse discharges of key contaminants within the Waikato and Waipa catchments and will complement point source water quality provisions in the operative Plan resulting in a more holistic water quality management. Mercury opposes this submission point because the hydro dams are not the source of contaminants entering the river and their effects on water quality are already recognised appropriately in Chapters 3 and 4 of the operative Waikato Regional Plan and authorised by resource consents.	Disallow
PC1-4010 PC1-5724	Angus Robson Save Lake Karapiro Inc.	Policy 12	AMEND Policy 12 so that all infrastructure should be in play for mitigations which are effective, provided this does not force the infrastructure to be unfit for purpose.	Oppose	The submission point is opposed as it seeks financial contributions from one group of users of the Waikato River to subsidise other users. Mercury submits that the plan change is not the appropriate mechanism for resolving how Council will fund and resource the implementation of the Plan Change 1. This is better achieved through the WRC annual plan and long-term plan processes and/or through resource consent conditions.	Disallow
PC1-10040	Gray and Marilyn Baldwin	Method 3.11.4.3	AMEND to ensure Council subsidises the cost of creating and auditing Farm Environment Plans through contributions from hydro-power	Oppose	Mercury opposes the submission as it is not appropriate to seek that one water user subsidises the costs of other water users in the Waikato River Catchment. Landowners must pay the cost of their	Disallow



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			companies, as they have contributed to the degradation of the Waikato River.		own mitigation actions to comply with any necessary environmental regulations.	
PC1-10789	CNI Iwi Land Management Ltd	Method 3.11.4.5	AMEND Method to read to "Waikato Regional Council will work with <u>relevant stakeholders</u> to develop sub-catchment scale plans and where it has shown to be required <u>developing a plan would result in achieving the 10-year water quality attribute targets more efficiently.</u> Sub-catchment planning..."	Support	Mercury support the development of sub-catchment plans where it can be demonstrated that the 10 year water quality attribute targets in that sub-catchment will be more efficiently achieved.	Allow
PC1-9318	Maniapoto Maori Trust Board					
PC1-11750	Maungatautari Marae					
PC1-11899	Parekawhia McLean					
PC1-11597	Ngaati Tamaoho Trust					
PC1-11849	Ngati Haua Iwi Trust					
PC1-12025	Poohara Marae					
PC1-11701	Potini Whaanau					
PC1-10564	Raukawa Charitable Trust					
PC1-11798	Te Arawa River Iwi Trust					
PC1-11992	Te Awamaarahi Marae Trust					
PC1-11647	Te Kauri Marae					
PC1-12261	Te Runanga o Ngati Kea Ngati Tuara					
PC1-12074	Te Taniwha o Waikato					
PC1-8025	Te Whakakitenga o Waikato Inc (Waikato-Tainui)					
PC1-12203	Turangawaewae Marae					
PC1-10413	Tuwharetoa Maori Trust Board					
PC1-12151	Waahi Pa Marae Committee					



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PC1-12083 PC1-3418	Waahi Whaanui Trust Waikato and Waipa River Iwi					
PC1-10240 PC1-1864 PC1-2126	Dairy NZ Quintin Lichtwark Wairarapa Moana Inc	Method 3.11.4.7	AMEND Method 3.11.4.7 to read: "...b. Researching: ...iv. <u>Spatial variability in how land use and mitigations, and the effect of impounded water in hydro-dams affect water quality at a variety of scales, to analyse where mitigations can be put in place for the least cost to the regional community.</u> "	Oppose	Mercury agrees with the submitters that there needs to be comprehensive monitoring, particularly in the tributaries of the Waikato River, but the hydro reservoirs are not the source of contaminants in the Waikato River. It is important that PC1 remains focused on the four contaminants of concern and that these contaminants are treated and managed at source. Therefore, changes to the method are opposed.	Disallow
PC1-10244	Dairy NZ	Method 3.11.4.12	Amend Method 3.11.4.12 to read: "Waikato Regional Council will: ... b. <u>Work with primary industry</u> and support research into methods for reducing diffuse discharges of contaminants to water."	Oppose	Mercury supports Waikato Regional Council working with all parts of the community (not just primary producers) to support research into methods for reducing diffuse discharges of contaminants to water.	Disallow
PC1-9332 PC1-11758 PC1-11907 PC1-11605 PC1-11857 PC1-12033 PC1-11709 PC1-10582 PC1-11806 PC1-11933 PC1-11656	Maniapoto Maori Trust Board Maungatautari Marae Parekawhia McLean Ngaati Tamaoho Trust Ngati Haua Iwi Trust Poohara Marae Potini Whaanau Raukawa Charitable Trust Te Arawa River Iwi Trust Te Awamaarahi Marae Trust Te Kauri Marae	3.11.4 Methods	ADD a NEW Method to read: "3.11.4.13 Decision support system The Waikato Regional Council working with regional stakeholders will: a. Develop a Decision Support System (DSS) to model the effectiveness of mitigation measures that are proposed to be put in place and implemented at a sub-catchment, property and enterprise level through any proposed Farm Environment Plan. For the purpose of Method 3.11.4.13, 'effectiveness' means the contribution of the proposed mitigation measures (whether individually or collectively) - that are put in place and implemented at a sub-catchment, property and enterprise level - to reducing the diffuse discharge of contaminants within the sub-catchment where property and/or enterprise is located."	Support	Mercury supports the development of methods to guide the implementation of effective mitigation measures that contribute to achieving sub-catchment water quality targets set out in Objective 3.	Allow



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PC1-12272	Te Runanga o Ngati Kea Ngati Tuara					
PC1-12127	Te Taniwha o Waikato					
PC1-8076	Te Whakakitenga o Waikato Inc (Waikato-Tainui)					
PC1-12211	Turangawaewae Marae					
PC1-10466	Tuwharetoa Maori Trust Board					
PC1-12162	Waahi Pa Marae Committee					
PC1-12091	Waahi Whaanui Trust					
PC1-3519	Waikato and Waipa River Iwi					
PC1-2923 PC1-2877 PC1-2911 PC1-2896 PC1-2793 PC1-2933	Maihihi Farmers Group (Submitter 1 to Submitter 6)	3.11.5.4 Controlled Activity Rule	AMEND Rule 3.11.5.4 to focus on phosphorus as the farm mitigation tool for reducing phytoplankton. AND ADD the removal of the hydro-dams on the Waikato River.	Oppose	Mercury opposes the submitter group seeking the removal of the hydro dams. The hydro dams contribute significantly to the Waikato and national economies and contribute to flood control and support fisheries and recreational amenities. The use and management of the freshwater resource for existing hydroelectric generation activities is a matter of national significance under the National Policy Statement for Renewable Electricity Generation 2011 (NPSREG). In addition, the hydro dams are not the source of contaminants (nutrients) entering the river.	Disallow.
PC1-11158	Beef + Lamb New Zealand	Table 3.11-1: Short term and long term numerical water quality targets	AMEND Table 3.11-1 and PPC1 Objectives to make a clear distinction between what are Freshwater Objectives, Attributes, limits and targets. Freshwater Objectives would include values of freshwater such as cultural, ecological, primary production, commercial, and recreational and may include numerical parameters for periphyton, chlorophyll a, macroinvertebrate community indices (MCI) and sediment and clarity.	Oppose in part	The submitter seeks to adopt macroinvertebrate community indices (MCI) for the Upper, Middle and Lower Waikato River FMU's. This is not opposed in principle but it must be noted that it is not appropriate to measure MCI in large, non-wadable rivers, such as the Waikato River, but would be suitable in many of its tributaries.	Disallow in part
PC1-10772	CNI Iwi Land Management Ltd	Table 3.11-1 numerical	AMEND Table 3.11-1 to:	Oppose in part	Mercury supports the submitter's desire to retain the long-term (80-year) and short-term (10-year)	Disallow in part to the



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PC1-9115	Maniapoto Maori Trust Board	water quality targets	<ul style="list-style-type: none"> remove the 80-year numerical attribute targets for nitrate-nitrogen and ammoniacal nitrogen that are expressed in each sub-catchment and review the 10-year numerical attribute targets for nitrate-nitrogen and ammoniacal nitrogen to fix errors and achieve greater consistency between sub-catchments so that the degree of reduction required is proportionate to the amount of current discharge Retain the 10-year TN and TP numerical attribute targets for the Waikato River main stem; and Amend the 80-year TN and TP numerical attribute targets to a single point at the bottom of each FMU. 		<p>numerical targets for the sub-catchments and FMU's, including retaining the 10-year and 80-year targets for Chlorophyll a, total nitrogen and total phosphorus in the Waikato River main stem only. However, Mercury oppose the removal of sub-catchment targets for nitrate-nitrogen and ammoniacal nitrogen in preference for setting targets just in the main stem of the Waikato River and at the bottom of the FMU's.</p> <p>Sub-catchment targets are needed to understand and manage nutrient and sediment inputs and meet PC1 short term and long-term objectives. The Waikato River FMU's is considered too coarse a scale to achieve the necessary improvements in land management to achieve the plan objectives.</p>	extent it relates to changes to 80-year and 10-year numerical targets.
PC1-11725	Maungatautari Marae					
PC1-11874	Parekawhia McLean					
PC1-11571	Ngaati Tamaoho Trust					
PC1-11824	Ngati Haua Iwi Trust					
PC1-11999	Poohara Marae					
PC1-11672	Potini Whaanau					
PC1-10578	Raukawa Charitable Trust					
PC1-11773	Te Arawa River Iwi Trust					
PC1-11953	Te Awamaarahi Marae Trust					
PC1-11621	Te Kauri Marae					
PC1-12231	Te Runanga o Ngati Kea Ngati Tuara					
PC1-12049	Te Taniwha o Waikato					
PC1-7491	Te Whakakitenga o Waikato Inc (Waikato-Tainui)					
PC1-12161	Turangawaewae Marae					
PC1-10257	Tuwharetoa Maori Trust Board					
PC1-12109	Waahi Pa Marae Committee					
PC1-11924	Waahi Whaanui Trust					
PC1- 3250	Waikato and Waipa River Iwi					



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PC1-10208 PC1-8340	Hamilton City Council Watercare Services Ltd	Glossary of Terms – regionally significant infrastructure	AMEND to include a definition for 'regionally significant infrastructure' in PPC1, similar to the definition in the Regional Policy Statement (2016).	Support	Mercury supports the definition in the Waikato Regional Policy Statement for 'regionally significant infrastructure' and it would be appropriate to use this definition in the Waikato Regional Plan.	Allow
PC1-4056 PC1-9724	South Waikato District Council	Glossary of Terms – regionally significant infrastructure	AMEND to include a new definition for regionally significant infrastructure: "Regionally significant infrastructure means 'municipal wastewater treatment plants, water supply treatment plants and bulk water supply, wastewater conveyance and storage systems, municipal supply dams and ancillary infrastructure."	Oppose in part	Mercury's primary submission supported the existing definition in the Waikato Regional Policy Statement for regionally significant infrastructure. The definition proposed by SWDC for regionally significant infrastructure is supported to the extent that it provides for infrastructure provided by territorial authorities. However, the proposed definition is too narrow in scope and does not reflect the broader definition of the RPS.	Disallow in part
PC1-3685	Waikato Regional Council	Consequential amendments	AMEND to retain the more stringent parts of 3.3.4.28 (stock exclusion setback distances) and a new consequential amendment should be added (schedule C has a 1m setback while 3.3.4.28 has a 3m set back).	Support	Mercury supports the consequential amendment proposed by Waikato Regional Council for stock exclusion set back distances to be 3m. This is consistent with operative Waikato Regional Plan implementation method 3.3.4.28.	Allow



TABLE B – FURTHER SUBMISSIONS TO SUBMISSIONS ON VARIATION 1

Reference number	Submitter name	Plan Section	Relief sought in Submission	Support /Oppose	Mercury’s reasons for support/opposition	Decision requested
V1PC1-1500	Federated Farmers of NZ	General	ACCEPT the entire submission made by Federated Farmers of New Zealand to V1, as a fundamental principle of natural justice the submission considers that the entire contents of Chapter 3.11, and not just the parts changed by V1, can be submitted on.	Oppose	<p>The purpose of Variation 1 is to reinstate the area previously withdrawn from PC1, and the planning provisions that apply to that area. Variation 1 also includes amendments to some provisions in PC1, such as the timeframes within which certain actions need to be undertaken.</p> <p>The submission made by Federated Farmers to Variation 1 involves a substantial re-write of Chapter 3.11, as set out in Appendix 1 to their submission. The Federated Farmers submission is significantly beyond the scope of the provisions added or amended by Variation 1, and therefore their entire submission to Variation 1 should be disallowed.</p> <p>Notwithstanding, this further submission point to disallow the entire Federated Farmers submission, Mercury makes further submissions in relation to specific submission points by Federated Farmers on Variation 1.</p>	Disallow
V1PC1-122	Federated Farmers of NZ	Objective 1	<p>AMEND Objective 1 to: ‘</p> <p>“Objective 1: Long term <u>maintenance</u>, restoration and/or protection of water quality for sub-catchment and/or Freshwater Management Unit Manage discharges of nitrogen, phosphorus, sediment and microbial pathogens to water <u>or to land in circumstances where it may enter water, for the purposes of assisting to achieve the water quality outcomes anticipated by the Vision & Strategy and the values^ by 2096.</u>”</p> <p>AND AMEND to make any consequential amendments to the Reasons for Adopting Objective 1</p> <p>OR AMEND to develop a more realistic set of 80-year numeric attribute states that address the concerns raised by the submission.</p>	Oppose	<p>The submitter’s proposed amendment to the objective by deleting reference to the 80-year water quality attributes and targets in Table 3.11-1 is not appropriate. The 80-year targets are necessary to demonstrate that achieving the outcomes in the Vision & Strategy is intergenerational, and signals the journey that is required to ensure the Waikato and Waipa Rivers and their tributaries are swimmable and safe for food collection along their entire lengths. The targets are useful to reference when demonstrating improvements in an activity and how those improvements contribute toward an end goal.</p>	Disallow
V1PC1-129	Federated Farmers of NZ	Objective 3	<p>AMEND Objective to read:</p> <p>“Objective 3: Short-term improvements in water quality in the first stage of <u>maintenance</u>, restoration and/or protection of water quality for</p>	Oppose	<p>The submitter’s proposed amendment to delete the date of 2026 as the timeframe for short-term improvements in water quality is not appropriate.</p> <p>The objective introduces the short-term improvement on the journey to the 80-year water quality attribute</p>	Disallow



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			<p>each sub-catchment and Freshwater Management Unit</p> <p>Actions <u>are identified</u> and implemented to <u>manage discharges of nitrogen, phosphorus, sediment and microbial pathogens to maintain, restore and/or protect water quality for each sub-catchment and/or Freshwater Management Unit and are sufficient to achieve ten per cent of the required change between current water quality and achieving the water quality outcomes anticipated by the Vision & Strategy and values^</u>. A ten per cent change toward the long term water quality improvements is indicated by the short term water quality attribute^ targets^ in Table 3.11-1.”</p> <p>AND AMEND to make any consequential amendments to the reasons for adopting Objective 3.</p> <p>OR AMEND the short term targets on Table 3.11-1 to achieve realistic and reliable targets based on reasonable assumptions that address the concerns raised in this submission.</p> <p>OR AMEND the short term targets in Table 3.11-1 so that they are based on the NOF bands as opposed to specific numbers.</p>		<p>targets in Table 3.11-1 and a date is necessary for when first stage actions are to be in place and implemented. The introduction of “maintenance” into the objective may not result in water quality improvements.</p>	
V1PC1-194	Federated Farmers of NZ	Policy 6	<p>DELETE Policy 6 and REPLACE with the following:</p> <p><u>“Policy 6: Restricted Discretionary and Discretionary Activities</u></p> <p><u>Grant consent to applications for farming activities that apply for consent under Rule 3.11.5.6 (Restricted Discretionary Activity) or Rule 3.11.5.7 (Discretionary Activity) that can demonstrate the following:</u></p> <p><u>a. The Most Practicable Actions to manage the discharge of nitrogen, phosphorus, sediment and microbial pathogens on a proportional basis will be implemented by the farm operator; and</u></p> <p><u>b. Monitoring, record keeping, reporting and information provision to the Waikato Regional</u></p>	Oppose	<p>Mercury does not have an issue with the intent of clauses (a) to (c) on applications for farming activities. However, the Federated Farmers submission seems to miss the point that Policy 6, as notified, is intended to address land use change leading to an increase in diffuse discharges, and is a complementary policy for land use change rule 3.11.5.7. Policy 6 and Rule 3.11.5.7 are one of the fundamental pillars of PC1 in the first 10 years on the 80-year journey to improve the state of water quality in the Waikato and Waipa Rivers. Therefore, the proposed replacement for Policy 6 is opposed.</p>	Disallow



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			<p><u>Council by the consent holder will be undertaken in an efficient and effective manner; and</u></p> <p><u>c. Where consent is sought to allow an exceedance of permitted or controlled activity nitrogen limits that the risks associated with phosphorus, sediment and microbial pathogen discharges from the farming activity can be reasonably managed."</u></p>			
V1PC1-224	Federated Farmers of NZ	Policy 7	<p>AMEND Policy 7 to read:</p> <p>"Policy 7: Preparing for allocation in the future. Prepare for <u>potential</u> further diffuse discharge reductions <u>or mitigations</u> that <u>may</u> be required by subsequent regional plans, by implementing the policies and methods in this chapter. To <u>assist with this</u>, collect information and undertake research to support this is, including:</p> <p><u>a.</u> collecting information about current discharges, developing appropriate modelling tools to estimate contaminant discharges,</p> <p><u>b.</u> collating information obtained from the <u>Catchment Profiles and sub-catchment management plans, models or data obtained through implementation of this Plan change,</u> and</p> <p><u>c.</u> researching the spatial variability of land use and contaminant losses <u>as well as the hydrological relationship between sub-catchments, ground and surface water and contaminant loss,</u> and the effect of contaminant discharges in different parts of the catchment."</p> <p><u>In preparing for the future, the Nitrogen Reference Point established under Policy 2(c) is not to be regarded as forming the basis of any allocation mechanism that may be adopted in the future."</u></p> <p>AND DELETE the sentence 'Any future allocation should consider the following principles' AND DELETE the following paragraphs (a), (b), (c) and (d), and footnote 5.</p>	Oppose	The policy indicates what is required to enable preparation for subsequent regional plans. The Federated Farmers submission makes some unnecessary and inappropriate changes to Policy 7, particularly with respect to the deletion of the reference to information and research that will be gathered over the life of the plan to assist in defining land suitability for diffuse discharges at a property or enterprise level. In addition, the submitter has sought deletion of some important principles that will be considered in preparing any future allocation. The changes are opposed and the policy should be retained as notified.	Disallow
V1PC1-540	Theiland Tahī Farm Group Limited	Policy 7	<p>AMEND Policy 7 so that reference to the principles on which a future plan change should be based are removed.</p>	Oppose	The policy indicates what is required to enable preparation for subsequent regional plans. The submitter makes some unnecessary and	Disallow



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V1PC1-611	Waeranga Partnership				inappropriate changes to Policy 7, particularly with respect to the deletion of the reference to information and research that will be gathered over the life of the plan to assist in defining land suitability for diffuse discharges at a property or enterprise level. In addition, the submitter has sought deletion of some important principles that will be considered in preparing any future allocation. The changes are opposed and the policy should be retained as notified.	
V1PC1-236	Federated Farmers of NZ	Policy 11	<p>AMEND Policy 11 to read:</p> <p>“Policy 11: Application of Best Practicable Option, <u>Most Practicable Action</u> and mitigation or offset of effects of <u>discharges</u></p> <p><u>In order to avoid, remedy or mitigate the adverse effects of the discharge at the time a resource consent application is decided, require:</u></p> <p>1. any person undertaking a point source discharge of nitrogen, phosphorus, sediment or microbial pathogen to water or onto land in the Waikato and Waipā River catchments to adopt the Best Practicable Option*; and</p> <p>2. <u>diffuse discharges of nitrogen, phosphorus, sediment or microbial pathogens to water or in circumstances where it may enter water in the Waikato and Waipā River catchments from farming activities covered by rules 3.11.5.2 to 3.11.5.7 to adopt the Most Practicable Action.</u></p> <p>Where it is not practicable to avoid, remedy or mitigate all adverse effects, an offset measure may be proposed in an alternative location or locations to the point source discharge <u>or the farm enterprise</u>, for the purpose of ...”</p> <p>AND DELETE Policy 11(b) requiring an offset measure to be for the same contaminant.</p>	Oppose	By deleting the requirement for an offset measure to be for the same contaminant, Mercury is concerned that it will lead to the situation where a discharger offsets a different contaminant that is easier to manage and address. This could make it very difficult to quantify the size and quality of offset in terms of ensuring it achieves a positive effect on the environment. In addition, the changes are attempting to adapt the best practicable option used for industry but it is not fit for purpose for agriculture. Therefore, the changes to the policy are opposed.	Disallow
V1PC1-290	Federated Farmers of NZ	3.11.4 Methods	<p>ADD a NEW method to read: <u>“3.11.4.5A Catchment Profiles</u></p> <p><u>Waikato Regional Council will develop Catchment Profiles for the sub-catchments listed in Table 3.11-2. Each Catchment Profile shall be developed and made publicly available a minimum of two years before the Farm Environment Plans</u></p>	Oppose	Mercury does not have an issue in principle with the development of Catchment Profiles but the method seems to overlap with matters that would be considered in the development of sub-catchment scale plans in Method 3.11.4.5. Also, requiring the Catchment Profiles to be in place for at least 2 years prior to Farm Environment Plan would only delay the	Disallow



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			<p><u>in the sub-catchment(s) to which it relates are required to be provided to the Waikato Regional Council.</u></p> <p><u>A Catchment Profile shall contain all of the information relevant to water quality in a sub-catchment(s), including but not limited to:</u></p> <p><u>a. Sub-catchment targets and the current state for each contaminant in each sub-catchment.</u></p> <p><u>b. Sector and other (including pest and natural sources of contaminants) contributions toward sub-catchment targets.</u></p> <p><u>c. Consented discharges and takes in the sub-catchment.</u></p> <p><u>d. Any operative sub-catchment management plans.</u></p> <p><u>e. Information about adjoining/related catchments, relationships between sub-catchment or opportunities to coordinate with related sub-catchments.</u></p> <p><u>f. Any zones that the sub-catchment is divided into to represent farming systems or land uses (including activities generating point source discharges) of a consistent type (in terms of contaminant loss).</u></p> <p><u>g. Information about hot spots or critical source areas within the sub-catchment including geophysical and climate characteristics e.g. rainfall or soil type, or historical events e.g. landslips.</u></p> <p><u>h. Freshwater accounting system, monitoring plan and any other information generated pursuant to Methods 3.11.4.7 or 3.11.4.10."</u></p>		development of Farm Environment Plans, which in turn will place at risk actions that are to be put in place and implemented in the first 10-years of the journey to improve water quality. Therefore, the new Method is opposed.	
V1PC1-266	Federated Farmers of NZ	Method 3.11.4.5	<p>AMEND Method 3.11.4.5 to read:</p> <p><u>"a. Identify the causes of current water quality decline, identify cost-effective measures to address the causes of water quality decline, and where reductions in the discharges of contaminants are required, coordinate reductions at a property, enterprise (or multiple property scale) and sub-catchment (or multiple sub-</u></p>	Oppose	One of the primary aims of PC1 is to bring about reductions in nitrogen, phosphorus, sediment and microbial pathogen losses from land. Mercury is concerned that some of the changes proposed by the submitter shifts the focus from reduction to management of contaminant discharges. The proposed amendment is therefore opposed.	Disallow



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			catchment) scale (including recommendations for funding where there is a public benefit identified). ..."			
V1PC1-295	Federated Farmers of NZ	Method 3.11.4.7	<p>AMEND Method 3.11.4.7 to read: "Information needs</p> <p>Gather information and commission appropriate scientific research to inform the management of diffuse <u>and point source discharges of nitrogen, phosphorus, sediment and microbial pathogen</u> including:</p> <p>a. Implementing processes that will support <u>management of discharges</u> in the future.</p> <p>b. Researching:</p> <p>i. the quantum of contaminants that can be discharged at a sub-catchment and Freshwater Management Unit^ scale while meeting the Table 3.11-1 water quality attribute^ targets^ (<u>this will include understanding sub-catchment characteristics such as attenuation, ground water travel time, sink, source and travel pathways, interaction or relationship between contaminants, and the impact of historical events e.g. landslips</u>).</p> <p>ii. <u>Whether the appropriate water attribute targets can be developed for 2096 or whether some interim targets or alternative approach is more appropriate. This will include an assessment as to whether these targets are consistent with the values^ and are likely to result in the Vision and Strategy being achieved.</u></p> <p>iii. <u>Whether there are alternative actions that are consistent with the values^ and likely to achieve the Vision and Strategy that result in lower economic, social and cultural cost and disruption.</u>"</p>	Oppose	<p>The method intends to gather information and scientific research that is necessary to inform any future framework for the allocation of diffuse discharges. It is important that this context remains (i.e. future allocation framework) so that it assists in the preparation for subsequent regional plans (in Method 3.11.4.8).</p> <p>It is not necessary for the method to be extended to point source discharges, which are already authorised through resource consents and conditions relating to the best practicable option. It is also important the method remains directed toward property or enterprise level diffuse discharges, where the contaminant discharge originates, as well as categorising and defining 'land suitability'. The Method should therefore be retained as notified.</p>	Disallow
V1PC1-563 V1PC1-619	Theland Tahī Farm Group Limited	Method 3.11.4.7	<p>DELETE from Method 3.11.4.7, the reference to "future framework for the allocation"</p> <p>AND DELETE the reference to "setting of property or enterprise level diffuse limits"</p>	Oppose	<p>The method intends to gather information and scientific research that is necessary to inform any future framework for the allocation of diffuse discharges. It is important that this context remains (i.e. future allocation framework) so that it assists in</p>	Disallow



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	Waeranga Partnership		AND DELETE sub-clauses ii) and iii)		the preparation for subsequent regional plans (in Method 3.11.4.8). It is important the method remains directed toward property or enterprise level diffuse discharges, where the contaminant discharge originates, as well as categorising and defining 'land suitability'. The Method should therefore be retained as notified.	
V1PC1-300	Federated Farmers of NZ	Method 3.11.4.8	AMEND Method 3.11.4.8 to read: "Reviewing Chapter 3.11 and <u>discharge management frameworks</u> for the next Regional Plan Waikato Regional Council will: a. <u>Carry out a comprehensive review of Chapter 3.11, including the progress towards the 10 year targets and the Vision and Strategy and values, the mitigations the have been adopted by point source and diffuse discharge and the extent to which they have been implemented, the prioritisation of sub-catchments in Map 3.11-2 (and the extent to which that assisted with progress) and any other matters relevant to assessing the efficacy of Chapter 3.11 in achieving or assisting to achieve the Objectives of this chapter.</u> b. <u>In consultation with the community, identify and develop discharge management frameworks based on information collected under Method 3.11.4.7 (and taking into account all contaminants and their sources and management at a sub-catchment, Freshwater Management Unit and/or property or enterprise level), taking into account the best available data, knowledge and technology at the time but clearly identifying uncertainties, assumptions and confidence levels;</u> and c. Use this to inform changes to the Waikato Regional Plan to manage discharges of nitrogen, phosphorus, sediment and microbial pathogens to assist with achieving the Vision and Strategy and values^."	Oppose	This method follows from the information and research gathered under Method 3.11.4.7 and is important that it signals the future allocation framework for subsequent regional plans. The changes proposed by Federated Farmers are not appropriate. It is important the method remains directed toward property or enterprise level diffuse discharges, where the contaminant discharge originates. The Method should therefore be retained as notified.	Disallow
V1PC1-705	Federated Farmers of NZ	Rule 3.11.5.7 Non-	AMEND Rule 3.11.5.7 to read:	Oppose	One of the underlying principles of the PC1 is addressing land use change and resulting increase in	Disallow



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		complying activity	" <u>Discretionary</u> Activity Rule - Land Use Change Notwithstanding any other rule in this Plan, any of the following changes in the use of land...within a property or enterprise located in the Waikato and Waipā catchments, where the change exceeds a total of 4.1 hectares... is a <u>discretionary</u> activity (requiring resource consent)."		diffuse discharges. This links to policy 6 and the non-complying activity rule establishes a high test unless the land use change demonstrates a decrease in diffuse discharges. The change in activity status to discretionary activity is opposed.	
V1PC1-569 V1PC1-626	Theland Tahī Farm Group Limited Waeranga Partnership	Rule 3.11.5.7 Non-complying activity	AMEND Rule 3.11.5.7 to make land use change a restricted discretionary activity (or at a minimum a discretionary activity) OR DELETE Rule 3.11.5.7 to make land use change a restricted discretionary activity (or at a minimum a discretionary activity)	Oppose	One of the underlying principles of the PC1 is addressing land use change and resulting increase in diffuse discharges. This links to policy 6 and the non-complying activity rule establishes a high test unless the land use change demonstrates a decrease in diffuse discharges. The change in activity status to restricted discretionary or discretionary is opposed.	Disallow
V1PC1-783 & V1PC1-785 V1PC1-522 V1PC1-605	Federated Farmers of NZ Theland Tahī Farm Group Limited Waeranga Partnership	Table 3.11-1 and explanatory note	REMOVE the 80 year targets from Table 3.11-1.	Oppose	The submitter's proposed amendment to the Table 3.11-1 and explanatory note by deleting reference to the 80-year water quality attributes and targets is not appropriate. The 80-year targets are necessary to demonstrate that achieving the outcomes in the Vision & Strategy is intergenerational, and signals the journey that is required to ensure the Waikato and Waipa Rivers and their tributaries are swimmable and safe for food collection along their entire lengths. The targets are useful to reference when demonstrating improvements in an activity and how those improvements contribute toward an end goal.	Disallow

