

Proposed Natural Resources Plan:

Submitter:

**Hammond Limited**

Submitter Number:

**S132**



**To:** Wellington Regional Council  
Freepost 3156, PO Box 11646, Wellington 6142

**By email:** regionalplan@gw.govt.nz

**Name of submitter:** Hammond Limited ("Hammond")

**This is a Submission on:** The Proposed Natural Resources Plan for the Wellington Region ("proposed NRP") pursuant to clause 6 of Schedule 1, Resource Management Act 1991

#### **Introduction**

1. Hammond owns a farm property in Greytown and the Papawai and Whakapototo Streams run through the property.
2. Hammond holds consent to take and use water from bores which are connected to the Papawai Stream. Hammond is in the process of obtaining consent to authorise stream clearance activities.
3. Hammond agrees to receive communication about the proposed NRP via email, addressed to: stephenmareehammond@gmail.com; jen.crawford@andersonlloyd.co.nz; jackie.stjohn@andersonlloyd.co.nz.
4. Hammond could not gain an advantage in trade competition through this submission.
5. Hammond provided a submission on the consultation draft NRP in November 2014.
6. Hammond appreciates having this opportunity to submit on the proposed NRP. Below are Hammond's detailed submission points.
7. Hammond wishes to be heard in support of this submission. If others make a similar submission Hammond will consider presenting a joint case with them at a hearing.

The specific provisions of the proposed NRP that this submission relates to are:

Key: strikethrough e.g. abc = delete text; underline e.g. abc = additional text

Provision	Text	Support / Oppose / Amend	Reasons	Relief Sought
Objective O8 (page 38)	The social, economic, cultural and environmental benefits of taking and using water are recognised and provided for within the Plan's allocation framework.	Support	The take and use of water has benefits that should be recognised and supported in the proposed NRP	Retain
Objective O19 (page 39)	The interference from use and development on natural processes is minimised.	Amend	<p>'Natural processes' is defined to mean "Dynamic natural, physical and ecological relationships and events that are characteristically natural in their occurrence and effects, that act to shape the natural environment, its landforms and features, such as ... rivers; and including processes of: ... sediment transport, erosion and deposition, flooding, ...." Accordingly sediment transport, deposition and flooding in the Papawai Stream are natural processes, and this objective seeks to minimise interference with them.</p> <p>Hammond's farming activity necessarily interferes with these natural processes. It includes actions to reduce sedimentation in the stream and natural flooding on the farm property that would adversely impact farm productivity, for instance by regular stream clearance. To the extent that this objective would constrain productive farming activity it is opposed, and an amendment is proposed to recognise that it will not always be possible or appropriate to minimise interference with natural processes.</p>	The interference from use and development on natural processes is minimised <u>where appropriate.</u>
Objective O25	To safeguard aquatic ecosystem health and mahinga kai in fresh water bodies and coastal	Amend	Although the intent of this objective is broadly supported to 'safeguard' is the equivalent of to 'protect'. This is too	To safeguard <u>provide for</u> aquatic ecosystem health

(page 41)	<p>marine area:</p> <p>(a) water quality, flows, water levels and aquatic and coastal habitats are managed to maintain aquatic ecosystem health and mahinga kai, and</p> <p>(b) restoration of aquatic ecosystem health and mahinga kai is encouraged, and</p> <p>(c) where an objective in Tables 3.4, 3.5, 3.6, 3.7 or 3.8 is not met, a fresh water body or coastal marine area is improved over time to meet that objective.</p>	<p>absolute and could prevent allocation of water for abstraction or storage if ecosystem health or mahinga kai could not be maintained.</p> <p>'Restoration' is defined to mean "The rehabilitation of sites, habitats or ecosystems to support indigenous flora and fauna, ecosystem functions and natural processes that would naturally occur in the ecosystem and locality." Some waterbodies have already been significantly modified and restoring them may be a significant cost to the community and, in some cases, may be difficult or undesirable. Restoration should not be required where it is not practicable.</p> <p>In terms of clause (c) Table 3.4 is relevant to Papawai stream which runs through Hammond's property. Papawai Stream appears to fall into class 6, Lowland Small. It is not a significant river identified in Schedule F1. Broadly Hammond supports the freshwater objectives and the goal of improving waterbodies over time to meet those objectives. However there may be some instances where improvements are difficult, costly and not practicable and the objective should be modified to recognise that.</p>	<p>and mahinga kai in fresh water bodies and coastal marine area:</p> <p>(a) water quality, flows, water levels and aquatic and coastal habitats are managed to maintain <u>provide</u> for aquatic ecosystem health and mahinga kai, and</p> <p>(b) restoration of aquatic ecosystem health and mahinga kai is encouraged <u>where appropriate</u>, and</p>
Objective O30 (page 45)	The habitat of trout identified in Schedule I (trout habitat) is maintained and improved.	Amend	<p>The habitat of trout identified in Schedule I (trout habitat) is <u>maintained</u> and <u>where appropriate improved over time</u>.</p> <p>Papawai Stream has been identified in Schedule I as having trout habitat values. This is a surprise to Hammond as for generations the stream has been considered a farm drain and no such values have been recognised in any planning instruments. The stream is located within a working farm environment and existing activities rely on a degree of interaction with the stream.</p> <p>It is suggested that it should be sufficient to maintain trout habitat, and not to also require improvement. Instead improvements could be made where appropriate</p>

Objective O33 Mana Whenua (page 45)	Sites with significant mana whenua values are protected and restored.	Amend	(not in every situation) and over time.  The Papawai stream, which runs through the Hammond property, is identified as a site of significance under Schedule C5.  Sites with significant mana whenua values should be appropriately recognised. However, "protected and restored" is a very high standard which does not recognise the extent of the site, its location within a working farm environment, or the existing activities which rely on a degree of interaction with the site. It is suggested that "protected and restored" is replaced with wording which more appropriately responds to these circumstances.	Sites with significant mana whenua values are <u>recognised and protected</u> and restored <u>where appropriate</u> .
Objective O35 (page 45)	Ecosystems and habitats with significant indigenous biodiversity values are protected and restored.	Amend	As submitted in relation to objective O25, restoration of significantly modified waterbodies may be a significant cost to the community and, in some cases, may be difficult or undesirable. Restoration should not be required where it is not practicable.	Ecosystems and habitats with significant indigenous biodiversity values are <u>protected and restored where appropriate</u> .
Objective O52 (page 47)	The efficiency of allocation and use of water is improved and maximised through time, including by means of:  (a) efficient infrastructure, and  (b) good management practice, including irrigation, domestic municipal and industry practices, and  (c) maximising reuse, recovery and recycling of water and contaminants, and  (d) enabling water to be transferred between users, and	Support	Hammond generally supports inclusion of an objective directed toward efficient use of water, good management practice and water storage.  More efficient use of water will allow water to become available for use by new and existing water users in catchments that are fully allocated.  This is consistent with Objective B3 and Policies B2 to B4 of the National Policy Statement Freshwater Management (NPSFM), section 7(b) and (ba) of the RMA, and Policies 20, 44 and 45 of the RPS.	Retain

Policy P4: Minimising adverse effects (page 50)	(e) enabling water storage outside river beds.  Where minimisation of adverse effects is required by policies in the Plan, minimisation means reducing adverse effects of the activity to the smallest amount practicable and shall include:  (a) consideration of alternative locations and methods for undertaking the activity that would have less adverse effects, and  (b) locating the activity away from areas identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule E (historic heritage), Schedule F (indigenous biodiversity), and  (c) timing the activity, or the adverse effects of the activity, to avoid times of the year when adverse effects may be more severe, or times when receiving environments are more sensitive to adverse effects, and  (d) using good management practices for reducing the adverse effects of the activity, and  (e) designing the activity so that the scale or footprint of the activity is as small as practicable.	Amend	Hammond seeks an amendment to clause (b) to recognise that in some circumstances it will not be possible to locate the activity away from areas identified in Schedule C. For instance, Papawai Stream runs through Hammond's existing farm operation and is identified in Schedule C. Some farming related activities may have unavoidable adverse effects on this area, but they cannot be located elsewhere.  Hammond opposes use of "avoid" in clause (c) unless it is qualified to recognise that farming operations could be severely impacted if activities had to be avoided at various times of the year.	(b) where practicable locating the activity away from areas identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule E (historic heritage), Schedule F (indigenous biodiversity), and  (c) timing the activity, or the adverse effects of the activity, where practicable to avoid times of the year when adverse effects may be more severe, or times when receiving environments are more sensitive to adverse effects, and
Policy P6: Synchronised expiry and review dates (page 50)	Resource consents may be granted with a common expiry or review date within a whatua or sub-catchment, if:  (a) the affected resource is fully allocated or over-allocated, or  (b) the exercise of the resource consent may	Support	Hammond supports a consistent and integrated approach to water management. Taking water at an upstream location in a catchment should be treated equally to taking water at a downstream location, and this can be achieved if consents are assessed together.	Retain

Policy P7: Uses of land and water (page 50)	<p>impede the ability to implement an integrated solution to manage water quality, quantity or habitat within that whaitua or sub-catchment.</p> <p>The cultural, social and economic benefits of using land and water for: ...</p> <p>(h) irrigation and stock water, and ... shall be recognised.</p>	Amend	Hammond supports policy recognition for the cultural, social and economic benefits of using land and water, in particular clause (h) irrigation. It is submitted that farming activities should also be recognised as beneficial. This would recognise families, like Hammond, who derive their livelihoods from working with natural resources on land that they hold under freehold tenure. It would provide policy support for an economically and socially beneficial activity and bring balance to the proposed NRP, particularly when other policies that promote natural processes, aquatic ecosystem health, mahinga kai and suchlike are considered.	Add: (l) farming
Policy P8: Beneficial activities (page 51)	<p>The following activities are recognised as beneficial and generally appropriate:</p> <p>(a) activities for the purpose of restoring natural character, aquatic ecosystem health, mahinga kai, outstanding water bodies, sites with significant mana whenua values, and sites with significant indigenous biodiversity values, and .....</p> <p>(d) removal of aquatic weeds and pest plants, and ...</p>	Support	Hammond supports policy recognition of beneficial activities, in particular clause (d) removal of aquatic weeds and pest plants.	Retain
Policy P20: Exercise of kaitiakitanga (page 54)	<p>Kaitiakitanga shall be recognised and provided for by:</p> <p>(a) managing natural and physical resources in sites with significant mana whenua values listed in Schedule C (mana whenua) in accordance with tikanga and kaupapa Māori as exercised by mana</p>	Partial support	It appears that this policy promotes co-governance and shared decision making with tangata whenua in respect of sites of significance, such as Papawai Stream. Hammond is not opposed to this in principle but suggests the proposed NRP should provide more detail of how this might occur in the context of resource consent applications and decisions.	Add detail into proposed NRP to identify how co-governance and shared decision-making will function in practice in the context of resource consent applications and decisions.



	<p>(b) the identification and inclusion of mana whenua attributes and values in the kaitiaki information and monitoring strategy in accordance with Method M2, and</p> <p>(c) identification of mana whenua values and attributes and their application through tikanga and kaupapa Māori in the maintenance and enhancement of mana whenua relationships with Ngā Taonga Nui a Kiwa.</p>			
<p>Policy P26: Natural processes (page 56)</p>	<p>Use and development will be managed to minimise effects on the integrity and functioning of natural processes.</p>	<p>Amend</p>	<p>As mentioned in respect of Objective O19, Hammond's farming activity necessarily 'interferes' with natural processes. It includes actions to reduce sedimentation in the stream and natural flooding on the farm property that would adversely impact farm productivity, for instance by regular stream clearance. To the extent that this policy would constrain productive farming activity it is opposed, and an amendment is proposed to recognise that it will not always be possible or appropriate to minimise interference with natural processes.</p>	<p>Use and development will be managed to minimise effects on the integrity and functioning of natural processes where appropriate.</p>
<p>Policy P31: Aquatic ecosystem health and mahinga kai (page 58)</p>	<p>Aquatic ecosystem health and mahinga kai shall be maintained or restored by managing the effects of use and development on physical, chemical and biological processes to:</p> <p>(a) minimise adverse effects on natural flow characteristics and hydrodynamic processes, and the natural pattern and range of water level fluctuations in rivers, lakes and natural wetlands, and</p> <p>(b) minimise adverse effects on aquatic habitat diversity and quality, including the form, frequency and pattern of pools, runs, and riffles in rivers, and the natural form of rivers, lakes, natural wetlands</p>	<p>Amend</p>	<p>As submitted previously, restoration of aquatic ecosystem health and mahinga kai in significantly modified water bodies may be a significant cost to the community and, in some cases, may be difficult or undesirable. Restoration should not be required where it is not practicable.</p> <p>Hammond supports clause (g) restrictions on the spread of aquatic pest plants which would help to maintain ecosystem health and mahinga kai.</p>	<p>Aquatic ecosystem health and mahinga kai shall be maintained or restored by managing the effects of use and development on physical, chemical and biological processes to:...</p>

	<p>and coastal habitats, and</p> <p>(c) minimise adverse effects on habitats that are important to the life cycle and survival of aquatic species, and</p> <p>(d) minimise adverse effects at times which will most affect the breeding, spawning, and dispersal or migration of aquatic species, and</p> <p>(e) avoid creating barriers to the migration or movement of indigenous aquatic species, and restore the connections between fragmented aquatic habitats where appropriate, and</p> <p>(f) minimise adverse effects on riparian habitats and restore them where practicable, and</p> <p>(g) avoid the introduction, and restrict the spread, of aquatic pest plants and animals</p>		
<p>Policy P32: Adverse effects on aquatic ecosystem health and mahinga kai (page 58)</p>	<p>Significant adverse effects on aquatic ecosystem health and mahinga kai shall be managed by:</p> <p>(a) avoiding significant adverse effects, and</p> <p>(b) where significant adverse effects cannot be avoided, remedying them and</p> <p>(c) where significant adverse effects cannot be remedied, mitigating them, and</p> <p>(d) where residual adverse effects remain, it is appropriate to consider the use of biodiversity offsets.</p> <p>Proposals for mitigation and biodiversity offsetting</p>	<p>Partial support</p> <p>Clause (d) seems inconsistent with Policy 45 which says "Offsetting of effects in sites with significant mana whenua values [identified in Schedule C] is inappropriate".</p>	<p>Seek consistency in approach to offsetting, preferably an approach that provides for offsetting where appropriate.</p>

<p>Policy P44 Protection and restoration (page 61)</p>	<p>will be assessed against the principles listed in Schedule G (biodiversity offsetting).</p> <p>Sites with significant mana whenua values identified in Schedule C (mana whenua) shall be protected and restored</p>	<p>Amend</p>	<p>The Papawai stream, which runs through the Hammond property, is identified as a site of significance under Schedule C5.</p> <p>Sites with significant mana whenua values should be appropriately recognised. However, "protected and restored" is a very high standard which does not recognise the extent of the site, its location within a working farm environment, or the existing activities which rely on a degree of interaction with the site. It is suggested that "protected and restored" is replaced with wording which more appropriately responds to these circumstances, for example "recognised and appropriately protected and restored"</p>	<p>Sites with significant mana whenua values identified in Schedule C (mana whenua) shall be <u>recognised and</u> protected and restored where appropriate.</p>
<p>Policy P45 managing adverse effects (page 61)</p>	<p>In the first instance, activities in sites with significant mana whenua values identified in Schedule C (mana whenua) shall be avoided. If the site cannot be avoided, a cultural impact assessment must be undertaken by the relevant iwi authority or iwi authorities. The adverse effects of activities shall be managed in accordance with tikanga and kaupapa Maori as recommended in the cultural impact assessment by:</p> <ul style="list-style-type: none"> <li>(a) avoiding more than minor adverse effects, and</li> <li>(b) where more than minor adverse effects cannot be avoided, remedying them, and</li> <li>(c) where more than minor adverse effects cannot be remedied, mitigating them, and</li> </ul>	<p>Amend</p>	<p>The Papawai stream, which runs through the Hammond property, is identified as a site of significance under Schedule C5.</p> <p>Sites with significant mana whenua values should be appropriately recognised. However, a requirement to avoid activities within this site is a very high standard which does not recognise the extent of the site, its location within a working farm environment, or the existing activities which rely on a degree of interaction with the site.</p> <p>Further, the requirement to avoid sites of significance applies to all "activities" and has no link to the effects of those activities on the mana whenua values identified. It is submitted that this policy would be more appropriately worded so that activities in sites of significance are "avoided where they would result in adverse effects on</p>	<p>In the first instance, activities in sites with significant mana whenua values identified in Schedule C (mana whenua) shall be avoided <u>where they would result in adverse effects on the mana whenua values for which the site is identified</u>. If the site cannot be avoided and consent is required for the activity, a cultural impact assessment must be undertaken by the relevant iwi authority or iwi authorities. ...</p> <p>Where more than minor adverse effects on sites with significant mana whenua</p>

	<p>(d) receiving written consent of the iwi authority.</p> <p>Where more than minor adverse effects on sites with significant mana whenua values identified in Schedule C (mana whenua) cannot be avoided, remedied or mitigated, the activity is inappropriate. Offsetting of effects in sites with significant mana whenua values is inappropriate.</p>		<p>the mana whenua values for which the site is identified".</p> <p>It is suggested that the wording be clarified so that it applies where the site cannot be avoided "and consent is required for the activity". It is not anticipated that Council would require a cultural impact assessment if the activity is otherwise permitted.</p> <p>It is of concern that the requirement to obtain a CiA will lead to additional costs for resource consent applications pertaining to these sites.</p> <p>The Policy requires written consent of the iwi authority to be obtained in order to demonstrate that the adverse effects of activities are being managed in accordance with tikanga and kaupapa Maori. It is unclear what it will mean to the activity if iwi consent is not received.</p> <p>It is submitted that some qualification should be made to the finding that the activity is "inappropriate" in the final paragraph. This finding is against an assessment of policy considerations for sites of significance to mana whenua, but not against other considerations, for example the necessity of the activity to avoid, remedy or mitigate a natural hazard such as flooding.</p> <p>The statement "Offsetting of effects in sites with significant mana whenua values is inappropriate" appears inconsistent with Policy P32: Adverse effects on aquatic ecosystem health and mahinga kai "(d) where residual adverse effects remain, it is appropriate to consider the use of biodiversity offsets." It is suggested that P45 should be modified to be consistent with P32, and to provide for offsets where appropriate.</p> <p>There are limitations to the effectiveness of site-based protections for values that are largely affected by whole</p>	<p>values identified in Schedule C (mana whenua) cannot be avoided, remedied or mitigated, the activity <u>is may be considered inappropriate.</u> Offsetting of effects in sites with significant mana whenua values <u>is may be considered inappropriate.</u></p>
--	---	--	--	--

<p>Policy P114 Supplementary allocation amounts at flows above the median flow (page 83)</p>	<p>When the total take and use of water allocated by resource consents above minimum flows or water levels exceeds the core allocation amount, the take and use of water shall be allocated according to the following priorities, in order of importance:</p> <ul style="list-style-type: none"> <li>(a) the health needs of people, and</li> <li>(b) stock drinking water, and</li> <li>(c) other values.</li> </ul>	<p>Partial support</p>	<p>The policy sets out resource consenting priorities for taking water when rivers are flowing above minimum flows but demand exceeds the amount of water available. Hammond seeks clarification as to what "other values" are referred to in clause (c).</p>	<p>Clarify what "other values" means</p>
<p>Policy P115 takes below minimum (page 83)</p>	<p>The take and use of water may be authorised below minimum flows or lake levels established in whatia chapters of the Plan (chapters 7-11) for:</p> <ul style="list-style-type: none"> <li>(a) the health needs of people as part of group drinking water supply or community drinking water supply, and</li> <li>(b) the water used by industry from a community drinking water supply for a period of seven years from the date of public notification of the Proposed Natural Resources Plan (31.07.2015), and</li> <li>(c) permanent horticultural or viticultural root crops (excluding pasture species, animal fodder crops and maize) for the sole purpose of avoiding their death provided:</li> </ul>	<p>Support</p>	<p>The draft consultation NRP had proposed a requirement to cease take at minimum flows. Subsequently an economic assessment of the implications for existing consent holders was carried out and reported (Harris 2015). This report considered effects on resource consent holders of changing from the regime in resource consents to a regime of ceasing take at minimum flows.</p> <p>The Report concluded 'the greatest focus should be on the likely impacts for those in the Waipoua, Mangatarere, Papawai and Waingawa since these irrigators are likely to suffer considerable financial loss as a result of the changes.</p> <p>This regime has not been included in the proposed NRP, which Hammond considers is positive. Instead, clause (d) requires the taking of category A groundwater to reduce by 50% of the consented amount at minimum</p>	<p>Retain</p>

	<p>(i) the water shall only be available five days (120 hours) after minimum flow cessation take restrictions are imposed and where no practical alternative sources of water are available or accessible, and</p> <p>(ii) the amount of water needed shall be determined following consideration of the extent and type of crop(s) and the risk of crop death in drought situations, and</p> <p>(d) category A groundwater which shall be required to reduce the take by 50% of the amount consented above minimum flows, and</p> <p>(e) category B groundwater (directly connected), category B groundwater (not directly connected) and category C groundwater.</p>		<p>flows, which reflects the current approach taken when existing resource consents are renewed or new consents are considered. While this approach is better than the 'cease take' regime it is noted there will still be a cost to existing users taking groundwater without restriction when they renew their existing resource consents and are required to reduce their takes by 50% of the amount of water available above minimum flows.</p>	
<p>Policy P116: Reallocating water (page 84)</p>	<p>Water that becomes available from resource consents that are surrendered, lapsed, cancelled or not replaced, and by existing resource consents that are replaced for a lesser amount shall not be reallocated if the core allocation identified in Rules R.R1, WH.R1 and K.R1 in the whatua chapters of the Plan (chapters 7, 8 and 10) is exceeded.</p>	<p>Support</p>	<p>This policy does not allow water freed up by existing resource consents to be re-allocated in fully allocated management units if the core allocation amounts are exceeded - it provides a "sinking lid" on re-allocation of water. Hammond is generally supportive of this, provided that when allocation amounts are no longer exceeded the water is made available for reallocation.</p>	<p>Retain</p>
<p>Policy P 118 reasonable and efficient use (page 84)</p>	<p>The amount of water taken or diverted through resource consents shall be reasonable and used efficiently, including consideration of:</p> <p>(a) applying the reasonable and efficient use criteria identified in Schedule Q (efficient use) to new users immediately, while existing users replacing existing resource consents have a period of four years from the date of the plan being made</p>	<p>Support</p>	<p>Hammond generally supports policy which requires reasonable and efficient use of water.</p>	<p>Retain</p>

	<p>operative to meet the criteria, and</p> <p>(b) maximising the efficient use of water when designing systems to convey or apply water, and</p> <p>(c) industry guidelines, and</p> <p>(d) water use records.</p>			
Policy P106 management of plants in the beds of lakes and rivers (page 80)	<p>The introduction to and removal of plants from the beds of lakes and rivers shall be managed so that:</p> <p>(a) pest plants are not introduced and their removal is enabled, and</p> <p>(b) indigenous plant species are encouraged to be planted where they are appropriate and their removal is only enabled where it is necessary to manage flooding and erosion, and</p> <p>(c) the introduction or removal of plants does not increase flooding and erosion either at the site of introduction or removal or across the wider river catchment, and</p> <p>(d) the introduction or removal of plants does not adversely affect significant biodiversity values of the site.</p>	Amend	<p>Inclusion of a policy which specifies relevant considerations in the management of aquatic plants is supported, in particular clause (a) which seeks to enable the removal of pest plants.</p> <p>It may not always be possible to avoid adverse effects upon significant biodiversity values of a site when plants are removed, yet adverse effects may be able to be appropriately remedied or mitigated. An amendment should be made to clause (d) to recognise that.</p>	<p>(d) any adverse effects on significant biodiversity values of the site from the introduction or removal of plants <del>does not adversely affect significant biodiversity values of the site are remedied or mitigated.</del></p>
Table 7.1 minimum flow for Papawai Stream (page 251)	<p>Minimum flow for Papawai Stream upstream of the confluence with the Ruamahanga River at the Fabians Road recorder is 180 litres per second.</p>	Support	<p>The location for measurement of the minimum flow, and the minimum flow proposed, are supported</p>	Retain
Table 7.3 allocation limit	<p>Surface water allocation amounts for rivers and groundwater directly connected to surface water in the Ruamahanga river catchment above the lake</p>	Oppose	<p>The minimum flow should be increased to reflect current consented allocation. A minimum flow of 65 litres per</p>	<p>Increase minimum flow to reflect current consented</p>

<p>for Papawai stream (page 252)</p>	<p>wairarapa outflow - Catchment management sub-units in the middle Ruamahanga catchment – Papawai Stream and tributaries and category A groundwater – allocation amount 65 litres per second</p>		<p>second is significantly lower than the allocation currently consented. Consideration of consent applications, including as recently as 2014, has confirmed that allocation in excess of 65 litres per second is sustainable. Setting an allocation limit which is inconsistent with consented and sustainable allocations creates an unrealistic community expectation of the level of abstraction which can occur from the stream.</p> <p>Hammond recently renewed its water take consent and in that process transparently indicated it would invest significantly to upgrade infrastructure, which would lead to greater water use efficiencies. At that time there was no indication given to Hammond of a likely lower minimum flow. An allocation limit of 80 litres per second was granted. Having now made an investment in infrastructure to utilise the 80 l/s Hammond submits that this reduced minimum flow would adversely impact farming operations.</p>	<p>allocation.</p>
<p>Rule R1 Outdoor burning – permitted activity (page 96)</p>	<p>The discharge of contaminants into air from outdoor burning is a permitted activity, provided the following conditions are met:</p> <p>(a) the discharge shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the property, and</p> <p>(b) there is no burning of specified materials.</p>	<p>Support</p>	<p>Hammond supports this Rule.</p>	<p>Retain</p>
<p>Rule R89 Farm refuse dumps – permitted activity (page 146)</p>	<p>The discharge of contaminants onto or into land, and the associated discharge of odour, from a new farm refuse dump is a permitted activity, provided the following conditions are met: ...</p> <p>(g) there is no burning of the contents of a farm</p>	<p>Amend</p>	<p>Hammond supports this permitted activity, however seeks deletion of clause (g), which prohibits burning of farm refuse. Provided burning is properly managed, and the refuse content does not include specified materials, it is a safe and effective method of refuse disposal. This is recognised by Rule R1 Outdoor burning – permitted</p>	<p>... (g) there is no burning of the contents of a farm refuse dump, and...</p>



Rule R90 Manufacture and storage of silage and compost – permitted activity (page 147)	refuse dump, and ... The discharge of contaminants onto or into land, and the associated discharge of odour, from the manufacture and storage of silage or compost is a permitted activity, provided the following conditions are met: (a) the manufacture and storage area shall not be located within 20m of a surface water body, coastal marine area, or bore used for water abstraction for potable supply, and (b) the discharge does not contain: (i) hazardous substances, or (ii) wastewater, offal or dead animal matter, and (c) stormwater is prevented from entering into the manufacture or storage area, and (d) the walls and floor of a silage storage area shall have an impermeable lining able to withstand corrosion, and there shall be no discharge of leachate to water, and (e) the discharge of odour is not offensive or objectionable beyond the boundary of the property.	Amend	activity. Hammond supports this permitted activity, however seeks an amendment to clause (d), which requires the walls and floor of a silage storage area to have an impermeable lining able to withstand corrosion. In practice farmers often create storage areas in a field without impervious wall and floors but in all other respects comply with the permitted activity conditions. This requirement would lead to unnecessary cost and additional consenting.	(d) the walls and floor of a silage storage area shall <u>where practicable</u> have an impermeable lining able to withstand corrosion, and there shall be no discharge of leachate to water, and
Rule R135 general rule for take, use, damming (page 179)	The damming or diverting of water that would otherwise contravene sections 14(2) or 14(3) of the Resource Management Act 1991 and is not permitted, controlled, restricted discretionary, discretionary, non-complying or a prohibited activity is a discretionary activity.	Amend	This rule would apply to both new applications for consent and applications to renew existing consents. In the case of renewals, consent holders have often committed considerable resources to infrastructure to utilise the consent and are reliant on continued consent for the viability of their operation. It is requested that a restricted discretionary activity rule for renewals is inserted to provide for appropriate consideration of relevant effects while providing greater certainty as to the	Retain Rule 135 and add new restricted discretionary rule for applications to renew existing consents.

	approach taken to re-consenting.		
Schedule C5 & Map 7 – Sites of significance	Hammond understands that it is the bed of the Papawai stream which has been identified as a site of significance, however the proposed NRP only includes a notation "Papawai" with a small red line and is not of sufficient scale to identify the extent of the site. Hammond Limited seeks clarification and specification of the extent of the site of significance.	Amend	Provide greater clarity on extent of site of significance – Papawai Stream
Schedule I & Map 22. Important trout fishery & spawning rivers	Papawai stream has been identified as an important trout fishery and spawning river. Hammond seeks clarification and specification of the values of the stream, and the areas where those values are located.	Oppose	Delete reference to Papawai Stream

**Further Relief Sought**

8. In addition to the matters set out in the table above, Hammond seeks the following relief:
- (a) Any similar relief with like effect which addresses Hammond's concerns; and
  - (b) Any consequential amendments which arise from Hammond's submission, the reasons for the submission or the relief sought.

Date: 25 September 2015



**Hammond Limited**  
 By its solicitors and duly authorised agents  
**ANDERSON LLOYD**  
 Per: Jen Crawford / Jackie St John

**Address for service of submitter:**

c/- Anderson Lloyd Lawyers  
Private Bag 1959  
Dunedin 9054

Attention: Jen Crawford / Jackie St John

Telephone: 03 477 3973

Fax: 03 477 3184

Email: [jen.crawford@andersonlloyd.co.nz](mailto:jen.crawford@andersonlloyd.co.nz)

[jackie.sjohn@andersonlloyd.co.nz](mailto:jackie.sjohn@andersonlloyd.co.nz)

