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Sent: Friday, 3 September 2021 2:50 p.m.
To: RPS
Cc: Ben Williams; Brigid Buckley
Subject: Submission on behalf of Fonterra Co-operative Group Limited
Attachments: CHCDOC01-#1748481-v1-Fonterra_submission_on_proposed_Otago_RPS.pdf

Follow Up Flag: Follow up
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Categories: Submission - Sector stakeholder

Tēnā koe,
Please find **attached** for filing a submission on behalf of Fonterra Co-operative Group Limited in relation to the proposed Otago Regional Policy Statement 2021.

Nāku noa, nā

Rachel

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FONTERRA SUBMISSION ON THE PROPOSED OTAGO REGIONAL POLICY STATEMENT 2021

To: Otago Regional Council
Submitter: **Fonterra Co-operative Group Limited (Fonterra)**

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- I confirm that I am authorised on behalf of Fonterra Co-operative Group Limited (**Fonterra**) to make this submission.
 - Fonterra wishes to be heard in support of this submission.
 - If other parties make similar submissions, Fonterra would consider presenting a joint case with those parties at the hearing.
 - Fonterra will not gain a trade competition advantage through this submission. Fonterra will be directly affected if Proposed Otago Regional Policy Statement (PORPS) becomes operative in its current form. These adverse effects do not relate to trade competition or the effects of trade competition.
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1. Introduction

- 1.1 Fonterra Co-operative Group Limited (**Fonterra**) acknowledges the work that Otago Regional Council (**ORC**), has undertaken in the development and preparation of the Proposed Otago Regional Policy Statement (**PORPS**).
- 1.2 Fonterra has a number of assets within the Otago region including most significantly, a milk processing site at Stirling and a distribution centre at Mosgiel. Key details of these assets are provided in **section 2** below.
- 1.3 Fonterra generally supports the direction of the PORPS, subject to the amendments that are outlined in this submission.

2. Fonterra's key assets and operations in the Otago region

- 2.1 Fonterra has two key assets in the Otago region, being the Stirling dairy manufacturing site (**Stirling site**) near Balclutha, and a distribution centre at Mosgiel (**Mosgiel site**).

Stirling site

- 2.2 Fonterra's key manufacturing interest within the Otago region is the Stirling site located at the southern end of the Stirling Township (near Balclutha). The Stirling site has been operating for over 35 years and employs approximately 110 staff, including in driving, production, leadership, maintenance, administration, distribution and amenity roles.
- 2.3 The Stirling site processes over 1.75 million litres of milk every day, and over 200 tonnes of cheese is made at the site daily.
- 2.4 The main part of the Stirling site, which is located on the north side of Mount Wallace Road, contains a cheese plant, whey processing plant, wastewater treatment plant and associated infrastructure, parking and other facilities. On the corner of St John and Baker Streets, and to the southwest of the main site and to the south of the main south railway line, is a dairy tanker depot and a fuel station.

Mosgiel site

- 2.5 The Mosgiel site is Fonterra's key southern distribution hub is located on Stedman Road, Mosgiel. The site accommodates a 45,000 tonne dry store building and 17,000 tonne cool store building. These buildings provide for the temporary storage of product before being exported as well as for additional storage to provide extra capacity for the Edendale site in Southland.
- 2.6 The site is located with strategic rail access to Port Chalmers and allows for substantial reductions in truck movements on roads between the site, Port Otago and Southland in particular with further benefits in reduced fuel use and carbon emissions.

3. Relief sought

3.1 Fonterra seeks the following decision on submissions on PORPS:

- (a) Retention, deletion or amendment of various provisions of the PORPS as set out in **Appendix 1**.
- (b) Such further or other consequential or alternative relief as may be necessary to fully give effect to the relief sought in this submission.



Brigid Buckley
National Policy Manager – Global Operations
FONTERRA CO-OPERATIVE GROUP LIMITED

3 September 2021

APPENDIX 1 - SPECIFIC SUBMISSIONS

1. Suggested relief to address concerns in this submission is set out below. However, there may be other methods or relief that are able to address Fonterra's concerns and the suggested revisions do not limit the generality of the reasons for Fonterra's submission or the relief sought.
2. Fonterra's requested relief is shown with strike out in blue font and additions shown underlined and in red font.
3. Fonterra also seeks any consequential relief or alternative relief to Fonterra's satisfaction to address its concerns.

#	PAGE NO.	PROVISION	SUPPORT / OPPOSE	COMMENTS	RELIEF SOUGHT
Purpose					
	5	Purpose statement	Support in part	<p>Fonterra supports the acknowledgement in the first sentence of the PORPS that resolving new and legacy issues needs to be undertaken while, at the same time, enabling the Otago community to flourish. Fonterra considers that this theme needs to be reflected throughout the PORPS.</p> <p>Environmental management and protection is inseparable from resource use. As we move into a new era of resource management law reform it is clear that we have learnt from the past 30 years that a passive approach to looking after social and economic outcomes by focusing policy on pursuing natural environmental outcomes only has not been effective for maintaining and enhancing community well-being. The need to develop the NPS-UD is perhaps the best illustration of the belated realisation of the need for an active approach to providing for community needs in a world of constrained resources and increasing desire for</p>	<p>Retain the acknowledgement of the need to for the PORPS to enable a community (social, economic and cultural) growth and development. Extend the section as necessary to reflect the philosophy and approach of the PORPS as sought in this submission.</p>

#	PAGE NO.	PROVISION	SUPPORT / OPPOSE	COMMENTS	RELIEF SOUGHT
				greater environmental protection. The PORPS must reinsert 'planning for well-being' into resource management in Otago.	
	9	Figure 1 – Statutory framework	Oppose	It is not clear what Figure 1 attempts to illustrate. If it is the statutory framework for how natural and physical resources are managed then it is incomplete. There are numerous other statutes that affect resource management in Otago (including several directly related to regional issues identified). If it is intended to be the statutory framework for how the Te Tiriti o Waitangi is given effect to then it is similarly incomplete. The RMA is only one strand of a far broader national legislative and policy response to the need to recognise and give effect to Te Tiriti.	Clarify the intent of Figure 1 and reconfigure as necessary.
Interpretation					
		New definition Reverse sensitivity	Support	Reverse sensitivity is a key issue for many rural and industrial operators, and it is a term used throughout the PORPS. It is appropriate to provide a clear definition of the concept for consistency and clarification.	Insert new definition of Reverse sensitivity as follows, or words to similar effect: <u>means the potential for the operation of an existing lawfully established activity to be compromised, constrained or curtailed by the more recent establishment of other activities which are sensitive to the adverse environmental effects being generated by the pre-existing activity.</u>
		New definition Regionally significant industry	Support	Regionally significant industry has a key role in providing employment opportunities and economic and social benefits to the Otago region. It is important to distinguish the	Insert new definition of Regionally significant industry as follows: <u>means an economic activity based on the use of natural and physical resources in the region which has been shown to have benefits that</u>

#	PAGE NO.	PROVISION	SUPPORT / OPPOSE	COMMENTS	RELIEF SOUGHT
				importance of these activities to the Otago region and beyond.	<u>are significant at a regional or national scale. These may include social, economic or cultural benefits.</u>
		New definition Rural Industry	Support	The PORPS appropriately recognises and provides for “rural industry” and it is helpful to reference the definition of this term (as per the National Planning Standards). This term is also used in Policy UFD-P7.	Insert a new definition of Rural Industry as follows: <u>... has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below)</u> <u>means an industry or business undertaken in a rural environment that directly supports, services, or is dependent on primary production.</u>
	33	Definition Regionally significant infrastructure	Oppose in part	Significant investment is made by industrial operators in on-site infrastructure that enable these activities to occur. This should be provided for in the definition of regionally significant infrastructure.	Add new (13) to the Definition – Regionally significant infrastructure as follows: <u>(13) infrastructure necessary to enable the operation of regionally significant industry.</u>
	35	Definition Sensitive activity	Oppose	The definition of sensitive activities in the PORPS is narrow, and needs to provide for the full-range of activities that are sensitive, particularly for the purposes of managing the interface between incompatible activities (ie houses and industry) and the potential for reverse sensitivity effects (noting these effects go beyond noise and visual to encompass transportation, odours, etc.).	Replace the definition of Sensitive activities with the following: <u>includes the following:</u> (1) <u>residential activity</u> (2) <u>visitor accommodation</u> (3) <u>community facility</u> (4) <u>educational facility</u> (5) <u>health care facility</u>
	38-39	Definition Te Mana o te Wai	Oppose	The definition provided for Te Mana o te Wai refers to section 1.3 of the NPSFM 2020. Section 1.3 of the NPSFM is not a definition but a broad description of a concept and a set of principles. Because Te Mana o te Wai is a	Amend the definition of Te Mana o te Wai as follows: <u>Te Mana o te Wai is the concept described in clause 1.3 of the National Policy Statement</u>

#	PAGE NO.	PROVISION	SUPPORT / OPPOSE	COMMENTS	RELIEF SOUGHT
				<i>concept</i> it is only definable in the sense that it must be interpreted and applied after engagement with communities and tangata whenua (in accordance section 3.2 (1) and 3.4 (1)(a) of the NPSFM 2020).	<u>for Freshwater Management 2020 (NPSFM 2020) and given effect to in accordance with the NPSFM 2020.</u>
MW – Mana whenua					
	60 62	Objective MW-O1 Explanation MW-E1	Oppose in part	While there is a current legislative proposal that would require councils to “give effect” to the principles of Te Tiriti o Waitangi that is not yet law. Section 8 of the RMA requires that councils “take into account” the Treaty principles. Until such time as the law is changed, a consistent approach should be promoted through the PORPS.	Substitute the words “give effect to” with “ <u>take into account</u> ” in both Objective MW-O1 and Explanation MW-E1 .
	60	Policy MW-P2	Oppose in part	For reasons outlined in Fonterra’s comments on Objective MW-O1 and Explanation MW-E1 above.	Redraft the first sentence in Objective MW-O1 as follows: Local authorities exercise their functions and powers in accordance with <u>taking into account</u> Treaty principles by: ...
	61	Policy MW-P4	Oppose in part	Fonterra supports Kāi Tahu being able to develop land consistent with their culture and traditions but considers, for the avoidance of doubt, that they should also be required to give effect to the concept of Te Mana o te Wai.	Add a fourth condition to Policy MW-P4 as follows: <u>(4) giving effect to Te Mana o te Wai</u>

PART 2 – RESOURCE MANAGEMENT OVERVIEW

SRMR – Significant resource management issues for the region

71-73	Issue SRMR-I4	Oppose in part	<p>This issue recognises that poorly-managed urban and residential growth affects productive land, treasured natural assets, infrastructure and community well-being.</p> <p>While Fonterra agrees with that statement, it considers that it inadequately captures the complexity of land uses decisions and the breadth of the implications of poor decisions. In particular, Fonterra considers that the issue needs to more expressly recognise that poorly managed urban and residential growth can affect the viability of large-scale commercial assets (ie. industry facilities) through <i>reverse sensitivity</i>.</p>	<p>Amend the heading of SRMR-I4 as follows:</p> <p>Poorly managed urban and residential growth affects productive land, treasured natural assets, infrastructure, <u>industry</u> and community well-being</p> <p>Add to the list of bullet points under the “Economic” heading on p 73 the following additional matter:</p> <ul style="list-style-type: none"> • <u>Conflict arising from the location of incompatible activities within proximity of each other, including the potential for reverse sensitivity effects on the continued operation and growth of regionally significant industry.</u>
75	Issue SRMR-I5	Oppose in part	<p>Under the heading “Economic”, freshwater is recognised as a factor of production that contributes to various activities. Inexplicably, no mention is made of industry or rural industry not connected to urban water supply.</p>	<p>Amend the text under the heading “Economic” to read:</p> <p>Freshwater in the Otago region is a factor of production that directly contributes to human needs (urban water supply), agriculture, <u>industry, including rural industry</u>, hydro-electric power supply, and mineral extraction.</p>
75-78	Issue SRMR-I6	Oppose in part	<p>Fonterra agrees that declining water quality is a regionally significant issue and that economic and domestic activities do not always properly account for the environmental stresses and impacts they cause. However, it is important for the PORPS to also acknowledge that unacceptable impacts of resource use are not inevitable and that we cannot live, work and play</p>	<p>Include a further “significant resource management issue” focusing on the dependence of regional communities’ social and economic well-being on:</p> <p>(a) resource use and the need to provide for that use within sustainable limits, and</p>

				within Otago without some level of impact. Issues I6, I10 and I11 combine (see following submission point on issues SRMR-I10 and SRMR-I10) to paint a wholly negative picture of resource use in the region. The reality of course is that resource use is vital to economic and social well-being. Consistent with the comments made at the beginning of this submission, it is important that the PORPS focuses on more than stopping negative impacts on the natural environment (important as that is). It needs to recognise the benefits of, and provide for, resource use. This includes ensuring that rural and regionally significant industry is supported through planning policy and decision-making.	(b) the importance of regionally significant industry and infrastructure to economic and social well-being and the need to protect it from the effects of reverse sensitivity.
	83-84	Issue SRMR-I10	Oppose in part	As noted in the submission on Issue SRMR-I6 , the issue description paints a wholly negative picture of resource use in the Otago Region. While Fonterra agrees that the long-term well-being of communities is dependent the enduring and resilience of the natural environment, the well-being of current and future generations is also dependent making use of natural resources. Further, not all current resource uses is unsustainable, and not all is undermining of future generations.	Either: <ul style="list-style-type: none">• amend Issue SRMR-I10 to more fully acknowledge that current generation's well-being is dependent on continued access to resources; and/or• include an additional issue to provide balance to the description of the Region's issues as sought in relation to SRMR-I6
	84-85	Issue SRMR-I11	Oppose in part	As noted in the submission on Issue SRMR-I6, Issue SRMR-I11 paints a wholly negative picture of resource use in the Otago Region and theorises that the Region is nearly at "tipping points". It is not clear what tipping points are supposedly being reached or how those tipping points are defined. The issue appears simply to extrapolate from issues SRMR-I6 and SRMR-	Either: <ul style="list-style-type: none">• delete Issue SRMR-I11; and/or• include an additional issue to provide balance the description of the Region's issues as sought in relation to SRMR-I6

				I10 and adds no additional basis for the suite of objectives and policies that must follow.	
IM - Integrated management					
	96	Objective IM-O1	Support in part	For reasons previously stated, it is important that the long-term vision recognises that the management of natural and physical resources includes a focus on the well-being of present and future generations. However, for clarity, the term “well-being” should be defined. This is important because elsewhere in the PORPS the term ‘well-being’ is used purely in connection with freshwater and coastal water (see for example Policy LF-WAI-P3).	Either: (a) Retain IM-O1 , but include the words “ <u>economic, social and cultural</u> ” before the word “well-being”, and/or (b) Include an additional objective that recognises that the management of resources has to take into account the need for people to use those resources and hence social, cultural and economic consideration needs to be integrated into policy and regulatory decision-making.
		New Objective IM-O		The purpose of resource management under the Act is the sustainable management of natural and physical resources. None of the integrated management objectives recognise the need to manage the <i>physical</i> resources of significance to the Region when those resources, and the economic and social value they represent, are at risk. The RPS should not actively seek to promote the protection, use and development (as appropriate) of physical resources. The RPS does this <i>in part</i> by recognising regionally significant infrastructure. It is appropriate for the PORPS to do go beyond that by recognising regionally significant <i>industry</i> .	Insert and additional objective as follows: <u>IM-O5 – Regionally significant industry and infrastructure</u> <u>The social, economic and cultural well-being of Otago’s communities is enabled through the appropriate protection, use and development of regionally significant infrastructure and regionally significant industry.</u>
	97	Policy IM-P6	Oppose in part	While Fonterra does not support an approach to resource management decision-making that involves waiting for perfect information, there is	Add the following words to Policy IM-P6 : <u>Except that councils should:</u>

				a threshold of information and a quality of information, that is necessary to make robust decisions. IM-P6 does not adequately capture this point and could lead to poor decision-making and perverse outcomes. In particular, in the absence of anything to the contrary in Policy IM-P6, where there are multiple sources of potentially conflicting information, what is the 'best information available' will be a matter of judgement. There is nothing in Policy IM P6 that guides how that judgement is to be exercised.	<p><u>(a) use complete scientifically robust and/or professionally researched data where available;</u></p> <p><u>(b) Where the data described in (a) above is not available or is incomplete, prefer sources of information that provide the greatest degree of certainty; and</u></p> <p><u>(c) take all practical steps to reduce uncertainty.</u></p>
PART 3 – DOMAINS AND TOPICS					
AIR - Air					
	103	Objective AIR-O1	Support	Fonterra supports Objective AIR-O1 in that it seeks to ensure that ambient air quality in the Otago region provides for the health and well-being of the people of Otago, amenity and mana whenua values, and the life-supporting capacity of ecosystems.	Retain Objective AIR-O1 as notified.
	103	Objective AIR-O2	Oppose in part	Many industries which are important to the social and economic well-being of the community have discharges to air. Whilst this ability to discharge needs to be provided for, it is important that these discharges do not cause <u>significant</u> adverse effects on "human health, <i>amenity</i> and <i>mana whenua</i> values and the life-supporting capacity of ecosystems". The following policy framework provides the parameters to describe <i>how</i> the <i>adverse effects</i> of air discharges are to be managed.	Amend AIR-O2 as follows: <u>Enable discharges to air provided there are no significant localised effects on human health, amenity and mana whenua values and the life-supporting capacity of ecosystems</u> are protected from the adverse effects of discharges to air.
	103	Policy AIR-P1	Oppose	It is unclear what the proposed ambient air quality limits are, and how these would be set.	Amend Policy AIR-P1 as follows: Good ambient air quality is maintained across Otago by:

				It is more appropriate (and given the anticipated environmental results stated in the PORPS) that the “limits” in Policy AIR-P1 directly link those in the National Environmental Standards for Air Quality (NES-AQ).	(1) ensuring <i>discharges</i> to air comply with <u>are managed to maintain ambient air quality within the contaminant thresholds in the National Environment Standards for Air Quality and the Ambient Air Quality Guidelines</u> ambient air quality limits where those limits have been set, and (2) where limits have not been set, only allowing discharges to air if the adverse effects on ambient air quality are no more than minor.
	103	Policy AIR-P2	Oppose in part	Where air quality in the Otago region is “poor” planning provisions should target moving towards compliance with the NES-AQ.	Amend Policy AIR-P2 as follows: Air quality is improved across Otago by: (1) establishing, maintaining and enforcing plan provisions that set to improve <u>ambient air quality to meet the contaminant thresholds of the National Environment Standards for Air Quality</u> limits and timeframes for improving <u>ambient air quality</u> , including by managing the spatial distribution of activities and transport, and
	104	Policy AIR-P3	Oppose in part	The policy is worded too strictly and effectively establishes a “no adverse effects” test to whether discharges to air are to be allowed. While such a test may be appropriate where there are effects on human health, it is unrealistic to apply it to any and all adverse effects and all scales. In addition, for the avoidance of doubt it would be helpful to clarify that the policy relates to <i>local</i> impacts and applies in addition to obligations to manage ambient air quality under Policy AIR-P1.	Amend Policy AIR-P3 to read: <u>Subject to Policies AIR-P1 and AIR-P4, Allow Enable</u> discharges to air provided they do not <u>have significant</u> adversely ae effects <u>on</u> human health, amenity and <i>mana whenua</i> values and the life supporting capacity of ecosystems
	104	Policy	Oppose in part	The policy, being an “avoid”, is too absolute as it relates to offensive and objectionable effects.	Amend Policy AIR-P4 to read:

		AIR-P4		What is objectionable or offensive is place and context specific. Offensive and objectionable discharges are adequately managed by Policy AIR-P5.	Avoid discharges to air that cause <u>have</u> offensive, objectionable, noxious or dangerous effects <u>on human health</u> .
	104	Policy AIR-P5	Oppose	Despite the view that AIR-P4 adequately addresses offensive and objectionable discharges, as drafted the relevance of the policy to this matter could be clarified.	Amend Policy AIR-P5 to read: Manage the <u>adverse</u> effects of discharges to air, <u>including those that are offensive or objectionable</u> , beyond the boundary of the property of origin from activities that include but are not limited to:
	104	Policy AIR-P6	Oppose in part	The policy, being an “avoid”, is too absolute as it relates to effects on mana whenua values.	Amend Policy AIR-P6 as follows: Avoid <i>discharges</i> to air that <u>have significant</u> adversely a <u>effects on</u> <i>mana whenua</i> values by having particular regard to values and areas of significance to <i>mana whenua</i> .
	105	Method AIR-M2	Oppose in part	<p>Like Policy AIR-P4, Method AIR-M2 seeks to ‘avoid’ offensive or objectionable discharges. This is expressed without qualification and is considered overly stringent and out of step with standard practice under the Act. Under s17 and s322 of the Act, for example, an abatement notice to be served only where the discharge is offensive or objectionable “<u>to the extent that it causes adverse effects on the environment</u>”.</p> <p>At a broader level, the effective repetition of the policy within the method seems unnecessary and likely to lead to debate about consistency between the two (for example, AIR-M2 (2) refers to “provisions to mitigate” yet the relevant Policy (P5) refers to “manage”).</p> <p>A better approach would be to cross reference to the policy.</p>	<p>Amend Method AIR-M2 to read:</p> <p>No later than 31 December 2024, Otago Regional Council must prepare or amend and maintain its regional plans to:</p> <p>(1) avoid offensive, objectionable, noxious or dangerous discharges to air <u>give effect to Policy AIR-P4</u></p> <p>(2) ...</p> <p>(3) implement the prioritisation of the actions set out <u>prioritised in accordance with</u> in AIR-P2,</p> <p>(4) ...</p> <p>(5) give effect to the <u>recognise and, where appropriate, give regulatory weight to the</u> Air Quality Strategy for Otago <u>(subject to</u></p>

				<p>Regarding point (3) in Method AIR-M2, clarify whether the regional planning framework is to prioritise actions in AIR-P2 over the other RPS policies <i>or</i> prioritise the sub-points with this policy.</p> <p>Regarding point (5), it is inappropriate for a strategic document that is not subject to the same rigorous consultation and regulatory processes as those documents prepared via the Schedule 1 RMA process to be “given effect to” as part of the “Otago Regional Air Plan” framework.</p>	<p>the Schedule 1 process) and any subsequent amendments or updates.</p>
	105	Method AIR-M3	Oppose in part	<p>Method AIR-M3 does not acknowledge the need to manage reverse sensitivity by ensuring new sensitive activities to not locate in close proximity to established industry with discharges to air that close neighbours might find offensive or objectionable. The need to manage reverse sensitivity is a well-established planning principle.</p>	<p>Amend Method AIR-M3 to read:</p> <p>No later than 31 December 2029, territorial authorities must prepare or amend and maintain their district plans to include provisions that direct an urban form that assists in achieving good air quality <u>and which ensures people are not exposed to poor air quality</u> by:</p> <p>(1)</p> <p>(2)</p> <p><u>(3) managing the interface between air discharging activities and sensitive activities to avoid reverse sensitivity effects.</u></p>
LF - Land and freshwater					
	122	Policy LF-WAI-P3	Oppose in part	<p>LF-WAI-P3, particularly read in conjunction with other LF policies, provides no recognition that people use water, and will continue to need to use water for social economic and cultural well-being.</p> <p>As indicated earlier, the framing of this section focuses almost entirely on ensuring</p>	<p>Amend Policy LF-WAI-P3 to recognise the need for people and communities to use water in various ways and the acceptability of this where it is occurs within appropriate limits.</p> <p>As a minimum this should include an amendment to Policy LF-WAI-P3(4) as follows:</p>

				<p>management occurs consistent with, and to accommodate, Kāi Tahu cultural values, and practices and on delivering healthy freshwater. While Fonterra recognises that these matters are important, it seems to us that people, and their needs, are taken out of the frame altogether.</p> <p>The concept of Te Mana o te Wai does place the ability of people and communities to provide for their needs as the third priority. However, that does not mean that this matter has no priority or is unimportant.</p> <p>The term “well-being of ...water” is unclear and potentially confusing since well-being is normally associated with people and communities.</p>	<p>(4) <u>ensures that as people use and develop land and water they do so in a way and at a rate that maintains and enhances manages the effects of the use and development of land to maintain and enhance the health and well-being of freshwater and coastal water</u></p>
	124	Objective LF-VM-O2	Support in part	<p>Fonterra supports the intention of Objective LF-VM-O2(7)(c)(iv). However, and given the scope of the definition of “wastewater”, there might be some instances whereby alternative discharge regimes are not available by this timeframe – despite best efforts. This is also noting that wetland treatment prior to discharge may not always be an option.</p> <p>Fonterra agrees that there is no scenario where the discharge of sewage direct to water bodies would be acceptable post 2045. However, there may be scenarios where discharge of treated industrial waste water to water offers the best overall outcome freshwater and that option should not be ruled out entirely.</p>	<p>Amend Objective LF-VM-O2(7)(c) as follows:</p> <p>(iv) there are no direct discharges of <u>wastewater sewage</u> to water bodies,</p> <p><u>(v) there are no direct discharges of industrial and trade waste or grey water to water bodies unless no feasible alternative discharge option exists to better manage ecological and cultural effects on water quality.</u></p>
	132	Policy	Oppose in part	<p>It is not always appropriate for wastewater and/or stormwater generated from industrial or</p>	<p>Amend Policy LF-FW-P15(2) as follows:</p>

		LF-FW-P15(2)		trade premises to discharge into a reticulated system. This can be due to the types of contaminants in wastewater, scale and/or location. Furthermore, some industrial sites may have their own land-based discharge system for sewage.	(a) all sewage, industrial or trade waste to be <i>discharged</i> into a reticulated <i>wastewater</i> system, where one is available, <u>is practicable to use and provides for a better outcome for freshwater</u> (b) all <i>stormwater</i> to be <i>discharged</i> into a reticulated system, where one is available, <u>is practicable to use and provides for a better outcome for freshwater.</u>
	132	Policy LF-FW-P15	Neutral	Wastewater is defined as having the same meaning as in Standard 14 of the National Planning Standards 2019: <i>means any combination of two or more the following wastes: sewage, greywater or industrial and trade waste.</i> Based on that definition the discharge of industrial or trade waste by itself does not (apparently) constitute ‘wastewater’ and Policy LF-FW-P15 (1) does not apply to its discharge. It is unclear if that is intended.	Clarify whether it is intended that the discharge of industrial or trade waste, when not combined with sewage or greywater, is captured by Policy LF-FW-P15 (1)
	131-132	Policies LF-FW-P13 and LF-FW-P15	Oppose in part	Both these policies refer to “water quality standards”. The term is not defined by the plan and it is unclear what it refers to. Standards are specified in Schedule 3 of the RMA but it is not apparent that these are intended to apply here. The term “water quality standards” is not used in the NPS-FM 2020.	Clarify what is intended by water quality standards. Ensure that this is consistent with the NPS-FM 2020. This might include defining the term “water quality standards” to include target attribute states set under the NPS-FM or other numerical or narrative standards that describe the outcome set by a regional plan or national regulation for water quality
UFD – Urban form and development					
	186	Objective UFD-O2	Support in part	It is also important that when enabling business and other non-residential activities to establish and/or continue operating (such as industrial activities) that these activities are protected from	Amend Objective UFD-O2(2) as follows: (6) minimises conflict between incompatible activities <u>and protects industrial activities from the effects of reverse sensitivity</u>

				<p>the establishment of incompatible activities in proximity and the potential of these activities to generate reverse sensitivity effects.</p> <p>UFD-O2(6) provides for “minimising conflicts between incompatible activities” but greater recognition of this issue (in particular, the need to protect established and regional significant activities from the effects of reverse sensitivity), is warranted.</p>	
	188	Policy UFD-P2	Support in part	<p>Providing for commercial and industrial activities in plans is appropriate.</p> <p>The wording of the policy (particularly when read in conjunction with the NPS-UD and parts 2&3 of this policy) is not clear that the requirement to provide for industrial and commercial activities applies both to existing activities and to the resource needs of new/potential activities).</p>	<p>Retain Policy UFD-P2 but amend (4) as follows:</p> <p>(4) providing for <u>existing and new</u> industrial activities in accordance with UFD-P5 and UFD-P6.</p>
	188	Policy UFD-P4	Support	<p>Fonterra supports the aspects of this policy which encourage the existing expansion of urban areas in an efficient manner, and seek to avoid sporadic settlement patterns.</p> <p>Fonterra considers that it is also important to manage the potential for reverse sensitivity effects at the residential / industrial interface.</p>	<p>Amend Policy UFD-P4 as follows:</p> <p>(2) will not result in inefficient or sporadic patterns of settlement and residential growth <u>and will manage the interface between sensitive activities and industrial activities by avoiding reverse sensitivity effects on, in particular, regionally significant industry.</u></p>
	189	Policy UFD-P6	Support in part	<p>It is appropriate for plans to provide for industrial activities and consistent with the NPS-UD. However minor clarification would avoid potential misinterpretation.</p> <p>This policy is limited in the ‘protection’ it affords industrial activities. Often issues arise not just from non-industrial activities locating within in industrial zones but in non-industrial activities</p>	<p>Retain Policy UFD-P6 but amend to read:</p> <p>Provide for <u>existing and new</u> industrial activities in urban areas by:</p> <p>....</p> <p>(3) managing the establishment of non-industrial activities, in industrial area, by avoiding <u>the establishment of non-industrial</u> activities likely to result in:</p>

				locating in close proximity of an existing industrial activity (regardless of zoning).	<ul style="list-style-type: none"> i. reverse sensitivity effects on <u>existing</u> industrial activities, or ii. <u>reverse sensitivity effects on potential industrial activities where the non-industrial activity would occur within an industrial zone.</u> iii. likely to result in an inefficient use of industrial zone land or infrastructure, particularly where:
	190	Policy UFD-P7	Support	Fonterra supports Policy UFD-P7(4) which facilitates rural industry in rural areas noting that these activities have a direct connection to primary production activities.	Retain Policy UFD-P7(4) as notified.