

**From:** [Rachel Robilliard](#)  
**To:** [RPS](#)  
**Cc:** [Ben Williams](#); [Gerard Willis](#)  
**Subject:** Fonterra PORPS further submission  
**Date:** Thursday, 11 November 2021 5:23:29 p.m.  
**Attachments:** [CHCDOC01-#1774979-v1-Fonterra\\_further\\_submission\\_PORPS.pdf](#)  
[CHCDOC01-#1774979-v1-Fonterra\\_further\\_submission\\_PORPS.docx](#)

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Kia ora,

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

Ngā mihi,  
Rachel

RACHEL ROBILLIARD  
RŌIA MATUA | SENIOR SOLICITOR

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# FONTERRA FURTHER SUBMISSION ON THE PROPOSED OTAGO REGIONAL POLICY STATEMENT 2021

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

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## 1. Introduction

- 1.1 This is a further submission by Fonterra Co-operative Group Limited (**Fonterra**) on the Proposed Otago Regional Policy Statement (**PORPS**).
- 1.2 Fonterra made a submission on the PORPS, submitter number 233.
- 1.3 Fonterra is a person who has an interest in the proposal that is greater than the interest the general public has. As explained in Fonterra's original submission on the PORPS, Fonterra has a number of assets within the Otago region including most significantly, a milk processing site at Stirling (**Stirling site**) and a distribution centre at Mosgiel (**Mosgiel site**).

## 2. Submissions supported and opposed

- 2.1 The submissions supported or opposed, and the reasons for the support or opposition, are set out in the table attached as an **Appendix** to this submission.
- 2.2 The **Appendix** sets out:
  - 2.2.1 The submissions or parts of submissions that Fonterra supports or opposes,
  - 2.2.2 The reasons for support or opposition; and
  - 2.2.3 The relief sought by Fonterra in relation to those submissions or parts of submissions.

- 2.3 Fonterra wishes to be heard in support of the further submission points listed in the **Appendix** and would be prepared to consider presenting a joint case with submitters raising similar concerns.
- 2.4 I confirm that I am authorised on behalf of Fonterra Limited to make this submission.



Ben Williams  
**Partner**  
CHAPMAN TRIPP

11 November 2021

## APPENDIX 1 – FONTERRA’S FURTHER SUBMISSION POINTS ON THE PORPS

1. The text included in the “Submission” column of the following table that is underlined is text proposed by the submitter.
2. 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.
3. Fonterra’s requested relief is shown with strike out in blue font and additions shown underlined and in red font.
4. Fonterra also seeks any consequential relief or alternative relief to Fonterra’s satisfaction to address its concerns.

SUBMITTER NAME	#	PROVISION	SUBMISSION	SUPPORT / OPPOSE	REASONS	RELIEF SOUGHT
Duncan, Brent & Kelly	00006.001	New provision	Amend RPS21 to include the following Objective: <u>Objective X.X Sufficient land is managed and protected for economic production</u>	Support	Fonterra supports the intent of this proposed objective and agrees that sufficient land must be available, and protected, for economic production.	Accept the submission
Duncan, Brent & Kelly	00006.002	New provision	Amend RPS21 to include the following Policy: <u>Policy X.X.1 Manage activities in rural areas and support the region’s economy and communities, by: a) Enabling primary production and other rural activities that support that production; b) Providing for mineral exploration, extraction and processing;</u>	Support in part	Fonterra supports the parts of this proposed policy that relate to enabling primary production and other rural activities that support primary production.	Accept the submission in part
<b>Interpretation</b>						
New Zealand Infrastructure Commission	00321.106	General	Amend as follows: ... Specifically refer to economic infrastructure without which the economies of Otago cannot function including for example those	Support in part	Fonterra supports in principle the proposal to recognise ‘economic infrastructure’ in the regional policy statement, and considers that its sites would fit within this concept, which is	Accept the submission if Fonterra’s proposed relief is not accepted

SUBMITTER NAME	#	PROVISION	SUBMISSION	SUPPORT / OPPOSE	REASONS	RELIEF SOUGHT
			highlighted by the submitter's submission as unique to the Otago region.		similar to Fonterra's proposal to recognise 'regionally significant industry'.	
Otago Fish & Game Council and the Central South Island Fish & Game Council	00231.016	New definition – Natural environment	<p>Insert definition: Natural environment means:</p> <p>(a) land, water, air, soil, minerals, energy, and all forms of plants, animals and other living organisms, whether native to New Zealand or introduced, and their habitats,</p> <p>(b) ecosystems, their constituent parts and the natural processes that sustain these,</p> <p>(c) the natural landscape and landforms that are formed by the interactions between (a) and (b), and</p> <p>(d) excludes pests and domestic and farmed animals.</p> <p>Plus, consequential changes as referenced in the reasoning section.</p>	Oppose	It is not appropriate to include a definition of 'Natural environment' in the PORPS. The Fish and Game's submissions to orientate the PORPS towards an overwhelming focus on the natural environment is inconsistent with the purpose of the Act and the definition of natural and physical resources.	Reject the submission
Otago Fish & Game Council and the Central South Island Fish & Game Council	00231.017	New definition – Minimise	<p>Insert definition:</p> <p>Minimise means to reduce to the smallest amount reasonably practicable. Minimised, minimising and minimisation have the corresponding meaning.</p>	Oppose	The definition proposed does not add sufficient value or clarity over and above the ordinary meaning of the word and may not reflect established caselaw.	Reject the submission
Otago Fish & Game Council and the Central South Island Fish & Game Council	00231.018	New definition – Precautionary approach	<p>Insert definition:</p> <p>Precautionary approach means an approach that:</p> <p>(a) avoids not acting due to uncertainty about the quality or quantity of the information available, and</p> <p>(b) interprets uncertain information in a way that best supports the health, wellbeing and resilience of the natural environment</p>	Oppose	It is not appropriate to include a definition of 'Precautionary approach' in the PORPS.	Reject the submission

SUBMITTER NAME	#	PROVISION	SUBMISSION	SUPPORT / OPPOSE	REASONS	RELIEF SOUGHT
Otago Fish & Game Council and the Central South Island Fish & Game Council	00231.019	New definition – Restore	Insert definition: Restore means to return to a state of good health, well-being and resilience.	Oppose	The definition does not helpfully or definitively describe what 'restore' means and hence adds little value to the RPS.	Reject the submission
Dunedin City Council	00139.109	New definition – Wastewater system operator	If amendments sought by submitter to LF – FW – P15 (2)(a) and (b) are accepted, add definition of "wastewater system operator". The definition of 'wastewater network operator' provided in the Water Services Bill could provide guidance.	Support in part	Fonterra supports the comments made by Dunedin City Council in relation to LF-FW-P15, however further consideration of these definitions would be required if the relief is accepted.	Accept the submission in part
Dunedin City Council	00139.110	New definition – Stormwater system operator	If amendments sought by submitter to LF – FW – P15 (2)(a) and (b) are accepted, add definition of "stormwater system operator". The definition of 'stormwater network operator' provided in the Water Services Bill could provide guidance.	Support in part	Fonterra supports the comments made by Dunedin City Council in relation to LF-FW-P15, however further consideration of these definitions would be required if the relief is accepted.	Accept the submission in part
Meridian Energy Limited	00306.001	Effects management hierarchy	Amend as follows: <del>"has the same meaning as in clause 3.21 of the National Policy Statement for Freshwater Management 2020 (as set out in the box below) and in this RPS also applies to natural wetlands (1) in relation to natural inland wetlands, rivers, means an approach to managing the adverse effects of an activity on the extent or values of a <u>natural</u> wetland, or river or lake (including cumulative effects and loss of potential value) that requires means that:</del> (a) adverse effects are avoided where practicable, <u>and</u>	Support in part	Fonterra supports the proposed amendments to (1) in this definition, but considers that the approach in (2) should be extended to all regionally significant industry.	Accept the submission in part

SUBMITTER NAME	#	PROVISION	SUBMISSION	SUPPORT / OPPOSE	REASONS	RELIEF SOUGHT
			<p>(b) where adverse effects cannot be avoided, they are minimised where practicable, <u>and</u></p> <p>(c) where adverse effects cannot be minimised, they are remedied where practicable, <u>and</u></p> <p>(d) where more than minor residual adverse effects cannot be avoided, minimised, or remedied, aquatic offsetting is provided, <u>and</u></p> <p><u>(e) if aquatic offsetting of more than minor residual adverse effects is not practicable, aquatic compensation is provided; and</u></p> <p><u>(ef) if aquatic compensation is not appropriate, the activity itself is avoided.</u></p> <p><u>(2) in relation to managing the adverse effects of renewable electricity generation activities on the extent or values of a natural wetland, river or lake (including cumulative effects and loss of potential value) means that:</u></p> <p><u>(a) adverse effects are avoided, remedied or mitigated where practicable, and</u></p> <p><u>(b) where the adverse effects cannot be avoided, remedied or mitigated, decision-makers shall have regard to offsetting measures or environmental compensation including measures or compensation which benefit the local environment and community affected."</u></p>			

SUBMITTER NAME	#	PROVISION	SUBMISSION	SUPPORT / OPPOSE	REASONS	RELIEF SOUGHT
<b>PART 2 – RESOURCE MANAGEMENT OVERVIEW</b>						
<b>IM - Integrated management</b>						
Royal Forest and Bird Protection Society of New Zealand Incorporated	00230.028	IM – O1	Add in the words “and provided this is achieved” before the words “supports the well-being of present and future generations, mō tātou, ā, mō ka uri ā muri ake nei”	Oppose	Fonterra supports healthy, resilient and safeguarded natural systems and ecosystems but the insertion implies that only once this is achieved across the Region may present and future generations be permitted to use resources.	Reject the submission
Beef & Lamb NZ and Deer Industry NZ	00237.023	New– Provision	Amend to include a provision similar to EIT – INF – M6 for landowners and users in the primary sector.	Support in part	Fonterra supports the intent that the PORPS should provide for meaningful and constructive engagement with these landowners and users.	Accept the submission in part
Ravensdown Limited	00121.017	IM – O3	Amend as follows: Otago’s communities carry out their activities in a way that <u>sustainably manages natural and physical resources</u> <del>preserves environmental integrity, form, function, and resilience</del> , so that the life-supporting capacities of air, water, soil, ecosystems <u>is safeguarded</u> , <del>and indigenous biodiversity endure</del> for future generations.	Support in part	Fonterra supports some of the proposed amendments to the wording of this objective. In particular the words “preserves environmental integrity form, function and resilience” introduce vague and undefined concepts. For the avoidance of doubt though, Fonterra supports a focus on ensuring biodiversity endures.	Accept the submission
Ravensdown Limited	00121.020	IM – P2	Delete.	Support	Fonterra agrees that the policy introduces concepts and terms that do not reflect the purpose of the RMA, and ought to be deleted.	Accept the submission
Royal Forest and Bird Protection	00230.034	IM – P4	Amend as follows: ...	Oppose	Fonterra disagrees with the proposed inclusion of reference to cumulative effects and the	Reject the submission



SUBMITTER NAME	#	PROVISION	SUBMISSION	SUPPORT / OPPOSE	REASONS	RELIEF SOUGHT
Society of New Zealand Incorporated			<u>(5) measures cumulative effects on the environment and requires their proactive management, including by taking a precautionary approach when considering effects of activities.</u>		precautionary approach in this policy.	
Ravensdown Limited	00121.021	IM – P4	Amend as follows: Healthy ecosystems and ecosystem services are achieved <del>through a planning framework that</del> by: (1) <del>protects</del> <u>recognising</u> their intrinsic values, (2) <del>takes</del> <u>using</u> a long-term strategic approach that recognises changing environments, (3) <del>recognises</del> <u>using</u> and provides for ecosystem complexity and interconnections, and (4) <del>anticipates</del> <u>using</u> , or <del>responds</del> <u>using</u> swiftly to, changes in activities, pressures, and trends.	Support	Fonterra agrees that this Policy is generally appropriate, but the proposed amendments are necessary for clarity.	Accept the submission
Federated Farmers of New Zealand	00239.043	IM – P13	Amend as follows or similar: “... protected by <del>recognising and specifically managing</del> <u>taking into account</u> the cumulative effects of activities on natural and physical resources in plans and <del>explicitly accounting for these effects</del> in other resource management decisions. “	Support	Fonterra agrees that it is unlikely to be practicable (or possible) to “account” for all cumulative effects in all resource management decisions, and supports the proposed amended wording.	Accept the submission
Federated Farmers of New Zealand	00239.044	IM – P14	Delete.	Support	Fonterra agrees that the intention of this policy is not clear and that it should be deleted.	Accept the submission
Federated Farmers of New Zealand	00239.046	IM – M1	Amend as follows or similar: “Local authorities must prepare or amend	Support	Fonterra agrees that clarification and refinement is necessary to reduce uncertainty and	Accept the submission

SUBMITTER NAME	#	PROVISION	SUBMISSION	SUPPORT / OPPOSE	REASONS	RELIEF SOUGHT
			<p>and maintain their regional and district plans to:</p> <p>(1) establish, <del>by December 2030,</del> policy frameworks designed to achieve the objectives for Otago set out in IM – O1 to IM – O4,</p> <p>...</p> <p>(4) <del>where practicable, take the ensure</del> cumulative effects of activities on natural and physical resources <del>are accounted for into account</del> in resource management decisions by recognising and managing such effects, including:</p> <p>...</p> <p>(6) establish clear thresholds for, and limits on, activities that <del>have the potential to degrade adversely affect</del> healthy ecosystem services and <del>intrinsic values.</del> “</p>		disagreement on meaning and application.	
Royal Forest and Bird Protection Society of New Zealand Incorporated	00230.037	IM – M4	<p>Amend as follows:</p> <p>“...  (1) identifying indigenous species and habitats and ecosystems which are at risk and developing programmes for protection and adaption,  (X) identifying infrastructure or other buildings that are natural and built resources vital to environmental and community resilience and well-being,  ...  (4) amend regional and district plans</p>	Oppose in part	While Fonterra supports the specific provision for activities in district and regional plans that might contribute to the reduction in greenhouse gases, it is not clear that this is the intent of new part (4). Fonterra opposes any proposal that would see greenhouse gas reduction obligations imposed at district or regional level inconsistent with, or duplicative of, obligations arising from national policy.	Reject the submission in part

SUBMITTER NAME	#	PROVISION	SUBMISSION	SUPPORT / OPPOSE	REASONS	RELIEF SOUGHT
			to provide for initiatives that reduce greenhouse gas emissions”			
Wise Society Inc	00509.049	IM- M4	<p>Amend as follows:</p> <p>...</p> <p>(2) identifying vulnerable resources and communities and developing adaptation pathways for them where possible, and</p> <p>(3) developing <u>action</u> plans and agreements for implementation <u>that require and adapt to emission reduction rates consistent with the prevailing national and international policy</u></p> <p>(4) All institutions, businesses and households registering with their local authority, emissions reduction plans based on approved and standard methodology</p>	Oppose	While Fonterra supports the specific provision for activities in district and regional plans that might contribute to the reduction in greenhouse gases, it is not clear that this is the intent of new part (4). Fonterra opposes any proposal that would see GHG reduction obligations imposed at district or regional level inconsistent with, or duplicative of, obligations arising from national policy.	Reject the submission
Federated Farmers of New Zealand	00239.049	IM – M5	Amend as follows or similar: “ (3) encourage changes to business practice that will enable businesses to function in a net – zero <u>warming</u> carbon economy, and (4) advocate for and incentivise activities that reduce, mitigate, or eliminate risk of environmental degradation. (5) <u>Enable appropriate water storage solutions to mitigate the effects of climate change</u> “	Support in part	Fonterra supports the proposed amendments to this provision to provide for the enablement of appropriate water storage.	Accept the submission in part
<b>PART 3 – DOMAINS AND TOPICS</b>						
<b>AIR - Air</b>						

SUBMITTER NAME	#	PROVISION	SUBMISSION	SUPPORT / OPPOSE	REASONS	RELIEF SOUGHT
Horticulture New Zealand	00236.047	New – provision	Amend to add a new policy – AIR – P7 Sensitive activities as follows: <u>“Avoid locating new sensitive activities near existing activities which are permitted or consented to discharge to air.”</u>	Support	Fonterra supports this proposed policy.	Accept the submission
<b>LF - Land and freshwater</b>						
Federated Farmers of New Zealand	00239.075	LF – WAI – New provision	<p>Insert new method M2 to give effect to the other components of Te Mana o Te Wai, to give practical effect to the matters in P1 as proposed below.</p> <p>- Adopt a new method as above and move existing LF – WAI – M2 to become LF – WAI – M3.</p> <p><u>“LF – WAI – M2 Practical implementation of Te Mana o Te Wai</u></p> <p><u>(1) The Otago Regional Council will give practical effect to LF – WAI – P2 by: Facilitating the practical use of matauraka Maori, such as through cultural flow preference studies, and other methods</u></p> <p><u>(2) Undertaking and supporting detailed hydrological, ecological, habitat, and soil studies to support integrated management of water</u></p> <p><u>(3) Undertaking and supporting social and economic studies to maintain or enhance social and economic wellbeing where transitions are required.”</u></p>	Support	Fonterra supports the need to include a new provision to properly implement Te Mana o Te Wai.	Accept the submission

SUBMITTER NAME	#	PROVISION	SUBMISSION	SUPPORT / OPPOSE	REASONS	RELIEF SOUGHT
Federated Farmers of New Zealand	00239.076	LF – WAI – New provision	Add new AER in as follows: <u>“LF – WAI – AER3 The management of land and water restores the balance between water, the wider environment, and the community “</u>	Support in part	Fonterra supports this proposed new provision to the extent that it is consistent with the NPSFM 2020	Accept the submission in part
AWA	00502.004	LF – WAI – New provision	Add new AER in LF – WAI – AER section as follows: <u>Fresh water is allocated within limits in a way that gives effect to te Mana o te Wai, and supports the cultural, social and economic wellbeing of mana whenua and local communities.</u>	Oppose in part	Fonterra agrees that water should be allocated in a way that gives effect to Te Mana o Te Wai, and that the need to support social and economic well-being will always be relevant but is concerned that a focus on well-being of man whenua and local communities is too narrow.	Reject the submission in part
Otago Fish & Game Council and the Central South Island Fish & Game Council	00231.045	LF – WAI – O1	Add an additional part to the objective as follows:  <u>(6) people are enabled to use, enjoy and connect meaningfully with water bodies to further their amenity and well-being, including through recreation and harvesting food</u>	Oppose in part	Fonterra notes that the proposed new part is not clear. In particular, it is not clear what the “their” refers to (i.e. water bodies or people). Furthermore, the Objective is about land and water yet this new part focuses solely on water bodies. Fonterra considers that, if this new part is to be added it should focus on both land and waterbodies – both of which are important for amenity and food harvesting.	Accept the submission in part
Federated Farmers of New Zealand	00239.070	LF – WAI – P1	Amend as follows: “In all management of fresh water in Otago, prioritise: <del>(1) first, the health and well-being of water bodies and freshwater ecosystems, te hauora o te wai and te hauora o te taiao, and the exercise of mana whenua to uphold these,</del>	Support	Fonterra agrees that this policy should not significantly alter the NPSFM 2020.	Accept the submission

SUBMITTER NAME	#	PROVISION	SUBMISSION	SUPPORT / OPPOSE	REASONS	RELIEF SOUGHT
			<del>(2) second, the health and well-being needs of people and essential needs of animals, to hauora o te tangata; interacting with water through ingestion (such as drinking water and consuming harvested resources) and immersive activities (such as harvesting resources and bathing);</del> and (3) third, the ability of people and communities to provide for their social, economic, and cultural well – being, now and in the future. “			
AWA	00502.002	LF – WAI – P1	Amend as follows: ... <u>(4) Fourth, the activities in (3) that deliver the best outcomes for the environment and local communities, as determined through consultation with iwi, mana whenua and local communities.</u> <u>(5) fifth, the taking and use of water for water export will be a prohibited activity.</u>	Oppose	Fonterra considers that this policy should not significantly depart from the NPSFM 2020.	Reject the submission
Otago Fish & Game Council and the Central South Island Fish & Game Council	00231.047	LF – WAI – P3	Add a new part 9 as follows: <u>(9) preferentially considers effects against the naturalised flow and unpolluted state of a water body when making decisions about the health, well-being and resilience of water bodies and freshwater ecosystems, including when setting limits or environment outcomes, and</u>	Oppose	Fonterra considers it unrealistic to adjudge effects against “naturalised flows and unpolluted state of water bodies”. Many of Otago’s water bodies are highly modified. Any effect will appear significant when assessed against such an unmodified baseline.	Reject the submission
Federated Farmers of New Zealand	00239.073	LF – WAI – P4	Delete.	Support	Fonterra agrees that this policy is not consistent with the existing	Accept the submission

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					statutory tests and not consistent with integrated management.	
Royal Forest and Bird Protection Society of New Zealand Incorporated	00230.078	LF – VM – New provision	<p>Add a new overarching vision to apply to all FMUs in Otago as follows: <u>“LF – VM – O1 – All of Otago catchment vision By no later than 2040, in all Otago catchments:</u></p> <p><u>(1) water bodies are protected at, or restored to a state of good health, well-being and resilience,</u></p> <p><u>(2) activities relating to water support the health, well-being and resilience of affected water bodies,</u></p> <p><u>(3) the natural form and function of water bodies, including with respect to water quality, sedimentation and flows, mimics that of their natural behaviour,</u></p> <p><u>(4) ecosystem connections between freshwater, wetlands and the coastal environment are protected and restored,</u></p> <p><u>(5) wetland, estuary and lagoon extent has been restored as much as practical where it has been lost, and their quality is protected and restored,</u></p> <p><u>(6) the habitat of indigenous species is protected and restored, and indigenous species are able to migrate easily within and between catchments,</u></p> <p><u>(7) food is available to be harvested from water bodies in abundance and is safe to consume,</u></p>	Oppose	Fonterra does not agree with the proposed wording of this objective.	Reject submission

SUBMITTER NAME	#	PROVISION	SUBMISSION	SUPPORT / OPPOSE	REASONS	RELIEF SOUGHT
			<p><u>(8) people have abundant, quality opportunities to connect with and recreate within or close to a wide range of water bodies.</u></p> <p><u>(9) there are no direct discharges of waste water to water bodies, and</u></p> <p><u>(10) fresh water is managed in accordance with the LF – WAI objectives and policies.”</u></p> <p>- Make the required consequential amendments to specific FMU visions in LF – VM – O2 to LF – VM – O6 to ensure the overarching vision above applies to all of them while retaining FMU specific provisions and timeframes where appropriate to be stronger than provided for in LF – VM – O1.</p>			
Otago Fish & Game Council and the Central South Island Fish & Game Council	00231.05	LF – VM – New provision	<p>Amend as follows: <u>LF-VM-OA2 – All of Otago catchment vision By no later than 2040, in all Otago catchments:</u></p> <p><u>(1) water bodies are protected at, or returned to a state of good health, well-being and resilience,</u></p> <p><u>(2) activities relating to water support the health, well-being and resilience of affected water bodies,</u></p> <p><u>(3) the natural form and function of water bodies, including with respect to water quality, sedimentation and flows, mimics that of their natural behaviour,</u></p> <p><u>(4) ecosystem connections between freshwater, wetlands and the coastal environment are protected and restored.</u></p>	Oppose	As above, Fonterra does not agree with the proposed wording of this objective.	Reject the submission



SUBMITTER NAME	#	PROVISION	SUBMISSION	SUPPORT / OPPOSE	REASONS	RELIEF SOUGHT
			<p><u>(5) wetland, estuary and lagoon extent has been restored as much as practical where it has been lost, and their quality is protected and restored.</u></p> <p><u>(6) the habitat of indigenous species is protected and restored, and indigenous species are able to migrate easily within and between catchments.</u></p> <p><u>(7) the habitat of trout and salmon is protected and restored, and trout and salmon are able to migrate easily within and between catchments, insofar as each goal is consistent with that of indigenous species.</u></p> <p><u>(8) food is available to be harvested from water bodies in abundance and is safe to consume.</u></p> <p><u>(9) people have abundant, quality opportunities to connect with and recreate within or close to a wide range of water bodies.</u></p> <p><u>(10) there are no direct discharges of waste water to water bodies, and</u></p> <p><u>(11) fresh water is managed in accordance with the LF-WAI objectives and policies.</u></p> <p>Consequential relief to remove parts of LF-VM-O2 to LF-VM-O6 that duplicate direction in LF-VM-AO2. Specific drafting of this consequential relief and relief required to remove drafting issues sought by Fish &amp; Game has not been provided by Fish &amp; Game as the potential consequential amendments required</p>			

SUBMITTER NAME	#	PROVISION	SUBMISSION	SUPPORT / OPPOSE	REASONS	RELIEF SOUGHT
			will be comprehensive and has the capacity to make and specific drafting changes redundant			
Federated Farmers of New Zealand	00239.083	LF – FW – O8	<p>Amend as follows: “In Otago’s water bodies and their catchments:</p> <p>(1) the health of the wai supports the health of the people and thriving mahika kai, and the ability of people and communities to provide for their social, economic and cultural wellbeing, now and in the future,</p> <p>2) <del>water flow is continuous throughout the whole system, ...</del></p> <p>(6) <u>sustainable and integrated water allocation and abstraction supports primary production.</u> “</p>	Support in part	Fonterra agrees that the proposed amendments to this objective are necessary and appropriate	Accept the submission
Otago Fish & Game Council and the Central South Island Fish & Game Council	00231.055	LF – FW – P7	<p>Amend as follows:</p> <p>(1) the health, <u>and well-being and resilience</u> of water bodies is <del>maintained or, if degraded, improved</del> protected and restored,</p> <p>(1b) all activities related to freshwater support the health, well-being and resilience of water bodies, ... (2a) the habitats of trout and salmon associated with water bodies are protected and restored, including by providing for fish passage, insofar as it is consistent with ECO-P11, and</p> <p>...</p> <p>(5) existing over-allocation is phased out and future over-allocation is avoided, <u>and</u></p>	Oppose	Fonterra opposes additional wording in this policy that would be inconsistent with the NPSFM 2020. The suggestion that all discharges occur within an allocation regime is neither necessary nor technically feasible.	Reject the submission

SUBMITTER NAME	#	PROVISION	SUBMISSION	SUPPORT / OPPOSE	REASONS	RELIEF SOUGHT
			<u>(5a) fresh water is allocated within environmental limits and used efficiently, and</u> <u>(6) discharges to freshwater are allocated within environmental limits.</u>			
Royal Forest and Bird Protection Society of New Zealand Incorporated	00230.094	LF- FW- P15	Amend by replacing the word “minimise” with the word “avoid”	Oppose	It is not possible to avoid all adverse effects of direct and indirect discharges of stormwater and wastewater to freshwater.	Reject the submission
Dunedin City Council	00139.108	LF – FW – P15	Amend clause (1) to read “... preferring discharges of wastewater to land over discharges to freshwater...” Either: <ul style="list-style-type: none"> <li>• Delete (2)(a) and (2)(b); or</li> <li>• Amend 2(a) and 2(b) as follows: “where one is <u>made available by the [wastewater / stormwater] system operator</u>”. This would ensure the territorial authority (and/or a future entity created by statute to operate wastewater and stormwater networks) can determine when and where connections to reticulated systems are practicable and beneficial.</li> </ul> Amend (2)(e) to: “stormwater and wastewater discharges to meet any <del>applicable</del> water quality standards <u>applicable</u> to those discharges set for FMUs and/or rohe” to provide greater clarity.	Support	Fonterra agrees that clarification to this policy is necessary, and particularly that the reference to ‘available’ in (2)(a) and (b) is unclear.  As noted in Fonterra’s original submission, it is not always appropriate for wastewater and/or stormwater generated from industrial or trade premises to discharge into a reticulated system.	Accept the submission

SUBMITTER NAME	#	PROVISION	SUBMISSION	SUPPORT / OPPOSE	REASONS	RELIEF SOUGHT
			Amend (2)(f) by moving to separate clause and replacing 'requiring' with 'promoting'. Amend (2)(f) to "Wherever practicable <u>and beneficial</u> ".			
Rural Contractors NZ	00410.005	LF – LS – P19	Amend as follows: ... 2. prioritising the use of highly productive land for primary production ahead of other land uses <u>(unless required for activities that support, service or are dependent on "primary production" and have an operational need to be located in rural areas (e.g. rural industry (such as rural contractor depots)), and..</u>	Support	Fonterra agrees that this policy should recognise that it is appropriate for rural industry to be located in rural areas, including areas of highly productive land.	Accept the submission
Silver Fern Farms	00221.010	LF – LS – P21	Amend as follows: ... a. <u>managing the adverse effects of reducing</u> direct and indirect discharges of contaminants to water from the use and development of land, and	Support	Fonterra agrees that the proposed amendment is necessary and appropriate.	Accept the submission
Otago Fish & Game Council and the Central South Island Fish & Game Council	00231.066	LF – LS – M11	Add the following to part (b): <u>Avoiding land uses which result in any pugging in critical source areas, limiting high risk activities on steep slopes</u>	Oppose	Neither 'pugging' nor 'critical source area' is defined but this addition could potentially direct that no livestock can be kept on large areas of Otago farmland. How critical sources areas should be managed is a highly specific matter that is best addressed in the regional plan and in individual farm environment plans where the specific conditions and risks of	Reject the submission

SUBMITTER NAME	#	PROVISION	SUBMISSION	SUPPORT / OPPOSE	REASONS	RELIEF SOUGHT
					particular catchments and farm properties can be assessed.	
Greenpeace Aotearoa	00407.051	LF – LS – M14	Add text as follows: <u>Other methods include a sinking cap on synthetic nitrogen fertiliser to phase it out by 2024 and phasing out intensive dairy farming</u>	Oppose	Fonterra disagrees that the proposed text should be added as additional methods in the PORPS.	Reject the submission
<b>EIT – Energy, infrastructure and transport</b>						
Ravensdown Limited	00121.072	EIT – EN – P5	Amend as follows: <del>Avoid</del> <u>Restrict</u> the development of non – renewable energy generation activities in Otago and facilitate the replacement, <u>where practicable</u> , of non – renewable energy sources, including the use of fossil fuels, in energy generation.	Support	Fonterra, like Ravensdown, has been and is continuing to assess options for reducing its greenhouse gas emissions from sites throughout the country, however complete avoidance or replacement may not be feasible. Fonterra therefore supports the proposed amendments to this policy. Fonterra also notes that the term “renewable energy generation” does not appear technically correct and notes that it may be appropriate to amend the wording to renewable <i>electricity</i> generation.	Accept the submission
<b>HAZ – Hazards and risks</b>						
Ravensdown Limited	00121.083	HAZ – NH – P5	Delete.	Support	Fonterra agrees that the inclusion of this policy and blanket adoption of the precautionary approach to identifying, assessing and managing natural hazard risk is inappropriate. The wide bands that apply to risk classification in the context of natural hazards are generally sufficient to account for uncertainty	Accept the submission

SUBMITTER NAME	#	PROVISION	SUBMISSION	SUPPORT / OPPOSE	REASONS	RELIEF SOUGHT
Ravensdown Limited	00121.086	HAZ – NH – M2	<p>Amend as follows: Local authorities must:</p> <p>...</p> <p>(4) prepare or amend and maintain their regional or district plans to take into account the effects of climate change by:</p> <p>(a) using the best relevant climate change data and projections to 2115,</p> <p>(b) <del>taking a precautionary approach when assessing and managing the effects of climate change where there is scientific uncertainty and potentially significant or irreversible effects,</del></p> <p>(c) ...</p>	Support	As above.	Accept the submission
Ravensdown Limited	00121.087	HAZ – NH – M3	<p>Amend as follows:</p> <p>Otago Regional Council must prepare or amend and maintain its regional plans to: ...</p> <p><del>(6) include provisions that require decision makers to apply the precautionary approach set out in HAZ – NH – P5 when considering applications for resource consent for activities that will change the use of land and thereby increase the risk from natural hazards within areas subject to natural hazard risk that is uncertain or unknown, but potentially significant or irreversible, and (67) ...</del></p>	Support	As above.	Accept the submission
Ravensdown Limited	00121.088	HAZ – NH – M4	<p>Amend as follows: Territorial authorities must prepare or amend and maintain their district plans to:</p> <p>...</p>	Support	As above.	Accept the submission

SUBMITTER NAME	#	PROVISION	SUBMISSION	SUPPORT / OPPOSE	REASONS	RELIEF SOUGHT
			<del>(6) include provisions that require decision makers to apply the precautionary approach set out in HAZ – NH – P5 when considering applications for resource consent for activities that will change the use of land and which may increase the risk from natural hazards within areas subject to natural hazard risk that is uncertain or unknown, but potentially significant or irreversible, and</del> (67) ...			
<b>UFD – Urban form and development</b>						
Ravensdown Limited	00121.099	UFD – O4	Amend as follows: ... (2) <del>avoids as the first priority,</del> <u>ensures</u> land and soils identified as highly productive by LF – LS – P19 <u>are protected</u> , unless there is an operational need for the development to be located in rural areas, ...	Support	Fonterra agrees that amendments are necessary to reflect other policy direction in the PORPS.	Accept the submission
Fulton Hogan Limited	00322.039	UFD – P1	Amend as follows to Include the avoidance of reverse sensitivity effects as a matter to be planned for prior to urban growth and development occurring. ..... (7) facilitate involvement of the current community and respond to the reasonably foreseeable needs of future communities, <del>and</del> (8) identify, maintain and where possible, enhance important features and values identified by this RPS.	Support	Fonterra agrees that it is appropriate to include reference to reverse sensitivity effects in this policy.	Accept the submission

SUBMITTER NAME	#	PROVISION	SUBMISSION	SUPPORT / OPPOSE	REASONS	RELIEF SOUGHT
			(9), <u>and ensure reverse sensitivity effects are avoided.</u>			
Fulton Hogan Limited	00322.042	UFD – P8	Amend as follows: “..... (3) minimises impacts on rural production potential, amenity values <del>and the potential for reverse sensitivity effects to arise,</del> <u>(4) avoids the potential for reverse sensitivity effects to arise</u> .....”	Support	Fonterra agrees that it is appropriate for reverse sensitivity effects to be a standalone consideration in this policy.	Accept the submission
Fulton Hogan Limited	00322.043	UFD – M2	Amend as follows: Require reverse sensitivity effects to be avoided. “..... (3) ensure that urban development is designed to: ..... e. <del>minimise</del> <u>avoid</u> the potential for reverse sensitivity effects to arise, by managing the location of incompatible activities, and .....	Support	Fonterra agrees that it is appropriate to avoid, rather than minimise, the potential for reverse sensitivity effects when considering urban expansion and intensification.	Accept the submission