

Further Submission on Lake Rotorua Nutrient Management - Proposed Plan Change 10

Clause 8 of Schedule 1, Resource Management Act 1991

Please send your submission to be received by **4:00 pm, Monday, 1 August 2016.**

Further Submission Number
Office use only

FS 14

TO: The Chief Executive
Bay of Plenty Regional Council
PO Box 364
Whakatāne 3158

FAX: 0800 884 882

EMAIL: rules@boprc.govt.nz

Name: Hancock Forest Management (NZ) Ltd

[Full name of the person or organisation making the submission]:

This is a further submission in support of or opposition to a submission on Lake Rotorua Nutrient Management - Proposed Plan Change 10 to the Bay of Plenty Regional Water and Land Plan.

1. I do ~~or do not~~ wish to be heard in support of my further submission. *[Delete as required].*
2. If others made a similar submission I would ~~or would not~~ be prepared to consider presenting a joint case with them at any hearing. *[Delete as required].*
3. I am: [Please tick one]
 A person representing a relevant aspect of the public interest. *(Specify on what grounds you come within this category).*
 A person who has an interest in the proposal that is greater than the interest the general public has. *(Specify on what grounds you come within this category).*

On the following grounds:

Representing the owners of plantation forestry in the catchment (Utuhina Block of Kinleith Forest)

Signature *[of person making submission or person authorised to sign on behalf of person or organisation making submission. A signature is not required if you make your submission by electronic means].*



Address for Service *[Provide full postal details]:*

PO Box 348, Tokoroa

Telephone:

Daytime: 07 885 0378

After Hours:

Email:

sstrang@hnrng.com

Fax:

Contact person *[Name and designation if applicable]:*

Sally Strang (Environmental Manager)

Note: A copy of your submission must be served on the original submitter within 5 working days after making this further submission.

FURTHER SUBMISSION POINTS:

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<p>Submission number <i>[Submission number of original submission as shown in the "Summary of Decisions Requested" report]</i></p>	<p>Submitter name <i>[Please state the name and address of the person or organisation making the original submission as shown in the "Summary of Decisions Requested" report]</i></p>	<p>Section reference (Submission point) <i>[Clearly indicate which parts of the original submission you support or oppose, together with any relevant provisions of the proposed plan change]</i></p>	<p>Support/oppose</p>	<p>Reasons <i>[State in summary the nature of your submission giving clear reasons]</i></p>
73-8	PF Olsen Ltd	Whole plan	Support	<p>Hancock Forest Management (NZ) Ltd (HFM NZ) agrees with PF Olsen Ltd that existing land use is an inappropriate and inequitable basis for allocating future land use rights, which creates the perverse outcome of effectively rewarding those who created the problem by giving a greater property rights allocation.</p>
73-3	PF Olsen Ltd	Whole plan	Support	<p>HFM NZ supports PF Olsen's position opposing the use of a grand parenting approach to nutrient allocation in the catchment. We also remain steadfastly opposed to the use of grand parenting as a basis for solving water quality problems in New Zealand.</p> <p>We agree with the arguments put forward by PF Olsen, that grand parenting is effectively a subsidy to those land uses that created the problem, rewards polluters and penalises landuses that provide benefits. The grand parenting approach effectively removes property rights in inverse proportion to contribution to the problem, which in our view is contrary to the purpose of the Resource Management Act, requiring those who create adverse effects on the environment to avoid, remedy or mitigate those effects. In our view grand parenting is effectively appropriating property rights from those landowners who least contributed to the problem in order to mitigate effects from those landowners contributing most to the problem. In doing so it also creates a perverse incentive to pollute, and will unquestionably create a reluctance by those leaching at high levels to voluntarily improve any further than they are made to, for fear of suffering the same fate as lows leachers and losing property rights.</p> <p>Given the very far reaching implications of locking in current land use on the economy of the region, and land values in the catchment, in our view it is imperative the basis of such draconian provisions is logical and equitable and creates the right incentives for the future.</p>

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73-4	PF Olsen Ltd	Whole plan	Support	HFM NZ supports PF Olsen's submission for the same reasons as outlined in relation to Submission 73-3 above.
49-1	CNI Iwi Land Management Ltd	Whole Plan	Support	HFM NZ supports the submission of CNI Iwi Land Management Ltd and the reasoning. For the reasons outlined above HFM NZ opposes a grand parenting approach and supports a transition to a fairer approach based on natural capital.
49-7	CNI Iwi Land Management Ltd	Whole Plan	Support	HFM NZ supports the submission by CNI Iwi Land Management Ltd. The approach of the plan change very much reflects the make up of the collaborative stakeholder group, with farming interests well represented, while forestry as a significant land use in the catchment was not represented in the final stages of the process.
49-8	CNI Iwi Land Management Ltd	Whole Plan	Support	HFM NZ supports the submission by CNI Iwi Land Management Ltd for the reasons outlined above.
49-9	CNI Iwi Land Management Ltd	Whole Plan	Support	HFM NZ supports the submission by CNI Iwi Land Management Ltd for the reasons outlined above.
49-23	CNI Iwi Land Management Ltd	Part 2 New Integrated Framework	Support	HFM NZ supports the submission by CNI Iwi Management Ltd. As outlined above we agree that the approach of the Plan Change is inconsistent with the effects based approach of the Resource Management Act and support the decision sought.
49-28	CNI Iwi Land Management Ltd	Part 2 New Integrated Framework	Support	HFM NZ supports the submission by CNI Iwi Land Management Ltd for the reasons outlined above.
49-18	CNI Iwi Land Management Ltd		Support	HFM NZ supports the submission by CNI Iwi Land Management Ltd for the reasons outlined above.

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49-20	CNI Iwi Land Management Ltd	LR P3 Policy 3(c)	Support	HFM NZ supports the submission of CNI Iwi Management Ltd and concerns related to the use of Overseer for a purpose well outside of its intended use, particularly in a situation such as this with very far reaching implications for landholders in the region.
49-96	CNI Iwi Land Management Ltd	LR P3 Policy 3(d)	Support	HFM NZ supports the submission by CNI Iwi Land Management Ltd for the reasons outlined above.
49-24, 25, 26	CNI Iwi Management Ltd	LR P4 Policies (i to iii)	Support	HFM NZ supports the retention of policies seeking to review policies, rules and procedures over time as further information comes available. As outlined above, the economic impacts on landusers in the catchment are far reaching and inequitable, and it is imperative that the catchment transitions over time to a more effects based approach.
49-97	CNI Iwi Management Ltd	LR Policy P5	Support	HFM NZ supports the submission of CNI Iwi Management Ltd for the reasons outlined above. Creating an allocation whereby only those who are polluting get any meaningful ability to change landuse in the future is inequitable and contrary to the effects based approach of the Resource Management Act..
49-31	CNI Iwi Management Ltd	LR Policy P7	Support	HFM NZ supports the submission of CNI Iwi Management Ltd. While we support the ability to transfer N entitlements between properties in principle (to enable some flexibility and thereby transition to a more optimal use of the catchment) when combined with a grand parenting approach this effectively further rewards polluters, by allocating them a right that they can then trade to other parties for a direct financial windfall gain. To incentive the right behaviours a trading regime must be underpinned by an allocation based on natural capital, that is fair and equitable.
49-33	CNI Iwi Management Ltd	LR P9 Policy 9b	Support	HFM NZ supports the policy to make plantation forestry a permitted activity, in recognition of the lesser effects of this landuse on lake water quality.

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49-39	CNI Iwi Management Ltd	LR P9 Policy 9g	Support	HFM NZ supports the submission by CNI Iwi Management Ltd. To allow only existing farming
49-48 to 54	CNI Iwi Management Ltd	LR M2	Support	HFM NZ supports the approach of Method 2.
49-55	CNI Iwi Management Ltd	LR M3	Support	HFM NZ supports the approach of Method 3 and amendment sought by CNI Iwi Management Ltd.
49-56	CNI Iwi Management Ltd	LR M4	Support	HFM NZ supports the submission by CNI Iwi Management Ltd.
49-57 to 62	CNI Iwi Management Ltd	LR M5	Support	HFM NZ supports the submission by CNI Iwi Management Ltd.
49-64	CNI Iwi Management Ltd	LR R2	Support	HFM NZ supports the approach of making plantation forestry a permitted activity, which accurately reflects that forestry as a land use has not contributed to the nutrient issues in the lake. HFM NZ supports however the concern raised by CNI Iwi Management Ltd, which in combination with rule 6, effectively locks in forestry, thereby removing property rights from forestry as a land use because of its lesser contribution to the problem – which as outlined above we believe is inequitable and inconsistent with the purpose and principles of the Resource Management Act.
49-70	CNI Iwi Management Ltd	LR R7	Support	As worded how this rule applies to all properties in the catchment is currently unclear. If the intent is that all properties can operate under the rule then the rule is supported. If however the intent is that only land that is currently farmed can operate under this rule (as implied by clause g) then the rule is opposed on the basis of being not effects based and inequitable.

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49-74	CNI Iwi Management Ltd	LR R10	Support	HFM NZ supports the submission by CNI Iwi Holdings Ltd.
49-83	CNI Iwi Management Ltd	Schedule LR One	Support	HFM NZ supports the submission by CNI Iwi Holdings Ltd and opposes the use of current land use and leaching rates as the basis for deriving the benchmark for allocation of future land use options. For the reasons outlined above, HFM NZ strongly opposes a grand parented approach to solving water quality pollution problems.

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