

5 July 2022

Bay of Plenty Regional Council

PO Box 364

Whakatāne 3158

Attention: Todd Whittaker
Director – Planning Works

Re: Additional information relating to recent updates to the Statutory Framework relevant for AFFCO Rangioru's application to discharge treated wastewater to the Kaituna River

Argo Environmental Ltd (ARGO) submit the following information to the Bay of Plenty Regional Council (BoPRC) on behalf of AFFCO New Zealand Ltd (AFFCO), following an email from Todd Whittaker (Planning Officer on behalf of BoPRC) on 16 June 2022, and informally requested via a phone conversation on 17 June 2022.

This information has not been formally requested under Section 92 of the *Resource Management Act 1991* (RMA) by the BoPRC, but has been voluntarily provided in order to avoid any further delays in the reconsenting process potentially leading to the postponement of the upcoming Resource Consent Hearing.

AFFCO submitted an application to replace various resource consents associated with the operation of AFFCO's meat processing facility in Rangioru, including replacing Consent No.'s 24932, 63344, 60574, 24925, and 240194/1 (the 'Application'). Since the time of submission of the original application document and Assessment of Environmental Effects (AEE) to BoPRC in February 2017, various national and regional Policies relevant to this application have been updated.

This document provides further assessment of the application in the context of these updated policy documents in order to compliment previous statutory assessments for the application and ensure completeness of the supporting material to be assessed as part of the Resource Consent Hearing process.

The relevant policy updates assessed in this document include the following:

- National Policy Statement for Freshwater Management 2020
- Proposed Change 5 (Kaituna River) to the Bay of Plenty Regional Policy Statement

NPS for Freshwater Management 2020

The National Policy Statement for Freshwater Management (NPS-FM) 2020 provides local authorities with direction on how they should manage freshwater under the RMA, and to the extent they are affected by freshwater, receiving environments such as estuaries and the coastal marine area. It came into force on 3 September 2020, replacing the NPS-FM 2014 (amended 2017).

The NPS-FM was part of a package of water reforms intended to help drive national consistency in local RMA planning and decision-making for freshwater management while allowing for an appropriate level of regional flexibility in implementation.

The major thrust of the NPS-FM is the setting of limits on both water quality and quantity that reflect national and local values. Accordingly, it introduces a number of objectives and accompanying policies relating to water quality and water quantity.

An assessment of the Application against relevant provisions of the previous NPS-FM 2014¹ (prior to the 2017 amendment²) was provided in Section 8.4.1 of the AEE³. A comparison of relevant provisions previously assessed under the NPS-FM 2014, compared to the corresponding provisions in NPS-FM 2020, as well as an updated Application assessment against the NPS-FM is set out Table 1.

At the time of writing this an exposure draft of further proposed changes to the NPS-FM 2020 are currently open for consultation, with submissions closing 10 July 2022. Following consultation, submissions and recommendations will be provided to the Minister for decision.

The main focus of the latest proposed NPS-FM amendments include:

- amendments to wetland provisions;
- direction on using 'best information' and transparent decision-making';
- technical amendments or clarifications to various other provisions (such as river beds); and
- direction relating to 'Special provisions for attributes affected by nutrients' has been simplified to focus on policy intent and clarify how these provisions relate to limit setting under the National Objectives Framework (including insertion of nutrient 'loads').

These proposed amendments are all largely administrative or not directly relevant to this Application, and are not discussed further here.

¹ In effect from 4 July 2014.

² In effect from 7 September 2017.

³ ARGO, 2017, 'Rangiuru Processing Plant Discharges to Kaituna River Resource Consent Applications and Assessment of Effects on the Environment'. Prepared by Argo Environmental Ltd on behalf of AFFCO New Zealand Limited, February 2017.

Table 1: Comparative table of relevant NPS-FM 2014 and NPS-FM 2020 provisions, and updated Application assessment.

Relevant NPS-FM 2014 provision	NPS-FM 2014 (2017 amendment) provision	Comparable NPS-FM 2020 provision	Comment	Updated Application Assessment
Te Mana o te Wai				
National significance of fresh water and Te Mana o te Wai	National significance of fresh water and Te Mana o te Wai Object AA1 Policy AA1	Part 1.3 Part 2.2 Policy 1 Part 3.2	<p>The status of Te Mana o te Wai was raised from “recognise the importance of” (NPS-FM 2014) and “consider and recognise” (NPS-FM 2017), to “give effect to” (NPS-FM 2020) which considerably strengthens this concept to become a fundamental concept of the NPS-FM.</p> <p>Part 1.3 of the NPS-FM 2020 defines the fundamental concept of Te Mana o Te Wai and the 6 principles relating to the roles of tangata whenua and other New Zealanders in the management of freshwater that inform the NPS.</p> <p>Policy 1 reiterates that freshwater is to be managed in a way that “gives effect to” Te Mana o te Wai.</p> <p>Part 3.2 of the NPS-FM 2020 provides more detail on process for bringing Te Mana o te Wai into RPSs, and again reiterates its status from “consider and recognise” to “give effect to”.</p> <p>While Part 1.3, Policy 1 and Part 3.2 expressly address Te Mana o te Wai, it is a fundamental concept so is equally applicable to all provisions of the NPS-FM 2020.</p>	<p>Consultation with local tāngata whenua in relation to AFFCO Rangiuru’s Application has been ongoing since at least 2016, including engagement with groups identified by the BoPRC in 2016-2017, follow up consultation with a broader range of tāngata whenua groups in 2019 and active engagement during the submission and pre-hearing process from 2020 to 2022.</p> <p>Additionally, opportunities for tāngata whenua participation will be encouraged going forward, including using Mātauranga Māori to inform resource management decisions.</p> <p>It is therefore considered that the Application is consistent with the intent of Te Mana o te Wai, including any of the six principles set out in the NPS-FM 2020, and is in accordance with this provision.</p>
Water Quality				
Objective A1	Objective A1	Part 2.1 Objective (1)	NPS-FM 2020 replaces “life-supporting capacity...” with “health and well-being of water bodies and freshwater ecosystems”, and places it as higher priority than human health needs and provision for social, economic and cultural well-being.	The AEE has demonstrated that the existing AFFCO Rangiuru discharge is not adversely impacting upon the health and wellbeing of the Kaituna River, and that it is in accordance with this objective.
Objective A2	Objective A2	Part 2.2 Policies 5, 6, 7 & 8	NPS-FM 2020 separates out the three elements of the NPS-FM 2014 (& 2017) provision, and widens the	The AFFCO Rangiuru Application will as a minimum maintain the overall quality of the Kaituna

Relevant NPS-FM 2014 provision	NPS-FM 2014 (2017 amendment) provision	Comparable NPS-FM 2020 provision	Comment	Updated Application Assessment
			provisions to apply to all values of rivers and wetlands, not just significant values.	River as the discharge is existing and no increase in volume of concentration is proposed. Additionally, discharge treatment improvements are planned which will lead to improvement of the quality of Kaituna River (specially in regards to Total Nitrogen and Ammonia) ⁴ .
-	Objective A2 Policy A7	Part 2.2 Policy 15	NPS-FM 2020 adds consideration of social and cultural well-being, not just economic. No directly comparable objective was set out in NPS-FM 2014.	As outlined in the AEE the AFFCO Rangiuru operation and associated discharges will better enable people and communities to provide for their social, cultural and economic wellbeing through the provision of jobs and economic contributions to both the community and the region, and through the maintenance and enhancement of the existing built environment.
-	Objective A3	Part 3.27	An objective was added to the NPS-FM 2017 relating to the quality of fresh water being improved so it is suitable for primary contact. NPS-FM 2020 sets out identification and monitoring requirements for primary contact sites in Part 3.27. No directly comparable objective was set out in NPS-FM 2014.	The Kaituna River in the location of AFFCO's discharge is not classified as 'Contact Recreation' (for at least 1.7 km downstream), and there is no indication that AFFCO's discharge is resulting in a more than minor effect on the River. Therefore, it is considered this provision does not apply to the application.
Policy A2	Policy A2	Part 2.2 Policy 13 Part 3.20	NPS-FM 2020 has more specific requirements to address degradation, and requires regional councils to act "as soon as practicable", but does not require that councils set a defined timeframe for improvements.	As discussed above, the AFFCO Rangiuru discharge will as a minimum maintain the overall quality of the Kaituna River as the discharge is existing and no increase in volume of concentration is proposed. After planned treatment improvements are installed the result will be an improvement to the of the quality of Kaituna River, rather than degradation.

⁴ Refer evidence prepared by Albert van Oostrom for this Application Consent Hearing.

Relevant NPS-FM 2014 provision	NPS-FM 2014 (2017 amendment) provision	Comparable NPS-FM 2020 provision	Comment	Updated Application Assessment
				Therefore, the Application does not compromise the BoPRC's ability to meet this provision.
Policy A3	Policy A3 Policy A6	Part 3.11 Part 3.12 Part 3.14	NPS-FM 2020 reframes 'conditions on discharge permits' to 'conditions on resource consents in terms of achieving target attribute states listed in Appendix 2A'. NPS-FM 2020 provisions add detail to the setting of target attribute states including how target attribute states will be achieved, including through setting limits on resource use.	The AEE has demonstrated that the AFFCO Rangiuru has generally not resulted in exceedances with the current discharge consent limits or exceeded any national bottom lines for parameters set out in the Appendix 2A of the NPS-FM 2020. With the planned treatment improvements, the quality of the discharge is expected to improve and achieve the target attribute states going forward. Therefore, the Application is considered in compliance with this provision.
Water Quantity				
Objective B1	Objective B1	Part 2.1 Objective (1)	NPS-FM 2020 single objective covers both quality and quantity. NPS-FM 2020 replaces "life-supporting capacity..." with "health and well-being of water bodies and freshwater ecosystems", and places it as higher priority than human health needs and provision for social, economic and cultural well-being.	AFFCO Rangiuru's proposed water take replacement is a 'zero net take' activity and is therefore considered consistent with the provisions set out in both NPS-FM 2014 and NPS-FM 2020.
Objective B2 Objective B3	Objective B2 Objective B3	Part 2.2 Policy 11	NPS-FM 2020 combines consideration of allocation and efficiency into the same provision.	
Policy B2	Policy B2	Part 3.28 (1)	NPS-FM 2020 adds clarification that efficient allocation of water includes "economic, technical and dynamic efficiency".	
Policy B4	Policy B4	Part 3.28 (2)	NPS-FM 2020 3.28(2) effectively repeats NPS-FM 2014 (& 2017) Policy B4 in relation to the efficient use of water.	

Relevant NPS-FM 2014 provision	NPS-FM 2014 (2017 amendment) provision	Comparable NPS-FM 2020 provision	Comment	Updated Application Assessment
Policy B5 Policy B6	Policy B5 Policy B6	Policy 11 Part 3.28 Part 3.29	NPS-FM 2020 sets the overall requirement for addressing over-allocation in Policy 11, with implementation measures spread through other provisions.	
Integrated Management				
Objective C1	Objective C1	Policy 3	NPS-FM 2020 provision very similar to NPS-FM 2014 (& 2017) whereby freshwater is to be managed in an integrated way and on a 'whole-of-catchment' basis.	As AFFCO Rangioru's discharge is currently in compliance with consent conditions, and additional treatment is proposed to further reduce nutrient loads (TN and Ammonia) in the Kaituna River which will result in an improvement of water quality in the broader catchment, including the Maketū Estuary.
Policy C1	Policy C1	Part 3.5	NPS-FM 2020 provides additional detail on implementation of integrated management.	
Policy C2	Policy C2	Part 3.5	NPS-FM 2020 provides additional detail on implementation of integrated management.	
National Objective Framework				
Policy CA2 Appendix 2	Policy CA2 Appendix 2	Subpart 2 Appendix 2A Appendix 2B	<p>NPS-FM 2020 provides more detail on the process to set freshwater objectives.</p> <p>NPS-FM 2020 provides substantial further detail on National Objective Framework (NOF) attributes, including adding new attributes, further requirements for the process of developing target attribute states and special provisions for attributes affected by nutrients, including through setting limits on resource use.</p>	<p>As presented below, the AFFCO discharge is consistent with the "A" attribute state of all parameters other than Ammonia, for which it meets the "B" attribute state. No NBL's are exceeded.</p> <p>No increase in contaminant concentrations are expected in the future with the ongoing discharge from AFFCO Rangioru, particularly given the planned treatment system upgrades.</p> <p>New attributes have been added to Appendix 2B in the NPS-FM 2020 relating to attributes that regional councils require action plans to be developed. These include submerged plants (specifically for lakes), fish, macroinvertebrates and deposited fine sediment (specifically for wadeable rivers). These attributes do not apply to this application, as the Kaituna River is neither a lake or 'wadeable' river. Other attributes that do apply to the Kaituna River include dissolved oxygen, dissolved reactive</p>

Relevant NPS-FM 2014 provision	NPS-FM 2014 (2017 amendment) provision	Comparable NPS-FM 2020 provision	Comment	Updated Application Assessment
				phosphorous and <i>E. coli</i> . However as presented in the AEE there is no indication that the AFFCO Rangiuru discharge will comprise the BoPRC's ability to adhere to this requirement.
Appendix 2: Periphyton	Appendix 2: Periphyton	Appendix 2A Table 2 – Periphyton (trophic state)	No changes in numeric attribute states from NPS-FM 2014 to 2020.	Observations indicate no increased periphyton downstream of the AFFCO Rangiuru discharge.
Appendix 2: Nitrate (Toxicity)	Appendix 2: Nitrate (Toxicity)	Appendix 2A Table 6 – Nitrate (toxicity)	No changes in numeric attribute states from NPS-FM 2014 to 2020, however the National Bottom Line (NBL) is more stringent in NPS-FM 2020 having been raised to between attribute band B and C.	Total Oxidisable Nitrogen (nitrate + nitrite) levels presented in the AEE were 0.45 mg/L. This compares with the "A" attribute state of ≤ 1 mg/L in the NPS-FM, and is well below the NBL of 2.4 mg/L.
Appendix 2: Ammonia (Toxicity)	Appendix 2: Ammonia (Toxicity)	Appendix 2A Table 5 – Ammonia (toxicity)	No changes in numeric attribute states from NPS-FM 2014 to 2020, however the NBL is more stringent in NPS-FM 2020 having been raised to between attribute band B and C.	Instantaneous downstream measured ammonia concentrations presented in the AEE were 0.099 mg/L reducing to 0.035 mg/L further down the Kaituna River. This compares with the "B" attribute state of 0.03 – 0.24 mg/L in the NPS-FM, and is below the NBL of 0.24 mg/L.
Appendix 2: Dissolved Oxygen	Appendix 2: Dissolved Oxygen	Appendix 2A Table 7 – Dissolved oxygen	No changes in numeric attribute states from NPS-FM 2014 to 2020.	Instantaneous downstream measured dissolved oxygen concentrations presented in the AEE were 9 mg/L and 98-99% saturation. The AFFCO downstream measure is comparable with the "A" attribution state expressed as ≥ 8.0 mg/L. The NBL is 5.0 mg/L.
-	-	Appendix 2A Table 8 – Suspended fine sediment	New attribute added to the NPS-FM 2020.	While visual clarity was not reported in the AEE, turbidity did not exceed the ANZECC (2000) trigger values, and both turbidity and total suspended solids indicated that there was no statistical difference between upstream and downstream sampling sites indicating that the AFFCO Rangiuru discharge was not having no effect on the clarity of the Kaituna

Relevant NPS-FM 2014 provision	NPS-FM 2014 (2017 amendment) provision	Comparable NPS-FM 2020 provision	Comment	Updated Application Assessment
				River.
Appendix 2: <i>E. coli</i>	Appendix 2: <i>E. coli</i>	Appendix 2A Table 9 – <i>Escherichia coli</i> (<i>E. coli</i>)	Numeric attribute states have been reframed in NPS-FM 2020 with attribute bands and risk now determined by percentage of exceedance, and a more stringent median concentration for all attribute bands, and a removal of the NBL.	Downstream measured <i>E. coli</i> median concentrations presented in the AEE were 120/100 mL. This compares with an “A” attribute state of 130/100 mL median, and <5% exceedances of 540/00 mL and <20% exceedances of 260/00 mL.
Tāngata whenua roles and interests				
Objective D1	Objective D1	Part 2.2 Policy 2	Policy 2 of the NPS-FM 2020 specifically addresses tāngata whenua involvement, and this concept applies throughout every step of the NPS-FM 2020.	<p>Consultation with local tāngata whenua in relation to AFFCO Rangiora's Application has been ongoing since at least 2016, including engagement with groups identified by the BoPRC in 2016-2017.</p> <p>A consultation plan was prepared in 2019 which identified additional tāngata whenua to be engaged. Another round of consultation was undertaken in 2019, which included both the groups previously engaged and the more recently identified groups.</p> <p>Many of these tāngata whenua have been actively engaged in the submission and pre-hearing process from 2020 to 2022.</p> <p>It is therefore considered that the Application is in accordance with this provision.</p>
Policy D1	Policy D1	Part 3.4	NPS-FM 2020 provides additional detail on implementation of tāngata whenua involvement than was previously included.	

Proposed Change 5 (Kaituna River) to the BoPRPS

The Bay of Plenty Regional Policy Statement (BoPRS) is a document prepared under the Resource Management Act 1991 (RMA) to sustainably manage the region's natural and physical resources. The second generation RPS became operative on 1 October 2014.

The relevant provisions of the BoPRS include the following sections:

- Section 2.6 - Iwi resource management
- Section 2.7 - Matters of National Importance
- Section 2.8 - Urban and rural growth management
- Section 2.9 - Water quality and land use
- Section 2.10 - Water Quantity

As stated in the AEE, the proposed renewal of consents 24932, 63344 and 60574 are generally consistent with the relevant objectives and policies of the BoPRS.

Proposed Change 5 (Kaituna River) to the BoPRPS seeks to fulfil the BoPRC's statutory obligation under the Tapuika Claims Settlement Act 2014 to recognise and provide for the vision, objectives and desired outcomes of the Kaituna River Document '*Kaituna He Taonga Tuku Iho – A Treasure Handed Down*'. Proposed Change 5 includes issues, objectives, policies and methods specific to the Kaituna River and its tributaries.

The Kaituna River Document was prepared by Te Maru o Kaituna River Authority, a co-governance entity of iwi and council representatives. The Kaituna River Document's purpose is to promote the restoration, protection and enhancement of the environmental, cultural, and spiritual well-being of the Kaituna River and its tributaries. This document was prepared in consultation with iwi, hapū and the wider community.

Proposed Change 5 (Kaituna River) was notified for public submissions on 29 June 2021, with submissions closing on 10 August 2021. The 'Summary of Decisions Requested' was notified on 26 October 2021, and the further submission period closed on 9 November 2021. The policy framework for Proposed Change 5 relates to freshwater so it is required to follow the new freshwater planning process set out in Section 80A and Part 4 of Schedule 1 to the RMA. This means that the Chief Freshwater Commissioner will oversee this process including the convening of a freshwater hearings panel to hear submissions, which has not yet taken place. As such Proposed Change 5 is not yet operative.

An assessment of the Application against relevant provisions of the Proposed Change 5 (Kaituna River), along with AFFCO's submission on Proposed Change 5 is set out Table 2.

Table 2: Assessment of the Application against the relevant provisions of Proposed Change 5 (Kaituna River) to the BoPRPS.

Relevant provision of Proposed Change 5	AFFCO's Submission on Proposed Change 5	Application Assessment
<p>Section 2.12.3: Kaituna River Paragraph 6</p> <p>Te Maru o Kaituna strongly support ... prioritising the health and well-being of water bodies and freshwater ecosystems before providing for human health needs. In doing so the hierarchy of obligations is to the health and well-being of water bodies and freshwater ecosystems first, then the health needs of people (such as drinking water), and thirdly the ability of people and communities to provide for their social, economic, and cultural wellbeing, now and in the future.</p>	<p>Oppose</p> <p>AFFCO seeks equal recognition of the importance of the need for people and communities to provide for their social, economic and cultural wellbeing now and in the future.</p> <p>AFFCO recognises the importance of the well-being on the water bodies, however also submits that the health and well-being of the people will support and elevate the well-being of the water bodies and therefore there needs to be recognition of how the two interact to develop and maintain a thriving community and river.</p>	<p>As presented in the AEE and discussed in Table 1 above in relation to the NPS-FM, the existing AFFCO discharge will comprise the health and well-being of the Kaituna River or associated freshwater ecosystems.</p> <p>No increases in contaminant concentrations or nutrient loads are expected in the future, and further improvements are proposed to the treatment system which will further reduce nutrient loading in the discharge.</p> <p>Therefore, the Application is considered in compliance with this provision.</p>
<p>Section 2.12.4: Significant issues affecting the Kaituna River</p> <ol style="list-style-type: none"> 1. Water demand is high and could pose a risk for springs, surface water bodies and associated tangata whenua, ecological and recreational values. 2. Urban growth, climate change, rural land use intensification. 3. Water quality is declining and is not always suitable for swimming in locations people wish to swim. 4. Drainage Scheme Impacts. 5. Tangata whenua have become disconnected with the Kaituna River 6. Health of Maketu Estuary 	<p>No submission</p>	<ol style="list-style-type: none"> 1. The proposed water take replacement is a 'zero net take' activity and will not pose an increased risk to water quantity. 2. AFFCO Rangiuru is an existing operation, and no intensification of the operation is proposed. 3. The quality of the discharge will improve following installation of the planned treatment system upgrades, leading to improvements in the water quality of the Kaituna River. 4. No waterbody modifications are proposed. 5. Tāngata whenua have been actively engaged throughout this Application process and it is opportunities for tāngata whenua participation will be encouraged going forward. 6. The quality of the discharge will improve following installation of the planned treatment system upgrades, leading to improvements in the health of Maketū Estuary. <p>Therefore, the Application is considered consistent with</p>

Relevant provision of Proposed Change 5	AFFCO's Submission on Proposed Change 5	Application Assessment
		this provision.
Objectives		
Objective 40 The traditional and contemporary relationships that iwi and hapū have with the Kaituna River are recognised, strengthened, enhanced and provided for.	No submission	Tāngata whenua have been actively engaged throughout this Application process and opportunities for tāngata whenua participation will be encouraged going forward.
Objective 41 Water quality and the mauri of the water, including groundwater, in the Kaituna River is restored to a state which provides for ecosystem health, human contact, threatened species and mahinga kai values.	No submission	The quality of the discharge will improve following installation of the planned treatment system upgrades, leading to improvements in the water quality of the Kaituna River.
Objective 42 There is sufficient water quantity in the Kaituna River to support the mauri of rivers and streams and provide for tangata whenua, ecological and recreational values.	No submission	The proposed water take replacement is a 'zero net take' activity and will not affect water quantity in the Kaituna River.
Objective 43 Water in the Kaituna River is sustainably allocated and efficiently used to provide for the social, economic and cultural well-being of iwi, hapū and communities now and for future generations.	Support Retain as reflects an appropriate consideration of economic activities, particularly those which contribute to economic wellbeing of iwi, hapū and communities.	The use of the Kaituna River for the purposes identified in the Application is considered a sustainable and efficient use that provides for social, economic and cultural well-being of iwi, hapū and communities, particularly social and economic.
Objective 44 The environmental well-being of the Kaituna River is enhanced through best management practices.	No submission	The current discharge is not resulting in a more than minor adverse effect on the Kaituna River, and the quality of the discharge will improve following installation of the planned treatment system upgrades, leading to further water quality improvements. This approach is considered a best management practice.
Objective 45 The Kaituna River's wetlands, aquatic and riparian ecosystems are restored, protected and enhanced to support indigenous	No submission	The quality of the discharge will improve following installation of the planned treatment system upgrades, leading to improvements in the water quality of the Kaituna River, which are expected to lead to an

Relevant provision of Proposed Change 5	AFFCO's Submission on Proposed Change 5	Application Assessment
species.		enhancement of the health of Kaituna River's wetlands, aquatic and riparian ecosystems.
Objective 46 Te Maru o Kaituna collaborate with iwi and the wider community to enable environmental, economic, social, educational and cultural aspirations for the restoration, protection and enhancement of the Kaituna River.	No submission	The Application will not compromise the ability of Te Maru o Kaituna to achieve this objective.
Policies		
Policy KR 1B: Recognise, strengthen, enhance and provide for traditional and contemporary iwi and hapū relationships with Kaituna River Recognise, strengthen, enhance and provide for traditional and contemporary iwi and hapū relationships with Kaituna River through the: (a) Provision of tangata whenua access to sites of cultural significance; (b) Establishment of pou and other appropriate cultural markers; (c) Formal identification and establishment of taunga waka; (d) Development, sharing and application of traditional knowledge, environmental research and monitoring information; and (e) Recognition of iwi and hapū resource management plans in the management of land uses, river access and cultural heritage protection.	No submission	Tāngata whenua have been actively engaged throughout this Application process and opportunities for tāngata whenua participation will be encouraged going forward, including using Mātauranga Māori to inform resource management decisions alongside scientific monitoring techniques. Additionally, the Application will not limit access to sites of cultural significance, or impact upon iwi and hapū relationships with Kaituna River.
Policy KR 2B: Establishing water quality limits within the Kaituna River Establish water quality limits for contaminants within the Kaituna River through the National Policy Statement for Freshwater Management framework to ensure water: (a) Is safe for bathing in identified locations where people	No submission	As presented in the AEE and discussed in Table 1 above in relation to the NPS-FM, the existing AFFCO discharge is consistent with the "A" attribute state of all parameters other than Ammonia, for which it meets the "B" attribute state, and no NBL's are exceeded. No increase in contaminant concentrations is expected in

Relevant provision of Proposed Change 5	AFFCO's Submission on Proposed Change 5	Application Assessment
<p>wish to swim;</p> <p>(b) Provides safe drinking water sources where the water is used for that purpose;</p> <p>(c) Can sustain customary kai awa and kai moana sources; and</p> <p>(d) Is suitable for cultural ceremonies at traditional sites.</p>		<p>the future with the ongoing discharge from AFFCO Rangiuru, particularly given the planned treatment system upgrade. Therefore, the health and well-being of the Kaituna River or associated freshwater ecosystems are not expected to be compromised.</p>
<p>Policy KR 3B: Using Mātauranga Māori to inform resource management decision making in the Kaituna River</p> <p>Use mātauranga Māori to inform resource management decision making processes in the Kaituna River and achieve the vision, objectives and desired outcomes of the Kaituna River Document'.</p>	<p>Support in part</p> <p><i>'Use mātauranga Māori alongside science to inform resource management decision making processes in the Kaituna River and achieve the vision, objectives and desired outcomes of the Kaituna River Document'.</i></p> <p>AFFCO considers that the application of mātauranga Māori should be used <u>alongside science</u> to achieve desired management objectives for the Kaituna River. The wording "alongside science" is used in the explanation of the policy but, for the avoidance of doubt, this wording should be included in the actual policy to recognise the significance that each element has, particularly in supporting one another.</p>	<p>Opportunities for tāngata whenua participation will be encouraged going forward, including using Mātauranga Māori to inform resource management decisions alongside scientific monitoring techniques.</p>
<p>Policy KR 4B: Managing groundwater abstraction in the Kaituna River</p> <p>Manage groundwater abstraction to protect the mauri of puna (spring) flows within the Kaituna River while:</p> <p>(a) Having regard to the social, economic and cultural well-being of present and future iwi, hapū and communities; and</p> <p>(b) Ensuring there is sufficient water available to provide for tāngata whenua, ecological and recreational values.</p>	<p>No submission</p>	<p>The proposed water take replacement is a 'zero net take' activity and will not affect water quantity in the Kaituna River, therefore will not compromise the mauri of puna (spring) flows within the Kaituna River.</p>
<p>Policy KR 5B: Enhancing the mauri of the Kaituna River through best management practices</p>	<p>No submission</p>	<p>The current discharge is not resulting in a more than minor adverse effect on the Kaituna River, and the quality of the discharge will improve following installation</p>

Relevant provision of Proposed Change 5	AFFCO's Submission on Proposed Change 5	Application Assessment
<p>Enhance the mauri of the Kaituna River by ensuring rural production, commercial and industrial activities minimise nutrient losses by implementing best management practices including:</p> <ul style="list-style-type: none"> (a) Ensuring activities are managed to maintain or enhance the Kaituna River's ecological and cultural health; (b) Promoting industry incentives and leadership; and (c) Promoting the integration of kaitiakitanga and rangatiratanga into land use management, river access and cultural heritage protection in specified locations. 		<p>of the planned treatment system upgrades, leading to further water quality improvements. This approach is considered a best management practice.</p>
<p>Policy KR 6B: Protect, restore and enhance Kaituna Rivers Indigenous aquatic, riparian and wetland vegetation and habitats</p> <p>Protect, restore and enhance indigenous aquatic, riparian and wetland vegetation and habitats within the Kaituna River and its riparian margins by:</p> <ul style="list-style-type: none"> (a) Increasing the quality and extent of wetlands; (b) Prioritising funding of biodiversity projects in the Te Tini a Tuna - Kaituna Action Plan; (c) Undertaking pest management and removal activities; and (d) Identifying and enhancing ecosystems that support and sustain indigenous flora and fauna. 	No submission	<p>The quality of the discharge will improve following installation of the planned treatment system upgrades, leading to improvements in the water quality of the Kaituna River. As a result, this is expected to lead to an enhancement of the health of Kaituna River's aquatic, riparian and wetland vegetation and habitats.</p>
<p>Policy KR 7B: Enabling economic development opportunities for iwi and hapū in the Kaituna River</p> <p>Enable economic development opportunities for iwi and hapū which respect and promote greater understanding of cultural associations with the Kaituna River and restore, protect or enhance the river's well-being.</p>	<p>Support</p> <p>Retain as AFFCO supports iwi aspirations for economic opportunities in the Kaituna River. AFFCO's Rangiuru plant has been contributing to iwi and hapū economic prosperity through creation of 600 jobs predominantly for local iwi at the plant over many decades.</p>	<p>The use of the Kaituna River for the purposes identified in the Application is considered a sustainable and efficient resource use that contributes to the economic wellbeing and prosperity of iwi and hapū given AFFCO Rangiuru is a significant local employer.</p>
<p>Policy KR 8B: Enabling recreational activities along the Kaituna River</p>	No submission	<p>The existing discharge currently does not limit recreational opportunities or pose a threat to public</p>

Relevant provision of Proposed Change 5	AFFCO's Submission on Proposed Change 5	Application Assessment
Enable recreational opportunities along the Kaituna River that do not compromise public safety, access or ecosystem health.		safety, access or ecosystem health. The planned treatment system upgrades are expected to result in further improvement of the health of the Kaituna River and will further enable recreational opportunities.
Policy KR 9B: Recognising kaitiakitanga in the Kaituna River involves sustainable use, development and protection Recognise kaitiakitanga in the Kaituna River involves both the sustainable use and development of land and water by tangata whenua and the protection, restoration and enhancement of taonga, waahi tapu, water, sites of significance and other natural and physical resources of importance to tangata whenua.	No submission	The use of the Kaituna River for the purposes identified in the Application is considered a sustainable and efficient resource use. Tāngata whenua have been actively engaged throughout this Application process and opportunities for tāngata whenua participation will be encouraged going forward, recognising the importance of kaitiakitanga in the Kaituna River.
Methods		
Method KR1: Te Tini a Tuna Kaituna Action Plan Implement Policies KR 1B, KR 2B, KR 3B, KR 4B, KR 5B, KR 6B, KR 7B, KR 8B, IW 2B, IW 1B through Te Tini a Tuna Kaituna Action Plan.	No submission	As outlined above the Application is in general accordance with, and does not compromise the implementation of, these policies.
Method KR2: Erect pou or other cultural markers along Kaituna River Erect pou and other appropriate cultural markers along the margins of Kaituna River to identify sites of cultural significance to iwi.	No submission	The Application will not limit the erection of pou or other cultural markers along the margin of the Kaituna River.
Method KR3: Identify locations for safe contact recreation in the Kaituna River Identify specific locations in the Kaituna River that are used for, or that people would like to use for, contact recreation under Policy KR 2B.	Support in part <i>'Identify specific locations in the Kaituna River that are used for, or that people would like to use for, contact recreation under Policy KR 2B, <u>with due recognition and preference given to avoiding areas of lawfully established mixing of wastewater with receiving waters.</u>'</i> AFFCO welcomes a clear definition of areas of	The Application does not compromise the identification of specific locations in the Kaituna River to be used for contact recreation, however AFFCO requests that recognition and preference be given to avoiding the AFFCO Rangiora discharge mixing zone, which is lawfully provided for under the RMA.

Relevant provision of Proposed Change 5	AFFCO's Submission on Proposed Change 5	Application Assessment
	recreational use in the Kaituna River, but requests recognition and preference be given to avoiding mixing zones lawfully provided for under the Resource Management Act.	
Method KR4: Identify and map sites of cultural significance in the Kaituna River Identify, record and map sites of cultural and historical significance to iwi and hapū including traditional place names, travel routes, waahi tapu, urupa and waipuna (springs) in the Kaituna River Catchment.	No submission	The Application will not limit the identification of mapping of sites of cultural significance in the Kaituna River.
Method KR5: Provide information on integrating kaitiakitanga and rangatiratanga into land use management in the Kaituna River Provide information to regional, city and district councils, land developers and consultants about how kaitiakitanga and rangatiratanga can be recognised and provided for in land use management, river access and cultural heritage protection.	No submission	The Application does not prevent the provision of information on integrating kaitiakitanga and rangatiratanga into land use management in the Kaituna River.
Method KR6: Promote employment opportunities for tangata whenua through projects in the Kaituna River Promote employment opportunities for tangata whenua through projects in the Kaituna River including providing: <ul style="list-style-type: none"> (a) Pest and silviculture management services (b) Fencing services (c) Council reserves maintenance; and (d) Environmental monitoring. 	No submission	The Application is considered in compliance with the intent of this method and contributes to the economic wellbeing and prosperity of tāngata whenua given AFFCO Rangiuru is a significant local employer of tāngata whenua. AFFCO also encourage tāngata whenua employment opportunities related to Mātauranga Māori including traditional cultural monitoring.
Method 23I: Develop environmental flows/levels, and water quality limits in the Rangitāiki River Catchment and Kaituna River Investigate and develop: <ul style="list-style-type: none"> (a) Environmental flows/levels and water quality limits in the Rangitāiki River Catchment and Kaituna River in accordance 	No submission	As presented in the AEE and discussed in Table 1 above in relation to the NPS-FM, the existing AFFCO discharge is consistent with the "A" attribute state of all parameters other than Ammonia, for which it meets the "B" attribute state, and no NBL's are exceeded. Additionally, the proposed water take replacement is a

Relevant provision of Proposed Change 5	AFFCO's Submission on Proposed Change 5	Application Assessment
with the National Policy Statement for Freshwater Management; and (b) Provisions for the management of flow variability in the Rangitaiki River Catchment and <u>Kaituna River</u> .		'zero net take' activity and will not affect water quantity in the Kaituna River. Therefore, the Application is considered in compliance with this method.
Method 23J: Develop strategies for managing wastewater and stormwater in the Rangitāiki River Catchment and <u>Kaituna River</u> In liaison with tangata whenua and local communities develop and implement strategies for the alternative treatment and disposal of wastewater and stormwater in the Rangitāiki River Catchment and <u>Kaituna River</u> .	Support in part <i>'In liaison with tangata whenua, <u>commercial and industrial users</u>, and local communities develop and implement strategies for the alternative treatment and disposal of wastewater and stormwater in the Rangitāiki River Catchment and Kaituna River.'</i> Development of strategies for managing waste and stormwater in the Kaituna River Catchment should include commercial and industrial water users to ensure that any strategies arrived at are practicable and to allow for future transparency for all those affected.	The AEE sets out an alternatives assessment which explores various alternative options to manage wastewater from the AFFCO Rangiuru operation. Subsequently the operation is planning to upgrade the treatment system to improve the quality of the wastewater discharge, and as a result the Kaituna River. The Application is therefore considered in accordance with this method.
Method 23N: Develop protocols for recognising and exercising iwi and hapū mana including kaitiakitanga in the Rangitaiki River Catchment and <u>Kaituna River</u> Develop protocols to ensure the mana of iwi and hapū in the Rangitaiki River Catchment and <u>Kaituna River</u> is recognised through any resource management decision making process to a level all parties agree meets the requirements of Objective 6 and Policy IW 5B.	No submission	The use of the Kaituna River for the purposes identified in the Application is considered a sustainable and efficient resource use. Tāngata whenua have been actively engaged throughout this Application process and opportunities for tāngata whenua participation will be encouraged going forward, recognising the importance of kaitiakitanga in the Kaituna River.
Method 23S: Remove or adapt structures impeding cultural and recreational access in the Rangitāiki River Catchment and <u>Kaituna River</u> Where appropriate require and in consultation with tangata whenua require: (a) The removal of structures (excluding existing lawfully established hydroelectric dams and power stations) that impede cultural and recreational access in the Rangitāiki River	No submission	The are no structures associated with the Application that impeded cultural or recreational access to the Kaituna River, therefore is considered in compliance with this method.

Relevant provision of Proposed Change 5	AFFCO's Submission on Proposed Change 5	Application Assessment
<p>Catchment <u>and Kaituna River</u>;</p> <p>(b) Where removal is impracticable, employ measures to adapt existing structures (including lawfully established hydro-electric dams and power stations) or provide alternative access points to minimise adverse effects on cultural and recreational access.</p>		
<p>Method 23T: Retain and enhance public and cultural access to and along rivers in the Rangitaiki River Catchment <u>and Kaituna River</u></p> <p>Retain and enhance safe public and cultural access to and along rivers within the Rangitaiki River Catchment <u>and Kaituna River</u> by:</p> <p>(a) Surveying and mapping existing access points, esplanade strip/reserves and marginal strips for recreation opportunities.</p> <p>(b) Identifying existing and new priority public and cultural access points, linkages, as well as areas and time periods where public access should be restricted.</p> <p>(c) Subject to (b) provide and maintain safe and identifiable public access points along the margin of the rivers in the Rangitaiki River Catchment <u>and Kaituna River</u>.</p> <p>(d) Promoting the acquisition of esplanade reserves/strips and access strips for public access, recreation and conservation purposes.</p> <p>(e) Encouraging appropriate amenities (signage, interpretation, education and rubbish disposal).</p> <p>(f) Working with communities, landowners and industries to consider opportunities to create appropriate access, including vehicle, walking, bicycle and waka access to the river.</p>	<p>No submission</p>	<p>The Application will not further impede public or cultural or access to or along the Kaituna River as no changes are proposed to the existing activity, therefore is considered in compliance with this method.</p>

Should you have any questions or require clarification about any of the above information, please contact me on dgulliver@argoenv.com or 021 944 149.

Yours sincerely,



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cc: Marleen Bosch (BoPRC)