

Gay Gibson

From: Sharon Dines <sharon.dines@vodafone.co.nz>
Sent: Monday, 9 June 2014 2:34 p.m.
To: Mailroom Mailbox
Cc: Sue Ruston; Ian Goldschmidt
Subject: TRIM: V1 pLWRP Further Submission
Attachments: CLWRP Variation 1 - Selwyn Te Waihora - Further Submission of Fonterra Co-operative Group Limited.pdf; ATT00001.htm

Categories: Purple Category
HP TRIM Record Number: C14C/91367

Dear Sir/Madam

On behalf of our client, Fonterra Co-Operative Group Limited (Fonterra), please find attached Fonterra's Further Submissions on Variation 1 to the Proposed Canterbury Land and Water Plan.

A copy of these further submission will be served on the persons who made the submissions to which these further submissions relate, within five working days.

I would be grateful if you could confirm that these further submissions have been received by Environment Canterbury in due course.

Yours faithfully

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**FURTHER SUBMISSIONS OF FONTERRA CO-OPERATIVE GROUP LIMITED ON
SUBMISSIONS ON THE PROPOSED VARIATION 1 TO THE CANTERBURY LAND
AND WATER REGIONAL PLAN**

To Canterbury Regional Council

1. Name of person making further submission:

Fonterra Co-operative Group Limited.

2. These further submissions are in support of or in opposition to (as specified in the attached table) submissions on the following proposed plan (the proposal):

Variation 1 to the Canterbury Land and Water Regional Plan.

3. Fonterra is a person who has an interest in the proposal that is greater than the interest the general public has:

Fonterra's shareholders produce, and the Co-operative collects and processes, billions of litres of milk annually from the Canterbury Region. The region makes up near on 20% of Fonterra's total milk supply. The provisions of Variation 1 to the Canterbury Land and Water Regional Plan will affect the manner, extent and cost of milk production and processing in the Selwyn-Waihora area of the Canterbury Region. This will have broader social and economic implications for the district and the region as a whole.

It is noted that Council is treating the submissions and further submissions to the Canterbury Land and Water Regional Plan (the initial submissions) as submissions and further submissions on this Variation. Fonterra considers that the Co-Operative's further submissions made during the Schedule 1 process on the proposed Canterbury Land and Water Regional Plan provide adequate scope to address any issues or concerns that may arise in this Variation process. Fonterra has not therefore lodged any further submissions to the initial submissions as this will duplicate what has already been done.

4. The attached table sets out:

- (a) The submissions or parts of submissions that Fonterra supports or opposes;**
- (b) Fonterra's reasons for support or opposition; and**
- (c) The relief sought by Fonterra in relation to those submissions or parts of submissions.**

5. Fonterra wishes to be heard in support of its further submissions.



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Environmental Policy Manager

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Submitter Name	Submission Number	Variation 1 reference	Submission	Support/ Oppose	Reasons	Relief Sought
ANZCO, CMP Canterbury & CMP Rakaia	52274 V1pLWRP-1487	11.5.32	Amend Rule 11.5.32 as follows (or similar): "The taking and...are met: Retain conditions 1, 2, 3, 4, 5, 7 and 8 Amend condition 6: "For...take <u>that is not associated with land based disposal of wastewater from industrial processing</u> the annual volume...".	Support in part	Rule 11.5.32 could be read as relating to wastewater irrigation but this does not appear to be intended since Method 1 in Schedule 10 clearly relates to pasture irrigation. The proposed change would remove any potential ambiguity.	Accept relief or provide such other relief to give effect to ANZCO's submissions.
Canterbury District Health Board	52266 V1pLWRP-1240 V1pLWRP-1241	Tables 11(a) and (b)	Amend Table 11(a) and (b) and replace statement "no set value" in Table 11(a) under microbiological indicator with "good/fair" or "improvement on current status".	Support in Part	Fonterra considers that microbial indicators for <i>suitability for contact recreation</i> on some of the lowland rivers in Tables 11(a) & (b) could be given a "good/fair" grading (e.g. the Selwyn River, which has contact recreational values). However, Fonterra does not consider it appropriate or realistic for all the rivers with no value currently set to be given that rating. Fonterra does, however, support improvements in water quality and therefore considers "improvement on current status" to be an appropriate microbial indicator on those water bodies where improvements are practicable.	Accept relief as detailed in Reasons section.
Canterbury District Health Board	52266 V1pLWRP-1245	Table 11(a)	Amend Table 11(a) to include under Periphyton indicators values for cyanobacteria mat cover (%); include values for cyanobacteria mat cover (%) at values which are equivalent of or better quality than in the pLWRP. Lower values should be set for rivers that are utilised for sources of human drinking water or are important recreational sites.	Oppose	In the Decisions Version of the Canterbury Land & Water Plan, Policy 4.3 adequately covers in a narrative form what is being sought by the submitter. Fonterra considers there is no need to include numeric indicator for cyanobacteria mat cover in the Table.	Decline relief.
Central Plains Water	52239 V1pLWRP-498 V1pLWRP-499 V1pLWRP-500	Tables 11(i) and 11(j)	Central Plains Water seeks that the allocations in Tables 11(i) and 11(j) to be corrected to remove any errors and to ensure that they are reasonable.	Support	Fonterra also wishes to ensure that the allocations in these tables are error free and reasonable.	Accept relief.

Submitter Name	Submission Number	Variation 1 reference	Submission	Support/ Oppose	Reasons	Relief Sought
Dairy Holdings Limited	53683 V1pLWRP-1944	New Rule 11.5.10A for Nutrient Management Groups	<p>Amend to include a new rule under Rule 11.5.10 to read:</p> <p><u>11.5.10A Notwithstanding rules 11.5.6 to 11.5.9, the use of land for a farming activity as part of a nutrient management group in the Selwyn Waihora catchment is a discretionary activity, provided the following conditions are met:</u></p> <p><u>1. the nutrient management group has a nutrient management plan that manages the allocation of nutrients between members;</u></p> <p><u>2. the properties subject to the nutrient management group are all subject to a Farm Environment Plan that has either been prepared in accordance with Schedule 7 Part A or is consistent with Schedule 7 Part A; and</u></p> <p><u>3. the nitrogen loss calculation for all members of the nutrient management group does not increase above the total combined nitrogen baseline for all members.</u></p> <p><u>Note: If a member of the nutrient management group receives water from the Central Plains scheme, then compliance for Central Plains with the total scheme nitrogen limit in Table 11(j) shall be based on the individual nitrogen baseline of the relevant member and not its share of the total combined nitrogen baseline available by virtue of any nutrient management group.</u></p>	Support	Fonterra considers that the definition of “farming enterprise” and its use in the Rules of Variation 1 allows the sharing of nutrient allocations across multiple properties as requested by the submitter. However, if that is not the intention, then Fonterra considers this proposed amendment appropriate.	Accept relief or provide such other relief so as to give effect to Dairy Holdings Limited’s submission.

Submitter Name	Submission Number	Variation 1 reference	Submission	Support/ Oppose	Reasons	Relief Sought
Dairy Holdings Limited	53683 V1pLWRP-1948	New Rule 11.5.36A for establishment of Water User Groups	<p>Amend to include a new rule under Rule 11.5.36 [to expressly make provision for water users groups] as follows:</p> <p><u>11.5.10A The take and use of groundwater as part of a Water Users Group in the Selwyn Waihora catchment is a discretionary activity, provided the following conditions are met:</u></p> <p>1. <u>All members of the Water Users Group have a condition on their resource consent that provides for the establishment of a Water users Group and requires abstraction rates and volumes to recorded at no less than 15 minute intervals; and</u></p> <p>2. <u>The total take by all members of the Water Users Group does not exceed the total combined rate and volume available to all members by virtue of the Water Users Group.</u></p>	Support	Fonterra considers that water user groups are an important mechanism to ensure the efficient allocation of water.	Accept relief, or provide such other relief so as to give effect to Dairy Holdings Limited's submission.
Horticulture New Zealand	52267 V1pLWRP-1405 V1pLWRP-1418	Section 11.4 and 11.5	Add a new policy and commensurate permitted activity rules and methods to enable transfer of nitrogen within and between enterprises and farms within the same water management unit, or similar rules and methods to give effect to development of a transfer system.	Support in Part	Fonterra considers that the definition of "farming enterprise" and its use in the Rules of Variation 1 allows the sharing of nutrient loss entitlement across multiple properties. However, Fonterra would support Variation 1 containing a more fully developed nutrient trading or transfer system as suggested by Horticulture New Zealand.	Accept relief or provide such other relief so as to give effect to Horticulture New Zealand's submission.

Submitter Name	Submission Number	Variation 1 reference	Submission	Support/ Oppose	Reasons	Relief Sought
Nga Runanga and TRoNT	52233 V1pLWRP-365	New objective	Elevate the visions for Te Waihora catchment to an objective.	Support	Fonterra considers that the vision encapsulates the outcome sought for the Selwyn Te Waihora catchment.	Accept relief.
Nga Runanga and TRoNT	52233 V1pLWRP-420 V1pLWRP-460-62 V1pLWRP-370 V1pLWRP-383 V1pLWRP-387 V1pLWRP-389-98 V1pLWRP-423 V1pLWRP-427 V1pLWRP-429-32 V1pLWRP-436-38 V1pLWRP-440-48	Various	A range of amendments to Variation 1 to the proposed Canterbury Land and Water Plan relating to water quality policies, rules and schedules.	Oppose	Nga Runanga and Te Runanga o Ngai Tahu have aspirations for environmental improvements in the Selwyn Te Waihora catchment that Fonterra acknowledges, understands and supports. However, Fonterra is concerned that the amendments proposed to Variation 1 by the submitter propose a pace and scope of change that is unmanageable for dairy farmers and dairy manufacturing in the catchment.	Decline relief.
Nga Runanga and TRoNT	52233 V1pLWRP-399 V1pLWRP-401 V1pLWRP-404-18 V1pLWRP-449-55 V1pLWRP-457	Various	A range of amendments to Variation 1 to the proposed Canterbury Land and Water Plan relating to water quantity policies, rules and schedules.	Oppose	Nga Runanga and Te Runanga o Ngai Tahu have aspirations for environmental improvements in the Selwyn Te Waihora catchment that Fonterra acknowledges, understands and supports. However, Fonterra is concerned that the amendments proposed to Variation 1 by the submitter propose a pace of change and regulatory cost burden that are unmanageable for dairy farmers and dairy manufacturing in the catchment.	Decline relief.
North Canterbury Fish & Game Council	52310	Paragraphs 19-25 of submission	The Fish & Game Council proposes a methodology for reviewing progress towards achieving the objectives for the Selwyn Waihora catchment based on the formula: <i>Total catchment Load (Z) – Current Land use output load (Y) = Lag Load (X)</i>	Oppose	While Fonterra considers that monitoring of progress towards the objectives for the catchment is both necessary and appropriate, the regime proposed here is simplistic and as a result is unlikely to be effective.	Decline relief.

Submitter Name	Submission Number	Variation 1 reference	Submission	Support/ Oppose	Reasons	Relief Sought
North Canterbury Fish & Game Council	52310 V1pLWRP-648-49 V1pLWRP-651 V1pLWRP-653 V1pLWRP-659-60 V1pLWRP-665-67 V1pLWRP-671-74 V1pLWRP-685-88 V1pLWRP-704 V1pLWRP-711-12	Various	Retain policies with ability to provide further comment on material included in the plan change and suggest amendments at the hearing to amend polices, limits and targets that may require improvement to achieving objectives.	Oppose	Fish & Game reserves its position on what the limits or targets in Variation 1 should be. On the basis of its submission, it is not possible to understand the effect of the relief sought by the Fish & Game Council.	To the extent that Fish & Game's relief sought is contrary to that sought by Fonterra, decline Fish & Game's relief.
Royal New Zealand Forest & Bird Protection Society	52265 V1pLWRP-1324-32	Table 11(c)-(k)	The submitter's position on the data in Table 11 (c)-(k) is reserved until Forest & Bird has had time to consider them in some detail and seek advice on the extent to which it can rely on them protecting the significant natural values within the Catchment.	Oppose	On the basis of their submission, it is not possible to understand the effect of the relief sought by the Society.	To the extent that Forest & Bird's relief sought is contrary to the relief sought by Fonterra, decline Forest & Bird's relief.
Trust Power	52280 V1pLWRP-981	Rule 11.5.25	Delete conditions (3) of Rule 11.5.25	Support	As stated by Trustpower, the test of whether a proposed treatment and disposal methodology for the discharge of industrial wastewater is the 'best practicable option' is subjective and fails to enable resource consent applicants to determine the status of their proposed activity. Condition (3) should therefore be deleted.	Accept relief.