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*under:* the Resource Management Act 1991

*in the matter of:* submissions and further submissions in relation to  
proposed Variation 1 to the proposed Canterbury Land  
and Water Regional Plan

*and:* **Fonterra Co-operative Group Limited**  
*Submitter*

*and:* **DairyNZ**  
*Submitter*

Rebuttal evidence of Ian Kevin Goldschmidt (in relation to groundwater  
nitrate limits)

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Dated: 8 September 2014

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## REBUTTAL EVIDENCE OF IAN KEVIN GOLDSCHMIDT

### INTRODUCTION

- 1 My name is Ian Kevin Goldschmidt.
- 2 My qualifications and experience are set out in my statement of evidence dated 29 August 2014.

### SCOPE

- 3 In this evidence I provide a brief response to the request put forward by **Dr Alistair Humphrey** (in his paragraph 6.4) to amend the groundwater nitrate-N limit in Table 11(m) to 5.6 mg/L.

### GROUNDWATER NITRATE LIMIT IN TABLE 11(M)

- 4 As set out above, on the basis of **Dr Humphrey's** evidence it appears that the Canterbury District Health Board is seeking to amend the groundwater nitrate-N limit in Table 11(m) to 5.6 mg/L.
- 5 As outlined in my evidence in chief, Fonterra is supportive of the vision for the Selwyn Te Waihora catchment. However, I consider the limit proposed by **Dr Humphrey** does not reflect the likely existing nitrate-N levels around Darfield and is simply too restrictive given what is occurring, and can reasonably occur, in the existing environment.
- 6 In this regard, the data and commentary presented in the **attached** letter from Golder Associates, which has been agreed by ECan staff (see **Annexure A**), demonstrates:
  - 6.1 the existing nature of nitrate-N around Darfield; and
  - 6.2 the fact that the elevated nitrate-N levels in the Darfield area have not been caused by Fonterra Darfield's operation.
- 7 The proposed limit would make it very difficult to operate the Darfield site in the future as the limit proposed by **Dr Humphrey** may already be exceeded<sup>1</sup> in the vicinity of Darfield. As Fonterra is not the reason for the existing nitrate-N levels it would also be impossible for Fonterra to bring the wider area back into compliance were exceedances to be confirmed.

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<sup>1</sup> The existing data record covers less than five years and is therefore not long enough to confirm compliance with the proposed limit.

- 8 Fonterra considers that it is more appropriate to address the Canterbury District Health Board's concern by:
- 8.1 retaining the groundwater nitrate limit in Table 11(m) of Variation 1 as notified; and,
  - 8.2 including an adaptive management policy as outlined by **Mr Gerard Willis** in his paragraph 201 - 207 (of his evidence in chief) to allow limits to be amended over time, as knowledge of the groundwater resource improves and the requirements of Variation 1 are given effect to.
- 9 As set out in the evidence of **Mr Mike Copeland**, significant economic benefits to the Selwyn District and Canterbury region would be lost if the Darfield site was unable to operate.

Dated: 8 September 2014

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Ian Kevin Goldschmidt