

## Sharrie Campbell

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**From:** Laura Hull <Laura.Hull@synlait.com>  
**Sent:** Friday, 24 October 2014 4:56 p.m.  
**To:** Mailroom Mailbox  
**Subject:** Variation 2 submission  
**Attachments:** SML V2 submission.pdf; SML Variation 2 submission.pdf

**Categories:** Orange Category

EC103128

Hi,

Please find attached Synlait Milk's submission on Variation 2.

Thanks,

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Laura Hull  
Environmental Consultant

Synlait Milk Ltd  
1028 Heselton Road  
RD13, Rakaia 7783  
Canterbury, New Zealand

P +64 3 373 3149  
E [Laura.Hull@synlait.com](mailto:Laura.Hull@synlait.com)

P +64 3 373 3000  
[www.synlait.com](http://www.synlait.com)



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# Submission on Proposed Variation 2 to the Proposed Canterbury Land and Water Regional Plan

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Submitter ID:

File No:

Form 5: Submissions on a Publicly Notified Proposed Policy Statement or Regional Plan under Clause 6 of Schedule 1 of the Resource Management Act 1991

Return your signed submission by 5.00pm Friday 24 October 2014 to:

Freepost 1201 Variation 2 to pLWRP  
Environment Canterbury  
P O Box 345  
Christchurch 8140

Full Name: Laura Jane Hull Phone (Hm): \_\_\_\_\_  
Organisation\*: Synlait Milk Limited Phone (Wk): 373 3149  
\* the organisation that this submission is made on behalf of  
Postal Address: 1028 Hesterton Road, RD13, Rakaia 7783 Phone (Cell): \_\_\_\_\_  
Email: laura.hull@synlait.com Postcode: \_\_\_\_\_  
Fax: \_\_\_\_\_

Contact name and postal address for service of person making submission (if different from above):  
\_\_\_\_\_

### Trade Competition

Pursuant to Schedule 1 of the Resource Management Act 1991, a person who could gain an advantage in trade competition through the submission may make a submission only if directly affected by an effect of the proposed policy statement or plan that:

- a) adversely affects the environment; and
- b) does not relate to trade competition or the effects of trade competition.

Please tick the sentence that applies to you:

- I could not gain an advantage in trade competition through this submission; or
- I could gain an advantage in trade competition through this submission.

If you have ticked this box please select one of the following:

- I am directly affected by an effect of the subject matter of the submission
- I am not directly affected by an effect of the subject matter of the submission

Signature: [Signature] Date: 24/10/2014

(Signature of person making submission or person authorised to sign on behalf of person making the submission)

Please note:

(1) all information contained in a submission under the Resource Management Act 1991, including names and addresses for service, becomes public information.

- I do not wish to be heard in support of my submission; or
- I do wish to be heard in support of my submission; and if so,
- I would be prepared to consider presenting your submission in a joint case with others making a similar submission at any hearing



24 October 2014

Environment Canterbury  
PO Box 345  
Christchurch 8140

### **Submission on proposed Variation 2 to the proposed Land and Water Regional Plan**

Synlait Milk is a value-added ingredient, infant and adult nutritional milk processing company. Since operations began in 2008, Synlait has grown to become one of Canterbury's largest companies, processing 500 million litres of milk a year from around 160 Canterbury farms, and employing over 200 staff. In 2013 Synlait launched Australasia's only ISO 65 farm certification system called Lead With Pride™. This certification recognises and financially rewards dairy farmers who achieve excellence in milk quality, environmental management, animal health and welfare and demonstrate social responsibility. Lead With Pride was the first programme to be recognised by Environment Canterbury as a Farm Environment Plan.

Along with maintaining world-class processing facilities, Synlait maintain control over the quality of milk supply, milk processing and market distributions to guarantee our global customers with absolute food safety, security and traceability. The purity of our natural environment is central to Synlait's brand and we place importance on protecting it.

Synlait welcomes the opportunity to provide input on Variation 2 to the PLWRP. We have 34 suppliers in the Lower Hinds/Hekeao Plains Area who stand to be significantly affected by the proposed variation as notified.

The impact on Synlait ranges from continued viability of our suppliers and their dairy support partner farms, to the future volume of milk we can source from the Hinds/Hekeao Plains, a regionally important dairy area.

Please find a copy of our submission attached.

Page	Provision	Support / Oppose	Issue	Relief sought
<b>Definitions</b>				
2-3	Nitrogen Baseline	Oppose in part	<p>The definition of the nitrogen baseline is contained in the pLWRP. Since the decisions were released an issue has been identified with between the baseline and the four year rolling average nitrogen loss calculation.</p> <p>The four years used to establish the baseline share common years with the initial four years used to calculate the nitrogen loss calculation (2011/12 and 2012/13). This leads to a cycle of increasing and decreasing annual N loss to keep within baseline for the rolling four year period.</p> <p>Environment Canterbury has recognised this issue and published implementation guidance on how to transition to the new baseline approach.</p> <p>While we accept it isn't ideal to have a different definition of nitrogen baseline between pLWRP and its sub-regional chapters, it isn't appropriate to continue imposing a definition that is recognised as being problematic.</p> <p>Synlait suggest the implementation guidance published by Environment Canterbury should be codified in Variation 2.</p>	Codify the approach published in Environment Canterbury's 'Nitrogen Baseline Compliance Note', April 2014.
<b>Policies</b>				
3-4	Policy 13.4.9	Oppose in part	<p>Synlait acknowledge that reductions in nitrogen losses are required to improve water quality in the catchment to an acceptable standard.</p> <p>However we hold concerns with the robustness of the modelling and analysis behind the target of reducing overall</p>	<p>Amend Policy 13.4.9(d) as follows :</p> <p><i>Reducing overall nitrogen losses by 45-30 percent in the lower Hinds/Hekeao Plains Area and adopting <del>the use of managed aquifer recharge to augment groundwater and/or surface water</del> catchment scale mitigations.</i></p>

			<p>nitrogen losses in the Lower Hinds/Hekeao Plains catchment by 45%.</p> <p>It is not clear how the reduction regime in Table 13(h), requiring reductions of 45% from dairy, 25% from dairy support and zero from other land uses, will achieve a catchment nitrogen reduction of 45%.</p> <p>Synlait understands the overall catchment nitrogen loss reduction needed to be achieved by existing land use is 30%.</p>	
4	Policy 13.4.12	Oppose in part.	<p>Synlait hold concerns with the robustness of the calculation from the nitrate nitrogen groundwater concentration target to a catchment load. We don't consider 3,400 tonnes of nitrogen per year corresponds to the load required to meet the concentration limit.</p> <p>We accept that there will always be data gaps and some assumptions will need to be made in order to progress towards achieving improvements in water quality. However there is too much uncertainty behind the 3,400 tonne target to set it as a firm number in the plan. Synlait suggest the plan should set nitrate nitrogen concentration limits instead, as there is certainty in these numbers. This would allow re-calculation of the corresponding nitrogen load to occur easily and as needed as our knowledge increases.</p>	<p>Amend Policy 13.4.12 as follows:</p> <p><i>Improve water quality in the Lower Hinds/Hekeao Plains Area by reducing the discharge of nitrogen from farming activities to <del>achieve a target load of 3,400 tonnes of nitrogen per year</del> <u>70% of the existing catchment load contributed by farming activities</u> by 2035.</i></p>
4	Policy 13.4.13	Oppose	<p>Synlait support the requirement to operate at GMP by 2017 – however we note the difficulties in determining what is required to achieve GMP loss rates prior to the MGM numbers being available. Further we oppose the requirement for GMP loss rates to be calculated on baseline land uses.</p>	<p>Amend Policy 13.4.13 as follows:</p> <p><i>Farming activities including farming enterprises in the Lower Hinds/Hekeao Plains Area, whether or not they are supplied with water by an irrigation scheme or a principal water supplier, achieve a target load <u>calculated as 70% of the existing catchment load contributed by farming activities</u> of 3,400 tonnes of nitrogen per year by:</i></p>

		<p>Synlait oppose the reduction regime set out in Table 13(h) and implemented through this policy. Again we accept there is a need for reductions but hold serious concerns for the continuing viability of our suppliers if they are required to achieve up to 45% reductions from GMP nitrogen loss rates.</p> <p>There are serious inequality issues caused by the reduction regime, both in that reductions are only required by dairy and dairy support operations and that they must offset a further increase in nitrogen load generated by the 30,000ha of land use intensification provided for in this policy.</p> <p>The s32 report explains the reductions have been placed solely on dairy and dairy support farms as other land uses cannot sustain such reductions and remain profitable, based on EBIT analysis. It is not appropriate to rely on EBIT alone to determine the impact of such reductions and we strongly believe the impact on both dairy farms and the wider industry haven't been adequately considered.</p> <p>Variation 2 is imposing requirements on farmers for at least the next 20 years, during which the profitability of various farm systems will change, as illustrated by the dramatic drop in the milk price this season. Dairy has been fortunate to enjoy high payouts over the last few years, but farmers are now facing their income being halved. Regardless the EBIT analysis behind the reduction regime is based on the previously high milk price. It is not realistic to base a long-term, rigid reduction methodology on a measure as variable as EBIT. It is inevitable that various land uses will rise and fall in profitability over the life of Variation 2 and it is therefore flawed to impose such extreme differences in reductions by land use alone.</p> <p>The s32 report describing the analysis of options for reduction regimes states that under an equal allocation</p>	<p>(a) <u>Requiring existing farming activities to implement good practices meet good management practice nitrogen loss rates from 1 January 2017, calculated on baseline land uses;</u></p> <p>(b) <u>Requiring a collective reduction in nitrogen loss from farming activities across the Lower Hinds/Hekeao Plains Area for all properties with a nitrogen loss calculation exceeding 20kg per hectare per annum further reductions for dairy farming and dairy support from 1 January 2020, in accordance with Table 13(h); and</u></p> <p>(c) <u>Determining the extent and timing of nitrogen loss reductions to be achieved on individual farms from 1 January 2020 by:</u></p> <p>i) <u>Use of an expert farm systems advisory panel reviewing resource consent applications and any associated Farm Environment Plans and providing independent advice to Canterbury Regional Council about the opportunities for nitrogen loss mitigation given the individual circumstances of each farm.</u></p> <p>ii) <u>Having regard to the following matters in considering the individual circumstances of each farm:</u></p> <p>(1) <u>The nitrogen baseline for the property and the level of any reductions already achieved from that baseline; and</u></p> <p>(2) <u>Any natural or physical constraints to lower nitrogen leaching faced on-farm that are outside of a farmer's control; and</u></p>
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			<p>framework the nitrogen discharge allowance for the Lower Hinds/Hekeao Plains Area would be 26 kg/N/ha/year. It goes on to state dairy farmers on light soils would need to require significant mitigation measures such as reducing stocking rates to achieve this rate. We note that the 45% reduction from GMP proposed in Variation 2 would take many of our suppliers in the catchment well below 26 kg/N/ha/year. Given this we cannot accept the conclusion of the s32 report that dairy and dairy support will not be adversely affected economically by this framework.</p> <p>There is a very real threat to the continued viability of our suppliers to operate dairy farms into the future if a 45% reduction is imposed on them.</p>	<p>(3) <i>The level of investment in farm infrastructure and where a farm might be in the cycle of infrastructure replacement; and</i></p> <p>(4) <i>The capital and operational costs of making nitrogen loss reductions and the benefit (in terms of maintaining a farm's financial sustainability) of spreading that investment over time.</i></p> <p>(d) <i>Enabling, by way of resource consent process, land use intensification or changes in land use on a maximum of 30,000 hectares of land, provided the nitrogen loss calculation is limited to no more than <del>27</del> 25 kg per hectare per year.</i></p>
4	Policy 13.4.14	Support in part	<p>Support the enabling of MAR and TSA as methods to achieve outcomes sought by the zone committee. However we note that there are potential significant adverse effects on landowners and communities in terms of rising groundwater levels. Proposals for such schemes must be carefully assessed before being approved and there must be a mechanism for mitigation measures/recourse if unforeseen adverse effects do occur.</p>	<p>Amend Policy 13.4.14 as follows:</p> <p>(f) <i>Adverse effects on people and property from raised groundwater levels and higher flows are avoided. <u>In determining adverse effects, a high level of consultation with potentially affected people shall be undertaken.</u></i></p> <p>(g) <i><u>Appropriate community groups are established and used as a mechanism for advising on construction of consented proposals, receiving feedback and providing recourse on any unforeseen adverse effects.</u></i></p>
5	Policy 13.4.16	Oppose in part	<p>Existing water consents can only be renewed for rate &amp; volume calculated by Method 1 of Schedule 10(demonstrated use). Water metering has been implemented fairly recently and taking into account weather</p>	<p>Amend Policy 13.4.16 as follows:</p> <p><i>Improve the flows in spring-fed waterbodies and the Lower Hinds/Hekeao to meet economic, cultural, social and environmental outcomes in the Hinds/Hekeao Plains</i></p>

			<p>cycles and inevitable issues in getting new systems operating properly, it may be a few years yet before irrigators have robust water use records that are fairly representative to provide a fair Method 1 annual volume.</p> <p>Synlait understand the intent of this policy is to enable clawback of unused 'paper allocations'. We do not oppose this intent, but consider there are alternate methods of achieving this without potentially cutting some irrigators short by restricting to reasonable use based on water use records.</p> <p>We suggest Methods 2 and 3 of Schedule 10 should also be enabled, provided irrigation volumes are calculated to reflect the existing irrigation area and rate. This will ensure re-consented volumes do not provide more water than required for the existing use and are calculated in accordance with CRC accepted methods, but do not unreasonably restrict irrigators if their water use records are not representative.</p> <p>Provided well interference and stream depletion effects are acceptable, there is no justifiable reason to restrict the rate of take to demonstrated use.</p>	<p><i>Area by requiring adherence to flow and allocation limits, limiting the volume <del>and rate</del> of abstraction on replacement water permits to reasonable use calculated <del>in accordance with method 1 in Schedule 10</del> based on existing irrigated areas and rates and prohibiting increased use arising from the transfer of consented volumes of water within surface water catchments and the Valetta Groundwater Allocation Zone.</i></p>
5	Policy 13.4.17	Oppose in part.	<p>Synlait oppose the blanket requirement for adaptive management conditions to be applied on renewal of any groundwater permit that was previously subject to adaptive management.</p> <p>We are not aware that any review of the effectiveness of adaptive management conditions has been undertaken and consider these conditions must be determined to have achieved their intended purpose before they can be imposed again on renewed consents.</p>	<p>Amend Policy 13.4.17 as follows:</p> <p><i><u>Prior to the expiry date of adaptive management consents in the Valetta Groundwater Allocation Zone, the Canterbury Regional Council shall undertake a review of the effectiveness of adaptive management conditions. Until such time as the Valetta Groundwater Allocation Zone limits in Table 13(f) are no longer exceeded, the effectiveness of, and the need for continuing adaptive management conditions shall be a matter of discretion</u></i>  <del>apply adaptive management conditions upon replacement of any groundwater permits that have</del></p>



			We suggest the need for adaptive management conditions must be considered in light of the assessment of effects on the groundwater zone and the effectiveness of the previous conditions when the consent comes up for renewal, rather than a blanket policy directive they be re-applied.	<i>previously been subject to adaptive management conditions on the same or similar terms as the pre-existing conditions.</i>
<b>Rules</b>				
6-7	Rules 13.5.8, 13.5.9 and 13.5.10	Oppose	<p>The implementation of a grandfathering regime for nitrogen loss imposes a rigid system that provides very little opportunity for change.</p> <p>It is unclear if properties that meet the conditions of this rule are required to meet GMP loss rates from 2017. There is no reference to this in the rule, however if condition 3 is taken up and a FEP prepared and implemented, Schedule 7 requires it must include measures to meet the GMP loss rates.</p> <p>Synlait suggest that requiring properties greater than 5 hectares in the Upper Hinds/Hekeao Plains Area to implement good practices either through FEP's or Schedule 24a practices is sufficient to meet water quality outcomes for the catchment.</p> <p>We propose amended wording to make it clear that GMP is to be achieved from 1 January 2017.</p>	<p>Amend Rule 13.5.8 as follows:</p> <p><i>Despite any of Rule 13.5.9 to 13.5.12 the use of land for a farming activity in the Upper Hinds/Hekeao Plains Area is a permitted activity provided the following conditions <u>is</u> <del>are</del> met:</i></p> <ol style="list-style-type: none"> <li><i>1. The property is less than 5 hectares; <del>and</del></i></li> <li><i>2. <del>The nitrogen loss calculation for the property does not exceed 20 kg per hectare per annum or the nitrogen baseline, whichever is the greater.</del></i></li> </ol> <p>Amend Rule 13.5.9 as follows:</p> <p><i>The use of land for a farming activity in the Upper Hinds/Hekeao Plains Area is a permitted activity provided the following conditions are met:</i></p> <ol style="list-style-type: none"> <li><i>1. <u>Until 1 January 2017</u>, the nitrogen loss calculation for the property does not increase above the nitrogen baseline; and either</i></li> <li><i>2. The practices in Schedule 24a are being implemented and the information required is recorded in accordance with Schedule 42a, and supplied to the Canterbury Regional Council upon request; or</i></li> <li><i>3. A Farm Environment Plan has been prepared and implemented in accordance with Schedule 7</i></li> </ol>

				<p><i>Part A, and supplied to the Canterbury Regional Council upon request</i></p> <p>4. <u><i>Post 1 January 2017, the GMP nitrogen loss rates are being achieved.</i></u></p> <p>Include new rule:</p> <p><u><i>The use of land for a farming activity that does not comply with condition 4 of Rule 13.5.9 is a discretionary activity.</i></u></p> <p>Amend Rule 13.5.10 as follows:</p> <ol style="list-style-type: none"> <li><i>The nitrogen loss calculation for the farming enterprise does not increase above the <del>nitrogen baseline</del> <u>lawfully permissible nitrogen loss for all properties contained in the farming enterprise; and...</u></i></li> </ol>
7	Rule 13.5.13	Support in part	<p>Synlait notes that the rule package for farming activities does not recognise the proposed change in the sub regional boundary between the Ashburton Sub Region and the Alpine River Sub Region to align the Ashburton sub regional with the western boundary of the Mayfield-Hinds Groundwater Allocation Zone.</p> <p>This change sees an area previously classed as a Green nutrient allocation zone under the pLWRP become subject to the same nutrient allocation rules as the adjoining Red nutrient allocation zone. As notified, Variation 2 prohibits the increase in nitrogen loss which is a permitted activity in the pLWRP (5 kg above baseline).</p> <p>We suggest the Green nutrient allocation zone rules should be incorporated into Variation 2 for this area as they have been deemed to be appropriate through the pLWRP process.</p>	<p>Amend Rule 13.5.13 as follows:</p> <p><i>Despite any of the Rules 13.5.15 to 13.5.20 the use of land for a farming activity in the lower Hinds/Hekeao Plains Area is a permitted activity provided the following conditions are met:</i></p> <ol style="list-style-type: none"> <li><i>The property is less than 5 hectares; and <u>either:</u></i></li> <li><i>The nitrogen loss calculation for the property does not exceed <del>20</del>25 kg per hectare for annum or the nitrogen baseline, whichever is greater; or</i></li> <li><i>The property is within that area shown as Green on the LWRP Planning Maps and that nitrogen loss calculation for the property does not exceed 25 kg per hectare per annum or the nitrogen baseline plus 5 kg per hectare per annum, whichever is greater.</i></li> </ol>

7	Rule 13.5.14	Oppose in part.	<p>As per Policy 13.4.13, Synlait is concerned with inequalities in providing for 30,000ha further intensification at a rate of 27kg/N/ha or less. This seems at odds with the strict requirements being placed on existing farms and unfairly requires them to shoulder the burden of this further intensification, potentially at the risk of their business viability.</p> <p>Taken as a whole, the amendments Synlait seek to Variation 2 will achieve an improved balance in terms of inequalities discussed here.</p>	<p>Amend Rule 13.5.14 as follows:</p> <ol style="list-style-type: none"> <li><i>The <del>future</del> nitrogen loss calculation for the area of land subject to any application for resource consent made under this rule will be less than or equal to <del>27</del> 25 kg per hectare per annum for the activity applied for; and...</i></li> </ol>
8	Rule 13.5.16	Oppose in part.	<p>It is unclear if properties which classify as permitted activities under this rule are required to meet GMP nitrogen loss rates and/or further reductions from 2020.</p> <p>Conditions 3 and 4 provide the option of implementing either Schedule 24a practices or a FEP in accordance with Schedule 7 Part A. 13.10 of Variation 2 requires that in the Hinds Plains area, FEP's shall include measures to achieve the GMP loss rates from 2017 and in the Lower Hinds area, the further reductions from 2020.</p> <p>It is unclear what the intention is here. The rule is open to interpretation and doesn't contain enough certainty.</p> <p>If GMP loss rates are required to be achieved from 2017 by permitted activity farms this should be a condition of this rule, so it is clear and upfront.</p> <p>Synlait support GMP loss rates rather than nitrogen baseline as the requirement post 2017.</p>	<p>Amend Rule 13.5.16 as follows:</p> <p><i>From 1 January 2017, the use of land for a farming activity in the Lower Hinds/Hekeao Plains Area is a permitted activity, provided the following conditions are met:</i></p> <ol style="list-style-type: none"> <li><i>The nitrogen loss calculation for the property does not exceed 20kg per hectare per annum; and</i></li> <li><i><del>GMP nitrogen loss rates are being achieved</del> <del>The nitrogen loss calculation for the property, excluding any area of land subject to a resource consent granted under Rule 13.5.14, does not increase above the nitrogen baseline;</del> and either</i></li> <li><i>The practices in Schedule 24a are being implemented and the information required is recorded in accordance with Schedule 24a, and supplied to Canterbury Regional Council upon request; or</i></li> <li><i>A Farm Environment Plan has been prepared and is being implemented in accordance with</i></li> </ol>

				<p><i>Schedule 7 Part A, and supplied to Canterbury Regional Council upon request.</i></p> <p>Consequential amendments to Rules 13.5.19 13.5.20 to reflect activities that do not comply with Condition 2 of Rule 13.5.16 as a non-complying activity.</p>
8	Rule 13.5.17	Oppose in part.	<p>As discussed for Policy 13.4.13 and Table 13(h), Synlait oppose the number the nitrogen load target has been set at and reduction regime this rule seeks to implement.</p> <p>However we support farming activities being restricted discretionary activities post 2017 and suggest some amendments to both align the rule with our suggested amendments to related policy and strengthen for consenting purposes.</p> <p>It is unclear how consents applied for under this rule will be processed, what timeframe they will be granted for and what mechanisms will be used to impose the GMP loss rates and further nitrogen loss rates in Table 13(h).</p> <p>Synlait considers the nitrogen baseline becomes redundant post 2017 as the focus moves to achieving GMP nitrogen loss rates and further reductions from 2020.</p> <p>Matter of discretion 1 gives the consent authority discretion over the 'quality of, compliance with and auditing of the FEP'. Compliance with the FEP cannot be determined at the consent application stage.</p>	<p>Amend Rule 13.5.17 as follows:</p> <p><i>From 1 January 2017, the use of land for a farming activity in the Lower Hinds/Hekeao Plains Area is a restricted discretionary activity, provided the following conditions are met:</i></p> <ol style="list-style-type: none"> <li><i>1. The nitrogen loss calculation for the property is greater than <del>20</del> <u>25</u> kg per hectare per annum; and</i></li> <li><i><del>2. The nitrogen loss calculation for the property, excluding any area of land subject to a resource consent granted under Rule 13.5.14, does not increase above the nitrogen baseline; and</del></i></li> <li><i>3. A Farm Environment Plan has been prepared in accordance with Schedule 7 Part A.</i></li> </ol> <p><i>The exercise of discretion is restricted to the following matters:</i></p> <ol style="list-style-type: none"> <li><i>1. The <del>content quality of, compliance with and auditing of the Farm Environment Plan; and</del></i></li> <li><i><del>2. The ability to meet the nitrogen load target for farming activities in Table 13(g); and</del></i></li> <li><i>3. From 1 January 2017 the Good Management Practice Nitrogen Loss Rates <u>to be applied for the baseline land uses;</u> and</i></li> </ol>

				<p>4. <i>From 1 January 2020, the matters listed in Policy 13.4.13 Any nitrogen loss rates to be applied in accordance with Table 13(h); and</i></p> <p>5. <i>The potential benefits of the activity to the application, the community and the environment.</i></p>
7, 8	Rule 13.5.10 and 13.5.18	Support in part.	Synlait support the provision enabling farm enterprises as a flexible way to manage nitrogen losses. However we suggest this should be a restricted discretionary activity, reflecting the low level of risk and promoting innovation and flexibility in achieving the target loss rates.	<p>Amend Rule 13.5.18 to a restricted discretionary activity, with the following matters of discretion:</p> <ol style="list-style-type: none"> <li>1. <i>The content of the Farm Environment Plan; and</i></li> <li>2. <i>Existing nitrogen and phosphorus management practices to reduce nitrogen loss; and</i></li> <li>3. <i>The nitrogen load target for farming activities; and</i></li> <li>4. <i>The potential benefits of the activity to the applicant and the community and the environment.</i></li> </ol>
10	Rule 13.5.27 & 13.5.28	Support	Support the inclusion of rules enabling habitat restoration.	
11	Rule 13.5.29	Oppose	<p>While Synlait do not oppose the rule preventing small and community water takes in the Lower Hinds/Hekeao Plains Area, we do hold concerns of the implications in light of Environment Canterbury’s recent interpretation of s14(3)(b), namely that it cannot be accessed by companies, trusts or body corporates – that is, not an individual.</p> <p>This interpretation will mean the majority of farmers will not be able to access s14(3)(b) for stock water and dairy shed wash down water and will increase reliance on permitted activity water takes.</p>	Consider the implications of Rule 13.5.29 in light of Environment Canterbury’s revised interpretation of s(14)(3)(b).

11	Rule 13.5.30	Oppose in part	Synlait seek consequential amendments to Rule 13.5.30 to align with our suggested change to Policy 13.4.14.	Amend Rule 13.5.30 as follows:  1. <i>If the proposed take is the replacement of a lawfully established take, the annual volume <del>and maximum rate of take</del> has been calculated in accordance with methods <u>1, 2 or 3</u> in Schedule 10 and are based on existing irrigated areas and rates.</i>
11	Rule 13.5.31	Support	Synlait support enabling surface or stream depleting groundwater takes to switch to deep ground water.  We seek a consequential amendment to align the rule with our suggested change to Policy 13.4.14 and Rule 13.5.30. In addition to the reasoning set out in these provisions, restricting these irrigators to method 1 of Schedule 10 may deter them unreasonably from switching their surface or stream depleting takes to groundwater as they will have their consented volume reduced.	Amend matter of discretion 1 as follows:  1. <i>Whether the volume <del>and abstraction rate</del> of water to be taken and used is reasonable for the proposed use assessed in accordance with methods <u>1, 2 or 3</u> in Schedule 10 and are based on existing irrigated areas and rates and...</i>
<b>Tables</b>				
19	Table 13(g)	Oppose	Synlait seek consequential amendments to Table 13(g) to align with suggested changes to Policy 13.4.12.	Revise the Nitrogen load for Lower Hinds/Hekeao Plains Area to be 70% of the existing catchment load.

19	Table 13(h)	Oppose	As outlined for Policy 13.4.13, Synlait oppose the reduction regime of Table 13(h).	<p>Amend Table 13(h) as follows:</p> <table border="1" data-bbox="1408 368 2076 852"> <thead> <tr> <th data-bbox="1408 368 1632 416"><b>Land use</b></th> <th data-bbox="1632 368 1854 416"><b>2025</b></th> <th data-bbox="1854 368 2076 416"><b>2050</b></th> </tr> </thead> <tbody> <tr> <td data-bbox="1408 416 1632 651"><i>Farming activities with a nitrogen loss calculation greater than 25 kg per hectare per year</i></td> <td data-bbox="1632 416 1854 651">Up to 15%</td> <td data-bbox="1854 416 2076 651">30%</td> </tr> <tr> <td data-bbox="1408 651 1632 852"><i>Farming activities with a nitrogen loss calculation less than 25 kg per hectare per year</i></td> <td data-bbox="1632 651 1854 852">0%</td> <td data-bbox="1854 651 2076 852">0%</td> </tr> </tbody> </table>	<b>Land use</b>	<b>2025</b>	<b>2050</b>	<i>Farming activities with a nitrogen loss calculation greater than 25 kg per hectare per year</i>	Up to 15%	30%	<i>Farming activities with a nitrogen loss calculation less than 25 kg per hectare per year</i>	0%	0%
<b>Land use</b>	<b>2025</b>	<b>2050</b>											
<i>Farming activities with a nitrogen loss calculation greater than 25 kg per hectare per year</i>	Up to 15%	30%											
<i>Farming activities with a nitrogen loss calculation less than 25 kg per hectare per year</i>	0%	0%											
<b>Schedules</b>													
21	Schedule 7	Oppose in part	<p>The variation amends Schedule 7 to include two additional nutrient management objectives.</p> <p>Synlait suggest amendments to these additional matters to provide greater clarity on what situations they apply to.</p>	<p>Amend proposed additions to Schedule 7 as follows:</p> <p><i>Within the Hinds/Hekeao Plains Area Part B clause 5(a) shall also include the following:</i></p> <ul style="list-style-type: none"> <li data-bbox="1453 1046 2085 1137">• <del><i>Achieve the Good Management Practice Nitrogen Loss Rates from 2017-Implement Good Management Practices.</i></del></li> <li data-bbox="1453 1158 2085 1310">• <i>In Lower Hinds/Hekeao Plains Area, and for farming activities with a nitrogen loss calculation greater than 25kg per hectare per annum, further reduce the nitrogen loss rate from 2020 in accordance with Table 13(h).</i></li> </ul>									