

From: [Sue Ruston](#)
To: [Mailroom Mailbox](#)
Cc: shirley.hayward@dairynz.co.nz; [Charlotte Rutherford](#); [Stuart Gray](#)
Subject: PC4 pLWRP Further Submission
Date: Tuesday, 17 November 2015 4:33:19 p.m.
Attachments: [Plan Change 4 CLWRP - Further Submissions - Fonterra & DairyNZ.pdf](#)

Good afternoon

Please find attached Further Submissions of Fonterra and DairyNZ with respect to Plan Change 4 to the Canterbury Land and Water Regional Plan.

If you have any queries with respect to this document, please contact me directly.

Best regards

Sue Ruston

Environmental Policy Manager - South Island

Fonterra Co-operative Group Limited

sue.ruston@fonterra.com

mobile +64 27 702 4976

PO Box 79026, Avonhead, Christchurch 8446, New Zealand

92B Russley Road, Russley, Christchurch 8042, New Zealand

www.fonterra.com



FONTERRA & DAIRYNZ

FURTHER SUBMISSIONS ON PLAN CHANGE 4 TO THE CANTERBURY LAND AND WATER REGIONAL PLAN

To: Canterbury Regional Council

Submitter **Fonterra Co-operative Group Limited & DairyNZ**

Contacts: Sue Ruston
Fonterra Co-operative Group Limited
PO Box 79026, Avonhead, Christchurch 8446
sue.ruston@fonterra.com

Shirley Hayward
DairyNZ
PO Box 85066, Lincoln University 7647
shirley.hayward@dairynz.co.nz

OVERVIEW

1. Fonterra is a person who has an interest in the proposal that is greater than the interest of the general public. Fonterra has approximately 1,000 farmer shareholders in Canterbury and has significant assets and operational interests in the region (these include the Darfield, Clandeboye, Studholme, Kaikoura and Culverden milk processing sites).
2. DairyNZ is a person who has an interest in the proposal that is greater than the interest of the general public. DairyNZ is the industry good body funded through a levy paid by farmers that is based on milk solids produced and supplied to a dairy company.
3. Fonterra lodged two submissions on the notified proposed Plan Change 4 (PC4) to the Canterbury Land and Water Regional Plan (CLWRP). One submission focussed on aspects of the plan change that potentially impact Fonterra's milk processing operations - listed as Submission C15C/153331.
4. The other was a joint submission made with DairyNZ which addresses on-farm issues associated with the plan change – listed as Submission C15C/152801.
5. The attached schedule sets out Fonterra and DairyNZ's further submissions in respect of submission points made by other parties.

6. Fonterra and DairyNZ wish to be heard in support of its submission points and would be prepared to consider presenting a joint case with submitters raising similar concerns.
7. I confirm that I am authorised on behalf of Fonterra Co-operative Group Limited to make this submission.



Sue Ruston

Environmental Policy Manager South Island, Fonterra

Dated: 17 November 2015

8. I confirm that I am authorised on behalf of DairyNZ to make this submission.



Shirley Hayward

Water Quality Specialist, DairyNZ

Dated: 17 November 2015

Fonterra and DairyNZ Further Submissions on Proposed Plan Change 4 to the Canterbury Land and Water Regional Plan

17 November 2015

The text and changes in proposed PC4 as notified are shown in black ~~strike through~~ and underlining. Submitter relief is shown in red ~~strike through~~ and underlining.

REF	SUBMITTER	SECTION	RELIEF SOUGHT	SUPPORT / OPPOSE	REASONS	DECISION SOUGHT
PC4 LWRP-583 and PC4 LWRP-585	Director General of Conservation	Rules 5.77 and 5.78	<p>Fonterra and DairyNZ notes that some changes requested by the submitter have not been tracked as changes to the notified rules, and has attempted to record those changes as well below.</p> <p>Amend Rules 5.77 and 5.78 as follows:</p> <p>“5.77 The discharge of <u>drainage water from a drainage system</u> that may contain contaminants from sub-surface or surface drains into a river, lake or wetland is a permitted activity, provided the-following conditions are met:</p> <p>....</p> <p><u>5. the location of the drain outlet position is mapped and provided to ECan by 31 December 2020</u></p> <p>5.78A The discharge of <u>drainage water from a drainage system</u> that may contain contaminants from sub-surface or surface drains into a river, lake or wetland that does not meet the conditions of-Rule 5.77 is a discretionary activity, <u>provided the following condition is met.</u></p> <p><u>1. Where the location of the surface and sub-surface drains and outlet position is mapped and provided to ECan.</u></p>	Oppose	<p>Fonterra and DairyNZ oppose the proposed additional requirement for the mapping and reporting of drain outlet locations as part of a permitted activity regime.</p> <p>We believe this matter is outside the scope intended for the PC4 changes to drainage provisions, which appear largely intended to improve the distinction between stormwater drainage systems and land/soil drainage systems. Furthermore, we believe mapping drain outlet locations is unnecessary for managing the effects of this discharge given the requirements of the conditions of rule 5.77.</p>	Fonterra and DairyNZ seek that this relief be rejected.

REF	SUBMITTER	SECTION	RELIEF SOUGHT	SUPPORT / OPPOSE	REASONS	DECISION SOUGHT
			<u>5.78B The discharge of drainage water from a drainage system into a river lake or wetland that does not meet the conditions of Rule 5.78A is a non-complying activity.</u>			
PC4 LWRP-301	Ngai Tahu	Schedule 17	<p>Amend Inanga Spawning sites in Schedule 17 to also include:</p> <ul style="list-style-type: none"> the area upstream of the coast on <u>all</u> surface waterways; and the area upstream of <u>all</u> surface waterways that flow into Te Waihora. <p>OR</p> <p>Amend the definition in the plan to also identify the above areas</p> <p>AND</p> <p>Identify additional areas on the planning maps and include the listed waterways in the table in Schedule 17.</p>	Oppose	<p>As noted in its primary submission, Fonterra and DairyNZ are concerned that the maps and associated definition of inanga spawning habitat are too general, and could lead to exclusion from undertaking certain works on land for up to six months with potentially little or no benefit to inanga spawning.</p> <p>Fonterra and DairyNZ prefer an approach that allows for case-by-case examination of whether there is habitat present for potential inanga spawning and case-by case assessments of practical risk mitigation.</p> <p>Fonterra and DairyNZ therefore do not support a blanket inclusion of the area upstream of the coast on all surface waterways and the area upstream of all surface waterways that flow into Te Waihora.</p> <p>However, Fonterra and DairyNZ are not opposed to the insertion of the additional waterways into Schedule 17 provided that they are waterways that include verified inanga spawning sites and should have been included in the Schedule when notified.</p> <p>Furthermore, Fonterra and DairyNZ are not opposed to controlling activities in the area <i>immediately</i> upstream of identified spawning sites, but request that the distance upstream be defined as part of the case by case assessment of risks.</p>	Fonterra and DairyNZ seek that this relief be rejected.
Submitter	Whitewater NZ	Whole	The submitter is seeking a new suite of	Oppose	The changes requested are beyond the	Fonterra and DairyNZ seek

REF	SUBMITTER	SECTION	RELIEF SOUGHT	SUPPORT / OPPOSE	REASONS	DECISION SOUGHT
65910 - all	& Others	proposal	provisions to reflect recreation values, including a schedule of key rivers used for whitewater recreation and other schedules used for other recreational activities.		narrow scope of PC4. Issues of management of water bodies for recreation were not a part of the notified PC4 and so this submission is not considered to be properly 'on' the plan change.	that this relief be rejected.
PC4 LWRP-649	Canterbury District Health Board	Schedule 8 Water Quality Limits	The submitter is seeking to remove both statements listed under sub-note 4. They note that for shallow groundwater a target level could be considered <1 <i>E. coli</i> /100ml.	Oppose in part	The footnote 4 in Schedule 8 provides a pragmatic solution to interpretation of compliance with the <i>E. coli</i> limit, which would not be able to be met in the shallow unconfined groundwater system, even as a long-term target. However, there is merit in considering setting differing limits for deep and shallow groundwater, providing a sound basis for the distinction of groundwater depth at a regional level can be made.	Fonterra and DairyNZ seek that this relief be rejected.
PC4 LWRP-465	Federated Farmers	Schedule 8 Water Quality Limits	The submitter is seeking amendments that state that the groundwater <i>E.coli</i> standard applies to groundwater > 30 m depth and that groundwater < 30 m depth should not be used for drinking water supplies unless tested and found to consistently meet the Schedule 8 standard or treated to ensure potability.	Support in part	Fonterra and DairyNZ support the idea that separate limits could be established for deep and shallow groundwater as described above.	Fonterra and DairyNZ seek that this relief be accepted.

- END -.