

Low Emitters Group  
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2<sup>nd</sup> February 2016

Chairman Hearing Commissioners – Plan Change 3  
South Coastal Canterbury Streams

Dear Sir,

As the representative of the Low Emitters Group I would like to lodge a formal written communication on their behalf in respect to the planning and caucusing process currently being undertaken for Plan Change 3 of the Canterbury Land and Water Regional Plan.

This letter sets out a series of our concerns regarding issues that have arisen during caucusing. This is not a criticism of any individual staff member, or necessarily of the process itself, but it is important that where there is an opposing view, and this is not expressed in summary documents, that this view is recorded in writing. This letter sets those issues out as below:

1. The technical caucusing meeting process was supposed to include one representative from each party, however, on the 21 January Fonterra brought in two representatives with no prior warning to the technical group. This to our view was a breach of the protocols outlined to us by the Commissioners and significantly influenced the official record of the meeting. It showed a huge lack of respect to all the parties involved who were in attendance, in good faith. Further to this fact is that Fonterra and Ravensdown are there as commercial companies, in addition to already being represented by their industry organisation around the table.
2. It is of great concern that the caucusing process was facilitated by an ECan mediator as that has certainly slanted the written outcomes on ECan's terms and taken the comments of the Low Emitters Group and others out of context. This was not a democratic process and so any reference in ECan's report to the majority should be deleted.  
The process we believe lacks any credibility as ECan have made so many mistakes and assumptions from the beginning, that we have lost faith in the right outcome being achieved for the environment and farmers. This should have been about the high emitters taking responsibility for their environmental effects while permitting lower emitting farms to carry on with their good farming techniques.

3. We are also very concerned about the use of what we consider to be flawed technical data used to set the max caps and flexibility caps. This has followed through into the technical caucusing process where the unreliability of that original data has meant a one off use of MGM data set for the specified farm systems existing in the LUT (lookup tables). A technical representative at the caucusing who was the most involved in producing those files, raised strong concerns about their suitability. This also reflects to the fact that the original NARG agreement was based on very poor science and unsuitable land use descriptions, as there were very few accurate input files to back up a lot of that process.

We are very concerned that the current process is recalculating discharge limits based on insufficient or incorrect information in farm data files, and that the raw data that makes up these files is not being openly shared with the technical caucusing group prior to the report being written up. This is likely to result in a decision based on inaccurate data. We consider that the timeframe is too tight to address the many issues raised by submitters and to amend the inadequate farm files upon which much of the allocation decisions are being made. It would appear to us the only solutions under consideration are those that can be done in the timeframe. This has crippled discussion at the technical caucusing, as suggestions by highly qualified technical representatives were ignored, as the only feasible solutions that were allowed are basically what ECan would have chosen to do themselves.

I would urge you to consider allocating additional time to the process and to extend the time period for the decision so that the farm systems and Overseer files can be developed to a standard that is robust enough to inform and make good Nitrogen allocation decisions. Given all the time and effort put into this process wouldn't it make sense that this plan can withstand its proposed life span?

Roger Small

Chairman Low Emitters Group.