

**From:** [Katie Morrison](#) on behalf of [Ben Williams](#)  
**To:** [Mailroom Mailbox](#)  
**Cc:** [Rachel Robilliard](#); [Alison Johnstone](#)  
**Subject:** Submission on plan change 7 to the Canterbury LWRP by Silver Fern Farms Limited  
**Date:** Friday, 13 September 2019 4:28:46 PM  
**Attachments:** [Submission on plan change 7 to the Canterbury LWRP by Silver Fern Farms Limited.pdf](#)

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Good afternoon,

Please find **attached**, on behalf of Silver Fern Farms Limited (*Silver Fern Farms*), submission on Plan Change 7 to the LWRP.

Kind regards,

BEN WILLIAMS  
PARTNER

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**SUBMISSION ON PUBLICLY NOTIFIED PROPOSAL FOR POLICY STATEMENT OR  
PLAN, CHANGE OR VARIATION**

*Clause 6 of Schedule 1, Resource Management Act 1991*

**To** the Canterbury Regional Council

Name of submitter: Silver Fern Farms Limited (**Silver Fern Farms**)

- 1 This is a submission on proposed Plan Change 7 (**PC7**) to the Canterbury Land and Water Regional Plan (**LWRP**).
- 2 Silver Fern Farms could not gain an advantage in trade competition through this submission.
- 3 This submission includes:
  - 3.1 a brief overview of Silver Fern Farms and its operations at Pareora, within the Orari-Temuka-Opihi-Pareora (**OTOP**) zone;
  - 3.2 an outline of Silver Fern Farms's interest in PC7; and
  - 3.3 in the **Appendix**, the submissions and relief sought by Silver Fern Farms.
- 4 Silver Fern Farms **does** wish to be heard in support of the submission.
- 5 Silver Fern Farms would be willing to present its submission in a joint case with others making a similar submission at any hearing.

**Brief overview of Silver Fern Farms**

- 6 Established in 1948, Silver Fern Farms is New Zealand's leading processor, marketer and exporter of premium quality lamb, beef, venison and associated products.
- 7 The contribution of Silver Fern Farms to regional communities across New Zealand is significant. Silver Fern Farms consists of 14 processing sites spread throughout both islands of New Zealand, two regional support offices and a corporate support site based in Dunedin. At peak seasonal processing we employ over 7000 staff across our sites.
- 8 Silver Fern Farms owns and operates a large mixed-species meat processing operation south of Timaru at Pareora, South Canterbury, producing export quality products. The processing plant and key service activities are principally situated on The Avenue. This includes buildings, car parks, access ways, hardstand areas, boilers, composting, wastewater treatment, and open space areas. Land support activities occur on company owned land across Pareora.
- 9 The Pareora meat processing operation officially opened on 7th April 1904. Proximity to Timaru, the Pareora River, and the coast were the main reasons for building the operation where it is. Besides being close to the livestock supply catchment, this location provided a readily available labour source, easy access to water for processing, and drainage to the open sea for liquid wastes.

10 Since 2008, Silver Fern Farms has progressively been developing land based wastewater disposal at the Pareora Site. This is based on a cut-and-carry operation where wastewater is spray irrigated over land, providing both a nutrient and source of moisture for the year round growing of crops, which are subsequently harvested and removed from the site to provide feed. Wastewater is preferentially discharged to land with the remaining volume being discharged to the sea as required.

**Interest in PC7**

11 The Silver Fern Farms Pareora Site is located mainly within the Pareora Groundwater Allocation Zone (**GAZ**) and is entirely within the Pareora Freshwater Management Unit under PC7.

12 Silver Fern Farms holds a range of resource consents necessary for the operation of its Pareora Site, including consents for:

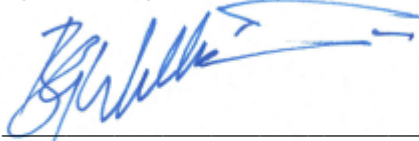
12.1 take and use groundwater for industrial purposes and the irrigation of pasture;

12.2 disposal of wastewater to land; and

12.3 discharge of water and contaminants into the coastal marine area.

13 Silver Fern Farms is generally supportive of PC7, but seeks amendment of various provisions as set out in the **Appendix** to clarify a number of matters and ensure that Silver Fern Farms's operations are appropriately addressed and provided for in the LWRP. Silver Fern Farms also seeks such further, consequential or alternative relief as may be necessary to fully give effect to the relief sought in this submission.

**Signed** for and on behalf of Silver Fern Farms Limited by its solicitors and authorised agents Chapman Tripp



Ben Williams

Partner

13 September 2019

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**Appendix - submission points and relief sought**

Provision	Submission	Relief sought
<p><i>Policy 14.4.7 Groundwater in the Orari-Temuka-Opihi-Pareora sub-region is managed through establishing A and T Allocation limits, the purpose of which is to:</i></p> <p><i>a. provide for all existing lawfully established groundwater abstractions (the A Allocation limit); and</i></p> <p><i>b. provide for the abstraction of groundwater in circumstances where an existing lawfully established surface water permit or stream-depleting groundwater permit with a direct, high or moderate stream depletion effect will be surrendered (the T Allocation limit).</i></p>	<p>Oppose in part.</p> <p>Silver Fern Farms supports the provision for existing lawfully established groundwater abstractions in the A Allocation Limit. Silver Fern Farms holds a number of groundwater takes in the Pareora GAZ, taking water from deep bores for industrial purposes and the irrigation of pasture. These groundwater takes are essential for ongoing operation of the Pareora site.</p> <p>The proposed groundwater allocation limit for the Pareora GAZ in Table 14(zb) is 7.19 million m<sup>3</sup>/y, which appears to be a significant reduction from the currently allocated allocation of 22.95 million m<sup>3</sup>/y. Silver Fern Farms seeks certainty regarding the future ability to access groundwater in order to plan investment decisions accordingly.</p>	<p>Ensure Silver Fern Farms’s takes for industrial purposes are protected and enabled.</p> <p>Amend the policy and rule framework to reflect Policy 14.4.7(a) and specify how A Allocation Limits are proposed to be achieved over time in over-allocated catchments.</p>
<p><i>Policy 14.4.42 Assist with addressing over-allocation of the quantity of freshwater in the Pareora Freshwater Management Unit, by avoiding all further abstractions of surface water and groundwater, except as provided for by s14(3)(b) of the RMA.</i></p>	<p>Oppose in part.</p> <p>Policy 14.4.42 applies in the Pareora Freshwater Management Unit only and is titled “Cumulative Effects of Small Water Takes”. However, nothing in the wording of the policy itself suggests that the direction is intended to exclude large and/or industrial water takes.</p>	<p>Make the policy clear it only applies to ‘new’ takes.</p>

	Although the policy does refer to “ <i>further</i> ”, the policy would be assisted by also referring to “ <i>new</i> ” (to avoid any suggestion that “ <i>further</i> ” is being used in the context of ‘continuing’).	
<p>Taking and use of groundwater</p> <p>Policies 14.4.16 – 14.4.9</p> <p>Rules 14.5.7 - 14.5.11</p>	<p>Support in part</p> <p>Although of less relevance to Silver Fern Farms (given its takes are deep groundwater), it is unclear as to how these rules are intended to work together, especially in relation to stream depleting takes.</p> <p>Silver Fern Farms is supportive of the provision made in Rule 14.5.9 for the renewal of existing consents affected by sections 124-124C</p>	Clarify rules but retain intent of rules as notified as it relates to existing takes and the application of sections 124-124C.
<p>Nutrient provisions generally</p> <p>Policies 14.4.17-14.4.20C</p> <p>Rules 14.5.14 – 14.5.22</p>	<p>Support in part.</p> <p>The Pareora site appears to be located outside of the High Nitrogen Concentration Area and therefore is most likely a permitted activity under Rule 14.5.17 – at least to the extent that it is able to be considered as a permitted activity.</p>	Enable the continued operation of the Pareora Site by ensuring, in particular, Rule 14.5.17 is able to be relied on for Silver Fern Farms discharges (as a permitted activity).
<p>Equivalent Baseline GMP Loss Rate</p> <p>Policies 14.4.20B, 14.4.20C, Rule 14.5.16 – 16B</p>	<p>Support in part.</p> <p>The farms used for disposal of wastewater from the Pareora Site are not typical farm systems and the Farm Portal is unlikely to be able to generate a reliable Baseline GMP Loss Rate.</p>	<p>Retain Policy 14.4.20B but amend that policy as follows:</p> <p>Provide for the <del>use of</del> <u>consideration of</u> an Equivalent Baseline GMP Loss Rate or Equivalent Good Management Practice Loss Rate in those limited circumstances where it is demonstrated that the Farm Portal is unable to generate a</p>

	<p>Silver Fern Farms therefore supports the ability to access to the alternative approach to establishing the Baseline GMP for these properties. However, the rules do not require <i>compliance</i> with the Equivalent Baseline GMP rate but that a calculation of that rate be included with the consent application.</p> <p>Silver Fern Farms therefore seeks an amendment to Policy 14.4.20B to refer to “consideration” but not use.</p>	<p>Baseline GMP Loss Rate or Good Management Practice Loss Rate or the number generated is demonstrated to be erroneous.</p> <p>Retain Policy 14.4.20C, Rule 14.5.16-16B.</p>
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