

From: [Rachel Robilliard](#)
To: [Mailroom Mailbox](#)
Cc: ["n.snoyink@forestandbird.org.nz"](#); [Ben Williams](#); ["Brigid Buckley"](#)
Subject: RE: Plan Change 7 LWRP Further Submission
Date: Friday, 6 December 2019 4:53:19 PM

Kia ora,

Please find **attached** for filing, and by way of service, an amended further submission for Fonterra Co-operative Group Limited.

Please note that this includes one additional further submission from the version filed earlier today, on a submission point by Royal Forest & Bird Protection Society.

Nga mihi,
Rachel

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From: Suzette Bower <Suzette.Bower@chapmantripp.com> **On Behalf Of** Ben Williams

Sent: Friday, 6 December 2019 2:49 PM

To: 'mailroom@ecan.govt.nz' <mailroom@ecan.govt.nz>

Cc: 'hamish@mcfarlaneag.co.nz' <hamish@mcfarlaneag.co.nz>;

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<Brigid.Buckley@fonterra.com>; Rachel Robilliard <Rachel.Robilliard@chapmantripp.com>

Subject: Plan Change 7 LWRP Further Submission

Kia ora,

Please find **attached** for filing, and by way of service, the further submission of **FONTERRA CO-OPERATIVE GROUP LIMITED** on proposed Plan Change 7 to the Canterbury Land and Water Regional Plan.

Nga mihi,
Ben

BEN WILLIAMS
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FONTERRA CO-OPERATIVE GROUP LIMITED

PROPOSED PLAN CHANGE 7 TO THE CANTERBURY LAND AND WATER REGIONAL PLAN

FURTHER SUBMISSIONS

To: Environment Canterbury

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

Contact: Ben Williams
Chapman Tripp
(Client representative – Brigid Buckley)

Address for Service: Ben.Williams@chapmantripp.com
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INTRODUCTION

- 1 This is a further submission by Fonterra Co-operative Group Limited ("**Fonterra**") on proposed Plan Change 7 ("**Plan Change 7**") to the Canterbury Land and Water Regional Plan ("**CLWRP**").
- 2 Fonterra is a person who has an interest in the proposal that is greater than the interest the general public has. Fonterra's shareholders produce, and Fonterra collects and processes, over 3.5 billion litres of milk annually from the Canterbury Region (20% of total supply) and 12.4 million litres of milk per day are processed at the Clandeboye processing site. The provisions of Plan Change 7 will potentially affect the operation of the Clandeboye processing site. This will have social and economic implications for the Canterbury Region as a whole.

SUBMISSIONS SUPPORTED AND OPPOSED

- 3 The submissions supported or opposed, and the reasons for the support or opposition are set out in the table attached as an **Appendix** to this submission.
- 4 The **Appendix** sets out:
 - (a) The submissions or parts of submissions that Fonterra supports or opposes,

Fonterra Co-operative Group Limited
Further submissions points on Plan Change 7

(b) The reasons for support or opposition; and

(c) The relief sought by Fonterra in relation to those submissions or parts of submissions.

5 Fonterra wishes to be heard in support of the further submission points listed in the **Appendix** and would be prepared to consider presenting a joint case with submitters raising similar concerns.

I confirm that I am authorised on behalf of Fonterra Co-operative Group Limited to make this submission.



Brigid Buckley
National Policy Manager
Fonterra Co-operative Group Limited

6 December 2019

Fonterra Limited: Further Submission Points on Proposed Plan Change 7

The text included in the “Submission” column of the following table that is italics, underlined and in **red** font is text proposed by the submitter. Text in *italics* only is text proposed by Plan Change 7 as notified.

Submitter Name	Submission Number	PC 7 reference	Submission	Support/ Oppose	Reasons	Relief Sought
Royal Forest & Bird Protection Society	No submission number – refer paragraph 12 of submission	Entire Plan	Re-draft proposed PC7 to give effect to Te Mana o Te Wai and re-notify PC7 under the Resource Management Act 1991.	Oppose	The Plan change already gives effect to Te Mana o te Wai and has been notified in accordance with the RMA. References to the proposed NPSFM 2020 are not relevant since that document currently has no status and its future is not certain at this point.	Reject the submission
Royal Forest & Bird Protection Society	PC7-278.68	14.4.18 – 14.8.19	Forest & Bird supports the identification of High Nitrogen Concentration Areas but recommends that the reductions in these areas are increased over the life of this plan.	Oppose	Consents for reductions beyond GMP baseline are only to be granted for 10 years.	Reject the submission
Royal Forest & Bird Protection Society	PC7-472.174	14.4.28	Time frames too long and reduction not enough.	Oppose	The scale of reduction of N discharges from industrial sources is already proposed to be significantly greater than applies to farming activities.	Reject the submission
Royal Forest & Bird Protection Society	PC7-472.185 PC7-472.186 PC7-472.187 PC7-472.188 PC7-472.189	14.5.7- 14.5.11	Amend Rules to include potential adverse effects on groundwater indigenous biodiversity as a matter of discretion.	Oppose	This is not practicable given the absence of knowledge about stygofauna and its vulnerability to changing groundwater levels.	Reject the submission
McFarlane Agriculture Ltd	PC7-278.68	14.4.19	Amend Policy 14.4.19 so that the Fonterra discharge consent can be	Oppose	The submission seems to challenge the fundamental approach of integrated	Reject the submission

Submitter Name	Submission Number	PC 7 reference	Submission	Support/ Oppose	Reasons	Relief Sought
and McFlynn Potatoes Ltd			assessed against its own merits, rather than averaged out over the remainder of the catchment.		catchment management and collective responsibility for addressing water quality issues. Fonterra Clandeboye is, in any event, required to reduce its N discharge by 30% by 2035 – that is significantly more than is required of farming land uses.	
Te Rūnanga o Arowhenua and Te Rūnanga o Ngāi Tahu	PC7-424.7	14.4.22	There are multiple parties involved in Over-allocation in the Orari FMU and the policy should reflect this by imposing an obligation for all abstractors (not just Timaru District Council) to demonstrate increased efficiency.	Oppose	The amendment would extend the policy to all water users (surface and groundwater) within the FMU regardless of the state of efficiency of that use.	Reject the submission
Temuka Catchment Working party	PC7-318.39	14.4.21	Delete the following words from Policy 14.4.21: immediately after plan change 7 is made operative and replace with, <u>prior to 1 January 2025.</u>	Support in part	Fonterra agrees that the term “immediately” is inappropriate and that a period of time within which consent reviews may be undertaken should be specified. Fonterra considers that that period (five years) should be expressed from the time PC7 becomes operative rather than a fixed date.	Accept the submission in part.
Temuka Catchment Working party	PC7-318.70	14.5.7	Delete condition 5 of Rule 14.5.7.	Support in part	Fonterra agrees that Rule 14.5.7 (and the T allocation) should be available to those abstractors who substitute shallow (high and moderate stream depleting) groundwater takes with deep (low or non-depleting) groundwater takes.	Accept the submission
Temuka Catchment Working party	PC7-318.61	Table 14(zb)	Replace Table 14(zb) with a table that for the Orari-Opihi Zone provides 61.1 m ³ /yr as A allocation and 10 m ³ /yr as T allocation.	Support	The proposed volumes appear to appropriately reflect existing take and use.	Accept the submission