

From: [Emily Leslie](#)
To: [Mailroom Mailbox](#)
Cc: [Claire Hunter](#)
Subject: Proposed Canterbury Air Regional Plan
Date: Friday, 1 May 2015 10:39:23 a.m.
Attachments: [Final Air Plan Submission 01.05.15.pdf](#)

Good Morning,

On behalf of the **Alliance Group Limited** please find attached submissions on the Proposed Canterbury Air Regional Plan.

Please acknowledge receipt of this email and attachment in due course.

Kind Regards,

Emily Leslie (on behalf of Claire Hunter)

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By Email

01 May 2015

The Proposed Canterbury Air Regional Plan
Environment Canterbury
P O Box 345
CHRISTCHURCH

Attention: Planning Department

Our Ref: 6889

Dear Sir/Madam

RE: PROPOSED CANTERBURY REGIONAL AIR PLAN

On behalf of Alliance Group Limited please find enclosed submissions with respect to the Proposed Canterbury Regional Air Plan ("Proposed Air Plan").

Yours sincerely,

MITCHELL PARTNERSHIPS LIMITED



CLAIRE HUNTER

Email: claire.hunter@mitchellpartnerships.co.nz

cc: Frances Wise

Alliance Group Ltd

Enc

**SUBMISSION ON THE PROPOSED CANTERBURY REGIONAL AIR PLAN UNDER
CLAUSE 6 OF THE FIRST SCHEDULE OF THE RESOURCE MANAGEMENT ACT
1991**

To: The Proposed Canterbury Air Regional Plan
Environment Canterbury
P O Box 345
CHRISTCHURCH

Name: Alliance Group Limited ('Alliance')

Address: PO Box 1410
INVERCARGILL
(note different address for service below)

1. **This is a submission on behalf of Alliance with respect to the Proposed Canterbury Regional Air Plan ("Proposed Air Plan").**

2. **Alliance could not gain an advantage in trade competition through this submission.**

3. **Overall issues that have determined the approach of Alliance in preparing submissions on the Proposed Air Plan are as follows:**

Alliance was established in 1948 and is based in Invercargill, New Zealand. Alliance is one of the world's largest processors and exporters of sheep meat, with eight processing plants strategically located throughout the South Island and lower North Island. Approximately 7 million lambs, 1 million sheep, 140,000 cattle and 80,000 deer are processed annually, with a significant proportion of this volume in Southland plants.

The company is a farmer owned co-operative with over 6000 farmer shareholders. More than 90% of the stock supplied to the company for processing comes from shareholders. Alliance produces 27% of New Zealand's sheep meat production, 6% of its beef production, and 15% of its venison production.

Alliance's Smithfield Plant is situated approximately 3km north of Timaru. This plant was established on this site in 1885, and currently processes sheep and lamb, and deer and is Alliance's only processing plant in the Canterbury region.

The plant employs approximately 500 people at the peak of the season and contributes significantly to the local and regional economy.

In order to operate its plant Alliance holds a number of resource consents issued by Environment Canterbury. This includes a discharge to air consent (CRC921864.2). This consent enables the operation of the Plant's coal fired boiler, and enables a number of onsite operations including processing and rendering activities. This consent expires in 2030. Against this background Alliance has an interest in the Proposed Air Plan.

4. Alliance's submission:

Alliance has reviewed the proposed provisions that are applicable to its activities in the Canterbury region. Specific submission points are set out in **Annexure 1** which is attached to and forms part of this submission. In addition to these matters Alliance makes the following submission:

4.1 Adequate Recognition of Industrial Activities

Alliance submits that an essential part of the regional growth and economic wellbeing is the ongoing use, operation and development of industrial activities. The Proposed Air Plan does not currently recognise the benefits that are to be derived from enabling existing and new industry activities to continue to operate within the region. Alliance submits that a balance can be achieved by enabling such activities to continue and grow, while also managing adverse effects of associated air discharges.

4.2 Consistency with the National Environmental Standard for Air Quality

Alliance is concerned that the Proposed Air Plan is not consistent with the National Environmental Standard for Air Quality (NES). The Plan introduces areas referred to as "clean air zones", and requires compliance to be achieved with the Ambient Air Quality Guidelines 2002 (AAQG). The clean air zones differ to the gazetted air sheds imposed under the NES. It is not clear why these new zones have been introduced and how the Council intends to manage these areas, versus the gazetted NES air sheds. Alliance submits that requiring compliance with gazetted areas under the NES and the clean air zones as set out in the Proposed Plan is likely to create implementation difficulties in the long term.

Alliance is also concerned that the provisions of the Proposed Air Plan seek compliance with the AAQG. These guidelines are not mandatory and Alliance submits that it would be preferable that the Proposed Air Plan aligns with the limits set out within the NES.

4.3 Existing Industrial Air Discharge Activities

There is an overarching emphasis within the Proposed Air Plan to minimise discharges of contaminants to air from all sources, including existing industrial activities. While Alliance appreciates this as a general proposition, Alliance is concerned that there is not sufficient recognition

in the Proposed Air Plan as to the value of existing sunk investment of industry and infrastructure. In this regard, Alliance opposes the approach adopted within the Proposed Air Plan which seeks to avoid and prohibit all industrial air discharges where the values within the non-mandatory AAQG are likely to be exceeded.

Alliance submits that with respect to existing air discharges, a more flexible, moderated management approach needs to be incorporated into the Proposed Air Plan. Aligning the Proposed Air Plan with the obligations inherent with the NES could achieve this. Regulation 17 of the NES, for example, requires discharges of particulate matter where certain limits are exceeded to be declined, unless the discharge is from an existing activity, or the discharge is appropriately offset. The Plan should allow for a similar tailored management response to be imposed.

In summary Alliance's submission seeks to:

- a) Ensure that the Proposed Air Plan is consistent with promoting the sustainable management purpose of the Resource Management Act 1991 (RMA);
- b) Ensure that the Proposed Air Plan is consistent with the provisions of the NES;
- c) Ensure consistency with Part 2 and other relevant provisions of the RMA;
- d) Enable people and communities to provide for their social, economic and cultural wellbeing and for their health and safety;
- e) Promote the efficient use and development of natural and physical resources; and
- f) Promote sound resource management practice.

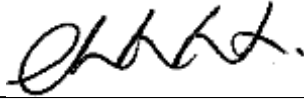
5. Alliance seeks the following decision from the Canterbury Regional Council:

- a) That the amendments (or those with similar or like effect) outlined above and in **Annexure 1**, be accepted;
- b) Such further or other relief as is appropriate or desirable in order to take account of the concerns expressed in this submission; and
- c) That, in the event that the amendments set out above are not implemented, the Proposed Air Plan be withdrawn.

6. Alliance wishes to be heard in support of their submission.

7. If others make a similar submission, Alliance would be prepared to consider presenting a joint case with them at any hearing.

Signature:



By its authorised agent Claire Hunter, on behalf of
Alliance Group Limited

Date:

1st May 2015

Address for service:

Alliance Group Limited
C/- Mitchell Partnerships
PO Box 489
DUNEDIN

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(03) 477 7884

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ANNEXURE 1

**ALLIANCE'S SPECIFIC SUBMISSIONS ON THE
PROPOSED CANTERBURY AIR REGIONAL PLAN**

Chapter 5: Objectives

Provision #	Provision	Position	Submission	Relief Sought
Objective 5.1	Where air quality provides for people's health and wellbeing, it is maintained	Support in part	Alliance considers this objective to be appropriate, but it should explicitly apply to areas where air quality is good.	Amend the objective as follows: Where air quality <u>is good</u> and provides for people's health and wellbeing, it is maintained.
Objective 5.2	Where air quality does not provide for people's health and wellbeing, it is improved over time.	Support in part	Alliance considers this objective to be appropriate, but it should explicitly refer to areas where air quality has been degraded.	Amend the objective as follows: Where air quality <u>is degraded and</u> does not provide for people's health and wellbeing it is improved over time.
Objective 5.7	Nationally and regionally significant infrastructure is enabled and is resilient and positively contributes to economic, cultural and social wellbeing through its efficient and	Oppose in part	Alliance considers it appropriate to recognise the contribution essential infrastructure has to the wellbeing of the community, however Alliance is also of the view that the Air Plan should recognise the economic, cultural and	Amend the objective to also recognise industry and its benefits to the economic,

	effective operation, ongoing maintenance, repair, development and upgrading.		social benefits that are also derived from urban and industrial development. In addition Alliance also submits that it is important to recognise the sunk investment with respect to existing industrial activities currently operating within the Canterbury region. To do so is consistent with the requirements of section 124 and recent amendments to schedule 4 of the Resource Management Act 1991.	cultural and social wellbeing of the community.
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Chapter 6: Policies

Provision #	Provision	Position	Submission	Relief Sought
Central Policies Applying to All Activities				
Policy 6.2	Minimise adverse effects on air quality where concentrations of contaminants are between 66% and 100% of the guideline values set out in the Ambient Air Quality Guidelines 2002 Update, so that concentrations do not exceed 100% of those guideline values.	Oppose in part	<p>Alliance is concerned that this policy does not give specific enough guidance as to how adverse effects will be managed. Alliance submits that this policy should establish a regime whereby if limits are approaching mandatory standards then an appropriate management response is imposed in order to prevent exceedance of the standards.</p> <p>Alliance also notes that the Ambient Air Quality Guidelines 2002 (AAQG) are not mandatory and have not been through a thorough RMA statutory consultation process. Therefore Alliance is concerned about their use in a</p>	<p>Amend the policy as follows:</p> <p>Where concentrations of contaminants are between 66% and 100% of the values set out in the National Standard for Air Quality Regulations, a management response is</p>

			regional planning document. Alliance notes that the guidelines have similar limits to the National Environmental Standard for Air Quality (NES) and suggest that this would be a more appropriate reference.	triggered so that concentrations do not ultimately exceed 100% of those limits.
Policy 6.3	Where concentrations of contaminants exceed 100% of guideline values set out in the Ambient Air Quality Guidelines 2002 Update, action is taken to improve air quality.	Oppose in part	Alliance is concerned that the policy does not have sufficient specificity in order for it to be appropriately implemented. It is not clear what "action" will be taken if ambient air quality guidelines are exceeded. Alliance is also concerned about the reference to non mandatory guidelines in this policy.	Amend the policy so that the action to be undertaken is more specific, or that this policy is removed or delete this policy in preference to the other more specific policies such as those relating to domestic and industrial activities. Alliance also seeks that this policy is aligned with the requirements of the NES.
Policy 6.4	Reduce overall concentrations of PM2.5 in clean air zones so that by 2030 PM2.5 concentrations do not exceed 25ug/m3 (24 hour average), while providing for industrial growth.	Support in part	Alliance is concerned that this policy does not adequately provide for industrial growth as it is intended. Alliance notes that the clean air zone, for Timaru, extends over a large geographical area which includes a large portion of urban and residential development. Alliance notes that the main contributor to PM discharges is domestic	Amend the policy so that it specifically seeks to reduce overall concentrations of PM2.5 by phasing out of high

			<p>related heating, and while it is appropriate that such devices are phased out as is intended by the Plan, Alliance is concerned that if ambient conditions are not improved over time (due primarily to domestic use) then industry activities could be unduly penalised and constrained in order to achieve the proposed target.</p> <p>Alliance also notes that the target should be measured on an annual basis, rather than a 24 hour average.</p>	<p>particulate emitting domestic burners and amend the limit so that it appropriately reflects an annual average.</p>
Policy 6.5	<p>Offensive and objectionable effects are unacceptable and the frequency, intensity, duration, offensiveness and location of discharges into air must be identified and managed.</p>	<p>Support in Part</p>	<p>Alliance notes that the terms “objectionable and “offensive” are often used in the management of odours. Alliance notes that this probably derives from section 17 of the RMA. As such the fuller wording that is used in section 17 when using such terms is preferred over the approach that has been taken to Policy 6.5. This will provide greater certainty.</p> <p>Alliance also notes that there is no guidance provided in the policy as to where this policy is to be measured from – i.e. on adjacent properties, or adjacent sensitive receptors. This is required in order for this policy to be appropriately implemented.</p>	<p>Amend Policy 6.5 to read:</p> <p><u>Any offensive or objectionable discharge to air which is or is likely to have an adverse effect on the environment and in particular sensitive receptors, shall be managed such that the effect is suitably avoided, remedied or mitigated.</u></p>

<p>Policy 6.7</p>	<p>Where, as a result of authorised land use change, land use activities within the neighbourhood of a discharge into air are significantly adversely affected by that discharge, it is anticipated that within a defined time frame the activity giving rise to the discharge will reduce effects or relocate.</p>	<p>Oppose</p>	<p>Alliance does not consider this to be the appropriate mechanism in which to manage adverse reverse sensitivity effects. Land use changes prior to being given authorisation to proceed should consider any potential or actual effects arising as a result of reverse sensitivity of adjacent existing activities. If the effects are deemed to be adverse then the land use activity should not proceed. The onus should not be on the existing activity to manage the effect. It is inappropriate and impractical to require an existing air discharge to alter its operations, or relocate, due to the encroachment of incompatible activities.</p>	<p>Delete this policy. Insert policies that appropriately recognise and protect existing air discharges and activities from the encroachment of incompatible activities and therefore avoid adverse reverse sensitivity effects.</p>
<p>Policy 6.8</p>	<p>Where activities that discharge into air locate appropriately to avoid the potential for reverse sensitivity effects, then longer term consents duration may be available to provide ongoing operational certainty.</p>	<p>Oppose in part</p>	<p>While it is appropriate to recognise location as a factor for managing adverse effects, there are also other measures such as mitigation and operational processes that can be adopted to also ensure adverse effects are appropriately managed in the long term and warrant the granting of a longer term consent. Enabling activities to secure longer term consents, where the effects are suitably managed, also appropriately recognises the significant investment and benefits that are or can be derived from allowing the activity.</p>	<p>Amend the policy as follows:</p> <p>Where activities that discharge into air <u>appropriately manage adverse effects</u>, then longer term consents duration may be available to provide ongoing operational certainty.</p>

Policy 6.10	All activities that discharge into air apply, at least, the best practicable option so that cumulative effects are minimised.	Oppose	The obligations to consider and impose the best practicable option are inherent within the Resource Management Act. It does not need to be repeated in this document.	Delete the policy.
Industrial and Large Scale Discharges to Air				
Policy 6.19	Enable discharges of contaminants into air associated with large scale, industrial and trade activities and nationally and regionally significant infrastructure, in locations where the discharge is compatible with the surrounding land use pattern and while ensuring that adverse effects on air quality are minimised.	Support in part	<p>Alliance supports this policy insofar as it is appropriate to recognise that discharges to air are often associated with the operational requirements of industry and that this has regional and national benefits. However Alliance is concerned about the reference to the locational requirement and the requirement to minimise adverse effects.</p> <p>Alliance submits that this policy should seek to appropriately avoid, remedy or mitigate adverse effects on the receiving environment. This would ensure a tailored management response taking into consideration the nature of the receiving environment, surrounding land uses and nature of the activity and discharge.</p>	<p>Amend the policy as follows:</p> <p><u>Enable discharges of contaminants into air associated with large _____ scale, industrial and trade activities and nationally _____ and regionally significant infrastructure, while ensuring that adverse effects on air quality are appropriately avoided, remedied or mitigated.</u></p>
Policy 6.20	Apply the best practicable option to all large scale and industrial activities discharging contaminants into air so	Oppose	The obligations to consider and impose the best practicable option are inherent within the Resource Management Act. It does not need to be repeated in this document.	Delete the policy.

	that degradation of ambient air quality is minimised.			
Policy 6.21	Avoid the discharge of contaminants into air from any large scale burning device or industry or trade premise, where the discharge will result in the exceedance, or exacerbation of an existing exceedance, of the guideline values set out in the Ambient Air Quality Guidelines 2002 Update.	Oppose	<p>Alliance opposes this policy. Alliance is concerned that the use of the term “avoid” establishes a very high threshold and in some cases, the only means of “avoiding” an adverse effect would be to cease a discharge. This may or may not be the most appropriate outcome, however there are a number of factors to be considered including the location of the discharge, the nature of the receiving environment (i.e. other discharges), the benefits of the activity and any mitigation including offsetting that could be available to lessen the effects. The policy does not allow for any scope in this regard.</p> <p>Alliance is also concerned that the policy includes reference to non mandatory guidelines. Alliance would prefer that the policy was aligned with the obligations inherent within the NES. The NES imposes air quality limits and establishes a management regime for air discharges of particulate matter. This regime seeks that discharges of PM₁₀, where specified exceedances of the limits are likely to arise, are declined, unless the discharge is an existing activity, or the discharge is appropriately offset. A similar approach should be adopted in the</p>	Delete the policy or align it with the NES which establishes limits within gazetted air sheds, and then establishes a management regime for the discharge of certain contaminants ie PM ₁₀ (Regulation 17).

			regional plan which suitably recognises the value of existing activities and enables a tailored management or mitigation response to be imposed for air discharge activities.	
Policy 6.22	Within Clean Air Zones, significant increases of PM10 concentrations from discharges of contaminants are to be offset in accordance with the Resource Management (National Environmental Standards for Air Quality) Regulations 2004.	Oppose	Alliance notes that the Clean Air Zones are separate to the air sheds developed under the NES. It is not clear why therefore this policy applies to “Clean Air Zones” rather than gazetted air sheds as per the requirements of the NES.	Align this policy with the NES.
Policy 6.24	The discharge of contaminants into air from waste management processes, other than combustion of waste, is acceptable where the waste management activity is appropriately located and where offensive or objectionable effects or adverse effects on human health are avoided.	Oppose in part	Alliance considers that this policy sets too high a threshold for requiring that all discharges arising from waste processes avoid offensive or objectionable effects.	Amend the policy as follows: The discharge of contaminants into air from waste management processes, other than combustion of waste, is acceptable where the waste management activity is appropriately

				located <u>and where</u> <u>adverse effects on</u> <u>sensitive receptors</u> <u>are avoided,</u> <u>remedied or</u> <u>mitigated.</u>
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Chapter 7: Rules

Provision #	Provision	Position	Submission	Relief Sought
Applying to All Activities				
Rule 7.3	The discharge of odour, dust or smoke into air that is offensive or objectionable beyond the boundary of the property of origin when assessed in accordance with Schedule 2 is a non complying activity.	Oppose	Alliance submits that it is not clear how this rule will be applied in practice. The criteria set out in Schedule 2 seems to require real time data (frequency of events, intensity, duration and complaints) in order to be able to accurately determine whether the discharge is causing an objectionable or offensive effect. Alliance also notes that this rule appears to be at odds with more specific rules later in the Plan relating to the discharge of odours and dust etc.	Delete the rule.
Rule 7.14	Within a Clean Air Zone, the discharge of PM ₁₀ into air from a large scale burning device, where concentrations of PM ₁₀ will likely equal or exceed 2.5ug/m ³ at ground level at or beyond the boundary of the property of origin, is	Oppose	Alliance is concerned that this rule is not consistent with the NES. It refers to the clean air zone which is not the same as a gazetted area under the NES, and it also makes no allowances for existing air discharge activities where there	Delete this rule, or amend it so that it is consistent with Regulation 17 of the NES.

	<p>a restricted discretionary activity provided the following condition is met:</p> <ol style="list-style-type: none"> 100% of the discharge will be offset within the gazetted airshed in accordance with Regulation 17 of the NES. 		has been no increase in the volume or rate of existing PM ₁₀ as per Regulation 17 of the NES.	
Rule 7.15	<p>Within a Clean Air Zone the discharge into air of PM₁₀ a rate exceeding 250mg/m³ air, when tested in accordance with schedule 6 and adjusted to 0° Celsius, dry gas basis, 101.3 kilopascals, and 8% oxygen or 12% carbon dioxide is a non complying activity</p>	Support in part	<p>Alliance submits that the clean air zones encompass a very large geographical area including urban, rural and industrial developments. Alliance is concerned that this differs to the NES which refers to gazetted airsheds and limits to be achieved within those.</p>	<p>Amend this rule so that it aligns with the NES.</p>
Rule 7.18	<p>The discharge of contaminants into air from a large scale fuel burning device or from an industrial or trade premise established either: inside a Clean Air Zone; or outside a Clean Air Zone after 28 February 2015, that will likely result in guideline values, set out in the Ambient Air Quality Guidelines 2002 Update, being exceeded is a prohibited activity.</p>	Oppose	<p>Alliance considers a prohibited activity status to be too onerous. Alliance notes that with respect to the Timaru clean air zone a large geographical area is included. Much of this area is urban or residential in nature. High particulate emitting domestic burners are a significant source of contaminants and Alliance is concerned that in areas such as highly developed residential areas the ambient guidelines may already be exceeded. Alliance is concerned therefore that this rule could severely impact industrial dischargers, who are or become unduly constrained because of existing poor ambient conditions.</p>	<p>Delete this rule.</p>

			<p>This rule could severely impact on the ability for industries in the Canterbury region to operate with sufficient security and could result in the closure of industries. A prohibited activity status is inappropriate.</p> <p>Alliance is also concerned about the uncertainty with respect to the drafting of this rule. The rule refers to a “likely exceedance” – there are implementation difficulties with respect to this.</p>	
Rule 7.28	The discharge of odour, beyond the boundary of the property of origin, from an industrial or trade premise is a restricted discretionary activity.	Oppose in part	Alliance considers a restricted discretionary activity status to be appropriate in managing the effects of odour, but notes that this rule should be linked to an odour which is considered to be objectionable or offensive.	<p>Amend the rule as follows:</p> <p>The discharge of <u>an offensive</u> of <u>objectionable</u> odour, beyond the boundary of the property of origin, from an industrial or trade premise is a restricted discretionary activity.</p>

<p>Rule 7.43</p>	<p>The discharge of heat, steam or water vapour into air from cooling towers or air cooled heat exchangers, is a permitted activity provided the following conditions are met:</p> <ol style="list-style-type: none"> 1. The discharge does not cause a noxious or dangerous effect; and 2. Cooling towers and heat exchangers are maintained as often as necessary to minimise the discharge of contaminants into air. 	<p>Support</p>	<p>Alliance consider it appropriate that the discharge of heat, steam or water vapour which has minor or less effects on the environment is a permitted activity.</p>	<p>Retain the rule.</p>
<p>Rule 7.52</p>	<p>The discharge of contaminants into air from the ventilation of buildings located on industrial or trade premises, where that discharge is not via an emission stack or treatment system and is not authorised pursuant to rules 7.28 - 7.51, is a permitted activity provided the following conditions are met:</p> <ol style="list-style-type: none"> 1. The discharge does not contain any air pollutant or contaminant identified in Parts 3 or 4 of Schedule 4; and 2. A record of information demonstrating compliance with the Workplace Exposure Standards 2013, Occupational Safety and Health Service of the Department 	<p>Support</p>	<p>Alliance considers it appropriate that the Plan permits the discharge of contaminants into air from the ventilation of industrial buildings.</p>	<p>Retain the rule.</p>

	<p>of Labour is held by the person responsible for the discharge and provided to the CRC on request; and</p> <p>3. The discharge does not cause a noxious or dangerous effect; and</p> <p>4. If there is a discharge of odour or dust beyond the boundary of the property of origin, an odour and/or dust management plan prepared in accordance with Schedule 2 must be held and implemented by the persons responsible for the discharge into air; and</p> <p>5. The odour and/or dust management plan is supplied to the CRC on request.</p>			
Rules 7.75 – 7.90	Space heating rules and rules within the Timaru Clean Air Zone relating to domestic burners.	Support	Alliance supports the Council's approach to phasing out of high particulate emitting domestic burners. As a key contributor to particulate emissions it is appropriate that such sources are removed and as a consequence ambient air quality is improved overall.	Retain the rules.