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Subject: Proposed Canterbury Air Regional Plan - Further Submission from Gelita NZ Limited
Date: Friday, 10 July 2015 3:06:10 p.m.
Attachments: [1378104258_010_L_Rev0_Gelita_63201_pCARP_Further_Subs_FINAL.pdf](#)

Please find attached further submissions in relation to the Proposed Canterbury Air Regional Plan on behalf of Gelita NZ Limited.

Regards, Carmen (on behalf of Kevin Bligh)

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**FURTHER SUBMISSIONS ON
PROPOSED CANTERBURY AIR REGIONAL PLAN
BY GELITA NZ LIMITED (SUBMITTER NO. 63201)**

To: **Emailed to: mailroom@ecan.govt.nz**
Further Submissions to Proposed Canterbury Air Regional
Plan
Environment Canterbury
PO Box 345
Christchurch 8140

Name of further submitter: Gelita NZ Limited (Submitter No. 63201)
PO Box 19542
Woolston
Christchurch 8023

1.0 These are further submissions in relation to submissions on the following proposed plan:

Proposed Canterbury Air Regional Plan, hereafter referred to as the CARP.

2.0 Gelita NZ Limited is a person who has an interest in the CARP that is greater than the interest the general public has for the following reasons:

2.1 Gelita NZ Limited (Gelita) is New Zealand's largest producer of gelatine. It has operated from the same site, in Woolston, since 1909. Gelita produces a range of edible and commercial gelatine products derived from bovine raw materials, for use in the New Zealand and overseas markets. Gelita has a market share of more than 80 % in New Zealand, and over 80 % of its production is exported to Australia, the Pacific Basin countries, South America and the Middle East.

2.2 Gelita made submissions on the CARP including on matters to which these further submissions relate.

2.3 As provisions in the CARP relate directly to aspects of its operations, Gelita seeks to ensure continuity of its operations by ensuring that the provisions of the CARP do not adversely impact or place undue constraint.

3.0 The specific submissions to the CARP that Gelita's further submissions relate are outlined in the attached table.

3.1 In summary, the reasons for Gelita's further submissions are:

- (a) Ensuring that the provisions of the CARP provide a resource management framework that enables Gelita to continue to operate, without undue constraint, while appropriately managing adverse effects arising from discharges to air. This approach enables Gelita to continue to operate, which in turn enables it to provide for the broader community's economic, social and cultural well-being.

- (b) Ensuring that the CARP appropriately reflects the requirements of the Resource Management Act 1991 (RMA), higher level statutory planning documents such as the Canterbury Regional Policy Statement (CRPS) and associated technical tools (e.g., Ambient Air Quality Guidelines 2002).

4.0 Gelita wishes to be heard in support of this further submission.

Submitter: Gelita NZ Limited

**Signed for and
on behalf of the
Submitter:**



Golder Associates (NZ) Limited
Kevin Bligh, Senior Planner

Date: 10 July 2015

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Further Submissions of Gelita NZ Limited (Submitter No. 63201) to the Proposed Canterbury Air Regional Plan

Submission of	Part of the submission	Reason	Support / Oppose
General			
New Zealand Manufacturers and Exporters Association (Submitter No. 54871)	CARP – General (pCARP-251)	<p>The submitter requests amendments to the CARP to ensure that the management approach for the discharge of contaminants to air are based on realistic assessments on pollution sources.</p> <p>It is considered that this relates to a realistic knowledge and/or dataset of the state of the environment both in terms of ambient and localised air quality and which is gathered and collated by regulatory agencies. Access to this type of information is important for all resource users.</p>	Support
Carter Holt Harvey Pulp & Paper Limited (Submitter No. 63176)	CARP – General (pCARP-2365)	<p>The submitter requested, according to the summary, policies and rules to provide recognition of reasonable differences in permissible air quality in industrial zones.</p> <p>While compliance with mandatory requirements, such as those provided for by the National Environmental Standards for Air Quality (NES) is appropriate, the provision of industrial zones in district plans recognises that the level of amenity expected in these areas is not the same as that expected or required in other areas, for example residential areas.</p>	Support
Carter Holt Harvey Pulp & Paper Limited (Submitter No. 63176)	CARP – General (pCARP-2367)	<p>The submitter requests the insertion of provisions to avoid the CARP requiring immediate and uneconomic adoption of new plant or equipment without, in effect, consideration of the economic impacts on companies.</p> <p>Investing in significant new plant or equipment is a major capital cost for companies. Unless that cost is already factored into Gelita's budgets, paying for any such requirements if they need to be implemented in a short timeframe is likely to impact on other areas of Gelita's operations or affect its ability to operate at all.</p>	Support
Section 1 - Introduction			
Canterbury Development Corporation (Submitter No. 62017)	Introduction (pCARP-500)	<p>The submitter requests that the statement that outlines that an objective of the CARP is to deliver regulation that <i>“provides for industrial and economic growth in appropriate areas”</i> is clarified, within this section and throughout the CARP, such that <i>“appropriate”</i> does not just relate to air quality issues.</p> <p>As outlined by the submitter, broader land use planning and economic considerations play a significant role in determining where it is appropriate for industrial activities to be located. For this reason, the clarification sought is supported.</p>	Support

Further Submissions of Gelita NZ Limited (Submitter No. 63201) to the Proposed Canterbury Air Regional Plan

Submission of	Part of the submission	Reason	Support / Oppose
Carter Holt Harvey Pulp & Paper Limited (Submitter No. 63176)	Introduction (pCARP-2351)	The submitter requests that amendments are made to recognise that the adoption of the 'best practicable option' and 'best practice' needs to be considered and balanced against the requirement to provide for industry and economic growth, while also protecting the region's air quality. This balanced assessment is considered appropriate.	Support
Fonterra Co-operative Group Limited (Submitter No. 63146)	Introduction – Industrial and large scale discharges of contaminants (pCARP-689)	The submitter requests the deletion of the statement, " <i>Industry, including the service industry, contributes a significant proportion of the contaminants into our air, including odour and dust, particularly in urban areas</i> ". Deletion of this statement is requested on the basis that the studies upon which this statement seems to be based does not actually identify industrial contributions to measured PM ₁₀ concentrations. The submitter also considers that the contribution of industrial discharges is overstated. It is considered that where subjective statements are not supported by factual information, then they should not be included in the CARP.	Support
Ravensdown Fertiliser Co-operative Limited (Submitter No. 56708)	Introduction – Industrial and large scale discharges of contaminants (pCARP-2709)	Similar to the above submission (pCARP-689), the submitter requests the deletion of 'significant' from the statement that industry contributes a significant proportion of contaminants to air. It is considered that where subjective statements are not supported by factual information, then they should not be included in the CARP.	Support
Fonterra Co-operative Group Limited (Submitter No. 63146)	Introduction – Industrial and large scale discharges of contaminants (pCARP-691)	The submitter requests an amendment to the descriptive information provided within the Introduction to the CARP, which acknowledges that while industrial discharge may impact on localised air quality, that does not necessarily equate to an impact on ambient air quality. It is considered important to recognise effects on air quality from an industrial activity, does not automatically mean there is also an adverse effect on ambient air quality. This distinction needs to be recognised.	Support
Fonterra Co-operative Group Limited (Submitter No. 63146)	Introduction – The statutory planning framework (pCARP-693)	The CARP fails to identify that the CRPS distinguishes between ambient and localised air quality effects. The CARP, in giving effect to the CRPS, needs to distinguish between these effects, including in relation to reverse sensitivity considerations. The amendment requested by the submitter assists in providing this necessary distinction.	Support

Further Submissions of Gelita NZ Limited (Submitter No. 63201) to the Proposed Canterbury Air Regional Plan

Submission of	Part of the submission	Reason	Support / Oppose
Section 2 - Definitions and Interpretation			
Fonterra Co-operative Group Limited (Submitter No. 63146)	New "Ambient air quality" definition (pCARP-696)	The CARP, as currently drafted, does not refer to ambient air quality. Gelita, in its submissions, requested a number of amendments, including inserting references to ambient air quality. Given these requests, it is appropriate to also include a definition of ambient air quality in the CARP.	Support
Horticulture New Zealand (Submitter No. 63138)	New definitions for "ambient air quality" and "localised air quality" (pCARP-1079)	The CARP, as currently drafted, does not differentiate between 'ambient air quality' and 'localised air quality'. Various submissions, including Gelita's, have requested amendments that would provide this differentiation. Given these requests, it is appropriate to provide definition for these two terms.	Support
Section 3 - How the Plan Works			
Fonterra Co-operative Group Limited (Submitter No. 63146)	Rules (pCARP-702)	The submitter requests deletion of the statement " <i>Consents for non-complying activities will generally only be granted in exceptional circumstances</i> ", as this additional qualifier goes beyond the considerations outlined in sections 104D and 104 of the RMA. Any such statements in the CARP need to reflect the actual requirements of the RMA.	Support
Section 5 - Objectives			
Fonterra Co-operative Group Limited (Submitter No. 63146)	New objective (Objective 5.10) (pCARP-705)	The submitter requests a new objective that aims to manage the localised air quality effects associated with individual discharges to air, while recognising that these individual discharges may also have effects on ambient air quality. This objective reflects the approach accommodated within the CRPS. It is important that the focus of the CARP in relation to discharges to air, such as those from Gelita's site, is that any localised effects of discharges are able to managed (i.e., avoided, remedied or mitigated).	Support
Horticulture New Zealand (Submitter No. 63138)	Objective 5.3 (pCARP-1066)	The amendments requested by the submitter reflect the provisions of section 5 of the RMA to safe-guard the life-supporting capacity of air.	Support
Ravensdown Fertiliser Co-operative Limited (Submitter No. 56708)	Objective 5.7 (pCARP-2722)	The amendments requested by the submitter, to include industry representing significant economic investment and benefits, alongside national and regionally significant infrastructure is similar to Gelita's request in its submission on Objective 5.7.	Support

Further Submissions of Gelita NZ Limited (Submitter No. 63201) to the Proposed Canterbury Air Regional Plan

Submission of	Part of the submission	Reason	Support / Oppose
Fonterra Co-operative Group Limited (Submitter No. 63146)	Objective 5.8 (pCARP-706)	The submitter requested retention of this objective on the basis that it recognises that there are differing air quality expectations in different locations. This objective recognises that activities that discharge to air need to be considered in light of the sensitivity of the local environment, including separation to any sensitive receptors. This is an appropriate resource management approach.	Support
Section 6 - Policies			
Mobil New Zealand Limited, BP Oil New Zealand Limited, and Z Energy Limited (Submitter No. 53963)	Policy 6.2 (pCARP-3110)	The submitter requests that Policies 6.2 and 6.3 are replaced with a policy that requires that discharges to air are managed to ensure compliance with the Ambient Air Quality Guidelines 2002 (AAQG). The AAQG are guidelines developed as a means of managing ambient air quality, not discharges to air. In addition, as guidelines, not standards, they are not intended to act as an absolute compliance requirement.	Oppose
Mobil New Zealand Limited, BP Oil New Zealand Limited, and Z Energy Limited (Submitter No. 53963)	Policy 6.3 (pCARP-3111)	The submitter requests that Policies 6.2 and 6.3 are replaced with a policy that requires that discharges to air are managed to ensure compliance with the Ambient Air Quality Guidelines 2002 (AAQG). The AAQG are guidelines developed as a means of managing ambient air quality, not discharges to air. In addition, as guidelines, not standards, they are not intended to act as an absolute compliance requirement.	Oppose
Fonterra Co-operative Group Limited (Submitter No. 63146)	Policy 6.11 (pCARP-716)	The amendments requested by the submitter to also recognise and provide for the operation and development of large-scale industrial and trade activities, alongside national and regionally significant infrastructure, given that they also contribute to the national regional economy, is similar to Gelita's request in its submission on Objective 5.7. For this reason, the proposed amendments are considered appropriate.	Support
Ravensdown Fertiliser Co-operative Limited (Submitter No. 56708)	Policy 6.11 (pCARP-2738)	The amendments requested by the submitter to also recognise and provide for the operation and development of large-scale industrial and trade activities, alongside national and regionally significant infrastructure, given that they also contribute to the national regional economy, is similar to Gelita's request in its submission on Objective 5.7. For this reason, the proposed amendments are considered appropriate.	Support

Further Submissions of Gelita NZ Limited (Submitter No. 63201) to the Proposed Canterbury Air Regional Plan

Submission of	Part of the submission	Reason	Support / Oppose
Section 7 - Rules			
Canterbury District Health Board (Submitter No. 62935)	Relevant permitted activity rules (pCARP-540)	<p>The submitter has requested that all dust/smoke/odour management plans required as a condition of permitted activity rules are able to be independently audited.</p> <p>The Canterbury Regional Council (CRC), who may request such plans at their discretion, should not be obligated to have these plans audited by an independent third party, particularly when CRC maintains appropriate expertise in-house.</p> <p>In addition, the costs of such a requirement would most likely be passed onto the party discharging to air. In circumstances where the discharge has minor effects, as reflected by a permitted activity status, such costs are likely to be unreasonable.</p>	Oppose
Canterbury District Health Board (Submitter No. 62935)	Rules general (pCARP-565)	<p>Similar to its requests in relation to permitted activity rules (refer to pCARP-540 above), the submitter has requested that all references to dust/smoke/odour management plans should require an independent, third party, and external audit.</p> <p>It is considered that CRC should not be obligated to have these plans audited in the manner, particularly when CRC maintains appropriate expertise in-house.</p> <p>In addition, the costs of such a requirement would most likely be passed onto the party discharging to air. In circumstances where the discharge has minor effects or where the effects are being appropriately managed, such costs are likely to be unreasonable.</p>	Oppose
Mr Dave Bain (Submitter No. 58281)	Rules – Industrial, trade and large scale discharges to air (pCARP-115)	<p>The submitter has requested that provisions are inserted that require Gelita (and the Canterbury District Health Board in relation to its coal fired boiler) to take immediate steps to resolve the odour and emissions issues at their sites. This includes requiring technical solutions to control the discharges to be in place within 12 months.</p> <p>The matters raised by the submitter in relation to Gelita have recently been considered by CRC when processing an application to change conditions of a resource consent. Addressing such matters through additional provisions in the CARP is not appropriate.</p>	Oppose (whole submission)

Further Submissions of Gelita NZ Limited (Submitter No. 63201) to the Proposed Canterbury Air Regional Plan

Submission of	Part of the submission	Reason	Support / Oppose
Fonterra Co-operative Group Limited (Submitter No. 63146)	Rule 7.20 (pCARP-731)	<p>This rule provides for the discharges to air from the combustion of diesel in any large scale external combustion device as a permitted activity, subject to conditions. The submitter requests the deletion of Condition 4 as the presence of buildings of a certain height may be irrelevant, dependent on the height of the discharge.</p> <p>The requested amendment is similar to Gelita's submission in relation to Rule 7.19 where it requested the deletion of Condition 3 of that rule on the basis that the condition provides no environmental benefit, other conditions provided guidance on stack height and if not deleted then activities previously permitted under the Canterbury Natural Resources Regional Plan (NRRP) may no longer be permitted. Similar arguments apply to Condition 4 of Rule 7.20.</p>	Support
Fonterra Co-operative Group Limited (Submitter No. 63146)	Rule 7.22 (pCARP-733)	<p>This rule provides for the discharges to air from the combustion of pellet fuel in any large scale external combustion device, within a clean air zone, as a permitted activity, subject to conditions. The submitter requests the deletion of Condition 6 as the presence of buildings of a certain height may be irrelevant, dependent on the height of the discharge.</p> <p>The requested amendment is similar to Gelita's submission in relation to Rule 7.19 where it requested the deletion of Condition 3 of that rule on the basis that the condition provides no environmental benefit, other conditions provided guidance on stack height and if not deleted then activities previously permitted under the NRRP may no longer be permitted. Similar arguments apply to Condition 6 of Rule 7.22.</p>	Support
Canterbury District Health Board (Submitter No. 62935)	Rule 7.28 (pCARP-542)	<p>This rule provides for the discharge of odour from an industrial or trade premise, as a restricted discretionary activity, subject to conditions. The submitter has requested that the odour management plan, which is a condition of this rule, should be independently auditable.</p> <p>It is considered that CRC should not be obligated to have such plans audited in the manner, particularly when CRC maintains appropriate expertise in-house.</p> <p>In addition, the costs of such a requirement would most likely be passed onto the party discharging to air. In circumstances where the discharge where the effects are being appropriately managed, such costs are likely to be unreasonable.</p>	Oppose

ATTACHMENT A – SCHEDULE AND CONTACT DETAILS FOR SUBMITTERS

Note: If an email address is available then it will be used to provide a copy of this further submission to the submitter.

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