

**Further submission on the Proposed Canterbury Air Regional Plan Under Clause 7  
of Schedule 1 of the Resource Management Act 1991**

- 1 **To** Environment Canterbury
- 2 **By email:** [ecinfo@ecan.govt.nz](mailto:ecinfo@ecan.govt.nz)
- 3 Name of Further submitter: Lyttelton Port Company Limited (*LPC*)
- 4 These further submissions are in support of or in opposition to (as specified in the attached table in **Appendix 1**) submissions on the Proposed Canterbury Air Regional Plan.
- 5 *LPC* is a person who has an interest in the proposal that is greater than the interest the general public has.
- 6 The attached table in **Appendix 1** sets out:
  - 6.1 The submissions or parts of submissions that *LPC* supports or opposes;
  - 6.2 *LPC* 's reasons for support or opposition; and
  - 6.3 The relief sought by *LPC* in relation to those submission or parts of submission.
- 7 *LPC* wishes to be heard in support of its further submissions.
- 8 If others make a similar submission, *LPC* will consider presenting a joint case with them at a hearing.

**Signed** for and on behalf of Lyttelton Port Company Limited

---

Kim Kelleher  
Environmental Manager  
13 July 2015

**Address for service of submitter:**

Lyttelton Port Company  
41 Chapmans Road, Hillsborough 8022  
Private Bag 5601, Lyttelton 8841  
New Zealand

## APPENDIX 1: FURTHER SUBMISSIONS

Definitions, Objectives and Policies					
Submitter	Provision	Amendment Sought by Submitter	LPC Further Submission	Reasons	Outcome Sought by LPC
Waimakariri District Council (1312)	Definitions	Insert definition of bulk solid materials.	Oppose	Rule 7.38 sets out a condition on the allowable storage quantities when the bulk solid material has an average particle size of less than 3.5mm. The proposed definition is therefore unnecessary.	Reject the relief sought.
Fonterra Co-operative Group Limited (696)	Definitions	Insert definition for ambient air quality in Table 2.1 as follows: <i>Ambient air quality - Means the quality of air outside of buildings or structures where people are likely to be exposed to the contaminants. It does not include indoor air, air in the workplace, contaminated air being discharged from a source, or air that is enclosed or sheltered in a way which makes it untypical of the air in the surrounding area. Ambient conditions are those not modified by specific/individual sources.</i>	Support	It would be useful to better define ambient air.	Accept the relief sought
Mainpower NZ Ltd (2568)	Definitions	Insert definition for Emergency Electricity Generation.	Support	LPC supports this submission as a means to provide further clarity around the policies and rules on the same.	Accept the relief sought
Oil Companies (3086)	Definitions	Delete definition of sensitive activities and replace with a new definition.	Support	LPC is concerned that the existing definition applies broadly to areas available for use by the general public. LPC agrees with the oil companies that the definition should be restricted to activities that are sensitive to air discharges.	Accept the relief sought.
Fonterra Co-operative	How the Plan Works	Delete reference to non-complying activities being granted in exceptional circumstances.	Support	LPC supports the deletion because the statement is inconsistent with the RMA.	Accept the relief sought.

Group Ltd (702)					
Fonterra Co-operative Group Ltd (705)	New Objective 5.10	Insert Objective 5.10 as follows: <i>Manage localised air quality effects of individual discharges while recognising that individual discharges may have effects on ambient air quality.</i>	Support	There is benefit in distinguishing between the effects of a localised nature and those on ambient air generally, in accordance with the RPS.	Accept the relief sought.
Oil Companies (3095)	Objective .5.4	Amend Objective 5.4 as follows: <i>Discharges to air are managed in accordance with the amenity values of the relevant receiving environment.</i>	Support	LPC agrees that the key issue is to appropriately avoid, remedy or mitigate the effects of a discharge to air in accordance with the relevant receiving environment.	Accept the relief sought.
Ravensdown Fertiliser Cooperative Limited (2720)		Amend Objective 5.5 as follows: <i>Discharges to air shall be managed in a way that recognises and provides for the relationship of Ngai Tahu with their culture and traditions with the air resource.</i>	Support	LPC agrees with Ravensdown that the wording would better reflect s.6 (e) of RMA.	Accept the relief sought.
Horticulture New Zealand (1068)	Objective 5.8	Amend Objective 5.8 as follows: <i>Manage air quality to reflect the different receiving environments across the region, taking into account the location and characteristics of the background receiving environment.</i>	Support	LPC agrees that the existing objective is written as a statement and needs to be rewritten.	Accept the relief sought.
Mr Michael de Hamel (73)	New Policy	Insert a policy noting that the effects in the Coastal Marine area may have an impact on air quality over land, and requiring the effects to be monitored.	Oppose	The normal emissions from ships, including discharges to air, are expressly permitted under the Resource Management (Marine Pollution) Regulations 1998. Consequently, these emissions are not able to be regulated by Environment Canterbury.	Reject the relief sought.
Meridian Energy Ltd (2695) Amend Policy 6.1 as follows:	Policy 6.1	Amend Policy 6.1 as follows: <i>Discharges of contaminants into air, either individually or in combination with other discharges should avoid, remedy or mitigate adverse effects that cause or is likely to cause do</i>	Support	LPC considers the amended policy better prescribes how the policy would address effects on human health and on life supporting capacity of ecosystems, plants or animals.	Accept the relief sought.

		<p><i>not cause :</i></p> <p><i>a) A hazardous, noxious, dangerous or toxic effect Adverse effects on human health and wellbeing; or</i></p> <p><i>b) Significantly diminished visibility; or</i></p> <p><i>c) Corrosion or significant soiling of structures or property; or</i></p> <p><i>d) A hazardous, noxious, dangerous or toxic effect on the mauri/life supporting capacity of ecosystems, plants or animals.</i></p>			
Fonterra Co-operative Group (711) Limited		<p>Delete Policy 6.5 and replace with the following:</p> <p><i>Avoid discharges into air that are assessed as causing offensive or objectionable effects in accordance with Schedule 2.</i></p>	Support	LPC considers the proposed wording is more appropriate.	Accept the relief sought.
Transpower New Zealand Limited (2826)	Policy 6.11	<p>Amend Policy 6.11 as follows:</p> <p><i>Recognise the contribution of nationally and regionally significant infrastructure to the regional and national economy and social well-being of communities, and provide for the operation, maintenance, upgrading and development of that infrastructure.</i></p>	Support	LPC supports the amendment because nationally and regionally significant infrastructure underpins both economic growth and social wellbeing.	Accept the relief sought.
St George's Hospital Limited (788)	Policy 6.14	Delete Policy 6.14.	Support	LPC supports the relief sought for the reasons expressed in the submission.	Accept the relief sought.
<b>Rules</b>					
Mr Michael de Hamel (74)	New Rule	<p>Insert new rules relating to air quality in the Coastal Marine area and to control cross-boundary effects.</p>	Oppose	The normal emissions from ships, including discharges to air, are expressly permitted under the Resource Management (Marine Pollution) Regulations 1998. Consequently, these emissions are not able to be regulated by Environment Canterbury.	Reject the relief sought.
Meridian Energy Ltd (2711)		<p>Amend rule 7.1 as follows:</p> <p><i>Any activity must comply with all applicable rules</i></p>	Support	Better clarity is needed.	Accept the relief sought.

		<i>in Section 7 of this Plan, except where explicitly stated to the contrary in any other applicable rule in this Plan. Where two rules are applicable to the same activity, the more specific rule shall apply. Where there are two or more rules applicable to different components of the same activity the more stringent activity status applies.</i>			
Bathurst Resources Limited (2243)	Rule 7.28	Delete Rule 7.28.	Support	<p>LPC agrees that the rule should be deleted. Odour is a consequence of an air discharge associated with those activities set out in Rules 7.30 to 7.58 and those other relevant activities specified in Rule 7.59. Those activities that do not comply with the rules or are activities set out in Rule 7.59 are classified as a full discretionary activity.</p> <p>No equivalent rule is contained in the existing air plan.</p> <p>If any odour is considered to be offensive or objectionable then that is dealt with under section 17 of RMA or under conditions of resource consent.</p>	Accept the relief sought.
Bathurst Resources Limited (2247)	Rule 7.29	Delete Rule 7.29.	Support	<p>LPC agrees that the rule should be deleted. As for odour, dust is a consequence of an air discharge associated with those activities set out in Rules 7.30 to 7.58 and those other relevant activities specified in Rule 7.59. Those activities that do not comply with the rules or are activities set out in Rule 7.59 are classified as a full discretionary activity.</p> <p>No equivalent rule is contained in the existing air plan.</p> <p>If any dust is considered to be offensive or objectionable then that is dealt with under section 17 of RMA or under</p>	Accept the relief sought.



				conditions of resource consent.	
--	--	--	--	---------------------------------	--

## Nancy Bonner

---

**From:** Sarah Drummond  
**Sent:** Monday, 20 July 2015 1:15 p.m.  
**To:** Nancy Bonner  
**Subject:** FW: Air Plan Further Submission  
**Attachments:** LPC\_Air Plan\_Further\_Submissions (Final).DOCX

Can you please PDF this one and replace the original LPC submissions in the Air Furthers and it can be printed and entered now we have the clarification

Thanks

Sarah

---

**From:** Kim Kelleher [<mailto:Kim.Kelleher@lpc.co.nz>]  
**Sent:** Friday, 17 July 2015 5:21 p.m.  
**To:** Sarah Drummond  
**Subject:** FW: Air Plan Further Submission

Hi Sarah,

I have added a new row at the top (red shade) which should hopefully explain it.

Cheers

Kim

**Kim Kelleher**  
*Environmental Manager*

**T:** +64 3 328 7983  
**M:** +64 27 298 1347  
**E:** [kim.kelleher@lpc.co.nz](mailto:kim.kelleher@lpc.co.nz)

41 Chapmans Road, Woolston, Christchurch 8022



---

**From:** Sarah Drummond [<mailto:sarah.drummond@ecan.govt.nz>]  
**Sent:** Friday, 17 July 2015 2:55 p.m.  
**To:** Kim Kelleher  
**Subject:** Air Plan Further Submission

Hi Kim

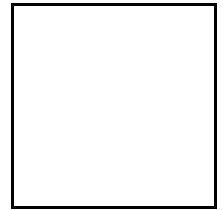
As per our call in your further submission can you please clarify if the support or oppose column is from the Original Summary of Decisions Requested or if this is the support or oppose of the point referenced.

In the further submission process we have no ability to use retain or amend there is a straight support or oppose of the point summarised

Thanks

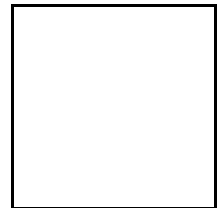
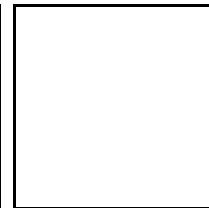
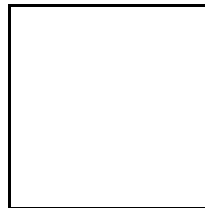
Sarah

**Sarah Drummond**  
Planning Officer Hearings  
Environment Canterbury



027 549 7663  
sarah.drummond@ecan.govt.nz

PO Box 345, Christchurch 8140  
**Customer Services: 0800 324 636**  
**Pollution Hotline: 0800 76 55 88**



*Facilitating sustainable development in the Canterbury region* ecan.govt.nz

#####  
#####

**Attention:**

This e-mail message is privileged and confidential. If you are not the intended recipient please delete the message and notify the sender. Please note that the views or opinions expressed in this message may be those of the individual and not necessarily those of the Lyttelton Port Company Ltd.

This email has been scanned and cleared by MailMarshal.

#####  
#####

---

This email has been filtered by SMX. For more information visit [smxemail.com](http://smxemail.com)

---

#####  
#####

**Attention:**

This e-mail message is privileged and confidential. If you are not the intended recipient please delete the message and notify the sender. Please note that the views or opinions expressed in this message may be those of the individual and not necessarily those of the Lyttelton Port Company Ltd.

This email has been scanned and cleared by MailMarshal.

#####  
#####



---

This email has been filtered by SMX. For more information visit [smxemail.com](http://smxemail.com)

---