

FORM520: SUBMISSION ON RESOURCE CONSENT APPLICATION

SECTION 95E RESOURCE MANAGEMENT ACT (RMA) 1991

TO: Consents Hearings
 Environment Canterbury
 PO Box 345
 Christchurch 8140

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<p>FOR OFFICE USE ONLY</p> <p>Application No: CRC190445</p> <p>Closing Date: 5.00pm, Friday 31 August 2018</p>

TO: submit by completing an on-line form at:
<https://www.ecan.govt.nz/do-it-online/resource-consents/notifications-and-submissions/notified-consents/>.

A. PERSON(S) / GROUP / ORGANISATION MAKING SUBMISSION

The submitter is:

Full name of submitter:	Ravensdown Limited		
Postal address for Service:	PO Box 1049, Christchurch	Postcode:	8140
Contact Phone:	Private:	Work:	Cell: 0212290439
Email Address:	Anna.wilkes@ravensdown.co.nz		
Contact Person:	Anna Wilkes (Environmental Policy Specialist)		

Information about this resource consent process, including any details relating to a hearing may be sent via email

: - Please tick this box if you do not wish to receive communications via email.

Consent application number/s:

Name of applicant:

- I/We support the above application I/We oppose the above application
 I/We are neutral to the application (neither support or oppose)
- The reasons for making my submission are: *(state in summary the nature of your submission, giving reasons)*

Please refer to attached submission

3. I wish the consent authority to make the following decision:
 (give details, including the general nature of any conditions sought. Please attach additional pages if required)

Please refer to attached submission

4. I/we **do** wish to be heard in support of my/our submission*

(Note: this means you wish to speak in support of your submission at the hearing)

*If others make a similar submission, I will consider presenting a joint case with them at the hearing Yes No


I/we **do not** wish to be heard in support of my/our submission

(Note: this means you cannot speak at the hearing, however you will retain your right to appeal any decision to the Environment Court on any decision made by the Council.)

5. I/we am a trade competitor for the purposes of section 308B of the Resource Management Act 1991.

I/We am/am not directly affected by an effect of the subject matter of the submission that

- a) adversely affects the environment; and
- b) does not relate to trade competition or the effects of trade competition.



31 August 2018

Signature

Date

Notes to the submitter:

1. The person making this submission must send a copy to the applicant as soon as reasonably practicable after serving Environment Canterbury: Christchurch City Council Attn: Graham Harrington, Christchurch City Council, PO Box 73014, Christchurch 8154 or email CSNDC@ccc.govt.nz
2. A list of all submissions received will be provided to the applicant
3. Please be aware that third parties may request a copy of submissions received and that request is subject to the Local Government Official Information and Meetings Act 1987.

Submission on Resource Consent Application:

Christchurch City Council – Comprehensive Stormwater Discharge CRC190445

Point for Clarification

My name is Anna Wilkes and I am the Environmental Policy Specialist at Ravensdown Limited (Ravensdown). I have prepared this submission, on behalf of Ravensdown, in the context of my current role.

While this is Ravensdown's submission, I consider that it is appropriate to clarify my past involvement in this resource consent application process. I was employed by Golder Associates (NZ) Limited (Golder) (and its predecessor Kingett Mitchell Limited) as a Senior Resource Management Consultant from January 2005 until 31 December 2016. During my employment at Golder I was involved in the preparation of a number of the documents submitted as part of Christchurch City Council's application for a comprehensive stormwater network discharge consent (CSNDC) lodged in June 2015 and subsequent responses to requests for further information. I was also involved in the consent application for the South West Christchurch stormwater discharge permit (CRC120223).

Ravensdown's Business

Ravensdown exists to enable smarter farming for a better New Zealand. As a farmer-owned co-operative, Ravensdown's products, expertise and technology help farmers reduce environmental impacts and optimise value from the land.

Ravensdown is an integral part of the food creation process, whether the food is grown for livestock or for humans. Ravensdown tests for, advises about, buys, ships, stores, spreads, measures and maps food-creating nutrients and fertiliser for its farmers in an integrated way.

Ravensdown is a science-focused organisation delivering quality agri-products, technologies and services. Ravensdown provides:

- a) Practical insights, trusted guidance and lab-based diagnostic data on soil and plant samples.
- b) Environmental consultancy to assist farmers to mitigate impacts and move beyond compliance.
- c) Quality agri-products including agrichemicals, seeds and animal health products.
- d) Manufacturing superphosphate at dedicated plants in Christchurch, Dunedin and Napier.
- e) Lime quarries producing agricultural lime products.
- f) Logistics and storage of bulk fertiliser and other products to ensure they are available when needed.
- g) Global sourcing from top tier suppliers.
- h) Capability for precision fertiliser application by ground and by air.
- i) Map-and-measure technology for better on-farm decision making.
- j) Innovation and research to ensure advice and solutions are based on sound science.

Ravensdown operates a network of fertiliser bulk stores, quarries and three superphosphate manufacturing plants throughout New Zealand. Ravensdown's interest in this consenting process arises from our Christchurch manufacturing plant.

The Christchurch superphosphate manufacturing plant is located at 312 Main South Rd, Hornby (refer Figure below). The Christchurch Works occupies approximately 14 hectares and sits within the Hornby Industrial area. The site was chosen because of its close proximity to a port, rail services, access to labour and when commissioned

in 1922, its rural location. Kempthorne Prosser established and operated the site until 1977, when Ravensdown was established with the merger of Dominion Fertiliser and Kempthorne Prosser.

The primary activities carried out at the site are the import of raw materials and fertilisers, the manufacture of sulphuric acid and superphosphate products, and the storage and distribution of fertiliser products to the market. Volumes of raw materials brought in to the site are in the range 220,000 – 280,000 tonnes per year while despatches of product are in the range 270,000 – 320,000 tonnes per year. Truck movements peak at up to 130 per day.



Stormwater Discharges from Ravensdown Christchurch

Ravensdown holds a discharge permit (CRC144729) for the discharge of stormwater from its office building and associated carpark at 292 Main South Rd, Hornby (refer figure above). The discharge permit authorises the discharge of stormwater to land via soak holes (roof water) and infiltration basins/trenches (hardstand). No stormwater from the office building and associated carpark at 292 Main South Rd, Hornby, discharges into the Christchurch City Council (CCC) stormwater network. This part of the site is therefore unaffected by the CSNDC application.

Stormwater from the manufacturing site at 312 Main South Rd is partly recycled through the manufacturing process or sent to trade waste with the remainder discharging via one of four discharge points into the CCC network along Main South Rd and Hanworth Avenue. This part of CCC's stormwater network then discharges into Haytons Stream and thereafter into the Ōpāwaho/Heathcote River. The discharge of stormwater from Ravensdown's manufacturing site is currently authorised by CCC's South West Christchurch stormwater discharge consent (CRC120223). Ravensdown understands that this consent will be surrendered should discharge permit CRC190445 be granted.

The contaminant profile in stormwater discharged from Ravensdown differs from typical urban stormwater and that of other industries in that it contains elevated concentrations of nutrients associated with fertiliser products. The urea despatch area was identified as a high risk area for stormwater contaminants and so stormwater from this area has been separated from the CCC network discharge and is now collected and stored for manufacturing use or discharged to trade waste (i.e., CCC wastewater system). Stormwater from other high risk areas of the site (e.g., the acid plant) is also collected and recycled through the manufacturing process or sent to trade waste. Stormwater that discharges into the CCC network is generated from roof and hardstand areas of the site including the rock store, bag store, works site offices, parking areas and road ways through the site.

Submission on Application for Discharge Permit CRC190445

1. General Comments

Overall, Ravensdown supports CCC's application for discharge permit CRC190445. It is efficient and logical to address stormwater management across the city in an integrated manner in order to prioritise the placement and upgrade of treatment facilities to achieve improvements in water quality and ecological health of the receiving waterways. Improvements in the management of stormwater discharges from existing industrial sites into the CCC network is key to achieving improvements in receiving waterways.

The fundamental premise of this submission is to highlight the regulatory challenges faced by Ravensdown in meeting the expectations of both CCC and Canterbury Regional Council (CRC) in relation to its stormwater discharges, and to seek conditions on discharge permit CRC190445 that provide clear direction for both water quality and quantity targets, and associated lines of accountability for industrial sites in meeting those targets.

Over the past year, stormwater management at the Ravensdown Christchurch Works site and the quality of the stormwater discharge leaving the site has come under increasing scrutiny from both CCC and CRC. Ravensdown, in accordance with our environmental policy and the drive for continuous improvement, is committed to ensuring we take action to improve the quality of the stormwater leaving our site to reduce downstream effects on water quality and instream ecology.

While Ravensdown has made a number of improvements to stormwater management at the site, we acknowledge that there is work still to be completed. Accordingly, we are currently working with consultants to model a range of stormwater treatment options in order to identify and implement a system that will reduce the contaminant load leaving the site to a level that will give both CCC and CRC assurance that any stormwater discharge into the CCC network will not compromise CCC's compliance with their consent conditions.

2. Scope of Discharge Permit CRC190445

Ravensdown has noted that the scope of discharge permit CRC190445 differs from the current South West Christchurch consent (CRC120223). As it relates to industrial site stormwater discharges, CRC120223 limits discharges to stormwater that "enters the CCC stormwater network and is subsequently discharged onto or into land or into surface water or groundwater" (Condition 1(a)). Roof water discharges onto or into land from zone 10 (i.e., industrial sites) are not included in Condition 1(b) and therefore, if Ravensdown was to consider discharging its roof water onto or into land within its site then it would require a separate consent from CRC.

Under discharge permit CRC190445, the discharge of roof water from industrial sites is included in Condition 1(c) which permits the discharge of stormwater which "is generated from roofs of individual existing sites... and is discharged onto or into land within the site".

3. Industrial Site Audits

The existing CCC South West Christchurch stormwater discharge consent (CRC120223) requires CCC to identify high risk industrial sites which require auditing (Condition 18a) and other actions relating to industrial site stormwater management (Conditions 18-21). Ravensdown was audited by CCC in October 2017 and a report documenting the findings of the audit and actions required to be undertaken was received in November 2017. The report did not explicitly state that CCC has identified Ravensdown as a 'high risk industrial site.' During the same timeframe, Ravensdown was visited by CRC's Pollution Prevention Officer who similarly issued a report with actions required to be undertaken. Ravensdown is working collaboratively with both Councils to complete the actions requested and provides regular progress updates to both CCC and CRC.

From a regulatory compliance perspective, the key point to highlight is that neither council report has provided clear guidance on the water quality target (absolute standard or objective) that should be met, nor whether the target applies to the receiving water or discharge quality. The lack of guidance and clarity, backed with sound science, in relation to these expectations poses challenges for Ravensdown when considering robust management decisions which have potential significant financial implications.

In other regions in New Zealand, councils have engaged with industrial site owners as a group to address integrated stormwater management. This collaborative approach provides a level platform for councils to engage, educate and set clear expectations that enables industry to respond in a manner appropriate for their particular site. Ravensdown has found this approach beneficial.

4. Policy 4.16 of the Canterbury Land and Water Regional Plan (LWRP)

Clause (e) of Policy 4.16 in the LWRP states that where a discharge is from an existing local authority network, demonstration of a commitment to progressively improve the quality of the discharge to meet water quality outcomes, standards and limits (specified elsewhere in the LWRP) is required as soon as practicable but not later than 2025.

Part of the CCC's amended discharge permit application is intended to "provide additional assurance and certainty around the applicant's demonstration of a commitment to progressively improve the quality of the stormwater discharge." It is reasonable to assume that this commitment would, in turn, require a similar commitment from industry. The consent application, in Ravensdown's opinion, does not clearly articulate how this linkage and thus commitment from industry is to be established. This creates uncertainty around expectations for industrial sites.

5. Consent Conditions

Condition 2(a) excludes discharges from any site listed on CRC's Listed Land Use Register (LLUR) "that is considered by Christchurch City Council to pose an unacceptably high risk of surface water or groundwater contamination" unless the discharge is expressly authorised by CRC and CCC. Ravensdown accepts the intent of this condition but the current wording causes confusion. It suggests that there will be occasions when CCC and CRC would allow discharges that present an unacceptably high risk to both surface and groundwater, however unlikely this scenario might be.

As a site that is listed on the LLUR and therefore could be excluded, there is a lack of clarity as to what CCC might consider an 'unacceptably high risk'. Ravensdown appreciates that CCC might wish to retain some discretion but for an industry facing significant investment in stormwater treatment system upgrades Ravensdown needs more assurance that its investment will satisfy both councils' environmental requirements.

Conditions 4 – 11 provide detail on the purpose of Stormwater Management Plans (SMPs) as the document that will direct improvements in stormwater discharge quality to achieve receiving environment objectives and targets. The advice note to Condition 7 refers to the development of SMPs as a collaborative process but no mention is made of CCC having a requirement to engage with industrial site owners as part of this collaborative process. This is considered an oversight, given the focus elsewhere in the consent application and associated documents of the need for industrial sites to reduce the stormwater contaminant loads discharged to the CCC stormwater network.

CCC should be required to provide the Implementation Plan, required by Conditions 12 – 14, to industrial site owners given that it will specify the maximum stormwater contaminant concentrations that will be accepted into the CCC stormwater network (Condition 14).

Conditions 19 - 25 stipulate that the consent holder will use 'reasonable endeavours' to mitigate the effects of stormwater discharges on water quality, instream sediment quality, aquatic ecology health and mana whenua values. It is unclear whether similar 'reasonable endeavours' to improve the quality of stormwater discharges into the consent holder's network, for example from Ravensdown's Christchurch Works, will be sufficient to satisfy CCC's expectations.

Condition 41 provides scant detail on the expectations for industrial sites. In considering a scenario where an industrial site is added to Schedule 1 and excluded from the CCC discharge permit, the site would need to seek its own discharge permit from CRC. Under Policy 4.16A of the LWRP, the duration of this permit would expire on 1 January 2025 when CCC would be obliged to take the discharge back under its own discharge permit. Rather than excluding industrial sites from CCC's discharge permit for this short period of time, it would seem far more logical, given the collaborative and staged development of SMPs for each catchment to engage with industrial sites as part of that process, set clear expectations for stormwater quality and quantity management with achievable timeframes for implementation and appropriate monitoring. This approach would enable Schedule 1 to be deleted.

6. Monitoring Programme

Ravensdown understands that the Monitoring Programme is focused on monitoring that CCC will undertake to monitor the effectiveness of its own stormwater treatment facilities and the impacts of the network discharge on the receiving environment.

Ravensdown undertakes its own stormwater discharge monitoring on our site and at locations where the discharge enters the CCC network. Discharges from our site have also been monitored by CRC at the site boundary. As a continued means of seeking clarity for industrial sites, it would be helpful if CCC would set clear expectations of any requirements for stormwater discharge monitoring, including a suite of parameters and frequency and whether there is a requirement for the data to be submitted to CCC or held, available on request.

7. Consent Duration

Ravensdown considers that the amended duration of 25 years is appropriate. It provides time for CCC to implement proposed treatment facilities and to monitor the effectiveness of those facilities along with conditions that require stepwise improvements to the discharge quality from the network.

For Ravensdown, this duration provides sufficient certainty for our business to make informed investment decisions in the stormwater treatment upgrades necessary to reduce the contaminant load discharging via the CCC network into Haytons Stream.

Decision Sought

Ravensdown submits that CCC's application for discharge permit CRC190445 should be granted with appropriate conditions, and a duration of 25 years, subject to the matters outlined in this submission being appropriately addressed.

A handwritten signature in blue ink that reads "Anna Wilkes".

Anna Wilkes

Environmental Policy Specialist

31 August 2018