

*under:* the Resource Management Act 1991

*in the matter of:* an application by Christchurch City Council for a  
Comprehensive Stormwater Discharge Consent  
(CRC190445).

## Statement of evidence of Felicity Blackmore

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Dated: 12 November 2018

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REFERENCE: JM Appleyard (jo.appleyard@chapmantripp.com)

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## **STATEMENT OF EVIDENCE OF FELICITY JANE BLACKMORE**

### **INTRODUCTION**

- 1 My full name is Felicity Jane Blackmore.
- 2 I am the Compliance and Development Manager at Christchurch International Airport Limited (*CIAL*). I have held this role since March 2018.
- 3 My qualifications include a Bachelor of Science with Honours from the University of Canterbury.
- 4 I have been authorised by CIAL to provide evidence on its behalf in relation to Christchurch City Council Comprehensive Stormwater Discharge Consent.
- 5 In my evidence I:
  - 5.1 provide a brief overview of Christchurch International Airport;
  - 5.2 outline CIAL's interest in stormwater management at Christchurch International Airport (*the Airport*) (and how it interfaces with the existing resource consents held by CCC); and
  - 5.3 discuss the issue of bird strike and the critical importance of avoiding unacceptable bird strike risk.

### **OVERVIEW OF CHRISTCHURCH INTERNATIONAL AIRPORT**

- 6 CIAL operates the airport, with ownership shared between Christchurch City Holdings Limited with 75% and the New Zealand Government with 25%.
- 7 CIAL is an airport company established under the Airport Authorities Act 1996. Section 3 of that Act confers the power on CIAL to establish, improve, maintain, operate and manage the Airport and acquire land for those purposes.
- 8 By way of brief overview, the Airport:
  - 8.1 is situated 11 kilometres north-west of the Christchurch City Centre surrounded by rurally zoned land. It is the largest airport in the South Island and is the country's second largest airport;
  - 8.2 provides a full spectrum of destinations in New Zealand, Australia, Asia and the Pacific utilising a variety of airlines;

- 8.3 is a place of employment to over 6,500 people – including, for example, the excess of over 1,200 engineering staff employed on shifts and over 2,500 involved in Warehousing, Freight and Distribution activities;
- 8.4 allows approximately 6.9 million passengers to travel per year (and is continuing to increase); and
- 8.5 is a major driver of the regional Canterbury economy. Output from CIAL’s latest economic impact study<sup>1</sup> for example reports that in the year to June 2017, the total economic impact of Christchurch International Airport on the Canterbury Region was an estimated \$2.6 billion in GDP, which gave rise to the employment of approximately 23,930 FTEs. This is approximately 7.6 percent of the total GDP generated in the regional economy and 8.5 percent of regional employment.
- 9 In addition to the above I note that in February 2014 CIAL began a ten-year strategy review process. This revised strategy has been dubbed “Real Growth 2025”. CIAL has defined its long-term success both in terms of what it wants to achieve and in terms of how this will positively contribute to the City and the Country’s social and economic outcomes.
- 10 In 2025, aspirational success will look like this:

OBJECTIVES	8.5 Million Passengers p.a.
	\$1 Billion in new GDP (South Island and NZ)
	10,000 new jobs for the South Island and NZ
	Sustainable 6-7% post tax return on equity

- 11 Of course, achieving the above is dependent on the environment and regulatory framework both protecting Airport operations and enabling growth. This includes, for example, maintaining or enabling:
- 11.1 suitable regulatory frameworks, both directly related to aviation under (for example) the Commerce Act and locally in relation to suitable planning regulation and policy;

<sup>1</sup> An Economic Impact Assessment of Christchurch International Airport, BERL, December 2017

- 11.2 the Christchurch City rebuild continuing, which influences domestic and international tourist growth (CIAL is basing assumptions off the most recently published time lines); and
- 11.3 the aviation market, airline dynamics and the competitive behaviour of other airports and regions.
- 12 Within the above, two issues are of critical importance. The first is ensuring CIAL holds the appropriate regulatory authorisations such that it is able undertake its operations (such as its designation which provides for Airport purposes). The second is ensuring that third party activities which might impact on the airport are appropriately managed (such as stormwater/bird strike risk and activities within the noise contours and approach slopes).

### **STORM WATER MANAGEMENT AT CHRISTCHURCH AIRPORT**

- 13 The Airport is not connected to the Christchurch City Council Stormwater reticulation system, and as such all stormwater discharges on the Airport campus are managed through a CIAL owned and operated stormwater network.
- 14 The stormwater network on the Airport campus consists of a series of collection and treatment devices which discharge stormwater directly back into the ground and into the underlying groundwater table.
- 15 As the Airport is located above the unconfined aquifer system resource consent is required from Environmental Canterbury under the Land and Water Plan for all discharges on the Airport Campus (as has been the case with the preceding Regional Plans).
- 16 Stormwater discharges are currently authorised by at least 10 discharge consents. These can be divided between consents that are widespread in their application and those that are site specific (and which were obtained in circumstances where the more 'global' consents could not be relied on – typically for large scale fuel storage or works around historic landfill sites).
- 17 Over time, obtaining appropriate discharge consents has required a significant commitment by CIAL. This has not always been a straight forward matter with in some cases public notification and appeals to the Environment Court (by submitters) occurring.
- 18 Most of these resource consents are held by CIAL - however one of the key resource consents is held by Christchurch City Council (CCC).
- 19 Those of a more 'global' nature (and which are relevant to this evidence) are listed in **Table 1:**

**Table 1: Core wider/global consents**

<b>Consent Number</b>	<b>Permit type</b>	<b>Consent Location</b>	<b>Expiry date</b>	<b>Permit Holder</b>
CRC000315	To discharge water and contaminants into land within Christchurch City for the purpose of discharging stormwater to ground soakage from residential, commercial and industrial roofing and residential hard standing areas.	Within the Boundary of The Christchurch City Council, CHRISTCHURCH  <b>(roofs /hard stand – although relied on by CIAL for roofs)</b>	20 October 2034	Christchurch City Council
CRC174395	To discharge stormwater to Land	Christchurch International Airport, Christchurch  <b>(mainly expansion areas but excludes roofs)</b>	11 February 2035	Christchurch International Airport Limited
CRC000013.3	To discharge contaminants to land	Christchurch International Airport, Memorial Avenue, HAREWOOD  <b>(historic landside area only/does not cover expansion)</b>	11 February 2035	Christchurch International Airport Limited
CRC981129.2	To discharge stormwater to land	Christchurch International Airport, Memorial	10 June 2033	Christchurch International Airport Limited

		Avenue, HAREWOOD  (hardstand areas within the airside boundary only)		
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- 20 The relationship between what are partially overlapping consents is clearly complex. To assist I have also included in **Appendix 1** a plan that attempts to show how the consents relate to each other.
- 21 This plan was attached to an earlier (2006) consent decision and in some cases does not record the latest consent numbers so some explanation will also assist. In short:
- 21.1 the pink area is the air-side area that is covered by CRC981129.1 (CIAL). This covers all stormwater and other discharges in the runway/air-side areas;
- 21.2 the blue area is where expansion of the land-side areas and is what is referred to in the plan as being covered by decision C162/2006. This is now resource consent CRC174395 (CIAL). The conditions of CRC174395 allow expansion but specifically exclude discharges from roofs (as resource consent for roof water discharge is provided separately under CRC000315, which is held by CCC);
- 21.3 more historic land-side areas are consented under CRC000013.2 (CIAL) and shown in yellow. This consent includes hardstand areas, roads and roofs but only in respect of historic areas; and
- 21.4 the green area shows that consented under CRC000315 (held by CCC). This consent is described on the plan as covering recent land-side areas and is the consent that covers the discharge from roofs.
- 22 In simple terms this means that since around 2007, when CIAL has been undertaking any development in the Airport Campus Area it has relied on a combination of resource consents CRC174395 and CRC000315 (held by CCC).
- 23 CIAL is solely reliant on CRC000315 for the discharge of stormwater from roofs in all development that has taken place since 2006 (and for all future development).

- 24 For completeness I note that:
- 24.1 the plan in **Appendix 1** also shows the site specific consents that are held in relation to site specific developments (again, typically bulk fuel storage or works in areas where fuel storage will occur). These are not relevant for my evidence; and
  - 24.2 there have been some consent variations since the original grant such that the areas shown may not be fully up to date – but again, for the purposes of this evidence the map demonstrates the complexities applying to storm water discharge at the Airport.
- 25 Prior to preparing this evidence, CIAL raised its concerns around the potential surrender of CRC000315 with legal counsel for CCC.
- 26 Copies of the relevant correspondence are attached as **Appendix 2**.

### **BIRD STRIKE**

- 27 The need to manage the risk of bird strike is something that has received increasing recognition in recent years. Waterbodies, including poorly designed and managed stormwater facilities present a risk to airport operations and public safety through providing habitats, proximate to airport approach and take off paths that are an attractant to bird species, increasing the risk of collision.
- 28 The risk of bird strike on an airport relates to the level and form of bird activity both within the boundary of an airport and in surrounding areas. In short, birds attracted to land uses around airports can migrate onto the airport itself or across flight paths.
- 29 Bird habitat attractants include food, water and shelter. Birds will and do track across the airport and its flight paths seeking new habitat, food sources, water bodies or other land uses attractive to them.
- 30 In the greater Christchurch context there has been, at least until recently, relatively limited recognition in planning framework of bird strike as a risk to aviation (and a risk that needs to be considered by land use developments).
- 31 The International Civil Aviation Organisation (*ICAO*) advises best practice principles of wildlife hazard management in aviation based on considered deliberation of global experts through the International Bird Strike Committee. Those principles include recommended distances around an aerodrome that should be monitored and controlled for any practice or industry which could attract birds which may then occupy critical airspace and increase

strike risks.

- 32 Informed by the likes of ICAO, CIAL undertook for the first time to raise the issue of the need for a cohesive approach to the regulation of bird strike risks in submissions on the Christchurch Replacement District Plan process and it was successful, in part, in having the issue identified in both the Strategic Directions Chapter and in rules regulating certain activities.
- 33 The role of CIAL is however ongoing and includes participating in resource consent processes to ensure any risk of bird strike is appropriately managed.
- 34 The evidence of **Mr Brian Norton** for Christchurch City Council, identifies [201] the concerns raised by CIAL in this manner as these relate to CRC19045. I have read and agree with Mr Norton's paragraph [204] where he states:

*I consider this an important design matter that the Council must consider on an SMP-specific scale. I therefore recommend that the following be added as an additional bullet point to proposed Condition 6 of the consent which sets the requirements for the content of SMPs:*

*Consideration of the risk of birdstrike in the location, design and implementation of any stormwater mitigation systems within 3km of the Christchurch International Airport.*

- 35 I also note that the 3km boundary identified by Mr Norton is consistent with the application of Rule 6.7.4.3(P3) in the Christchurch District Plan which regulates the provision of new stormwater basins. However, I am of the view that further guidance be provided in the Condition recommended so as to further accord with those requirements, and also provide greater guidance as to the management tools available to further reduce the attractiveness of stormwater facilities to higher risk bird species.
- 36 AAdditions to condition 6 are sought as follows:

6 ~~Consideration~~ **Management** of the risk of birdstrike in the location, design and implementation of any stormwater mitigation systems within 3km of the Christchurch International Airport through ensuring:

a) ~~Stormwater infiltration basins are designed to fully drain within 48 hours of the cessation of a 2% AEP storm event; and~~

*b) Sufficient rapid soakage overflow capacity is provided to minimise any ponding of stormwater outside the infiltration area(s).*

37 The management plans (or conditions) could also be improved by the addition requirements to:

37.1 consider methods to:

- (a) limit the size of a detention facility;
- (b) prevent of bird access through deployment of nets/wires or other exclusion devices;
- (c) design and landscaping of banks to limit attraction; and
- (d) appropriately managing vegetation on and around water bodies;

37.2 only undertake development of landscapes that avoids or limits feeding, roosting and nesting opportunities - including selecting plant species to limit attraction; and

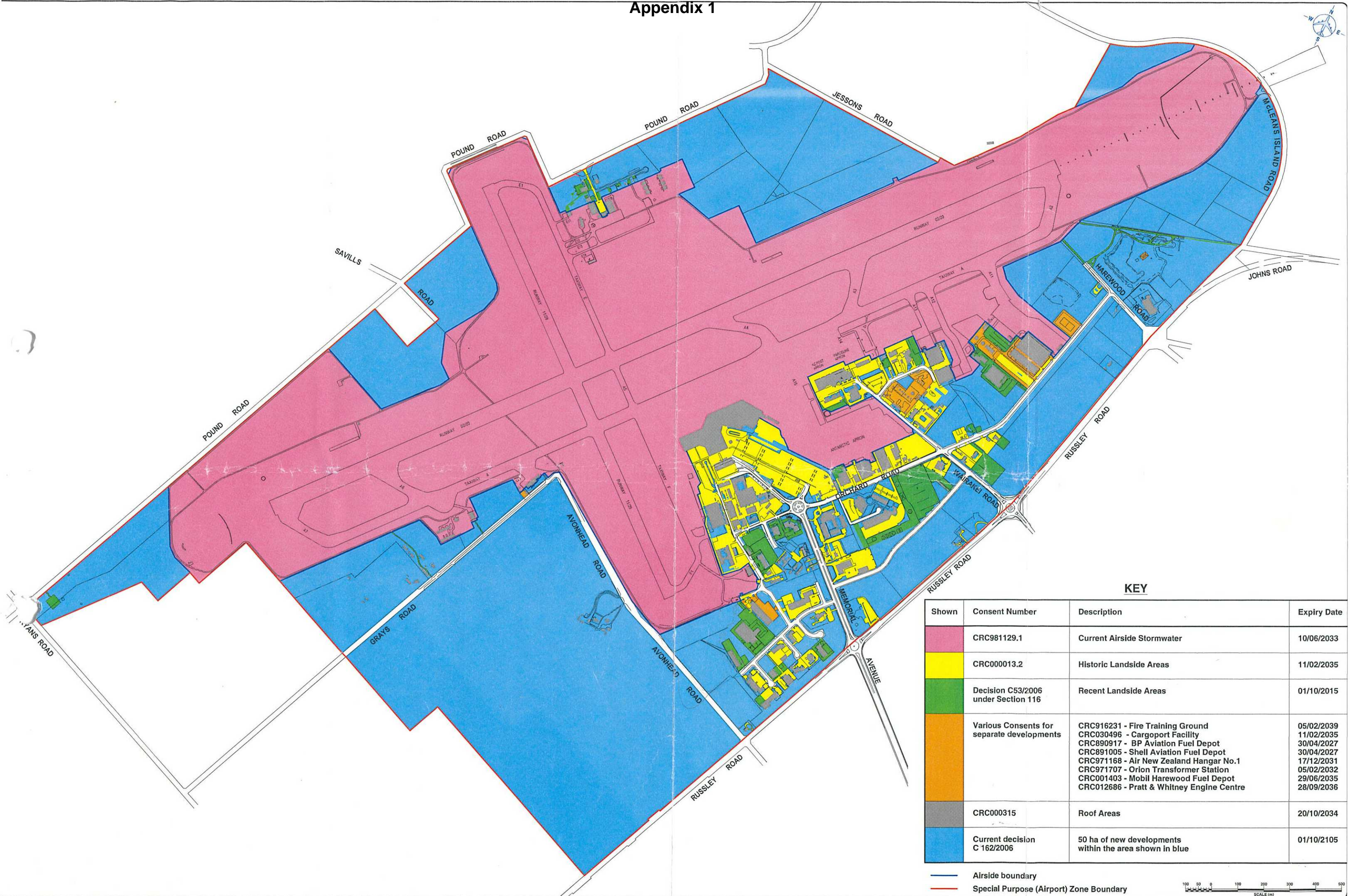
37.3 consult with CIAL when preparing/undertaking any site specific development that might raise bird strike issues.

38 With these amendments in place the resource consent (and relevant management plan) will better align with the regulatory regime for the management of bird strike risk around the Airport.

Dated: 12 November 2018

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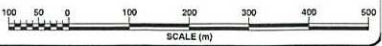
**Felicity Blackmore**



KEY

Shown	Consent Number	Description	Expiry Date
	CRC981129.1	Current Airside Stormwater	10/06/2033
	CRC000013.2	Historic Landside Areas	11/02/2035
	Decision C53/2006 under Section 116	Recent Landside Areas	01/10/2015
	Various Consents for separate developments	CRC916231 - Fire Training Ground CRC030496 - Cargoport Facility CRC890917 - BP Aviation Fuel Depot CRC891005 - Shell Aviation Fuel Depot CRC971168 - Air New Zealand Hangar No.1 CRC971707 - Orion Transformer Station CRC001403 - Mobil Harewood Fuel Depot CRC012686 - Pratt & Whitney Engine Centre	05/02/2039 11/02/2035 30/04/2027 30/04/2027 17/12/2031 05/02/2032 29/06/2035 28/09/2036
	CRC000315	Roof Areas	20/10/2034
	Current decision C 162/2006	50 ha of new developments within the area shown in blue	01/10/2105

— Airside boundary  
— Special Purpose (Airport) Zone Boundary



4 October 2018

Brent Pizzey  
Associate General Counsel  
Legal Services Unit  
Christchurch City Council  
53 Hereford Street  
Christchurch 8013

FROM: Jo Appleyard  
DIRECT: +64 3 353 0022  
MOBILE: +64 27 444 7641  
EMAIL: jo.appleyard@chapmantripp.com  
REF: 100345598/1253169.2

**by email: Brent.Pizzey@ccc.govt.nz**  
**Cc: Brian.Norton@ccc.govt.nz**

Dear Brent

**CCC APPLICATION TO DISCHARGE STORMWATER – CHRISTCHURCH  
INTERNATIONAL AIRPORT LIMITED**

- 1 We refer to our discussion yesterday.
- 2 We act for Christchurch International Airport Limited (CIAL) who are a submitter on the upcoming application CRC190445.
- 3 A brief history of the issue I raised with you yesterday is that I was involved as counsel for CIAL during an Environment Court hearing in 2006 relating to applications by CIAL for consents to discharge storm water onto land owned by CIAL.
- 4 At the time there was multiple overlapping consents relating to stormwater discharges on CIAL owned land and the Environment Court expressed considerable frustration with the confusion that resulted from having activities covered by more than one consent.
- 5 At the specific direction of the Court we were required to produce maps showing which parts of the airport were covered by various consents and which required a new consent to be issued by the Court either because there was no consent, or where an existing consent had only a short duration. The Court made it clear that it did not wish to entertain the idea of the new consent overlapping with existing consents which would cover a stormwater discharge into the long term.
- 6 With regard to discharges from roof areas (for both existing buildings and future buildings) CIAL made enquiries of CCC who confirmed that discharges from roof areas would be authorised under their own consent CRC000315. The Court records at paragraph 19 of its decision C162/2006:

*[19] Christchurch City Council holds a general resource consent for all stormwater discharges from roofs into the city. This permits discharge directly to ground via*

*soakage pits. Curiously CRC 000013.2 also permits roof discharges for those buildings identified.*

- 7 One of the maps we provided is attached to decision C162/2006 and is also **attached** as appendix A to this letter. It shows the existing roof areas at that time which were covered by CRC000315 and that the Court was advised that consent had an expiry date of 2034. The Court was advised that CIAL was authorised to rely on CRC000315 until 2034.
- 8 The consent which was issued by the Environment Court relating to discharges from CIAL owned land therefore **expressly excludes** discharges from roof areas.
- 9 Please note that the consent issued under C162/2006 has had various amendments since 2006 and now has the reference CRC174395. The relevant condition which excludes roofs has not changed however. The consent expires in February 2035 which brings it in line with the expiry of CRC000315 in October 2034.
- 10 Since 2006 the practice has been for CIAL to advise CCC that a new building is to be covered by CRC000315 at the time it applies for building consent. Usually the building itself is permitted by the airport's designation or the rules of the Specific Purpose Airport Zone and other stormwater discharges are authorised by CRC174395 so there are no resource consents required.
- 11 During processing of the current application representatives of CIAL have been in contact with Brian Norton. CIAL has specifically asked questions about CRC000315 and in particular whether it is likely to be surrendered? CIAL is concerned that it would need to take steps to have its own consent CRC174935 varied prior to surrender of CRC000315 to cover roof areas. Copies of emails on the topic are **attached** as appendix B. Please note the email dated 26 September states that *"either way there are no plans to surrender CRC000315 at this time."*
- 12 We have now read the section 42A report prepared in relation to CRC190445. The Officer states in paragraph 15:

*The CSNDC, if granted, will replace resource consent CRC090292, and it is understood that the Applicant will surrender resource consents CRC120223, CRC131249 and CRC000315, if this comprehensive resource consent is granted.*
- 13 We have also considered paragraphs 49 – 52 of the s42A report. Those paragraphs raise the following issues of concern:
  - 13.1 The July 2018 draft condition 1(c) appears to be intended to cover CIAL discharges from roof areas.
  - 13.2 However CIAL involves a site which would fall within the exclusions set out in paragraphs (a) and (b) of paragraph 49 of the Officer's report and which are reflected in draft condition 2.
  - 13.3 The surrender of CRC000315 would place CIAL in position from the time of the grant of CRC190445 that its discharges from existing and future roofs are unconsented.

- 14 It occurs to us that there are potential practical solutions to the problem which might involve the following:
- 14.1 CRC174395 is varied now with the agreement of ECan through a non-notified process to remove the exclusion of discharges from roof areas. This is on the basis that the activity falls within the existing permitted baseline created by CRC000315 which the Environment Court was advised would cover discharges from roofs on land owned by CIAL through to 2034; or
  - 14.2 CRC000135 is partially transferred to CIAL insofar as it relates to roof areas on land owned by CIAL; or
  - 14.3 CRC000135 continues to be held by CCC and is not surrendered insofar as it relates to discharges from roofs on land owned by CIAL; or
  - 14.4 the July 2018 set of conditions of CRC190445 are redrafted to make it clear that storm water discharges from existing and future roof areas on land owned by CIAL are intended to be covered by condition 1(c) and will not be caught by any of the exclusions in condition 2; or
  - 14.5 the conditions are redrafted to make it clear that the surrender of CRC000135 will not occur unless and until CCC and CRC have given authorisation under condition 2 to discharges from all existing and future roof areas on land owned by CIAL.
- 15 We would be grateful if you could give some urgent attention to this issue and give me a call to discuss potential ways forward. Obviously we are operating in a fairly tight timeframe given the upcoming need for evidence to be lodged and then hearing.
- 16 Please also let us know whether we need to formally apply to amend CIAL's existing submission to specifically add this additional issue. We cannot see the Commissioners refusing to allow us to amend the submission as:
- (a) CIAL is already a submitter; and
  - (b) the issues are raised within the scope of other broader submissions overall.

17 Thanking you.

Yours sincerely

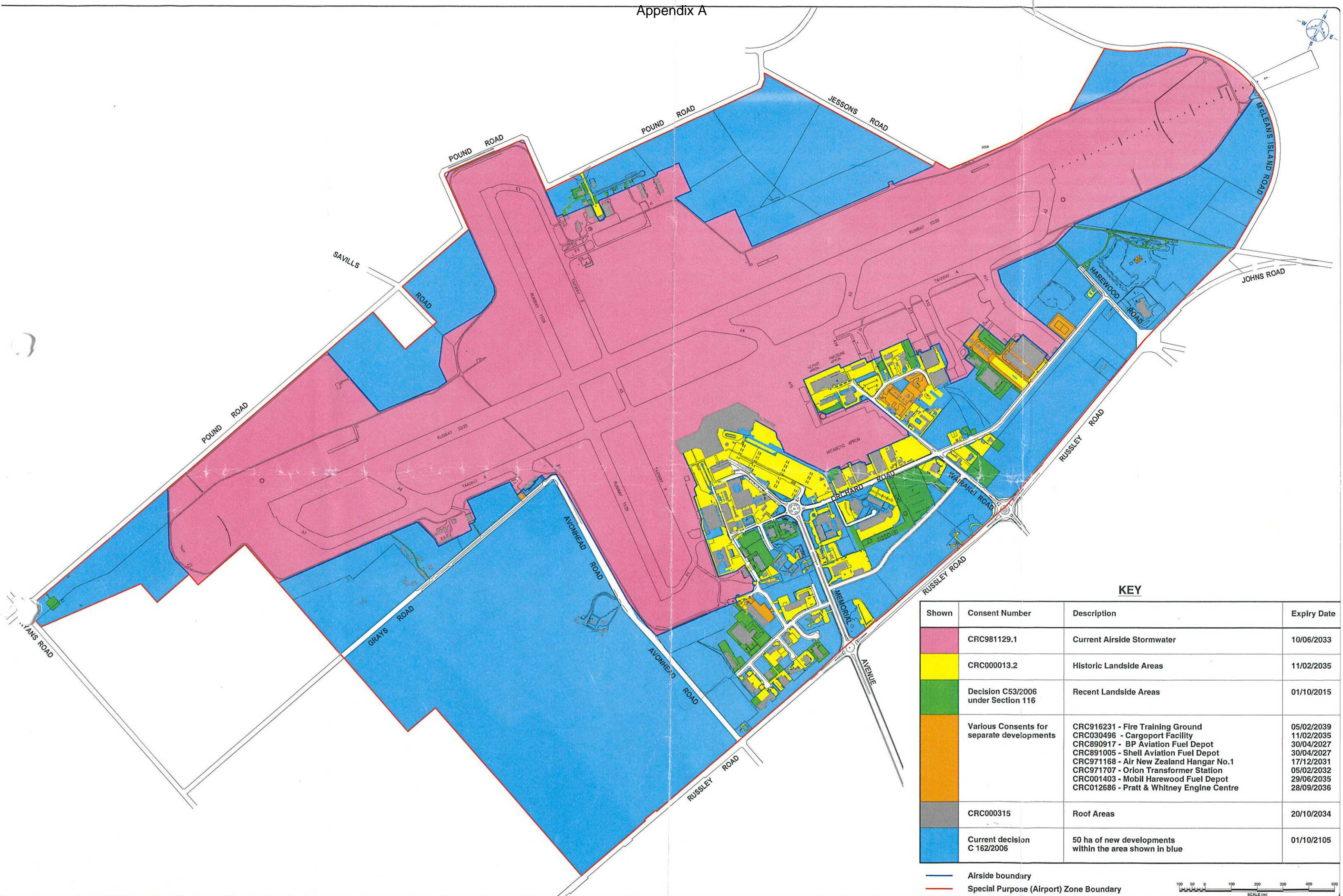


Jo Appleyard

PARTNER

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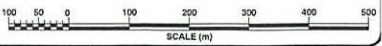
EMAIL: jo.appleyard@chapmantripp.com



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	Current decision C 162/2006	50 ha of new developments within the area shown in blue	01/10/2105

— Airside boundary  
— Special Purpose (Airport) Zone Boundary



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**From:** Felicity Blackmore  
**Sent:** Thursday, 27 September 2018 3:07 p.m.  
**To:** Norton, Brian <[Brian.Norton@ccc.govt.nz](mailto:Brian.Norton@ccc.govt.nz)>  
**Cc:** 'Fiona Ambury' <[Fiona@whiterockconsulting.co.nz](mailto:Fiona@whiterockconsulting.co.nz)>  
**Subject:** RE: CCC roof water consent CRC000315

Hi Brian

Further to Fiona's email – yes it does happen at the building consent phase. Edwin Nystad is the CIAL building consent case manager, from what I understand Edwin replaced Marie Holland as the case manager earlier this month. Ed or Marie may be able to shed more light on how this process works.

CIAL have a few different stormwater consents discharge consents, our main landside SW consent CRC174395 specifically excludes discharge from roof water (this consent has been varied several times since the original consenting process. Roof water discharge has been specifically excluded as this was already consented under CRC000315).

I am happy to give you an overview on the CIAL SW discharge consent framework if this would be useful?

Thanks  
Felicity

**Felicity Blackmore**  
**Development and Compliance Manager**  
  
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**P** PO Box 14001, Christchurch 8544, New Zealand



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**From:** Fiona Ambury <[Fiona@whiterockconsulting.co.nz](mailto:Fiona@whiterockconsulting.co.nz)>  
**Sent:** Thursday, 27 September 2018 2:20 p.m.  
**To:** Norton, Brian <[Brian.Norton@ccc.govt.nz](mailto:Brian.Norton@ccc.govt.nz)>; Felicity Blackmore <[Felicity.Blackmore@cial.co.nz](mailto:Felicity.Blackmore@cial.co.nz)>  
**Subject:** RE: CCC roof water consent CRC000315

Hi Brian

I think this happens at the building consent phase. I was asked a question by CIAL just last week in response to a query on the compliance with this consent during a building consent audit. This is what reminded me to contact you to see what CCC's plans were for the consent.

Regards,  
Fiona

Fiona Ambury - BE Hons (Natural Resources), CMEngNZ, CPEng, IntPE(NZ)  
Environmental Engineer  
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**From:** Norton, Brian <[Brian.Norton@ccc.govt.nz](mailto:Brian.Norton@ccc.govt.nz)>  
**Sent:** Thursday, 27 September 2018 2:10 p.m.  
**To:** 'Felicity Blackmore' <[Felicity.Blackmore@cial.co.nz](mailto:Felicity.Blackmore@cial.co.nz)>  
**Cc:** Fiona Ambury <[Fiona@whiterockconsulting.co.nz](mailto:Fiona@whiterockconsulting.co.nz)>  
**Subject:** RE: CCC roof water consent CRC000315

Hi Felicity,

Have CIAL been given explicit permission by Council to operate under CRC000315 in these cases? I'm just aware that we haven't issued many authorisations under this consent for a long time.

Thanks

Brian Norton

*Senior Stormwater Planning Engineer*  
3 Waters & Waste Planning  
City Services Group  
DDI 03 941 8394  
Email [brian.norton@ccc.govt.nz](mailto:brian.norton@ccc.govt.nz)  
Web [www.ccc.govt.nz](http://www.ccc.govt.nz)

Christchurch City Council  
53 Hereford Street, Christchurch  
PO Box 73014, Christchurch 8154

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**From:** Felicity Blackmore [<mailto:Felicity.Blackmore@cial.co.nz>]  
**Sent:** Thursday, 27 September 2018 2:03 p.m.  
**To:** Norton, Brian <[Brian.Norton@ccc.govt.nz](mailto:Brian.Norton@ccc.govt.nz)>  
**Cc:** Fiona Ambury <[Fiona@whiterockconsulting.co.nz](mailto:Fiona@whiterockconsulting.co.nz)>  
**Subject:** RE: CCC roof water consent CRC000315

Thanks Brian

If CCC position should change on CRC000315 we would appreciate a heads up, as I am sure you are aware CIAL rely on this consent for majority of our roof water discharges for existing and new developments. If the status of this consent was to change CIAL would need to go through a consenting process which would take some time.

We appreciate your time on this one.

Thanks  
Felicity

**Felicity Blackmore**  
**Development and Compliance Manager**

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**P** PO Box 14001, Christchurch 8544, New Zealand



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**From:** Norton, Brian <[Brian.Norton@ccc.govt.nz](mailto:Brian.Norton@ccc.govt.nz)>  
**Sent:** Wednesday, 26 September 2018 5:07 p.m.  
**To:** Felicity Blackmore <[Felicity.Blackmore@cial.co.nz](mailto:Felicity.Blackmore@cial.co.nz)>  
**Cc:** Fiona Ambury <[Fiona@whiterockconsulting.co.nz](mailto:Fiona@whiterockconsulting.co.nz)>  
**Subject:** RE: CCC roof water consent CRC000315

Hi Felicity,

Was this covered in CIAL's submission on CRC190445? At this point I'm probably not able to significantly engage with the Airport on matters related to the consent outside the scope of submissions. In short, however, all other things being equal, if there are roof discharges into land covered by CRC000315 they would continue to be covered by CRC190445. Either way, there are no plans to surrender CRC000315 at this time.

Regards,

Brian Norton

*Senior Stormwater Planning Engineer*  
3 Waters & Waste Planning  
City Services Group  
DDI 03 941 8394  
Email [brian.norton@ccc.govt.nz](mailto:brian.norton@ccc.govt.nz)  
Web [www.ccc.govt.nz](http://www.ccc.govt.nz)

Christchurch City Council  
53 Hereford Street, Christchurch  
PO Box 73014, Christchurch 8154

Please consider the environment before printing this email

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**From:** Felicity Blackmore [<mailto:Felicity.Blackmore@cial.co.nz>]  
**Sent:** Wednesday, 26 September 2018 4:58 p.m.  
**To:** Norton, Brian <[Brian.Norton@ccc.govt.nz](mailto:Brian.Norton@ccc.govt.nz)>

**Cc:** Fiona Ambury <[Fiona@whiterockconsulting.co.nz](mailto:Fiona@whiterockconsulting.co.nz)>

**Subject:** RE: CCC roof water consent CRC000315

Hi Brian

I am following up on an email chain between you and Fiona Ambury in regards to the roof water discharge consent (CRC000315) and the CSDC (CRC190445).

As Fiona details below discharge from roofs at CIAL are covered under CRC000315 and therefore surrendering of this consent would affect CIAL. I am keen to understand the scope of the CRC190445 and how this might impact the current CCC roof water consent.

Would it be possible to meet up to have a look at this in more detail?

Thanks

Felicity

**Felicity Blackmore**

**Development and Compliance Manager**

**T** 03 353 7716

**M** 027 201 2330

**E** [felicity.blackmore@cial.co.nz](mailto:felicity.blackmore@cial.co.nz)

**W** [christchurchairport.co.nz](http://christchurchairport.co.nz)

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**From:** Fiona Ambury <[Fiona@whiterockconsulting.co.nz](mailto:Fiona@whiterockconsulting.co.nz)>

**Sent:** Tuesday, 25 September 2018 9:43 a.m.

**To:** Felicity Blackmore <[Felicity.Blackmore@cial.co.nz](mailto:Felicity.Blackmore@cial.co.nz)>; Jessica Royal <[Jessica.Royal@cial.co.nz](mailto:Jessica.Royal@cial.co.nz)>; Leila Chrystall <[Leila.Chrystall@cial.co.nz](mailto:Leila.Chrystall@cial.co.nz)>

**Subject:** FW: CCC roof water consent CRC000315

Hi

See below for the brief email discussion I have had with Brian Norton at CCC regarding the old CCC global roof water consent (CRC000315). As you all know the CIAL consents do not include the discharge of roof water because this was covered by the CCC consent. But I now think it is worth looking at either getting a new consent for CIAL roof water or adding roof water onto the existing consent. It may also be worth meeting with Brian to discuss their new global consent (CSNDC stands for comprehensive stormwater network discharge consent). This is being processed under CRC190445.

In a draft set of condition I found in a Google search I came across these exclusions which may impact on CIAL roof water discharges. There is no date on these conditions but this set of exclusions is fairly common for City and District Council global consents.

## Exclusions

2. There shall be no discharge to land or surface water from the following unless expressly authorised by Canterbury Regional Council and Christchurch City Council:
  - a. Any site or development area on the Canterbury Regional Council's Listed Land Use Register that is considered by Christchurch City Council to pose an unacceptably high risk of surface water or groundwater contamination;
  - b. Any stage of development with a total area of disturbance exceeding 5 hectares on flat land or 1 hectare on hill land; and
  - c. Any site listed on the attached Schedule 1 'Sites excluded from the Christchurch City Council Comprehensive Stormwater Network Discharge Consent'.

Fiona Ambury - BE Hons (Natural Resources), CMEngNZ, CPEng, IntPE(NZ)  
Environmental Engineer

**WHITEROCK CONSULTING LTD**

638 Carrs Rd, RD2, Rangiora 7472

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**From:** Norton, Brian <[Brian.Norton@ccc.govt.nz](mailto:Brian.Norton@ccc.govt.nz)>  
**Sent:** Tuesday, 25 September 2018 9:29 a.m.  
**To:** Fiona Ambury <[Fiona@whiterockconsulting.co.nz](mailto:Fiona@whiterockconsulting.co.nz)>  
**Subject:** RE: CCC roof water consent CRC000315

It could, but we would need to understand the risk.

---

**From:** Fiona Ambury [<mailto:Fiona@whiterockconsulting.co.nz>]  
**Sent:** Tuesday, 25 September 2018 9:18 a.m.  
**To:** Norton, Brian <[Brian.Norton@ccc.govt.nz](mailto:Brian.Norton@ccc.govt.nz)>  
**Subject:** RE: CCC roof water consent CRC000315

Hi

Would the CSNDC cover new roof water discharges to land (via soak pits) at CIAL?

Thanks,  
Fiona

Fiona Ambury - BE Hons (Natural Resources), CMEngNZ, CPEng, IntPE(NZ)  
Environmental Engineer

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**From:** Norton, Brian <[Brian.Norton@ccc.govt.nz](mailto:Brian.Norton@ccc.govt.nz)>  
**Sent:** Tuesday, 25 September 2018 9:14 a.m.  
**To:** Fiona Ambury <[Fiona@whiterockconsulting.co.nz](mailto:Fiona@whiterockconsulting.co.nz)>; Keenan, Sheryl <[Sheryl.Keenan@ccc.govt.nz](mailto:Sheryl.Keenan@ccc.govt.nz)>  
**Subject:** RE: CCC roof water consent CRC000315

Hi Fiona,

We haven't had too much discussion around this but I personally would like to surrender redundant global consents once our CSNDC is issued (maybe around the start of 2019).

Our new consent can cover roofs of existing sites.

Regards  
Brian

---

**From:** Fiona Ambury [<mailto:Fiona@whiterockconsulting.co.nz>]  
**Sent:** Friday, 21 September 2018 4:23 p.m.  
**To:** Keenan, Sheryl <[Sheryl.Keenan@ccc.govt.nz](mailto:Sheryl.Keenan@ccc.govt.nz)>; Norton, Brian <[Brian.Norton@ccc.govt.nz](mailto:Brian.Norton@ccc.govt.nz)>  
**Subject:** CCC roof water consent CRC000315

Hi Sheryl and Brian

I hope all is well with you both. I help Christchurch International Airport Limited (CIAL) with the management of their global stormwater consents. At the moment their consents do not include the discharge of roof water to land because this is authorised under CCC consent CRC000315. I just wanted to check to see what plans CCC had for this consent. Are they likely to retain it until it expires (2034) or will it be surrendered when other global consents are finalised? If there is the possibility of CCC surrendering this consent then do you have an idea of time frames? We just need time to get a suitable consent in place so a heads up would be appreciated.

Cheers,  
Fiona

Fiona Ambury - BE Hons (Natural Resources), CMEngNZ, CPEng, IntPE(NZ)  
Environmental Engineer  
**WHITEROCK CONSULTING LTD**  
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**From:** Pizzey, Brent <Brent.Pizzey@ccc.govt.nz>  
**Sent:** Tuesday, 16 October 2018 6:48 PM  
**To:** Jo Appleyard  
**Cc:** Norton, Brian  
**Subject:** CIAL discharges within scope of CSNDC application  
**Attachments:** Letter to Brent Pizzey at CCC.pdf

Hi Jo, thanks for your attached letter.

Brian Norton has responded to it in paragraphs 131 and 206 of his evidence lodged yesterday, available on the Ecan website. The working draft changes to conditions proposed in the CCC evidence is appended to the planning evidence of Jane West.

Please let us know whether this addresses your client's concern. Brian is available to discuss any remaining concerns with your client directly if that suits.

Regards  
Brent

## **Brent Pizzey**

**Associate General Counsel**  
Legal Services Unit

**DDI** 03 9415550  
**Fax** 03 941 6441  
**Mobile** 0275539368  
**Email** [brent.pizzey@ccc.govt.nz](mailto:brent.pizzey@ccc.govt.nz)  
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**Christchurch City Council**  
Civic Offices, 53 Hereford Street, Christchurch  
PO Box 73015, Christchurch, 8154



Please consider the environment before printing this email

19 October 2018

Brent Pizzey  
Associate General Counsel  
Legal Services Unit  
Christchurch City Council  
53 Hereford Street  
Christchurch 8013

FROM: Jo Appleyard  
DIRECT: +64 3 353 0022  
MOBILE: +64 27 444 7641  
EMAIL: jo.appleyard@chapmantripp.com  
REF: 100347486/1254064.0

**By email: Brent.Pizzey@ccc.govt.nz**  
**Cc: Brian.Norton@ccc.govt.nz**

Dear Brent

**CCC APPLICATION TO DISCHARGE STORMWATER – CHRISTCHURCH  
INTERNATIONAL AIRPORT LIMITED**

- 1 Thank you for providing a reference to Brian Norton's evidence dealing with the issues raised by Christchurch International Airport Limited (CIAL) in our letter dated 4 October 2018. We have also read the draft conditions attached to Jane West's evidence.
- 2 The draft conditions address some, but not all, of the issues raised by CIAL. The redrafted conditions deal with the authorisation of discharges from existing roofs at CIAL including those which have been developed since the Court's decision in 2007 but do not authorise discharges from roofs from developments authorised by the Court but which are as yet unbuilt.
- 3 Under consent CRC174395 the Court granted consent to the discharge of:

1

- a. *Stormwater from compacted hardstand areas, excluding roofs, on land owned by Christchurch International Airport Limited (CIAL) comprising the following:*
  - i. *Existing discharges described as "Existing: established 1 Oct 2005 – 11 May 2007" (orange areas), "Existing: established 11 May 2007 – 1 May 2014" (green areas) as shown in Plan CRC174395A which is attached to and forms part of this resource consent; and*
  - ii. *Discharge from an additional maximum of 100 hectares of compacted hardstand area, within the area, including hardstanding areas covered by roofs above the extent of development as at 1 May 2014, labelled as "undeveloped at 1 May 2014", and shown in blue and purple on Plan CRC174395A.*

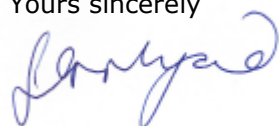
*b. Stormwater generated from exposed areas during construction as identified Condition 1.a.ii.*

- 4 With respect to condition 1a(ii) CRC174395 also provides in condition 40(j) that CIAL is to provide an annual report showing a detailed breakdown and calculation of new hardstand, compacted or building areas installed during the year and total of new hardstand installed since the commencement of consent.
- 5 As at 31 August 2018 32.58ha hectares of the 100 hectares authorised has been built and discharges from those roofs will be covered by your draft condition 1.
- 6 However, draft condition 2 means that there is still 67.42 hectares authorised under condition 1a(ii) which is unbuilt, where the Court had been advised that the discharge from roofs would be covered by CRC000315 until October 2034.
- 7 We do not consider that it is appropriate for CCC to resile from this now by surrendering CRC000315.
- 8 To get around the problem where upon the surrender of CRC000315 there would be a "hole" in the consenting regime we suggest the following addition to draft condition 1:

*g. is a discharge from roofs on land owned by Christchurch International Airport Limited within the areas for development authorised by condition 1a(ii) of CRC174395.*

- 9 Given the timeframe for the exchange of evidence we would be grateful if you could consider this matter and get back to us as a matter of some urgency.

Yours sincerely



Jo Appleyard

PARTNER

DIRECT: +64 3 353 0022

EMAIL: jo.appleyard@chapmantripp.com

---

**From:** Pizzey, Brent <Brent.Pizzey@ccc.govt.nz>  
**Sent:** Tuesday, 23 October 2018 1:59 PM  
**To:** Jo Appleyard <Jo.Appleyard@chapmantripp.com>  
**Cc:** Norton, Brian <Brian.Norton@ccc.govt.nz>; McDonnell, Kevin <Kevin.McDonnell@ccc.govt.nz>  
**Subject:** FW: CSNDC: CIAL request change to consent conditions  
**Importance:** High

Good afternoon Jo

I refer to your letters dated 4 and 19 October.

The conditions proposed by the applicant operate in the following manner in relation to the discharge that you describe in those letters:

1. Discharge into land from both existing roofs, and roofs to be built in future development, is within scope of the proposed consent: condition 1(c).
2. There will be the ability for the CCC to seek to exclude discharge from roofs to land from new development in the CIAL area if the CCC considers that the discharge poses an unacceptably high risk of groundwater contamination: condition 2(a). If that was to occur, your client would need to have a separate consent from Ecan.
3. That ability to seek to exclude discharge from coverage under this proposed consent will not apply to existing development as the applicant proposes adding the words "*new activity or redevelopment in a site*" to condition 2(a).
4. If proposed condition 3 is amended in the manner proposed by the Council, condition 3 will not be bringing that ability to exclude the discharge from coverage under this consent to an end in 2025, as the ability to exclude will be ending only for discharge "*into the Christchurch City Council stormwater network*".

Given the above framework of conditions, it is the applicant's view that no change to the proposed consent conditions to address your client's concerns is warranted. The Council does not consider it appropriate to add a proposed condition of consent to the effect that the CIAL discharge to land from future development is authorised by this resource consent regardless of the scale of adverse effects of that activity on groundwater. Your client's discharge from both current development and future development is covered by the consent. The Council can seek to exclude discharge from future development only if it poses an unacceptably high risk of contamination of groundwater.

I would not agree that an indication from a Council officer in 2006 (which I have seen no record of) prevents the Council from improving its management of stormwater until October 2034.

I'm available to facilitate further discussion between our clients on this if you think that may assist.

Regards

**Brent Pizzey**  
**Associate General Counsel**  
Legal Services Unit

**DDI** 03 941 5550  
**Mob** 027 553 9368  
**Fax** 03 941 8267

---

**From:** Katie Morrison [<mailto:Katie.Morrison@chapmantripp.com>]  
**Sent:** Friday, 19 October 2018 9:17 a.m.  
**To:** Pizzey, Brent <[Brent.Pizzey@ccc.govt.nz](mailto:Brent.Pizzey@ccc.govt.nz)>  
**Cc:** Norton, Brian <[Brian.Norton@ccc.govt.nz](mailto:Brian.Norton@ccc.govt.nz)>; Jo Appleyard <[Jo.Appleyard@chapmantripp.com](mailto:Jo.Appleyard@chapmantripp.com)>  
**Subject:** FW: CCC Application to Discharge Stormwater - Christchurch International Airport Limited  
**Importance:** High

Good morning,

Please replace the previous letter sent with the **attached** as there was a typo.

Apologies.

KATIE MORRISON  
LEGAL ADMINISTRATOR

**CHAPMAN TRIPP**

**D:** +64 3 353 0396  
**F:** +64 3 365 4587

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---

**From:** Katie Morrison **On Behalf Of** Jo Appleyard  
**Sent:** Friday, 19 October 2018 9:11 AM  
**To:** 'Brent.Pizzey@ccc.govt.nz' <[Brent.Pizzey@ccc.govt.nz](mailto:Brent.Pizzey@ccc.govt.nz)>  
**Cc:** 'Brian.Norton@ccc.govt.nz' <[Brian.Norton@ccc.govt.nz](mailto:Brian.Norton@ccc.govt.nz)>  
**Subject:** CCC Application to Discharge Stormwater - Christchurch International Airport Limited  
**Importance:** High

Good morning Brent,

Please find the **attached** letter in relation to the above.

Kind regards,

JO APLEYARD  
PARTNER

**CHAPMAN TRIPP**

**D:** +64 3 353 0022  
**M:** +64 27 444 7641  
**F:** +64 3 365 4587

**LEGAL ADMINISTRATOR:** Katie Morrison | **D:** +64 3 353 0396

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