

14 October 2019



Babbage Consultants Limited
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Dear Joseph,

Request for Further Information

Response required by: 5 November 2019

Record Number/s: CRC201187, CRC201188, CRC201190, CRC201191, CRC201192,
CRC201194

Applicant Name: Oceania Dairy Limited

Overview

As you are aware, Kelly Walker has been processing your consent application. So we can progress your application, we are asking for some further information under Section 92 of the Resource Management Act 1991 (RMA).

Options available to you are detailed below under **Response options**. Please complete one of these options by 5 November 2019. We need this information so we can understand any potential effects from your application. Without this further information, your application may have to be notified or declined.

Notification means that potentially affected parties and/or the general public are given the opportunity to raise their concerns or support for your proposal. Notification does not guarantee your application will be granted – there is the possibility it could be declined. For more information about notification, please go to <https://ecan.govt.nz/do-it-online/resource-consents/notifications-and-submissions/>.

Information requested

Kelly has identified the following information which we need to understand your proposal fully.

1. Further information on dispersion modelling
 - a. The dispersion assessment has assumed a constant discharge of 10,000m³/day. However, in the AEE it states that the discharge will be to a land-based header tank first and will only discharge to the outfall when there is adequate head. This process is typical for gravity-based outfalls and hence the flows could be

intermittent and be potentially higher than the average flow used in the assessment. Please quantify the range of flows to inform the dispersion assessment.

- b. Currently there appears to be no concept design of the outfall and diffusers. Hence, it is difficult to quantify near field effects as they are directly related to the configuration of the outfall and diffusers. Please quantify the discharge flows at each of the diffusers.
- c. The modelling methodology only simulates far field effects and hence near field dilutions are expected to be over predicted. Please provide further information on the nearfield mixing and define the mixing zone, noting it will be a function of the diffuser configuration and sizing. It is noted that commonly nearfield mixing is assessed via software such as PLUMES or CORMIX.
- d. The sensitivity assessment completed for the outfall layout is likely to overestimate dilutions due to the application of a far field model. Please provide further information on the footprint of the cumulative nearfield mixing zone.
- e. It is noted that the current outfall arrangement (and pipe sizes in the mentioned in the AEE) is likely to be difficult to maintain and depending on diffuser arrangement be affected by layered density flow with the outfall pipes. It is recommended that inline diffusers/risers or diffusers/risers from a T be considered to minimize the discharge footprint. Please comment on this recommendation.

2. Potential effect on water quality

- a. Please advise the below regarding the cleaning products used:
 - i. The names of the cleaning products
 - ii. The quantities that will be used
 - iii. The chemical components of the cleaning products and information on their toxicity to aquatic life
 - iv. The potential effects of the cleaning products on the wastewater e.g. pH
 - v. The chemicals that will be in the wastewater to be discharged and their likely concentrations in the wastewater
 - vi. The potential water quality and ecological effects of any chemicals that are discharged into coastal water.
- b. Please clarify whether the expected wastewater discharge quality in Table 4.1 is the expected mean, median or another concentration?
- c. Given the open coast location and lack of other anthropogenic activities affecting the coastal water quality, the coastal water quality and environment in this area must be considered of high conservation and ecological value (Australian and New Zealand Guidelines for Fresh & Marine Water Quality (ANZG), 2018). <https://www.waterquality.gov.au/anz-guidelines> Therefore in terms of using ANZG water quality guideline values for toxicants, the guideline value for protecting 99% of species must apply. Please assess the discharge quality against the guideline values protection of 99% of species.

- d. ANZG guidelines recommend data from three sites is used to estimate ambient water quality in an area. Please use data from SQ34749 in combination with SQ35198 to estimate background water quality.
 - e. In Table 1 of the water quality technical report, there is no water quality guideline for pH. Please comment on whether you agree with ANZECC (1992) which states that in marine waters the pH should not be permitted to vary by more than 0.2 units from the normal values.
 - f. Using the method described in ANZG(2018) for **developing and using** locally derived guideline value, the expected (it has been assumed these are the median values) values for dissolved inorganic nitrogen and dissolved reactive phosphorus, and the 95th values for NH₄N NNN DIN and DRP in the wastewater will result in an exceedance of the locally derived guideline values at the edge of mixing zone. Please provide details on how the applicant will meet the edge of mixing zone water quality guideline values.
 - g. It is proposed to have a holding tank on site, please provide the size of this tank, and how many days wastewater it will hold to avoid discharging during periods of calm weather.
 - h. Please comment on the possibility of bioaccumulation of toxins in invertebrates, fish and marine mammals.
 - i. Please comment on whether reduction of the quantity of wastewater discharged by re-use through the plant has been considered.
 - j. Please clarify how the discharge to land consent will be used in combination with discharging to the CMA. I.e. if land conditions are acceptable, will the amount discharged to sea be minimised, or will the discharge to land be used only when sea conditions (e.g. prolonged calm conditions) do not allow coastal discharge?
3. Potential effects on Coastal Birds
- a. The report provides a summary of habitat use, rather than assessing the potential effects of the proposal. Please state the potential effects assessed. Please clarify what methodology was used to undertake this assessment i.e. were the EIANZ impact assessment guidelines used?
 - b. Limitations of the survey – a single day of survey was undertaken. Given the seasonal variability in coastal and seabird habitat use, please provide a rationale as to why a single day of survey was deemed sufficient to obtain the necessary information on which to base the assessment.
 - c. A map should be provided showing the survey point, the extent of area surveyed and the proposed outfall pipe.
4. Potential effects of dewatering discharge
- a. Please clarify how and where the discharge of dewatering water will occur to either land or to surface water, the possible effects of this and how these will be mitigated.
 - b. If the discharge occurs to surface water, please confirm that the discharge does not result in more than a 20% change in the rate of flow of the receiving surface waterbody in order for this to be a permitted activity under LWRP Rule 5.99;

Points of clarification

It would also be useful if you could clarify the following points, so we can process your application more efficiently. This information isn't legally required from you and the response options below do not apply to this section, but if you are pursuing options (A.) or (B.) below then you may wish to address these matters also.

1. Please provide written approvals from Waimate District Council for construction of the pipeline within the road reserve.
2. Please clarify the requested duration for consents relating to construction work.
3. As a cultural impact assessment was not provided with the application and no assessment of the activity against cultural values has been provided to date, please provide an assessment of the proposal against the Waitaki Iwi Management Plan (2019).
4. Please propose conditions for the six consents:
 - a. CRC201187, s9 Land use permit, to use land for earthworks for the installation of a pipeline
 - b. CRC201188, s9 Land use permit, to use land for erection and placement of structures in the Coastal Hazard Zone
 - c. CRC201190, s12 Coastal permit, to disturb and deposit material to the foreshore or seabed, to erect and place structures and to occupy the Coastal Marine Area
 - d. CRC201191, s14 Water permit, to divert water and take water for dewatering
 - e. CRC201192, s15 Discharge permit, to discharge dewatering water to land
 - f. CRC201194, s15 Discharge permit, to discharge contaminants to the Coastal Marine Area

Response options

The options available to you are set in Section 92A(1) of the RMA. You must choose one of the following options.

A. **Supply the requested information** by 5 November 2019

If the information can be easily collated and supplied by this date, please provide it in writing (via email is fine) to Kelly.

B. **Agree in a written notice** by 5 November 2019 to supply the information requested.

Sometimes technical information will take some time to collate or key contacts may not be immediately available. If you need a longer period of time to supply the information requested, please contact Kelly to advise when you can provide the information. You can do this via email or letter.

C. **Refuse in a written notice** by 5 November 2019 to supply the requested information.

If you chose Option C, section 95C of the RMA requires us to publicly notify your application. If you receive submissions on your application, then you can expect to go through a resource consent hearing process. The charges fact sheet at this link indicates likely costs for a resource consent hearing: <https://ecan.govt.nz/do-it-online/resource-consents/first-steps-and-costs/>. You should be aware that your application could be declined through this process.

If you chose not to respond to this letter, then the process for Option C. applies.

If you would like to discuss this request in more detail, please don't hesitate to contact Kelly at Kelly.Walker@ecan.govt.nz or (03) 367 7345.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Erin Krivan', written in a cursive style.

Erin Krivan
Team Leader Consents Planning

cc:
Oceania Dairy Limited
Attn To: Shane Lodge
PO Box 891
Timaru 7940