

21 April 2017



Silver Fern Farms Management
Limited
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Dear Sir/Madam

Request for Further Information

Response required by: 25 May 2017

Record Number(s): CRC174776 CRC174777

Applicant Name: Silver Fern Farms Management Limited

Activity Description: to renew consents to discharge to land and the coastal marine area

Overview

As you are aware, Alex Macdonald has been processing your consent application. Before he can make any recommendations on your application, further information is being requested from you under Section 92 of the Resource Management Act 1991 (RMA).

There are a number of options available to you which are detailed below under 'Response options' and we ask that you complete one of these options 25 May 2017. Please note that we require this information so that we can understand any potential effects from your application. If we are unable to do this your application may have to be notified, or even 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. This process does not guarantee your application will be granted, there is the possibility that 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

Alex has identified the following information which is needed to fully understand your proposal.

1. Potential effects on Surface Water Quality and Aquatic ecosystems

Please assess the potential for fish passage into Sea Ponds 1 and 2.

Please assess whether the ecological communities have been degraded as a result of the discharge. If the discharge is (partially) responsible for the degradation in these waterbodies, please assess the magnitude of this degradation (from an unmodified state).

Please assess the current state of Sea Pond 3, including a description of current surface water quality and ecological values, and assess what change the development of the River Flats irrigation would have on this pond.

2. Potential effects on Groundwater Quality and Surface Water Quality

Please confirm whether any wastewater will be discharged into the community supply protection zone for bore J39/0135 (Pareora township water supply). If so, please determine the effect of the discharge on water quality in the bore, and assess the effect of this discharge on drinking water quality. If the discharge will occur within the protection zone of the drinking water supply, please assess the proposal against the National Environmental Standard for Protection of Sources of Drinking Water and the policies in the Land and Water Regional Plan that relate to sources of drinking water.

Please assess the effects of the discharge (as a result the development of the River Flats Block) on the water supply for the factory, including the potential effects on human health or stock health. This assessment should also include a description of any treatment that water abstracted receives before use.

The application states that it is unlikely that the Pareora River gains from groundwater in this area and therefore the discharge is unlikely to affect the river. As the Pareora River often does gain (from groundwater) in its lower reaches, please assess the potential for the river to gain from groundwater at different flow regimes and contaminant transport from the River Flats block and potential adverse effects on the surface water quality of the Pareora River.

3. Potential adverse effects on coastal water quality

Please assess, for the purpose of an assessment of alternatives, options for changes to the existing outfall structure or operating practices to promote mixing at the discharge point.

Please provide further assessment of the concentrations of pathogens resulting from the discharge, and in particular the effect of these pathogens on human health. Please use this assessment to determine concentrations of pathogens as a result of the discharge. This assessment should:

- Consider the full range of normal operating conditions,
- Account for any potential changes to the operating practices (for example, if the answer to the question above identifies ways to improve mixing of the discharge); and,
- Account for the influence of the Pareora River.

Please use this assessment to:

- Accurately determine the area influenced by pathogens resulting from the discharge,
- Assess the effects of any pathogens in the discharge on human health, noting that there is a zone to the north where coastal water quality is expected to be suitable for contact recreation.

4. Potential effect on Tangata whenua values

Please provide a cultural impact assessment to accompany the application. This assessment should detail any potential effects on Maori cultural values, and assess the application against relevant Iwi Management Plans.

5. Potential adverse effects as a result of the discharge of stormwater

Please accurately delineate the storm water catchment that is subject to this application.

Please calculate the maximum discharge rate, time to concentration and total volume of stormwater that the system will be subject to, with reference to a 2% AEP storm event.

Please describe the receiving environment (i.e land or the coastal marine area) for the storm water discharge under saturated and unsaturated soil moisture conditions.

If the storm water catchment includes areas that are not stock holding areas, please assess :

- What concentrations of copper, lead, zinc, and hydrocarbons are likely to be present,
- Please assess the effectiveness of any treatment at removing these contaminants, if they are present,
- The adverse effect of the discharge of these contaminants on either surface and groundwater quality or the coastal water quality, as appropriate.

The land subject to this application is located on the listed land use register. Please assess whether any hazardous substances are entrained in stormwater, whether arising from the operation of the plant or from or into contaminated or potentially contaminated land.. Please assess the adverse effect of these discharges on the receiving environment, or describe how they will be separated from the waste stream.

6. Quality and appropriateness of the Farm Environment Plan (Integrated Land Management Plan)

Please ensure that the Integrated Land Management Plan (ILMP) includes all the relevant information required by Schedule 7 of the Land and Water Regional Plan. Please see the attachment for specific improvements required.

Please discuss how the actions in the ILMP give effect to Good Management Practices, and where the farming practice will be inconsistent with GMP please assess the effect of not operating at GMP, including the effectiveness of any actions taken to mitigate environmental risks on the farm. In particular, please consider risks from nutrient and irrigation management.

7. Assessment of alternatives

Please assess the extent to which any of the potential alternatives treatment systems identified reduce pathogen concentrations in the discharge.

Please consider options for reducing the pathogen load in the discharge, if none of the already assessed alternatives provide for a reduction in pathogens.

8. Relevant statutory considerations

Where an assessment against a rule has been undertaken, please provide an assessment against all relevant parts of the rule, and provide information supporting your conclusions. In particular, please provide more detailed assessment of :

- The discharge to air, noting that the discharge is for an industrial and trade process, and why you consider that this would be permitted. Please note that as an industrial or trade process, if one or more permitted activity rules are not complied with, the application is assessed under Rule 7.63 of the Canterbury Regional Air Plan.
- The use of land for a stockholding area which is assessed under Rules 5.31 – 5.34 of the LWRP.
- Sections 105 and 107 of the Resource Management Act. For assessment against these sections please provide a concluding statement that clearly assesses the information provided against the criteria in these section.

Please also ensure that the application is assessed against all relevant rules and policies of Ch3 of the NRRP (as the Canterbury Regional Air Plan is not yet operative).

Please provide certificates of title for all the land that is subject to this application.

Points of clarification

It would also be helpful if you could provide some clarity around the following points, so we can process your application more efficiently. This information isn't required under s92 of the Resource Management Act, but if you are pursuing options (a) or (b) below then you may wish to address these matters also.

1. At several points in the application and supporting information the potential for irrigating the Grants Block is discussed. If there is any intention to include the Grants Block in this application please discuss this in the application. Note that including the Grants Block at this stage is likely to be out of scope of the current consent application.
2. A land use consent for farming will be required. If one is not applied for concurrently with the s92 response, a s91 request will be made and this may require re-notification of the application. In addition, if assessment against the rules required under question (6) shows that consent for an additional activity is required, please supply all information that would be required for a resource consent for that activity.
3. The application includes the discharge of stormwater. This discharge does not appear to have been assessed in previous consent applications. It may be worthwhile considering the management of this discharge, and if it should be managed through the same consent process as the discharge of effluent and factory wastewater.
4. Please provide the .XML files for the Overseer Modelling that describes the activity.

5. It would be beneficial to provide more discussion about the relevant policies and objectives, including a discussion against particular planning instruments as a whole.
6. Please provide higher quality figures and maps (electronically if possible), as several of these are difficult to read as a result of being scanned repeatedly.
7. Please use standard CRC reference numbers for wells where these are discussed, to enable these to be compared with greater ease.
8. It would be helpful if an assessment of the factory water supply, and its details were supplied as it provides a drinking water source for a number of people. If necessary, it should be registered as a drinking water supply, and a protection zone applied for.

Response options

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

- (a) Supply the requested information by 25 May 2017.

If the information can be collated and supplied by this date, please provide it in writing or by email to Alex.

- (b) Agree in a written notice by 25 May 2017 to supply the information requested.

If you need a longer period of time to supply the information requested, please contact Alex to advise when you think you will have the information. You can do this via email or letter.

- (c) Refuse in a written notice by 25 May 2017 to supply the requested information.

Should you chose this option, section 95C of the RMA requires us to publicly notify your application. If you receive submissions on your application then you would need to expect to go through a resource consent hearing process. You can find a charges fact sheet at the link below which will give you a guide of expected costs for this process. You should be aware that your application could be declined through this process.

<https://ecan.govt.nz/do-it-online/resource-consents/first-steps-and-costs/>.

If you chose not to respond to this letter, then the same process as for (c) applies.

If you would like to discuss any of this request in more detail, please don't hesitate to contact Alex via email at alex.macdonald@ecan.govt.nz or 03 687 7829.

Yours sincerely



Dr Paul Hopwood
Principal Consents Advisor

Attachment 1 – Matters to consider for an FEP

SCHEDULE 7 REQUIREMENTS	Integrated Land Management Plan (FEP)	Comments
Property Details		
Physical Address	No	Contained elsewhere in the Consent application. The person in charge of the day to day management of the farm and the management decisions and other identifiers needs to be clearly addressed in the Management Plan (to be consistent with Schedule 7)
Ownership, Contact Person	No	
Legal description, farm identifier	No	
Farm map –refer pages 6, 31,32		
Boundaries of the property or land areas of the farm enterprise	Not Adequate	Maps are too small and do not show the detail expected. Expected to include: property boundaries, soil types, irrigated areas, management blocks (usually based on soil types and irrigation); waterbodies, crossings, paddock boundaries
The land management units within the farm or farming enterprise	No	Maps do not identify the blocks, soil types and relationships

		between them
Location of permanently or intermittently flowing rivers, streams, lakes, drains, ponds or wetlands	In application	Not clearly described in FEP
Location of riparian vegetation and fences next to water bodies	No	Not clearly described in FEP
Location of all water bodies where stock access or crossing occurs	No	May not be any water bodies where stock crossings occur
Location of any areas identified in a district plan as “significant indigenous biodiversity”	No	Described elsewhere
Canterbury Regional Council Consents	No	Recorded elsewhere
Risk Assessment		
An assessment of the adverse environmental effects and risks associated with the farming activities and how the identified effects and risks will be managed	No	The application has good descriptions of risks that arise from the waste water. The FEP needs to address the risks in each of the management areas and different farm blocks of the property. The wastewater is irrigated to land and the separate nutrient and leaching/runoff risks should be separately assessed.
Irrigation	In application – However, please fully explain water management practices, including over-irrigation, and water management.	
Application of Nutrients	Recorded in application but missing some nutrient management practices.	

Soils	Block definition and applicable good management practices need to be clearly defined	
Effluent application (Waste water)	In application	
Stock Exclusion	No	
Offal pits/ silage pits and rubbish pits	N/A	
Management Objectives for		
Maximise nutrient use efficiency and minimise nutrient losses	No	Management objectives and actions need to be aligned to industry accepted good management practices. Particular attention should be given to Nutrient management; Irrigation management and wastewater or effluent management.
Operate irrigation efficiently and monitor water use	Not clear	
Maintain or improve soil properties to minimise movements of sediment, nitrogen and phosphorous to water	In application	
Manage effluent systems to achieve compliance all year	N/A	
Manage wetlands and water bodies so stock are excluded to prevent damage and input of contaminants	In application	
Offal/silage pits – minimise risks to health and water quality	N/A	