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AE03319

Dear Chairman, Hearings Committee

Proposed One Plan: Air/ Administration and Finance Sections

1. Introduction

Ravensdown Fertiliser Co-operative Limited (Ravensdown – submitter number 379) made a submission to the Horizons Proposed One Plan. This submission addressed several aspects relating to the Air, Administration and Finance Sections:

- 1) Surface Water and Quality Degradation;
- 2) Working Towards a Better Future/ Codes of Practice and other Good Practice Initiatives;
- 3) Other Discharges into Air from Industrial or Trade Premises.

Ravensdown have reviewed the Horizons Regional Council's Officer Report on Submissions to the Proposed One Plan relating to the Air, Administration and Finance Chapters.

Ravensdown do not consider that its concerns have been adequately addressed in the Officer Report, hence the necessity to make this written submission.

2. Submission Points

2.1 Issue 1: Surface Water Quality Degradation

2.1.1 Ravensdown's Original Submission

The Proposed Plan identifies that "Run-off of nutrients, sediment and bacteria from farms is now the single largest threat to water quality in the region. In some waterways it is risky to swim or gather food, and aquatic life is being damaged."

Ravensdown are concerned that this is a generalised statement, is not qualified, and does not identify what the sources or causes of the issue are or whether the issue is wide spread or localised. Ravensdown considers this issue needs to be better defined by identifying specific activities and areas within the Region where the issue is significant. Council should also

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identify the options/methods to address the issue where significant, evaluate the methods in terms of Section 32 of the RMA, and recommend a preferred option.

Ravensdown sought the following decision from Horizons on these provisions:

- Ravensdown seeks for Council to clarify the issue and identify where this issue is regionally significant, the options/methods available to address the issue in these areas, and the option to be adopted.

2.1.2 Officer Report Recommendations

The Officer Report's recommendation is to **reject** Ravensdown's submission 379-4. The Officers Report notes that: *"the issue covers the broad matters of concern across the Region. If the issue were to specify which surface water features are degraded, this would change over time and the list would no longer be current. It is appropriate in my opinion that the issue identifies the problem"*. The Officer also states: *The four key issues are a signal of the strategic programme for the Regional Council and do not in any way mean other issues are not covered in the Plan.*

2.1.3 Ravensdown's further evidence

Ravensdown does not consider the Officers Report has adequately addressed its concerns. The Officer has stated that if the issue stated which surface water features were degraded, this would change over time and the list would no longer be current. Ravensdown understands that these issues are a general signal of the Council's future focus. However, Ravensdown does not consider that this reason justifies the generalised approach taken, and believes a balance is needed between wording that is too general, and wording that is too specific in order to provide for greater clarity regarding Horizons strategic programme around particular issues.

Ravensdown considers that the issue statement should provide a greater level of information to the plan reader about where the most significant water quality issues are present and what is causing them. This could be achieved by linking more strongly to Chapter 6, which should also provide further detail on which areas of the region water quality is of the greatest concern (such as Figure 6.1 which indicates the suitability of water quality for contact recreation within the Region and Section 6.1.4 which Ravensdown has submitted on). The information should be sourced from currently held factual research and information, and the sources of this information provided in the Plan. This would in essence act as a 'snapshot' of how the issue currently stands in the region by better utilising current research.



Ravensdown also seeks further clarity as to whether surface water quality degradation is regionally significant, widespread or localised. The issue states that run-off is the single largest threat to water quality in the region. However this should be more clearly defined in terms of whether it is highly significant in some parts of the region, and less so in other parts, or whether it is the widespread nature of the problem that makes this a regionally significant issue. Ravensdown believes currently held data and research would enable Horizons to provide this in the plan.

Associated with this further clarification, Ravensdown seeks that provisions addressing the issue identify what options/methods are available to address the issue in the identified areas, and the option to be adopted. The Officers Report did not address this point. Council is required to take a Section 32 evaluation of the methods to address a regionally significant issue, and Ravensdown does not consider Council has adequately fulfilled this requirement of the Act. The issue currently states that water management zones will be established, along with the use of other methods. However without providing further detail of where in the region these will be applied, and to what activities, the wording is not helpful and does not communicate the scale or location of the issue. Again a greater level of linkage to factual information, and additional detail provided in Chapter 6 would improve how this issue is communicated in Chapter 1.

2.1.4 Decision Sought

Ravensdown seeks that the wording of Issue 1 is amended to include greater specificity regarding the location, scale and source of water quality issues in the region, and the methods to address it.

2.2 1.5 Working Towards a Better Future; 1.6 Codes of Practice and other Good Practice Initiatives

2.2.1 Ravensdown's Original Submission

Ravensdown sought the following decision from Horizons on these provisions:

- Ravensdown supports the provisions that promote the use of Code of Practice and Good Practice Initiatives and seeks for Council to retain the intent and approach as it is currently written.
- Ravensdown suggests a website link and seeks particular reference to the Code of Practice for Nutrient Management Use (2007).



2.2.2 Officer Report Recommendations

The Officer Report's recommendation is to **accept** Ravensdown's submission 379-5, 6 and 7. However this is not backed up by the Officers Report discussion or the tracked changes version of the Plan. The Officers Report states *"this section does not specify the codes of practice that will be considered as it is only intended to be a broad statement of intent. I consider that the inclusion of one specific standard is inappropriate as it would unfairly single out one particular code."*

2.2.3 Ravensdown's further evidence

Ravensdown questions the Officer Report comment, as it considers it is entirely appropriate to refer to specific codes of practice, when these are widely accepted and used by both industry and government. There are numerous other plans that have identified specific Code of Practices, and any subsequent amendments.

Fert Research's Code of Practice for Nutrient Management (2007) is a well recognised Industry Code of Practice. The Code comprehensively sets out an overall process for the management of all deliberately applied nutrients, placing special emphasis on the use of manufactured fertiliser products in primary production systems including arable, pastoral, horticultural and forestry production. The Code has been designed to help users comply with the acts and regulations that affect nutrient management activities in primary production.

Ravensdown has knowledge of planning documents that specifically refer to the Nutrient Management Code of Practice 2007 (or its predecessor, the Code of Practice for Fertiliser Use). For example a method in the Taranaki Regional Soil Plan states:

"To encourage the use of industry recognised guidelines or codes of practice and other relevant industry guidelines, such as: the New Zealand Standard 8409: Agrichemical Users' Code of Practice, June 1995, developed by the New Zealand Agrichemical Education Trust; and the Code of Practice for Fertiliser Use, developed by the New Zealand Fertiliser Manufacturers Research Association, 1998."

The Code of Practice for Fertiliser Use was replaced by the Code of Practice for Nutrient Management in 2007, published by the same organisation. The Code of Practice for Fertiliser use is contained within the following regional plans:

- Hawke's Bay – Water Resources Plan
- Waikato – Proposed Waikato Regional Plan

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- Auckland – Proposed Regional Plan – Air, Land and Water
- Bay of Plenty – Proposed Regional Water & Land Plan
- Wellington – Regional Plan for Discharges to Land for the Wellington Region
- Manawatu – Wanganui – Proposed Land and Water Regional Plan
- Taranaki – Regional Soil Plan

As the Code of Practice for Nutrient Management replaced the Code of Practice for Fertiliser use in 2007, most plans have not yet been updated to refer to the more recent code given the timeframes for plan revisions. Ravensdown is aware of Council's that are currently revising plans to incorporate reference to the most recent code.

Therefore, Ravensdown considers it would be entirely appropriate to refer directly to the Code of Practice for Nutrient Management. It would provide a greater level of information to assist plan readers than a more general reference to codes of practice. Readers could then find out more about the Code through the website reference.

2.2.4 Decision Sought

Ravensdown reiterates its request for a website link and particular reference to the Code of Practice for Nutrient Management (2007) to be inserted into Section 1.5.

2.3 Rule 14-13

2.3.1 Ravensdown's Original Submission

Ravensdown submitted that the discharge to air from the manufacture of fertiliser is a discretionary activity under Rule 14-13. However, 'manufacture of fertiliser' is not clearly defined in the rule or in the Glossary. Ravensdown would like clarification as to what activities are included in the definition of fertiliser manufacture and specifically ensure that fertiliser mixing or coating of existing fertiliser product is excluded.

Ravensdown sought the following decision from Horizons on these provisions:

- Ravensdown seeks that Council clarify the definition of 'manufacture of fertiliser' either under rule 14-13 or in the glossary.

2.3.2 Officer Report Recommendations

The Officer Report's recommendation is to **accept in part** Ravensdown's submission 379-31; however, no response has been given to the suggestion of clarifying the definition of fertiliser manufacture either under rule 14-13 or in the Glossary.

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2.3.3 Ravensdown's further evidence

Ravensdown considers it is essential that the plan is very clear as to how the manufacture of fertiliser is treated. The Officers Report has not addressed this part of Ravensdown's submission.

Rule 14-12 currently includes "the storage, blending and distribution of bulk products including fertiliser*, animal feeds, roading materials, gardening materials, and concrete processing materials". The structure of the rules means that other discharges as a result of the process of manufacturing fertiliser then default to a discretionary activity in Rule 14-12. Ravensdown asserts that there are some aspects of the manufacturing process that should not default to a discretionary activity as their effects are not to the same extent as the manufacturing process. Examples of these processes include fertiliser mixing, or coating of existing fertiliser product. Rule 14-12 is not clear enough as to whether these parts of the process are included.

Ravensdown seeks that Rule 14-12 and Rule 14-13 are clarified to ensure that the manufacture of fertiliser excludes fertiliser mixing, or coating of existing fertiliser product. As Ravensdown prefers a consistent approach to the definition of fertiliser, it would prefer that this issue is resolved through the rules section of the Air Chapter.

Decision Sought

Ravensdown request that Rule 14-12 is amended so that fertiliser manufacture excludes fertiliser mixing, or coating of existing fertiliser product.

Yours sincerely

A handwritten signature in black ink, appearing to read 'C. Hansen', is written over the printed name.

Chris Hansen

National RMA Planning Manager

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