

Pest Control Research Application to vary Resource Consent ID 145650 under Section 127 of the Resource Management Act 1991.

## **Planning Unit**

### **Application to Change or Cancel**

### **Resource Consent Condition(s)**

#### **Section 127 Resource Management Act 1991 - Form 10**

**Send or deliver your application to: Selwyn District Council, PO Box 90, Rolleston 7643**

**For enquiries phone: (03) 347-2868**

**For enquiries email: [planninginfo@selwyn.govt.nz](mailto:planninginfo@selwyn.govt.nz)**

#### **1. About this form**

**This form is to be used where an applicant seeks to change or cancel one or more conditions of an existing resource consent under Section 127 of the Resource Management Act 1991. It must be accompanied by the application fee together with supporting information.**

**Has a copy of the application been submitted electronically, i.e. on a flash drive or disk?**

(Note: Providing an electronic copy can reduce the overall administration costs associated with the application.)

Yes provided electronically via email in word and PDF versions.

#### **2. The Agent / Consultant**

Name of Agent (include the contact person's name if a company, trust or similar): Heather McKay, West Coast Regional Council

Mobile: 021388249

Email: [heatherm@wrc.govt.nz](mailto:heatherm@wrc.govt.nz)

Postal Address: 388 Main South Road, Paroa, Greymouth

**3. The Applicant** (Note: The Applicant is responsible to the Council for all costs associated with this application)

Full Name: Pest Control Research Limited (PCR)

Mobile: 03 372 1580

Email: Postal Address: PO Box 7223, Christchurch 8023

**Signature of Applicant** (Or person authorised to sign on behalf of Applicant)

Signature: .....

Date: .....

Name:

#### **4. The Existing Resource Consent**

My application relates to the following resource consent number: 145650

Address or site: 8 Centrum Lane, Rolleston

## 5. Change Sought

### Background

Since commencing operations at the site PCR has undertaken continuous improvements to its operation that has led to the need to alter conditions within the existing resource consent it operates under. The continuous improvements have focussed on reducing risk to the employees and contractors on and off site, which in turn better protects the public.

The continuous improvement has led to significant investment into plant and infrastructure that provides a safer operation while ensuring less than minor effects on the environment. The improvements include improved filtered ventilation, more efficient and safer plant, infrastructure and overall health and safety.

The current resource consent conditions leads to duplication in regulatory responsibility, parts of the variation application seek to simplify reporting in this area, whilst ensuring that the stringent requirements of the various pieces of legislation are reported on and not diluted. PCR have examined methods to report more efficiently through to the various regulators including MPI, ACVM, Worksafe, Selwyn District Council and ECAN.

Not included in this application (CRC193692) is the air discharge resource consent PCR are seeking from Environment Canterbury. This application has been accepted by Environment Canterbury under Section 88 of the Resource Management Act 1991 (letter attached) and is in process.

### Proposed Changes

The details of the proposal and conditions proposed to be changed / cancelled are:

#### **Condition 1**

Current wording:

*1. That the proposal is carried out substantially in accordance with the information submitted with the application and further information provided.*

Proposed amendment:

1. That the proposal is carried out substantially in accordance with the information submitted with the application and updated information provided as part of the resource consent variation application in March 2019.

#### **Condition 3**

Current wording:

*3. That the Consent Holder provides evidence of approval from the Ministry of Primary Industries for the formulation of ready-products containing Brodifacoum, Cholecalciferol, Pindone and Sodium fluoroacetate, prior to storage and manufacturing operations commencing at the site.*

Proposed amendment:

3. That the Consent Holder provides evidence of approval from the Ministry of Primary Industries for the formulation of Vertebrate Toxic Agents (VTA's), prior to storage and manufacturing operations commencing at the site.

### Reasons

As stated in the background to this resource consent variation application the company has made significant improvements to the operation on site. These improvements have focussed on safety within and outside the factory. The original resource consent 145650 was applied for prior to the company gaining a number of approvals from various regulatory agencies in relation to the manufacture of Vertebrate Toxic Agents (VTA's). Therefore a significant portion of the background text within the resource consent decision and application has been superseded and is now considered irrelevant.

Attached as an appendix to this application is an updated site master plan along with the various approvals from regulatory agencies. This master plan will be updated as best practice guidelines and other legislative requirements change over time.

### Further Information

PCR supplies a number of clients all over New Zealand with VTA's, nontoxic pre feed and hardware used in the pest control industry.

PCR intends to import some materials from overseas and source materials where it can locally throughout New Zealand. Aligned with safety improvements on site some changes to manufacturing will occur through the production of VTA's. This process is designed to make the on-site operation safer and reduce risks. The change to the bait production is captured by the necessary approvals from ACVM, which are in the process of being applied for.

The activities on site will entail storage and manufacture of hazardous substances. The quantity of hazardous substances on site shall be in accordance with a Hazardous Substance Location (HSL) certificate as issued under the Hazardous Substances Regulations 2017, Health & Safety in the Workplace Act. Included within this HSL certificate the company is required to ensure it has adequate procedures etc. in place to avoid impact to human health and the environment, this includes bunding, ventilation and health and safety requirements.

All hazardous substances are required to have approval under the Hazardous Substances and New Organisms (HSNO) Act, which imposes controls that are designed to manage any risk from using, storing, transporting and disposing of the substance. Such legislation applies to the management of both active ingredients and formulated products. The Environmental Protection Authority (EPA) administers the HSNO Act. PCR has obtained the necessary approvals and is periodically audited by the EPA (last audit Dec 2018).

The Ministry for Primary Industries (MPI) is responsible for the administration of the Agricultural Compounds and Veterinary Medicines (ACVM) Act and associated regulations which seek to manage risks to animal welfare, agricultural security, public health and trade from the use of agricultural compounds which includes most ready to use bait formulations containing a hazardous substances as the active ingredient. PCR has registrations from MPI for a number of VTA formulations. PCR is an approved manufacturer and is subject to periodic auditing by MPI to maintain these approvals.

Worksafe New Zealand is the government agency responsible for administration of the Health and Safety in Employment (HSE) Act and associated legislation. HSE legislation seeks to manage hazards to employees, contractors and other persons that may be harmed as a consequence of activities in a workplace. Worksafe New Zealand also undertakes certain regulatory functions pursuant to the HSNO Act including the certification of persons seeking statutory licences and the enforcement of HSNO legislation in a workplace context. PCR employs both approved/certified handlers and staff with CSL as required by WorkSafe and the EPA. At least 1 staff member holding a Controlled Substance Licence (CSL) shall be present on site during the manufacture and handling of toxic VTAs.

As technology advances so will the production of VTA's and other products to meet future demands throughout the country. The company will investigate and potentially implement changes to the way it operates and will communicate these changes through the site master plan. Should any future changes trigger the need for further resource consents these would be applied for at such time.

The business is seasonal with large production periods typically during the winter months. During these busier periods the company will comply with Rule 22.4.1 in the Selwyn District Plan.

The site itself contains a 10m high building of approximately 900m<sup>2</sup> in floor area. An office and amenity complex occupy approximately 100m<sup>2</sup> in a corner at the front of the building. A small laboratory is located within the building for analysis and quality assurance purposes. There is currently a temporary removable portacom located in the carpark area outside the main building. This is providing additional staff lunch space with no permanent utility connections while changes to the main building are designed and consented. Sufficient parking remains for staff and operations on site. The temporary portacom will be removed from site following an additional break out space for staff meal breaks being built inside the current building. It is anticipated building consents for this work will be sought in mid-2019 for target completion by the end of 2019.

Other than when received inwards from time to time, active ingredients will only be handled during transfer from the dangerous goods storage facility to the batching facility and through the processing equipment. To minimise the risk of particulate transfer outside the factory environment the active ingredients will only be handled where possible in liquid form only, decanted and weighed by appropriately certified and skilled personnel wearing suitable Personal Protective Equipment (PPE) for use only within the factory environment. This purpose built batching facility on site will replace the process which currently takes place in the laboratory facility of dissolving powder in water which is a hazardous activity. This change will be key to the improved safety on site.

Decanting and other equipment will be set up in the batching facility to avoid double handling and additional exposure risk in the process. Where this is undertaken approval will be sought from the regulatory authority (ACVM and HSNO) and the activity will be undertaken in accordance with best practice and where possible avoid handling materials in powder form.

While being handled during preparation for the manufacturing process, the active ingredients will be processed within a fully enclosed batching area fitted with fume and dust extraction and handling. The fully enclosed batching area with fume and dust extraction avoids handling and is considered a safer way of handling the materials. This methodology

avoids risk to personal on site and anyone off site as the area is fully enclosed with its own fume and dust extraction equipment.

The containment system will exhaust clean air to the factory exterior via a 3m stack and dust collected will be returned to the manufacturing process at intervals.

In regard to transportation inwards hazardous chemicals are moved by specialist chemical transport companies to comply with insurance and Hazardous Transportation requirements.

Changes also allow for the assessment of effects to be focussed on the Vertebrate Toxic Agent and its Hazardous substance classification rather than the specific product. If another VTA is produced by the company in the future, the requested change allows the company to go through the regulatory process with MPI without requiring further variations to the resource consent. This does not dilute the stringent requirements the company is required to meet through these regulatory processes.

These changes allow Selwyn District Council to regulate this activity by ensuring that the stringent requirements set through the MPI process are adhered to.

### **Assessment of activity against Objectives, Policies and Rules in the Canterbury Regional Council Regional Policy Statement and the Selwyn District Plan**

The company believes the original assessment remains accurate and notes the air discharge resource consent application with ECAN.

The activity remains in accordance with the objectives and policies in the Canterbury Regional Council Regional Policy Statement and the Selwyn District Plan. Rule breaches are insubstantial and the effects of these are less than minor in nature.

### **Was there any pre-application advice/discussion prior to this application being made?**

Yes

### **If Yes, what was the Planner's Name?**

Meeting with Jesse Burgess and other Selwyn District Council staff.

## **6. Assessment of Effects**

Assessment of any effects on the environment in accordance with Schedule 4 of the Resource Management Act 1991.

***This section MUST be completed to a level of detail that corresponds with the scale and significance of the effects that a change to, or cancellation of, the conditions may have on the environment.*** (Use additional pages if necessary).

The changes sought are less than minor in nature and essentially include a change to the manufacturing process and referring to VTAs rather than a number of individual products.

The changes to the manufacturing processes are part of ongoing improvements at the site. As discussed earlier, these changes are not expected to have any adverse effects on the

environment and will improve health and safety and both environmental and personal risk at the site.

The change to refer to VTAs rather than a number of individual substances will allow flexibility in the future without burdening both the company and Selwyn District Council with applications for variations for any new or different products in the future. As noted earlier, the hazardous products used are comprehensively regulated by other agencies, and any changes would need to receive the relative approvals from these agencies. It is therefore not considered that there are any additional environmental effects from this proposed change.

## 7. Privacy Information

All the relevant information on this form is required to be provided under the Resource Management Act 1991 for Selwyn District Council to process your application. Under this Act this information has to be made available to members of the public, including business organisations. The information contained in this application may be made available to other departments of the Council. You have the right to access the personal information held about you by the Council which can be readily retrieved. You can also request that the Council correct any personal information it holds about you.

## 8. Information

1. All applicants are asked to check the accuracy of the information supplied. Inaccuracies in information supplied can cause difficulties at a later date, such as additional costs, delays and legal proceedings initiated by the Council and/or by other persons.

2. The required **Deposit** must be paid before processing of any application will start.

3. The application for resource consent under the Resource Management Act 1991 is in addition to any building consent application required under the Building Act 2004.

4. When this application is lodged with the Selwyn District Council, it becomes public information and is available for public inspection. If there is commercially sensitive information in the proposal, please let us know.

5. **If your application is inadequate, it may be returned unprocessed.** If additional information is required, you will be advised and processing of the application will be suspended until the information is received. To avoid delays and cost it is in your best interests to submit a complete application.

### Office Check

☐ Information received and complete **yes / no** Resource consent #: \_\_\_\_\_ Date: \_\_\_\_\_

☐ Receipt #: \_\_\_\_\_