

Section 95 Resource Management Act 1991
**Report determining whether an application for Resource Consent should be
processed as publicly notified, limited notified or non-notified**

Consent number: 145650

Applicant: Pest Control Research LP

Site address: 8 Centrum Lane, Izone Business Park, Rolleston

Legal description of site: Lot 636 Deposited Plan 464084

Description of application:

Consent is sought for activities associated with the manufacture and storage of a range of ready to use bait products containing one of several hazardous substances as the active ingredient. Such products are widely used for the control of vertebrate pest species including possums, rodents and rabbits.

Ready to use cereal pellet baits will be made to a variety of formulations and physical sizes, and each product line will have one of the following active ingredients: Brodifacoum, Cholecalciferol, Pindone or Sodium fluoroacetate (1080).

All the active ingredients are manufactured overseas and shipped to New Zealand from time to time, as demand requires. No chemical manufacturing processing will be undertaken on site.

The manufacturing activities on site will entail storage of both the active ingredients and manufactured products at the site in quantities (shown in Table 1) exceeding the permitted activity threshold, as detailed in the Selwyn District Plan. The manufacture will be undertaken using a dedicated plant with a production capacity of 1500 kg/hour.

It is expected that most activities at the site will normally be conducted during the hours of 7am to 6pm from Monday to Friday, although operations may be required outside of these times periodically.

Table 1: Proposed storage quantities

Active ingredient	Active ingredient quantity (kg)	Manufactured product quantity (kg)
Brodifacoum	1,000	100,000
Chloecalciferol	1,000	100,000
Pindone	1,000	200,000
Sodium fluoroacetate (1080)	1,500	200,000

Planning framework:

Zoning – Partially Operative District Plan

The property is zoned Business 2A under the provisions of the Partially Operative District Plan (Township) Volume.

Partially Operative District Plan – Landuse

The proposed volume of hazardous substances to be stored on site exceeds that set out in Appendix 9 Table E9.2 of the Partially Operative District Plan for the Business 2A Zone. This

contravenes Rule 20.1.1.1 and therefore causes the proposed land use to have a discretionary activity status under Rule 20.1.3.

The manufacture of any hazardous substance in the Business 2A Zone as either a product or by-product is a discretionary activity under Rule 20.2.2.1.

The parking provided for the activity is largely compliant with the rules under section 17.5 (Vehicle Parking and Cycle Parking) of the Partially Operative District Plan; however several of the car parks provided do not meet the dimension requirements as set out in Appendix 13 Diagram E13.1. This aspect of the proposal is therefore a restricted discretionary activity under Rule 17.5.2.

Overall, the landuse proposal must therefore be assessed as a **discretionary** activity in terms of the Partially Operative District Plan.

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health

The activity will not involve the disturbance of any land on the site. Therefore the NES for Assessing and Managing Contaminants in Soil to Protect Human Health does not apply.

Description of the existing environment:

Lot 636 is located in the Izone Business Park on the western side of State Highway 1 in Rolleston. It is surrounded on all sides by industrial activities or vacant land awaiting development.

Industrial activities in the surrounding area include coal yards, timber processing, seed processing, building prefabrication, heavy engineering, a dairy factory and a distribution centre.

The nearest residential land is situated approximately 400m to the east. Beyond the industrial development, the surrounding land use is predominantly taken up by farming. There are no locations with a high sensitivity such as hospitals or schools immediately adjacent or in the near proximity to the site.

Lot 636 is located on flat land. The site and surrounding area are not known to have suffered any liquefaction or other damage during the Canterbury earthquakes of 2010 and 2011. Other than stormwater reticulation the nearest surface waterway is located approximately 400m away near Hoskyns Road. The area is characterised by generally moderate to low wind speeds (less than 5 m/s) which occur for about 73% of the time.

The site itself contains a 10m high building of approximately 900m² in floor area. An office and amenity complex occupy approximately 50m² in a corner at the front of the building. A small laboratory is annexed to the rear of the office for analysis and quality assurance purposes.

The building is sited at the rear of the property and extends to the rear and side boundaries. The remaining area at the front is taken up with bitumen surfacing for vehicle handling and car parking, and landscaping to comply with the Izone Business Park master plan and building consent requirements.

A site visit was conducted by the author on 25 March 2015.

Has the applicant requested that the application be publicly notified?

No.

Pursuant to Section 95D, will any adverse effects of the activity on the environment for which consent is sought be more than minor?

No. A technical report has been received from Tonkin & Taylor which has assessed the potential adverse effects of the application and has advised that these adverse effects will be less than minor.

Comprehensive site management procedures will be put in place that control the production of dust both during storage and throughout the manufacturing process of the hazardous substances. No dust is to be intentionally discharged from the facility. Production of dust during preparation of the hazardous substances for manufacturing will be tightly controlled and limited to the laboratory. Dust produced during the manufacturing process will be collected within a dust containment system and recycled back into the process. The finished bait product is bagged inside tightly sealed and waterproof packaging. The facility will be thoroughly cleaned at regular intervals with dedicated industrial vacuums.

Any odour produced by the manufacturing process (likely to be produced by attractants such as cinnamon incorporated into the product) will be minor due to the tightly sealed packaging of the finished product and the fact that the facility will be enclosed for the majority of the time. Any odour that discharges outdoors while the vehicle access door is open will quickly dissipate into a non-sensitive industrial environment.

The comprehensive site management procedures also contain an Incident Response Plan as required. In the unlikely event of a spill, this Plan will be put into action. To anticipate these events, the floor of the facility has been coated with a high performance epoxy paint to create an impermeable surface. All construction joints have been sealed to prevent build-up of dust or spilt materials, as well as eliminate pathways for contamination of underlying ground strata. Manufactured product is required to incorporate a green or blue dye to indicate toxicity, and any spilt pellets will be readily identifiable against the grey floor so they can be easily recovered.

To prevent avian and rodent pest incursions, and their potential subsequent death outside of the premises, the building has been constructed in such a way as to be bird-proof. Traps will also be set and the premises will be regularly inspected for the presence of pests, with appropriate actions taken if found.

Personal Protective Equipment (PPE) is a health and safety requirement for persons engaged in the manufacture and handling of products containing vertebrate toxic agents. The use of process specific PPE protects the health of employees and prevents toxins from being unintentionally transferred outside of the building by routes such as contaminated clothing. Whilst equipment requirements differ according to process stage and the active ingredient being used, they will generally include full Tyvek style overalls, gloves, full face respirators and factory-only footwear. Changing will take place in a specially designated area within the factory and staff must wash their hands immediately before leaving the factory environment.

For these reasons, and in accordance with the technical recommendations of the Tonkin & Taylor report, it has been assessed that the adverse effects of the proposal will be less than minor.

It is also noted that the risk associated with the proposal is also controlled and mitigated through other approval pathways. The Applicant has obtained, and is seeking, approval from the Environmental Protection Authority for the use, storage and manufacturing of hazardous substances at the site in accordance with the Hazardous Substances and New Organisms Act. In addition, the manufactured product will require approvals from the Ministry for Primary Industries under the Agricultural Compounds and Veterinary Medicines Act. The risks associated with the activity will also be thoroughly considered during the assessment of these approvals.

Notwithstanding the above, do any special circumstances exist in relation to this application which would lead you to conclude that the application should be notified? If yes, why? [Section 95A(4)]

No. The applicant has thoroughly demonstrated that appropriate management procedures will be put in place to control both the storage and use of hazardous substances on the site. All relevant New Zealand legislation will be complied with.

Recommendation:

That the application **need not be publicly notified** in accordance with Section 95A of the Resource Management Act 1991.

Who may be considered to be adversely affected by the granting of this application? Identify the properties on the attached plan [Sections 95E and 95F]

No adversely affected parties have been identified. The environmental effects of the activity have been assessed as being less than minor and limited to the site itself.

It is noted that the Applicant has sent the application to the owners of all immediately adjoining properties for their comment; however, given the assessment above, these parties are not considered to be adversely effected as defined under Sections 95E and 95F.

Has the written approval of every person who may be considered to be adversely affected by the granting of this resource consent been obtained? [Section 95E(2)]

Not applicable.

If the answer to the above question is no, do you consider that it is unreasonable in the circumstances to require the obtaining of every such approval? [Section 95E(3)(b)]

Not applicable.

Recommendation:

That the application be processed on a **non-notified** basis under the Resource Management Act 1991.

Reported and recommended by: Alex Strawbridge (Consultant Planner)

Date: 15 April 2015

Decision: Having review the details of the application, the responses to the requests for further information, the peer review by Tonkin and Talyor and the above report prepared pursuant to s95 of the Resource Management Act my decision is that the application be processed on a non-notified basis.

Commissioner: Dean Michael Chrystal

Signature



Date:

16th April 2015