

**BEFORE THE INDEPENDENT HEARING COMMISSIONERS
IN CHRISTCHURCH**

TE MAHERE Ā-ROHE I TŪTOHUA MŌ TE TĀONE O ŌTAUTAHI

IN THE MATTER OF Resource Management Act 1991

AND

IN THE MATTER of the hearing of submissions on Plan Change 14
(Housing and Business Choice) to the Christchurch
District Plan

**JOINT WITNESS CONFERENCING STATEMENT OF PLANNERS ON THE
RAVENSDOWN INDUSTRIAL INTERFACE**

18 April 2024

INTRODUCTION

1. This joint witness statement relates to expert conferencing on the topic of the Ravensdown industrial interface.
2. The expert conferencing was held between December 2023 and April 2024.
3. Attendees at the conference were:
 - (a) Brittany Ratka, planning expert for Christchurch City Council. Brittany Ratka is the author of the s42A report for Industrial Interface, Significant and Other Trees, and Natural Hazards Qualifying Matters (QMs), dated 11 August 2023, and rebuttal dated 9 October 2023.
 - (b) Jane Whyte, planning expert for Ravensdown Limited (#243). Jane Whyte is the author of planning evidence relating to Ravensdown, dated 20 September 2023.

CODE OF CONDUCT

4. This joint statement is prepared in accordance with sections 9.4 to 9.6 of the Environment Court Practice Note 2023.
5. We confirm that we have read the Environment Court Practice Note 2023 and agree to abide by it.

PURPOSE OF CONFERENCING

6. The purpose of conferencing was to address the Panel's request on 20 November 2023 (Item 58 of the IHP Requests and Actions table) that conferencing be undertaken regarding the relief sought by Ravensdown to progress a buffer related to its Hornby works site as part of the Industrial Interface Qualifying Matter (QM) for Plan Change 14.
7. Both parties reviewed relevant **s32 report, evidence, s42A report, and other reports** relevant to the Ravensdown site in advance of the conferencing.
8. In addition to inform the s32 evaluation Ms Ratka and Ms Whyte also considered the Ravensdown consent conditions, and glass assessment maps and the most recent annual monitoring report that was made available to the planners by Ravensdown.
9. **Annexure A** records the agreed issues, areas of disagreement and the reasons, along with any reservations.

10. **Appendix 1 and 2** to this evidence contains an updated s32 analysis addressing Options 5 and 6 related to provisions addressing the matters raised in evidence by Ravensdown, Option 4 addressing noise, and Option 7 addressing odour (track change and clean versions respectively) which can be treated as a s32AA evaluation. **Appendix 3¹** contains the updated provisions to address air discharges of sulphur dioxide, which at higher concentrations is associated human health issues, and fluoride which can result in clouding of windows. **Appendices 4 through 6** contain the Ravensdown consent conditions, glass assessment maps and the most recent annual monitoring report. **Appendix 7** contains an AES acoustic memo. **Appendix 8** contains a memo from Environment Canterbury (ECan) and three attachments on complaints data. **Appendix 9** contains Ms Ratka's recommended updated provisions. Appendices 1 – 9 are attached as separate documents.

SCOPE OF CONFERENCING

11. The planners during conferencing worked constructively on matters related to the air discharges addressed in the submission and evidence of Ravensdown presented at the hearing, relating to considering and developing provisions to address air discharges of sulphur dioxide, and fluoride.
12. Ms Whyte records that she has only contributed to this Joint Witness statement in relation to the matters addressed in the evidence presented by Ravensdown. She has not been involved in any conferencing on and has not participated in those parts of this Joint Witness Statement, any recommended plan provisions, or any Section 32 evaluation relating to noise or odour.
13. Ms Ratka acknowledges Ms Whyte has not considered noise and odour matters as part of the Joint Witness Statement. However, Ms Ratka considers that new information is relevant and therefore considers there is an obligation to take it into account to assist the Panel.
14. In term of noise, at the hearing on the 2nd of November Commissioner Munro posed questions to Ms Ratka on the effectiveness and efficiency of the proposed blanket 40m noise buffer and discretionary status compared

¹ It is recognised that the provisions in Appendix 3 do incorporate the changes to noise provisions of Ms Ratka. This is to show the relationship between the noise and other provisions. Ms Whyte has had no input into the development of these provisions and expresses no view as to their merits or otherwise.

to a design requirement for acoustic insulation. In response to these questions Ms Ratka has assessed the merits of a more enabling acoustic insulation approach²³ and has changed her recommendation⁴ in favour of a new built form standard with acoustic design controls. Ms Ratka considers noise, particularly the updated recommendation, to be an appropriate consideration for conferencing given it is relevant information as part of the Industrial Interface Qualifying Matter.

15. With respect to odour, Ms Ratka made a routine request of ECan for information relevant to compliance with Ravensdown consent conditions. To enable consideration of the information supplied Ms Ratka requested and subsequently obtained a memo from ECan⁵ which she provided to Ms Whyte on the 9th of April. Ms Ratka advised Ms Whyte on the 10th of April that in response to this memo she has undertaken an assessment⁶ and has changed her recommendation to residential properties within the 240m Ravensdown buffer retaining the operative zoning, being Residential Suburban.
16. ECan's compliance information included material relevant to broader issues (odour) than had previously been considered under this Qualifying Matter. Ms Ratka considers that this information is relevant to the appropriateness of the Qualifying Matter provisions. That being the case, she considers it likely to be of more assistance to the Panel to express an expert planner's view factoring in that information (noting that the Panel, potential scope issues aside, has broader powers under Schedule 1 Clause 99 (2) (b) of the Act). Ms Ratka therefore also considers it is appropriate to invite Ms Whyte likewise to express views in the conferencing context.

BRIEF SUMMARY OF INDUSTRIAL INTERFACE QM TO DATE

Original section 32 analysis

² Refer to Option 4 in Appendices 1 and 2, as well as the noise provisions in Appendices 3 and 9.

³ Option 4 relies on a new memo from AES (attached as Appendix 7) considering acoustic insulation, balcony orientation, and noise limits as a means to address noise exposure for new units three storeys and above.

⁴ Within the 40m noise buffer over Medium Density Residential Zones (MRZ) and High Density Residential Zones (HRZ) adjoining industrial zones, a built form standard applies requiring mechanical ventilation and air conditioning units be installed above 8m where there is line of sight to industrial zones, and balconies are oriented away from these zones. Where this standard is not met resource consent would be required for a restricted discretionary activity with assessment matters considering noise mitigation and reverse sensitivity. The AES memo considers that an acoustic insulation approach would need to be accompanied by changes to the noise limits section of the Plan as insulation would not address there being a new noise measurement location and potential for non-compliance. It is recommended increase the residential noise limits by 10dB within the Industrial Interface overlay above 8m. Ms Ratka also recommends replacing the notified version of new Objective 14.2.12 by relying on Strategic Objective 3.3.14 Incompatible activities, and that the notified new Policy 14.2.12.1 is updated to reflect the potential for noise mitigation.

⁵ Attached as Appendix 8.

⁶ Refer to Option 8 in Appendix 1 and 2, as well as the proposed map at the end of Appendix 9.

17. The Part 2 Qualifying Matters s32 report, in section 6.22, included an assessment for the proposed Industrial Interface QM. It was accompanied by an acoustic report and memo from Acoustic Engineering Services, set out in Appendices 39 and 40 Part 2 Qualifying Matters s32 report.
18. The preferred option was a discretionary activity status for new development above 7m/two storeys within 40m of industrial zones and included a new objective and policy.

Section 42A analysis

19. The s42A report of Ms Brittany Ratka considered requested changes from submitters and proposed minor changes to the new policy wording. Also, the proposed height limit of 7m was changed to 8m.

Ravensdown evidence

20. The evidence of Ravensdown supported the relief sought by Ravensdown to progress an air discharge buffer as part of the Industrial Interface Qualifying Matter (QM) for Plan Change 14.

Rebuttal evidence

21. In response to Ravensdown's evidence, Ms Ratka's rebuttal evidence considered that there could be merit in pursuing a Ravensdown air discharge buffer.

Hearing

22. The Panel requested (on 20 November 2023) that conferencing be undertaken with Ravensdown to progress a potential air discharge buffer, associated controls and s32 assessment.

PROPOSED RAVENSDOWN BUFFER

23. Following the hearing, at the request of the Panel, Ms Ratka and Ms Whyte through expert conferencing have considered options for a Ravensdown air discharge component to the Industrial Interface QM.
24. The manufacturing of fertiliser at the Ravensdown site (312 Main South Road, Hornby) has been undertaken since 1922 when the surrounding area was predominantly rural with few residences. Over time the area has increasingly become dominated by low density residential activities to the south of the site. Ravensdown operate under the ECan air discharge

consent CRC080001 which controls its air discharges and includes intensive monitoring.

25. The focus of Ms Ratka and Ms Whyte's conferencing was on potential methods to manage more people being exposed to air discharges of sulphur dioxide, which at higher concentrations is associated human health issues, and fluoride which can result in clouding of windows. The effects and modelling of these discharges have been covered in Mr Chilton's evidence⁷.
26. Option 5 in the s32AA assessment⁸ considers a 240m buffer over residential properties to the south of Ravensdown. These residential properties within the buffer would be zoned MRZ (noting over half of these properties were HRZ as notified/in the Residential s42A). Development above 8m would be permitted where standards that manage effects of glass clouding are met (requiring glass that is resistant to clouding), and becomes a non-complying activity where not met. Development above 14m would be a non-complying activity (as opposed to restricted discretionary under MRZ zoning). Policy 14.2.12.1 would include a specific sub policy addressing this. Appendix 3B sets out these provisions in full.
27. Option 6 in the s32AA assessment is the same as Option 5 except those properties initially proposed as HRZ would remain proposed as HRZ.
28. Out of the two above options for dealing with human health and glass clouding, the agreed preferred option is Option 5 given that it effectively balances management of glass clouding and human health effects with enabling further development where these concerns can be addressed. As set out further above, Ms Ratka has subsequently changed her recommendation given the information set out in the ECan memo, and now recommends a 240m buffer over residential properties to the south of Ravensdown which would result in these properties retaining the operative zoning, being Residential Suburban⁹. It is also noted that Ms Ratka has updated her recommendation with respect to noise controls for the Industrial Interface Qualifying Matter¹⁰.

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⁷ [Ravensdown Limited #243 - Evidence Richard Chilton - Air Quality.](#)

⁸ Refer to Appendix 1 and 2 (track change and clean versions respectively)

⁹ Refer to Option 7 in Appendix 1 and 2, and provisions/mapping in Appendix 9.

¹⁰ Refer to Option 4 in Appendix 1 and 2, and provisions in Appendix 9.

Brittany Ratka

Brittany Ratka

Jane Whyte

Jane Whyte

ANNEXURE A – EXPERT CONFERENCING ON INDUSTRIAL INTERFACE QUALIFYING MATTER RAVENSDOWN PROVISIONS

Participants: Brittany Ratka, and Jane Whyte

| Issue | Position | Comments |
|---|--|---|
| <p>Changes to the Industrial Interface QM to better manage potential reverse sensitivity associated with noise, and additionally consented air discharges at the Ravensdown fertilizer manufacturing site at 312 Main South Road.</p> | <p>Agree that the provisions and s32AA assessment related to Option 5 address matters relating to human health and glass clouding.</p> | <p>Ms Whyte has not addressed matters relating to noise or odour.</p> <p>Ms Ratka having considered potential effects of odour is recommending an option other than Option 5 which retains status quo zoning within a 240m buffer adjoining Ravensdown.</p> |
| <p>Scope of issues addressed in JWS.</p> | <p>Ms Whyte has not considered matters relating to noise or odour addressed in this Joint Witness Statement.</p> <p>Ms Ratka has addressed matters of noise and odour.</p> | <p>This has been addressed in the Joint Witness Statement.</p> |

APPENDIX 1 – UPDATED S32 EVALUATION (TRACK CHANGE VERSION) (ATTACHED AS SEPARATE DOCUMENT)

APPENDIX 2 – UPDATED S32 EVALUATION (CLEAN VERSION) (ATTACHED AS SEPARATE DOCUMENT)

APPENDIX 3 – PROVISIONS ADDRESSING MATTERS RAISED BY RAVENSDOWN (OPTION 5) (ATTACHED AS SEPARATE DOCUMENT)

APPENDIX 4 – CRC080001 RAVENSDOWN CONDITIONS (ATTACHED AS SEPARATE DOCUMENT)

APPENDIX 5 – RAVENSDOWN GLASS REPLACEMENT MAPS (ATTACHED AS SEPARATE DOCUMENT)

APPENDIX 6 – RAVENSDOWN ANNUAL AIR DISCHARGE CONSENT REPORT (2022) (ATTACHED AS SEPARATE DOCUMENT)

APPENDIX 7 – AES MEMO ON ACOUSTIC MITIGATION (ATTACHED AS SEPARATE DOCUMENT)

APPENDIX 8 – ECAN MEMORANDUM (ATTACHED AS SEPARATE DOCUMENT)

APPENDIX 9 – MS RATKA’S RECOMMENDED PROVISIONS (OPTION 7) (ATTACHED AS SEPARATE DOCUMENT)