

BEFORE THE HAWKE'S BAY REGIONAL COUNCIL

APP-126684

UNDER

The Resource Management Act 1991 ("**RMA**"
or "**the Act**")

IN THE MATTER

of a resource consent application to the
HAWKE'S BAY REGIONAL COUNCIL for
various resource consents for the operation,
upgrading and maintenance of the
Ravensdown Napier Works Fertiliser Plant
and the establishment and maintenance of a
Wetland Restoration Project.

**STATEMENT OF EVIDENCE BY ANDREW JAMES TORRENS ON BEHALF
OF RAVENSDOWN LIMITED**

16 November 2022

1. INTRODUCTION

- 1.1 My name is Andrew Torrens. I have been employed by Ravensdown Limited (“Ravensdown”) since 2012 in both engineering and management roles. I am currently the Works Manager at the Ravensdown Napier Works and have been in this role since 2016.
- 1.2 I am a Chartered Chemical Engineer and hold a Bachelor of Engineering (Chemical and Process) with Honours from the University of Canterbury.
- 1.3 In my role I am responsible for all activities and operations at the Napier Works site and hold the overall accountability for compliance with the site’s resource consent conditions. I am also responsible for ensuring the Napier Works develops and maintains good relationships with its key stakeholders, including mana whenua, neighbours, the Councils, and the wider community that has an interest in the company’s activities.
- 1.4 I have been closely involved in all aspects of the application process for replacement consents for the Napier Works.
- 1.5 I am authorised by Ravensdown to give this evidence on behalf of the company.

2. SCOPE OF EVIDENCE

- 2.1 In this evidence I provide an overview of Ravensdown’s vision and environmental and sustainability goals, and how these have guided the company’s approach to both the resource consent application process that we have undertaken since 2019 and to our relationships with our key stakeholders, in particular mana whenua.

3. RAVENSDOWN NAPIER

- 3.1 The Napier Works is the largest of the five remaining superphosphate manufacturing facilities in New Zealand¹, and a strategic asset for Ravensdown and the wider New Zealand agricultural sector. The Napier

¹ Owned by Ravensdown (three sites) and Ballance Agri-Nutrients (two sites)

Works was built in the early 1950's and has been a significant contributor to the Hawke's Bay economy since this time. Napier Works was acquired by Ravensdown in 1987.

- 3.2 As a company, Ravensdown has evolved over this time, developing the way we operate and our contribution to the communities where we have a presence. The company vision statement of "*Smarter Farming for a better New Zealand, Ka pūkekotia a Rongomātāne, ka poho kereru a Aotearoa*"² underpins our day-to-day operations across the site and the wider company. Our future focus and commitment to sustainability has been a key driver for the changes proposed for the Napier Works that have been developed through this resource consent process.
- 3.3 Having been through this resource consenting journey, Ravensdown has had the opportunity to put into practice the way we want to conduct our business - where our relationships, the environment and sustainability of our operations are key objectives. The Overall Project Objective statement as agreed with our Board of Directors was "*To establish the most sustainable long-term solution for treatment and discharges from the Ravensdown Napier Works to enable the continued operation of the site*", which supports the company mission of "*interconnecting productivity and sustainability*".
- 3.4 The resource consent process itself has achieved a goal where changes at the site proposed through the application for a new set of resource consents will ensure that Ravensdown's industrial manufacturing processes are undertaken in a way that:
- Minimises adverse effects on the receiving environment for many years into the future:
 - Commits to ongoing improvements, and
 - Enables the site to take a significant step towards meeting International Best Practice³.
- 3.5 We have also commenced a number of projects and operational processes on site where we have already seen environmental gains as a result. This

² <https://www.ravensdown.co.nz/integrated-reporting>

³ As assessed by international experts Chemetics and JESA Technologies

includes implementation of actions outlined in the Source Control Management Plan provided as part of the application and updated following technical discussions⁴. These actions include the purchase of a new sweeper unit for the site and installation of dust curtains to control and minimise dust.

- 3.6 Ravensdown's financial commitment to achieve these goals and associated benefits to the environment is significant, with a commitment of over \$40 million of capital costs to install and implement the infrastructure and the measures the company has committed to as part of the resource consent process.

4. MANA WHENUA AND STAKEHOLDER RELATIONSHIPS

- 4.1 Through our resource consent application process, we have been privileged to have been introduced to and develop relationships with mana whenua as well as a number of interested parties and stakeholders within our wider community. The Technical Focus Group ("TFG") process was key to this relationship building where TFG members were able to share their views about our current and future operations at the site, as well as their aspirations for the wider environment.
- 4.2 This has included the development of a strong relationship with mana whenua representatives over the last three years, which Ravensdown intends to continue to nurture and strengthen outside of the obligations associated with the resource consents.
- 4.3 Ravensdown is grateful for the time mana whenua have given to us through the process, including in the development of the set of agreed resource consent conditions. We have already seen benefits of our strengthened relationships being realised through the sharing of knowledge and the journey we have taken which has enabled us to develop:
- A greater understanding of the cultural significance of the site and the wider area to mana whenua, and their aspirations within the area.

⁴ October 2022 version, provided to the HBRC on 7 October 2022.

- The wetland restoration within the Waitangi Estuary (the “HARP”) from a proposal that was initially put to us Chad Tareha from Ngati Pārau.
- A set of “Mana Whenua Recognition and Participation” consent conditions guiding the establishment of implementation of the Awapuni Reference Komiti and a Kaihāpai Taiao role.
- The foundations of a Rangatira ki Rangatira relationship recommended to us by Aramanu Ropiha where Mana Whenua Rangatira and members of the Ravensdown Board of Directors and Executive Management will develop a connection to ensure Rangatiratanga remains as a key part of the ongoing business.

4.4 Ravensdown is excited for the opportunities, the enduring legacies and benefits that will be afforded to both the company and mana whenua in partnership, and the wider community, as a result of our relationship beyond the resource consent process.

4.5 This resource consent process has been underpinned by our “brand behaviours” of being Trusted and Courageous, and by integrating Te Ao Māori – *“taking the long view and supporting the kaitiaki as we strive together for more sustainable ways forward”*.

4.6 These brand behaviours and the successes of the resource consent process and engagement with mana whenua are highlighted in the attached case study prepared by Aramanu Ropiha for Building Better Homes, Towns and Cities (BBHTC) National Science Challenge⁵.

4.7 It is my view that the support for the 35-year term of consent from those that we have engaged with, including in writing from Ngati Pārau Hapū Trust (attached) is a positive outcome of the resource consent process we embarked in 2019.

4.8 During our meeting with mana whenua on 6 October 2022 to develop the proposed resource consent conditions, Ravensdown also committed through a consent condition to champion other industry in the Waitangi Estuary catchment to support habitat abundance in the catchment. We are

⁵ <https://www.buildingbetter.nz/>

willing and ready to share Ravensdown's experience developing a sophisticated and sustainable approach to our water treatment and discharge from the site to obtain an overall benefit for the Waitangi Estuary environment, and our belief in the value in these outcomes.

5. CONCLUSION

- 5.1 Ravensdown's commitment to the sustainable development of the Napier Works through this process has and will continue to provide many benefits for the company, the environment and our community to create a long-term legacy. This will be further supported through the granting of resource consents with a 35-year term for the air and water discharges and the water take for the site, providing an assurance for Ravensdown's ongoing operation and the significant financial commitment to achieve this legacy.

Andrew Torrens

16 November 2022

ATTACHMENT 1: CASE STUDY PREPARED BY ARAMANU ROPIHA

Ravensdown and Mana Whenua , an optimistic outlook.

Ka pūkekotia a Rongomātāne, ka poho kererū a Aotearoa

– smarter farming for a better New Zealand¹

Matter of fact statements matter.

Ravensdown matters of fact	Mana Whenua matters of fact
The 16ha site has been making superphosphate since 1953. It was acquired by Ravensdown, a farmer-owned co-operative, in 1987.	Hapū were displaced from the land known as Whataangaanga in 1868. There has not been a relationship between Ravensdown or its predecessor company and mana whenua in the 70 years of their business operation.
The site is bordered by SH51 to the east and the culturally and environmentally significant Waitangi Regional Park to the south.	A registered archaeological site, once the historically important Awapuni Pā. The place where the hapū of Heretaunga returned following the intertribal wars of the 1820s.
Napier is the largest superphosphate manufacturing plant in New Zealand, one of only five in the whole country and is Napier port's largest importer.	Environmental concerns drive mana whenua engagement in Te Matau ā Māui. Manufacturing produces waste and contaminants discharging to air, land and sea.
The site produces around 250,000 tonnes for North Island farmers and growers which is distributed through a network of 45 stores and applied through dozens of spreading trucks and topdressing aircraft.	Māori are heavily invested in agriculture with farms; forests, orchards, cropping ventures; and are shown in the Ravensdown shareholder records.
Superphosphate granules deliver phosphate and sulphur which are essential to all plant life and are extracted from the soil when food or crops are consumed.	Papatūānuku and Ranginui, together with their progeny, are able to provide and replace all of the nutrients and minerals essential to all plant life through organic processes.
We employ 71 at the site and a network of about 170 contractors with a combined wage bill of over \$10 million.	Employment figures beg the question of 'How many...local Māori are employed?' Wages figures beg the question of 'How much...of that returns to Māori whānau?'
We also employ 23 people at our laboratory in Awatoto, four at our Severn Street store and two staff at the Port of Napier. We receive about 200,000 tonnes of bulk materials through the port each year	In total, there are 270 people in our community whose livelihood directly depends on this plant. Phosphate is imported – currently from the Western Sahara – but has had devastating impact on indigenous communities where it is mined.
We've invested over \$18.5M in capital upgrades over six years and annual operating spend is about \$14M ²	How does the social, cultural and environmental investment compare?

¹ Ravensdown lead statement

² <https://www.ravensdown.co.nz/ravensdown/napier-21-consent>

Yes, matter of fact statements matter. They define a fact or a belief, and they may demonstrate an understanding; but they do not tell the story behind that fact or belief, and they do not shine a potential pathway of mutual development. This case study looks at the mana whenua engagement and response to Ravensdown's application to renew their resource consents to discharge to air, water and land.

The consultant company engaged to assist Ravensdown is Mitchell Daysh. That engagement commenced in November 2020.

Mana whenua representative roopu are Kohupatiki Marae, Ngāti Paarau Hapū Trust and Kahungunu ki Te Matau a Māui rohe moana; supported by staff from Ngāti Kahungunu Iwi Incorporated.

The consultant company invites participation in a Technical Focus Group (TFG), bringing all parties together. The TFG is guided through the problem, options to consider, eventually arriving at a collective solution. Through that process the TFG is given all manner of expert reports to read and understand, including cultural reports. In this case two reports were commissioned: A cultural Impact Assessment by Ngāti Paarau, and a Cultural Values Report on behalf of Kohupatiki.³

The Ngāti Paarau Hapū Trust Cultural Impact Assessment outlines their involvement in the process including the proposal for a 4 hectare wetland to be developed.

***April – October, 2021** – The TFG met regularly to provide advice and contribute to Ravensdown's decision making. These meetings started in April and concluded in October. During the 4th TFG meeting (27 Aug) Ngāti Pārau proposed the creation of a 4 ha. wetland as part of an offsetting project. Mitchell Daysh mentioned any Habitat Abundance Restoration Programme that Ravensdown were proposing as part of the consent package would have a monitoring programme in place for habitat and species.*

***September 16, October 2020** – Ravensdown met with mana whenua and other organisations to discuss the Habitat Abundance Restoration Programme (HARP).*

The recommendations of the Trust largely focus on the discharge to water and land, the Habitat Abundance Restoration Programme and cultural monitoring of mahinga kai and taonga species. The report looks to a partnership and investment by Ravensdown in building hapū capacity as kaitiaki.

Recommendation 1: Ngāti Pārau hapū supports the proposed site for disposal of stormwater and process water through irrigation across 17.5, ha of farmland. We also support the implementation of greater onsite treatment and management of stormwater, and that the preferred option is to not discharge stormwater to the Waitangi Estuary and Tūtaekurī River.

Recommendation 2: Ngāti Pārau hapū are committed to working with Ravensdown to ensure a healthy estuarine environment for the Waitangi Estuary and wetlands area.

³ <https://www.ravensdown.co.nz/media/5726/a10-cultural-impact-assessment-ng%C4%81ti-p%C4%81rau-hapu-updated.pdf>
<https://www.ravensdown.co.nz/media/5727/a11-cultural-impact-assessment-kohupatiki-marae.pdf>

Ngāti Pārau insists that we co-lead the Habitat Abundance Restoration Project and that the creation and implementation of a cultural monitoring programme focused on mahinga kai and taonga species be undertaken.

Recommendation 3: That Ravensdown invest in future Mana Whenua Kaitiaki (environmentalists), through an on-going and active partnership with Mana Whenua to achieve the environmental and cultural aspirations of Mana Whenua, Ravensdown and that of the community. Including but not limited to:

- Involvement in the Adaptive Management Approach team/working group, namely the implementation of stages 1, 2 and 3 of the stormwater process and review of water quality results; and*
- supporting Ngāti Pārau Hapū Kaitiaki in delivering planting, environmental works and environmental monitoring associated with the consent.*

The recommendations are, protective and future focused for long term development of the Hapū.

The Cultural Values Report written for Kohupatiki Marae is focussed on restoring and relating traditional names and cultural heritage; rangatiratanga and leadership; investment in mana whenua capacity and capability. It looks to a long term Rangatira relationship with Ravensdown to advance these aspirations.

- 1. that Ravensdown invest in **Rangatiratanga** - Leadership through a long-term relationship with mana whenua to achieve all cultural outcomes over the long term⁴. This relationship includes:
 - 1.1 The proposed habitat abundance restoration project as stage one:- is just stage one of a bigger project; and*
 - 1.2 that the partnership brings in other industry operating at Whataangaanga for ongoing enhancement staged projects: Mana, Mauri Tu; Taiao.*
 - 1.3 a second concurrent project runs in conjunction with the restoration project; Names and associations is project two that researches the names and associations used through time, for the area of the estuary, and interprets the findings consistent with the **cultural outcomes of Whakapapa; Ahi kaa; Mahi Toi; Tohu.****
- and*
- 2. that Ravensdown, in acknowledgement of the waka culture of the early inhabitants of the area; and of the positive social impact associated with waka today, invests in restoring the culture of waka on the rivers. **Manaakitanga** - fostering potential.*
- and*
- 3. that Ravensdown, in partnership with Mana whenua; establish a **Whakatipu Kaitiaki policy** to provide scholarships and internships specifically targeting rangatahi Māori, actively investing in mana whenua capacity and capability to engage with the environmental and other issues related to the Ravensdown operations.*

The recommendations are restorative and future focused for long term development of the Hapū.

⁴ Long-term in this context begins with the duration of the resource consent i.e. 35 years.

Despite initial misinterpretation, misunderstanding and misalignment, the two parties, with support from their teams, have reached a mutual understanding of relationships at various levels of engagement.

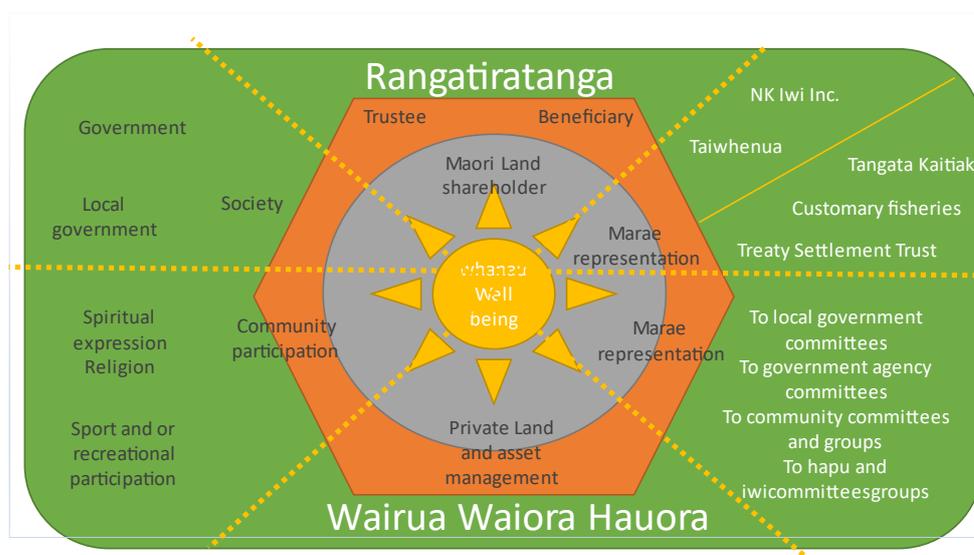
Within the Resource Consenting process and conditions, practical, environmental outputs based on agreed terms and roles will be addressed through the – Habitat Abundance Restoration Project.

Within the Resource Consenting process and conditions, provision is made for demonstrable cultural heritage outputs to restore and relate the cultural heritage narrative of Whataangaanga and Awapuni Pā.

Outside of the Resource Consenting process, Mana whenua have learnt and acknowledge Ravensdown’s approach to take a Trusted and Courageous walk toward Te Ao Māori.

Ravensdown brand behaviours	
TRUST	Leading the way and doing what is right to the best of our ability Demonstrating integrity by consistently doing what we say we will do.
COURAGE	Open minded and pioneering Focussed on solutions To front up – to face the good the bad and the ugly
TE AO MĀORI	Acknowledge the interconnectedness and interrelationship of all living and non-living things Taking the long view and supporting the kaitiaki. Striving together for more sustainable ways forward.

A crucial component of understanding for Ravensdown is understanding the complexity of Māori communities; of the different roles of mana whenua, tangata whenua, kaupapa Māori and this, as well as being a participating member of our integrated community of Hawkes Bay. In the diagram Mana Whenua roles are depicted in the N+E quadrants; Community in the S+W quadrants.



Ravensdown and Manawhenua have embarked on a Rangatira relationship, one that operates at the highest level of both parties; one that informs, supports and demonstrates accountability to the people – by Ravensdown for the duration of the consent [hearing is scheduled for 29th November 2022]; and by the mana whenua who have committed to ongoing protection of this important wetland environment, and to the restoration and sharing of an important part of the history and heritage of Te Matau ā Māui.

Whilst both parties acknowledge their difference in view – as outlined in the table: Matter of fact statements matter; both parties are willing and energised to look to the future with optimism and evolve a valuable relationship – Rangatira ki Rangatira.

This Rangatira approach between mana whenua and a commercial company – seeks only to support agreed initiatives. It does not interfere or impose over either party, their values or their business. It seeks to understand and influence – where influence is positive and practical – outcomes beneficial to the hapū, the company and the community of Te Matau ā Māui - Hawkes Bay.

The BBHTC supported community research through Karearea: Institute for Change. The community researcher was invited to write the Cultural Values Report on behalf of Kohupatiki Marae.

The Community Researcher attended and contributed to discussions with the mana whenua roopu and with Ravensdown and the Consultant Company. She has offered support and advice to the parties, including organising and facilitating a hikoi around the rohe and she has promoted the levels of engagement approach, advocating for a Rangatira ki Rangatira relationship.

*Our Kaupapa for the hikoi is to take you, our manuhiri, on a journey. You have heard our passion in the boardroom, now let us show and tell; to help you understand what it is to be MANAWHENUA. On this journey we will share with you the landscape and experiences of our tipuna: from loss and survival; of reclaiming and restoration; but more importantly today; our aspirations of regeneration and revival; we will share our hopes for the future and the potential we believe can be achieved by working together rather in the constructed realm of the RMA.*⁵

Critical success factors observed through the community research include:

- A willingness by all parties to work through the issues and resolve misunderstandings.
- The representatives from Ravensdown demonstrating their brand behaviours through respectful engagement.
- Trust in each other and in the process.
- Acknowledging that relationships depend on people, on agreed mutual goals and positive experiences that overcome challenges.
- Willingness to operate outside the bounds of the Resource Management Act.

“Both Stephen [Mitchell Daysh] and I are proud of the process and the outcome we have reached with mana whenua”

Andrew Torrens – Operations Manager, Ravensdown Awatoto, Napier.

⁵ Lead statement for hikoi itinerary.

ATTACHMENT 2: NGATI PĀRAU LETTER OF SUPPORT

Andrew Torrens
Napier Works Manager
Ravensdown Limited
200 Waitangi Road, Awatoto
NAPIER

28 October 2022

Kia ora Andrew

Ravensdown Napier Works – Applications to renew resource consents

I would like to thank you and the Ravensdown team for the thorough process you have undertaken in involving and engaging with mana whenua throughout the Ravensdown consent process.

The opportunity to be involved in the processes of choosing the primary land-based water treatment and discharge system, working up the HARP wetland proposal, preparing the two CIAs, and co-drafting the agreed set of Mana Whenua Recognition and Participation conditions has been appreciated, and one which we feel is good practice.

On behalf of Ngāti Pārau Hapū Trust, we are comfortable with the granting of these consents for a 35-year term based on the terms and conditions proposed by the applicant, and as agreed by the mana whenua roopuu and relevant experts during the pre-hearing process.



Ngā mihi
Chad Tareha
Chairman, Ngāti Pārau Hapū Trust

