



## RESOURCE CONSENT Discharge Permit

In accordance with the provisions of the Resource Management Act 1991, and subject to the attached conditions, Hawke's Bay Regional Council (the Council) grants a resource consent for a discretionary activity to:

**Central Hawke's Bay District Council**  
PO Box 127  
WAIPAWA

to discharge contaminants (odour) to air associated with the operation of the Porangahau Township Oxidation Pond

### LOCATION

**Address of site:** Keppel Street, Porangahau Township  
**Legal description:** Lot 1 DP 20711  
**Map reference:** V24: 2817660 6093657

### CONSENT DURATION

This consent is granted for a period expiring on 31 May 2021.

A handwritten signature in blue ink, appearing to read "Christine Scott", is written over a faint, larger version of the same signature.

**Christine Scott**  
**Chairperson**  
HEARING PANEL

22 October 2009

## CONDITIONS

1. All works and structures relating to this resource consent shall be designed and constructed to conform to the best engineering practices and at all times maintained to a safe and serviceable standard.
2. The consent holder shall undertake all operations substantially in accordance with any drawings, specifications, statements of intent, proposed mitigation measures and other information supplied as part of the application for this resource consent. Specifically this includes the following documents provided in support of the application:
  - a) Resource Consent application received by Hawke's Bay Regional Council on 28 March 2003
  - b) Assessment of Environment Effects received by Hawke's Bay Regional Council on 2 December 2003
  - c) S92 further information received by Hawke's Bay Regional Council on 1 October 2008
  - d) Mixing Zone Study Final Report received by Hawke's Bay Regional Council on 2 March 2009

If a conflict arises between any conditions of this consent and the application, the conditions of this consent will prevail.

3. Within 3 months of the date of commencement of this consent the consent holder shall prepare an operations and management plan for the Porangahau Township Wastewater treatment system and submit to Council (Manager Compliance) for approval.

The plan shall include:

- a) Details of the procedures for ensuring that the system is managed and maintained sufficiently to ensure compliance with the conditions of consent.
- b) Contingency plans in the event of system malfunction.

The consent holder shall undertake all operations in accordance with the approved plan. This maintenance plan shall be reviewed as improvements to the wastewater treatment system take place.

4. The treatment system and any discharge shall not result in any offensive or objectionable odour to the extent that it causes an adverse effect beyond the area designated for wastewater management purposes in the Central Hawke's Bay District Plan. For the avoidance of doubt, this condition includes any emission of offensive or objectionable odour from the oxidation pond and wetland beyond the boundary of the subject property.
5. Within 30 months of the date of commencement of this consent the consent holder in accordance with the agreement entitled "Finding a solution to wastewater disposal at Porangahau and Te Paerahi" shall lodge with the Council a report entitled "Wastewater Treatment for Porangahau and Te Paerahi - Long Term Treatment Strategy."

The purpose of the report is to document the environmental effects of the discharge from the Porangahau and Te Paerahi wastewater treatment facilities and to set out the options

available to address the effects on the receiving environment resulting from wastewater generated within these communities.

The report shall be to the satisfaction of the Council (Manager Compliance) and shall, as a minimum, address the following:

- a) the environmental effects of any discharges to land, air or water;
  - b) the cultural effects of any discharges;
  - c) the loadings (such as flows, organic loads, nutrient) on which the design for a long term strategy will be based;
  - d) options available for treatment of wastewater from the Porangahau and Te Paerahi communities to address the environmental and cultural effects of wastewater in these communities;
  - e) Recommended changes to the wastewater disposal processes used in Porangahau and Te Paerahi including an implementation strategy and timeline.
6. Before 1 September of each year the consent holder shall provide a report to the Council covering the 12-month period ending 30 June. As a minimum this report shall include the items listed below and a comparison with previous years:
- a) a review of compliance with the conditions of this consent;
  - b) details of any complaints received;
  - c) comment on any non-compliances and operational problems, and any actions undertaken to address these;
  - d) details of any works undertaken or proposed to improve the performance of the treatment system, and the timeframe for completion of any proposed works.
7. The consent holder shall establish and maintain a 'complaints register' to record the date and time of any complaints received and from whom, the nature and location of the complaint, and any actions taken in response to that complaint. A copy of the complaints register shall be made available to the Council on request.

#### **ADVICE NOTES**

1. The 'Operations and Management Plan' may be the same plan required in accordance with resource consents DP030233W and DP080621L.
2. The annual report should be the same report as required in accordance with resource consents DP030233W and DP080621L.
3. The complaints register may be the same register established in accordance with resource consents DP030233W and DP080621L, and DP030234L and DP030862A.
4. Where conditions require the approval of the Council (Manager Compliance) such approval is to be provided in a certifying capacity only.

## REVIEW OF CONSENT CONDITIONS BY THE COUNCIL

The Council may review conditions of this consent pursuant to sections 128, 129, 130, 131 and 132 of the Resource Management Act 1991. The actual and reasonable costs of any review undertaken will be charged to the consent holder, in accordance with s.36(1) of the Resource Management Act.

Times of service of notice of any review: Annually during the month of September.

Purposes of review:

- To deal with any adverse effect on the environment that may arise from the exercise of this consent, which it is appropriate to deal with at that time or which became evident after the date of issue.
- To require the adoption of the best practicable option to remove or reduce any effects on the environment.
- To modify any monitoring programme, or to require additional monitoring if there is evidence that current monitoring requirements are inappropriate or inadequate.

## MONITORING NOTE

### Routine monitoring

Routine monitoring inspections will be undertaken by Council officers at a frequency of no more than once every year to check compliance with the conditions of the consent. The costs of **any** routine monitoring will be charged to the consent holder in accordance with the Council's Annual Plan of the time.

### Non-routine monitoring

"Non routine" monitoring will be undertaken if there is cause to consider (e.g. following a complaint from the public, or routine monitoring) that the consent holder is in breach of the conditions of this consent. The cost of non-routine monitoring will be charged to the consent holder in the event that non-compliance with conditions is determined, or if the consent holder is deemed not to be fulfilling the obligations specified in section 17(1) of the Resource Management Act 1991 (RMA) shown below.

Section 17(1) of the RMA 1991 states:

*Every person has a duty to avoid, remedy, or mitigate any adverse effect on the environment arising from an activity carried on, by or on behalf of that person, whether or not the activity is in accordance with a rule in a plan, a resource consent, section 10, section 10A, or section 20.*

### Consent Impact Monitoring

In accordance with section 36 of the RMA (which includes the requirement to consult with the consent holder) the Council may levy additional charges for the cost of monitoring the environmental effects of this consent, either in isolation or in combination with other nearby consents. Any such charge would generally be set through the Council's Annual Plan process.

## DEBT RECOVERY

It is agreed by the consent holder that it is a term of the granting of this resource consent that all costs incurred by the Hawke's Bay Regional Council for, and incidental to, the collection of any debt relating to the monitoring of this resource consent shall be borne by the consent holder as a debt due to the Council, and for that purpose the Council reserves the right to produce this document in support of any claim for recovery.

**CONSENT HISTORY**

<b>Consent No. (Version)</b>	<b>Date</b>	<b>Event</b>	<b>Relevant Rule Number Plan</b>	
DP030861A	22 /10/09	Consent initially granted	28	Regional Resource Management Plan