HAWKE'S BAY REGIONAL COUNCIL
TE KAUNIHERA Ā-ROHE O TE MATAU-A-MĀUI

RESOURCE CONSENT

Discharge Permit

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

Ravensdown Limited
Private Bag 6012
Napier 4142

To discharge contaminants into the air from the operation and maintenance of a sulphuric acid and fertiliser manufacturing plant at Awatoto including all ancillary activities.

LOCATION

Address of site
200 Waitangi Road, Awatoto

Legal description
Site of activities: SECS 26 44 50 56 60 PT SECS 32 43 LOT 4 DP 8546 LOTS 1 2 DP 16060 BLK I CLIVE SD, LOTS 6 & 7 DP 25683

Map reference
E1936936 N5614522 (NZTM)

CONSENT DURATION

This consent is granted for a period expiring on 19 December 2057.

LAPSING OF CONSENT

This consent shall lapse in accordance with section 125 of the RMA on the 19th of December 2027, if it is not exercised before that date.

Martin Williams
Hearing Commissioners
Under authority delegated by Hawke's Bay Regional Council
19th December 2022

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 activities authorised by this consent shall be undertaken generally in accordance with the Assessment of Environmental Effects dated 30 November 2021 and associated management plans and other information supplied as part of the application for this resource consent. If a conflict arises between any conditions of this consent and the application, the conditions of this consent will prevail.
3. There shall be no discharge of particulate matter (including dust) or odour that causes an offensive or objectionable effect beyond the boundary of the site.
4. Notwithstanding any other condition of this consent, there shall be no discharge to air from the site of gases, airborne liquid or other airborne contaminants beyond the site, that causes adverse effects on human health, ecosystems or property.

   Advice Note:

   For the purpose of this condition the term site shall mean 'land and all assets on it'.

Product Storage

5. All bulk materials stored on site shall be kept inside a building.
6. The consent holder shall ensure regular sweeping of yard and road areas using vacuum cleaning to minimise emissions of dust beyond the boundary of the site.

Acid Plant

7. The Acid Plant stack shall be no less than 55 metres above ground level, the furnace pre-heat stack no less than 18 metres above ground level, and the auxiliary boiler stack no less than 15.8 metres above ground level.
8. The emission rate of Sulphur Dioxide (SO_2) from the Acid Plant stack shall not exceed 1.5 kilograms (kg) per minute (two minute average) and:
   a) 60 kg/hour (one hour average) at any time until completion of the construction and commissioning of the replacement Acid Plant Converter.The commissioning of the replacement converter shall be undertaken as soon as practicable and no later than 1 January 2026.
   b) 40kg/hr (one hour average) at any time following construction and commissioning of the replacement Acid Plant Converter.
9. The combined discharge rate of Sulphur Trioxide (SO_3) and Sulphuric Acid (H_2SO_4) (expressed as SO_3) from the acid plant stack shall not exceed:
   a) 2 kg/hr as a 1-hour average at any time;
   b) 0.5 kg/hr for at least 50% of the monitored 1-hour averages in any 3 month period.
10. The discharge from the acid plant may contain up to 150 milligrams per cubic metre (mg/m^3) at NTP SO_3 / H_2SO_4 expressed as SO_3 for not more than 4 hours after igniting sulphur in the case of a cold start and not more than 1 hour in the case of a warm start up. This shall be measured in accordance with USEPA method 8 or another method as approved by Council.

    Advice note:

    The NTP (Normalised Temperature and Pressure) for the purposes of this consent is based on 0 degrees Celsius at 1 atmosphere pressure.

11. An acid plant cold start up sulphur ignition shall not occur:

    a) between the hours of 1:00 am and 10:00 am on clear still mornings when the wind speed is less than 2 m/s and there is no cloud; and

    b) when the wind direction is between 030 and 155 degrees (onshore winds).

    Advice note:

    For the purposes of this consent, an acid plant cold start refers to starting the acid plant from cold, this occurs following a complete shutdown when the acid plant is starting from ambient temperatures and diesel is used to pre-heat the plant. An acid plant warm start refers to starting the acid plant when the plant is already warm, this occurs following a short plant stop, usually less than 8 hours, when the temperature in the acid plant has been maintained above a critical limit.

12. The discharge from the acid plant stack shall be clear at all times, except that a visible white plume may occur within four hours of igniting sulphur in the case of a cold start up and within one hour in the case of a warm start up.

13. The discharge from the acid plant shall not occur during wind directions between 030 and 155 (onshore winds) between the months of August to May inclusive, when either of the following meteorological conditions occur:

    a) The relative humidity measured on-site at 10 metres above ground level is 92% or greater, wind speed at 10 metres above ground level is 3 m/s or less and it is not raining; or

    b) The relative humidity measured on-site at 10 metres above ground level is 95% or greater, wind speed at 10 metres above ground is greater than 3 m/s and it is not raining.

14. Except as allowed for by condition 11 the Acid plant discharge shall cease within 30 minutes of the above meteorological conditions identified in condition 13 being detected and shall not recommence until these conditions have not occurred for a period of at least 30 minutes. Plant operators shall be alerted when the measured relative humidity at 10 metres above ground during onshore winds (030-155 degrees) exceeds 90%, and careful observation of meteorological conditions and the visible plume discharge shall occur during such conditions. A record shall be kept of the dates, time periods and meteorological conditions when the acid plant operation ceases according to this condition. This record shall be provided to the Council on request and otherwise annually.

15. A system shall be maintained that automatically shuts off the sulphur feed to the burner so that the discharge to air rate of SO_2 from the sulphuric acid production process does not exceed the emission rates set out in condition 8.

16. The diesel oil burning rate in the auxiliary boiler shall not exceed 580 litres per hour.

17. The concentration of hydrogen sulphide (H_2S) shall not exceed 7 µg/m^3 (with a 1 hour averaging time) in the ambient air at or beyond the boundary of the premises as a result of emissions from the consent holder's property.

    Advice note:

    Monitoring of H_2S shall only be required if any complaints are received. Such monitoring shall assess wind and other environmental conditions at the time of the complaint along with other likely sources to determine if onsite management at the Ravensdown Napier Works may be required to remedy or mitigate the effect.

Manufacturing Plant

18. Stack Height

a) Prior to the commissioning of the new combined Manufacturing stack, discharges from each den scrubber shall be via stacks with a height of no less than 38 metres above ground level.

b) Prior to the commissioning of the new combined Manufacturing stack discharges from the hygiene scrubber shall be via a stack with a height of no less than 36 metres above ground level.

c) The combined Manufacturing stack shall be installed and operational by 1 January 2024 with a discharge height, including cowling, of no less than 50 metres above ground level as measured from the base of the stack.

19. All extracted emissions from the superphosphate manufacturing process shall be discharged through either the den stacks or the hygiene stack, or the combined manufacturing stack following its commissioning.

20. The rate of particulate matter discharged from any Bradley mill shall not exceed 1 kg/hr per mill, and 2 kg/hr in total when two or more mills are in operation.

21. The sum of the fluoride compounds discharged from the den stacks and the hygiene stacks, (prior to the commissioning of the combined manufacturing stack) measured in the samples taken in accordance with condition 32 expressed as fluoride on a one-hour average basis, shall not exceed:

    a) a maximum discharge rate of 1.5 kg/hr; and

    b) 1 kg/hr in more than 50% of samples taken in any 12-month period.

22. The sum of the fluoride compounds discharged from the combined manufacturing stack (after commissioning) measured in the samples taken in accordance with condition 32 expressed as fluoride on a one hour average basis, shall not exceed a maximum discharge rate of 1 kg/hr.

23. The pH of the condensate from the den and hygiene stacks or the Manufacturing stack, shall be no lower than 2.7 except in the period August to September when the pH shall be no lower than 4.0.

24. As part of the annual vegetation monitoring programme undertaken under condition 49 the visual assessment process shall monitor any changes in the flowering period of susceptible crops (peaches, apricots, nectarines) within a 2km radius of the Napier Works. If there is a change in the peak flowering period of more than 10% of these susceptible crops that falls outside 1 August to 30 September period for two years in any five year period then the consent holder shall adjust the timeframe for pH being no lower than 4.0 as described in condition 23 above to correspond with the new flowering period.

25. An automated water deluge system for the manufacturing den mixer shall be used to minimise contaminant discharges in the event of failure of the mixing process.

Cooling Towers

26. The evaporative cooling towers shall be regularly dosed with micro-biocides to maintain the concentration of the micro-biocide in the cooling water at the level recommended by the supplier that prevents the establishment of Legionella bacteria. Records shall be kept to demonstrate compliance with this condition and shall be provided to the Council on request.

Source Control Management (SCMP)

27. The consent holder shall undertake actions as described in the *Ravensdown Napier Works Source Control Management Plan December 2022* or subsequent revisions required by condition 13 of the general conditions relating to both land and water discharge permits, to reduce the concentrations of fugitive airborne contaminants from the site.

Onsite Monitoring

28. The consent holder shall operate a meteorological station in a location that reasonably represents meteorological conditions on the site. The station shall continuously record, wind speed, wind direction, temperature and relative humidity, and display them in real time in the manufacturing control room and the acid plant control room. The location and the resolution, accuracy and averaging time of monitoring equipment shall be agreed in writing by the Council. All processed data shall be archived and made available to the Council on request.

29. All sampling and surveys shall be carried out by an independent suitably qualified person, or by the consent holder or its representative where the Council has agreed to this in writing. Where the consent holder or its representative carries out testing or monitoring, an independent suitably qualified person shall audit the monitoring and testing methodology at least once per year, unless otherwise agreed in writing by the Council, and shall provide a written report describing the extent of compliance with the required protocol. A copy of this report shall be provided to the Council as part of the Annual Report.

30. All analyses in accordance with conditions on the consent shall be carried out by an independently accredited laboratory to ISO/IEC Guide 25, or to the satisfaction of the Council.

31. The consent holder shall continuously (i.e., at intervals not exceeding 1 minute) measure the rate of SO_2 discharge in the emissions from the acid plant stack. The method of measurement shall be in accordance with ISO10396:2007 (*Stationary source emissions – Sampling for the automated determination of gas emission concentrations for permanently – installed monitoring systems*) or an alternative method, approved in writing by the Council. Testing results shall be reported in the Annual Report as a mass emission rate in units of kg/hr as both 1-minute and 1-hour averages.

32. The consent holder shall measure the rate of discharge of SO_2, SO_3 and H_2SO_4 in the emissions from the acid plant stack, at least twice per year at times when acid is being produced. This monitoring shall be undertaken in accordance with USEPA Method 8 ("Determination of sulphuric acid mist and sulphur dioxide emissions from stationary sources") or an alternative method that is approved, in writing, by the Council.

33. The consent holder shall measure the discharge rate of fluoride in the emissions from manufacturing stacks during superphosphate manufacture and no test may commence within one hour of starting acidulation. The method of measurements shall be in accordance with USEPA Method 13B ("Total fluoride specific ion electrode") or an alternative method approved, in writing, by the Council. The testing frequency shall be:

    a) Fortnightly until completion of the construction and commissioning of the combined manufacturing stack.

    b) Weekly for the six-month period following commissioning of the combined manufacturing stack.

    c) Monthly following the six month period outlined in condition 33(b) above or at such further reduced frequency as the Council may agree in writing.

34. The consent holder shall measure the rate of discharge of SO_2 in the emissions from the manufacturing stacks monthly. The measurement is to be carried out during superphosphate manufacture and no test may commence within one hour of starting acidulation. This monitoring shall be undertaken in accordance with USEPA Method 8 ("Determination of sulphuric acid mist and sulphur dioxide emissions from stationary sources") or an alternative method that is approved, in writing, by the Council.

35. The rate of particulate matter discharged from each mill shall be measured at least once every 6 months. The method of sampling and analysis shall comply with USEPA Method 5 or Method 17,

ISO 9096:2003 or ASTM D3685-98, or a similar iso-kinetic method to the satisfaction of the Council. The testing time for each sample shall be 2- hours continuous, and at least three samples shall be collected. Results shall be adjusted to 0°C, 101.3 kilopascals, on a dry gas basis, and as a mass emission from each stack expressed as kg/hr.

36. The Bradley Mill baghouses shall be operated with broken bag detectors. A central alarm system shall be operated to warn the plant operator of a bag breakage or any change in pressure that may indicate a broken filter bag. The bag filters serving the Bradley mills shall also be manually inspected on a regular basis and shall be replaced where the inspection reveals excessive wear. Records shall be kept of Bradley mill shutdowns, manual inspections and filter bag replacements. These records shall be provided to the Council on request.

37. Discharges from the Bradley Mill baghouses shall be from stacks that discharge vertically into air with a minimum discharge height of 1 m above the roof ridge height of the Manufacturing Plant building within 18 months from the commencement date of this consent. The Bradley Mill discharge stacks shall not be impeded by any obstruction above the stack that decreases the vertical efflux velocity below that which would occur in the absence of such obstruction.

38. The pH of the condensate from the manufacturing stack(s) shall be measured monthly. The method by which the condensate is to be measured shall be approved in writing by the Council.

Offsite and Ambient Monitoring

39. The consent holder shall measure ambient fluoride, in accordance with the monitoring plan required by condition 57 and based on a continuous filter exposure period of 7-days. The results shall be reported as average concentration (µg/m^3) over that 7-day sample period. Measurements shall be taken at the following sites, listed below:

Site	Easting (NZMG)	Northing (NZMG)
Brookfields Orchard	28452407	6175251
Plumpton Park	2844864	6177075
Ravensdown Back Paddock	2846499	6175772
Ravensdown Front Paddock	2846745	6176068
New site east of Ravensdown Napier Works	*Location to be defined in consultation with HBRC*	
New site in the vicinity of the Napier City Council Cross Country Drain pumping station	*Location to be defined in consultation with HBRC*	

40. The location of the sites are shown on HBRC Conditions Plan A. Locations may be modified after securing the agreement of the relevant landowner and with the written approval of the Council. The concentration of fluoride in ambient air measured in accordance with condition 39 shall not exceed 0.8 µg/m^3 (7 day average) at areas used for horticultural production (including Brookfields Orchard and Plumpton Park locations as detailed in condition 35).

41. The 7-day average concentration of fluoride measured at the Ravensdown Back Paddock and *[new northern site]* monitoring site (location as detailed in condition 39), shall not exceed 1.7 µg/m^3.

42. The 7-day average concentration of fluoride measured at the Ravensdown Front Paddock and *[new eastern site]* monitoring sites (locations as detailed in condition 39), shall not exceed 5.5 µg/ m^3.

43. The consent holder shall ensure ambient fluoride measurement is undertaken in accordance with AS3580.13.2 – 1991 ("Method 13.2: Determination of fluorides – Gaseous and acid soluble particulate fluorides – Manual, double filter paper sampling") or an alternative method approved, in writing, by the Council.

44. Ambient fluoride measurement undertaken in accordance with condition 39 shall occur at a height of 2.4 metres above ground level.

45. Fugitive SO_2 monitoring:

    a) The consent holder shall install and operate at least two ambient SO_2 monitors around the acid plant in order to detect fugitive SO_2 emissions. The monitoring sites shall be located east of Ravensdown Napier Works, and at the Ravensdown Back Paddock monitoring site as described in condition 39 and shall be agreed in writing by the Council prior to establishment. The concentration of SO_2 in ambient air shall be monitored continuously (at least every minute) by UV fluorescence analysis, according to the method of measurement AS3580.4.1 – 1990 ("Method 4.1: Determination of sulphur dioxide – direct reading instrumental method"), or an alternative method agreed to in writing by the Council; and

    b) In the event that ambient concentrations of SO_2 measured at either of the monitoring sites described by condition 45 (a) exceed 350 $\mu g/m^3$ as a 10-minute average, immediate action shall be taken to ensure that measured SO_2 concentrations are reduced to less than 350 $\mu g/m^3$ as a 10 minute average. A record shall be kept of all occurrences when measured SO_2 concentrations exceed this limit and the corrective action taken. This record shall be provided to the Council on request and otherwise annually.

    c) Any exceedance of the Resource Management (National Environmental Standards for Air Quality) Regulations 2004 (NES) for SO_2 shall be reported as soon as practicable after detection.

46. Concentrations of $PM_{2.5}$ and PM_{10} in ambient air shall be monitored continuously at two sites according to a method of measurement that complies with the monitoring requirements in the NES, or an alternative method agreed to in writing by the Council. The monitoring shall begin within 3 months of commencement of this consent. The monitoring sites shall be located east of Ravensdown Napier Works, and at the Ravensdown Back Paddock monitoring site as described in condition 39 and shall be agreed in writing by the Council prior to establishment. Results shall be provided as a 24-hour average. Any exceedance of the NES for $PM_{2.5}$ and PM_{10} shall be reported as soon as practicable after detection.

47. The consent holder shall undertake continuous dust monitoring at two locations, one on the eastern and one on the western side of the Manufacturing Plant, in accordance with AS/NZS 3580.12.1.2015. 'Methods of sampling and analysis of ambient air – Part 12.1: Determination of light scattering integrating nephelometer method' to determine effectiveness off the SCMP. Details of the two continuous dust monitoring site locations, monitoring trigger concentration values and management responses, and maintenance and calibration requirements for the instruments are to be set out in the monitoring plan required condition 57 of this consent.

48. The consent holder shall undertake a Window Clarity survey on receipt of a reasonable request from a property owner within 1 km of the manufacturing plant stack using the methodology outlined in the BRANZ report DCZ059 (25 June 2004). Any windows found to be affected to 'pen test level 3' or where Light Gloss Units (LGU) are equal or less than 115 as described in BRANZ report DCZ059, shall be replaced by the consent holder if the property owner wishes the glass to be replaced.

49. The consent holder shall undertake a vegetation monitoring programme that has been approved by the Council in accordance with the monitoring plan required condition 57 of this consent. The programme shall provide for the following matters:

    a) A visual assessment of vegetation; and

b) A determination of foliar fluoride concentrations; and

c) The timing of the vegetation monitoring programme (which shall occur during the months of November to May inclusive for the duration of the consent, unless otherwise agreed in writing by the Council); and

d) The monitoring methodology which shall be agreed in writing by the Council; and

e) The location of any monitoring, including but not limited to the following sites.

Site	Easting (NZMG)	Northing (NZMG)
Brookfields Orchard, Kings Road	28452407	6175251
Plumpton Park Orchard, Awatoto Road	2844864	6177075
Simkin Orchard, Awatoto Road	2844899	6177531
T&G, Willowbank Road	2845130	6177681
Johnny Appleseed Orchard, Brookfields Road, Meeanee	2844016	6174605
Dewer Orchard, Awatoto Road	2845361	6176994
Johnny Appleseed Orchard, King Road, Meeanee	2845210	6175167
Brookfields Winery, Brookfields Road	2843841	6175700
Control Site	*Location to be defined in consultation with HBRC*	

Advice Note:

The location of the monitoring sites, frequency of monitoring and analytes monitored may only be modified as appropriate with the written agreement of the Council based on any future landuse or property ownership changes which may occur through the life of the consent.

50. The consent holder shall undertake monitoring of fluoride of unharvested forage as set out in condition 50 (a) and (b) below. The results of sampling in condition 50 (a) and (b) shall be reviewed by a suitably qualified expert and compared to the relevant thresholds set out in the Table below taken from the Australia and New Zealand Environment Council (1990): National Goals for Fluoride in Ambient Air and Forage (ANZEC Guideline).

a) Monthly monitoring of fluoride of unharvested forage for a 12 month period following the commencement of these consents at one site each in the North-western and South-western corners of the irrigation area shown on Plan B attached to this consent.

i. The results of the sampling in accordance with condition 50 (a) shall be compared to the results of the samples taken in accordance with condition 17 of the discharge to land consent. If there is no significant difference between the two sample sets then no further monitoring of unharvested forage in accordance with condition 50 (a) shall be required.

ii. If there is a significant difference between the two sample sets set out in condition 50 (a)(i) and the 12-month average guideline set out in the Table below is exceeded, monthly fluoride monitoring of two sites of grazed pasture within 1 km of the manufacturing stack discharge shall be undertaken for a further 12 months.

b) Monitoring of fluoride of unharvested forage in May and July for five years following the commencement of these consents at two sites within the irrigation area shown on Plan B attached to this consent.

i. If the two-month average guideline set out in the Table below is exceeded in either the May or July sample each year, fluoride monitoring of two sites of grazed pasture within 1 km of the manufacturing stack discharge as agreed with the landowner(s), will be undertaken on two occasions at monthly intervals commencing within 10 working days following the receipt of the sample result(s).

Australia and New Zealand Environment Council (1990): National Goals for Fluoride in Ambient Air and Forage (ANZEC Guideline).	
ANZEC Threshold (12-month average guideline)	**ANZEC Threshold (two-month average guideline)**
40 micro grams of F per gram of dry tissue (or equivalent).	60 micrograms of F per gram of dry tissue (or equivalent).

51. The results of the monitoring set out in condition 50 (a) and (b) above shall be assessed by a suitably qualified expert who shall prepare a report identifying reasonable land management practices that the consent holder shall ensure are implemented to remedy and or mitigate risk to livestock through ingesting fluoride above the ANZEC thresholds. A copy of this report along with any land management or other actions agreed between the consent holder and any affected neighbour shall be provided to the Council (Manager Compliance) within six months of the completion of monitoring set out in condition 50 (a)(ii) and (b)(i) above.

Mana Whenua Recognition and Participation

52. Conditions 26 to 31 of Appendix 1 of the general conditions relating to both land and water discharge permits shall also apply to the exercise of this discharge permit.

Reporting

53. The consent holder shall advise the Council at least 24 hours in advance of a planned warm or cold restart of the acid plant. The Council shall be advised of the proposed time when sulphur will be ignited.

54. At monthly intervals the consent holder shall provide the Council with a report if any exceedance of limits of any conditions of this consent has occurred along with an explanation of the reasons for the exceedance.

55. The consent holder shall produce a report every year (the "Annual Report") that presents and summarises all information on the monitoring required by this consent. The report shall include, but not necessarily be limited to:

a) Results of monitoring of dust, $PM_{2.5}$, PM_{10}, SO_2, fluoride and acidic compounds;

b) The fluoride and foliar monitoring report;

c) Any odour or dust complaints;

d) A description of any potential and actual effects that have been identified;

e) Identification of trends of monitoring information;

f) A summary of any air emission control equipment modifications;

g) Recommendations for system improvements; and

h) The Annual Report shall be prepared for the period beginning July and ending June of the following year and provided to the Council before 31 October each year.

56. The consent holder shall maintain a log of all complaints received directly from the public. The log shall include:

a) The date, time, and nature of the complaint;

b) The telephone number, and address of the complainant (if provided);

c) Weather information (including an estimate of wind speed and direction);

d) Details of key operating parameters at the time of the complaint; and

e) The remedial action taken, as appropriate, to prevent further incidents.

Complaints and any immediate actions taken by the consent holder shall be reported to the Council as soon as practicable and within 48 hours of receipt and the log of complaints shall be made available to the Council on request.

Management and Monitoring Plan

57. The consent holder shall prepare and submit to the Council for approval within six months of the date of commencement of this consent and within six months from the commissioning of the combined Manufacturing stack, an Air Discharge Management and Monitoring Plan with the Objective of detailing how all discharges to air from the site and their effects will be measured, assessed and managed in accordance with these conditions. The Management and Monitoring Plan shall be complied with at all times during the exercise of this consent, and shall include:

a) Management of:

i. Dust including particulate;

ii. Sulphur dioxide;

iii. Acidic discharges;

iv. Fluoride;

v. Odour;

b) Sampling methods;

c) Analytical methods;

d) Reporting requirements;

e) Sampling locations;

f) Sampling frequencies;

g) Staff education and training in relation to the activities authorised by this consent;

h) Auditing and peer review; and

i) Monitoring of:

i. Manufacturing stack monitoring requirements;

ii. Acid plant stack monitoring requirements;

iii. Grinding mill stack monitoring requirements;

iv. Ambient SO_2, and particulate matter monitoring;

v. Offsite ambient fluoride monitoring requirements;

vi. Offsite vegetation fluoride monitoring requirements; and

vii. Dust deposition monitoring requirements along the Waitangi Waterway, Waitangi Road.

58. The consent holder shall review the Air Discharge Management and Monitoring Plan to include new management and monitoring actions or to amend or cancel existing management and monitoring actions as set in the approved plan. The trigger for a review of this plan shall be in response to matters raised in the Annual Report required by section 6 of the SCMP (Monitoring and Reporting) and conditions 55(g) and 59 of this consent. The consent holder shall submit the Plan Revision to the Council for approval within three months of the review trigger occurring.

Technology Review

59. At years 10, 20 and 30 following the commencement of this consent, the consent holder shall commission a suitably qualified and experienced expert to prepare a Best Practicable Option (BPO) technology review (covering the matters described under the definition of Best Practicable Option in the RMA) of the plant and systems that are utilised on the site for managing air discharges. The BPO Technology Review Report shall contain information on the suitability and practicability of any new best practice technology or operational procedure being applied at similar plants internationally, and must make recommendations as to whether and when any such technology or procedures should be applied as a continual improvement measure to the consent holders operations. A copy of the BPO Technology Review Report shall be provided to the Council (Manager Compliance).

60. Within three months of the completion of each BPO Technology Review Report the consent holder shall invite all those parties who made a submission regarding the 30 November 2021 Napier Works Sustainable Site Project applications to a presentation of the report, along with a summary of the previous Annual Report results and its position on any continual improvement measures recommended in the BPO Technology Review Report. The consent holder shall also through a public notice process advertise the date, time and venue of the presentation so any other interested person can participate.

Administration

Notification of Changes to Details

61. It is the responsibility of the consent holder to inform the Council (Manager Consents) if any details regarding this consent, including any sale / purchase of the property and any change to contact details.

Routine Monitoring

62. 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

63. "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 RMA, which 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 the person, whether or not the activity is carried on in accordance with

a) any of sections 10, 10A, 10B, and 20A; or

b) a national environmental standard, a rule, a resource consent, or a designation.

Consent Impact Monitoring

64. In accordance with section 36 of the RMA (which includes the requirement to consult with the consent holder) the Council will 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

65. 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 Council for, and incidental to, the collection of any debt relating to this resource consent, whether as an individual or as a member of a group, and charged under section 36 of the RMA, 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.

Review

66. The conditions of this consent may be reviewed by Council during the month of May of any year pursuant to sections 128, 129, 130, 131 and 132 of the RMA. The actual and reasonable costs of any review undertaken will be charged to the consent holder, in accordance with section 36 of the RMA. The consent(s) may be reviewed for any of the following purposes:

    a) To deal with any adverse effect on the environment, including those associated with climate change, which may arise from the exercise of the consent, which it is appropriate to deal with at that time or which became evident after the date of issue;

    b) To require that the discharge is consistent with requirements in a regional plan or a National Environmental Standard;

    c) To modify any monitoring programme, or to require additional monitoring if there is evidence that current monitoring requirements are inappropriate, inaccurate or inadequate; and

    d) To require the adoption of the best practicable option to remove or reduce any effects on the environment and to implement recommendations of technology reviews required by condition 59 that are not put in place by the consent holder.

REASONS FOR DECISION

The effects of the activity on the environment will not be more than minor. Granting the consent is consistent with the purpose and principles of the RMA, the National Policy Statement for Freshwater, the Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007, the Resource Management (Measurement and Reporting of Water Takes Regulations) 2010, and with all relevant plans and policies.

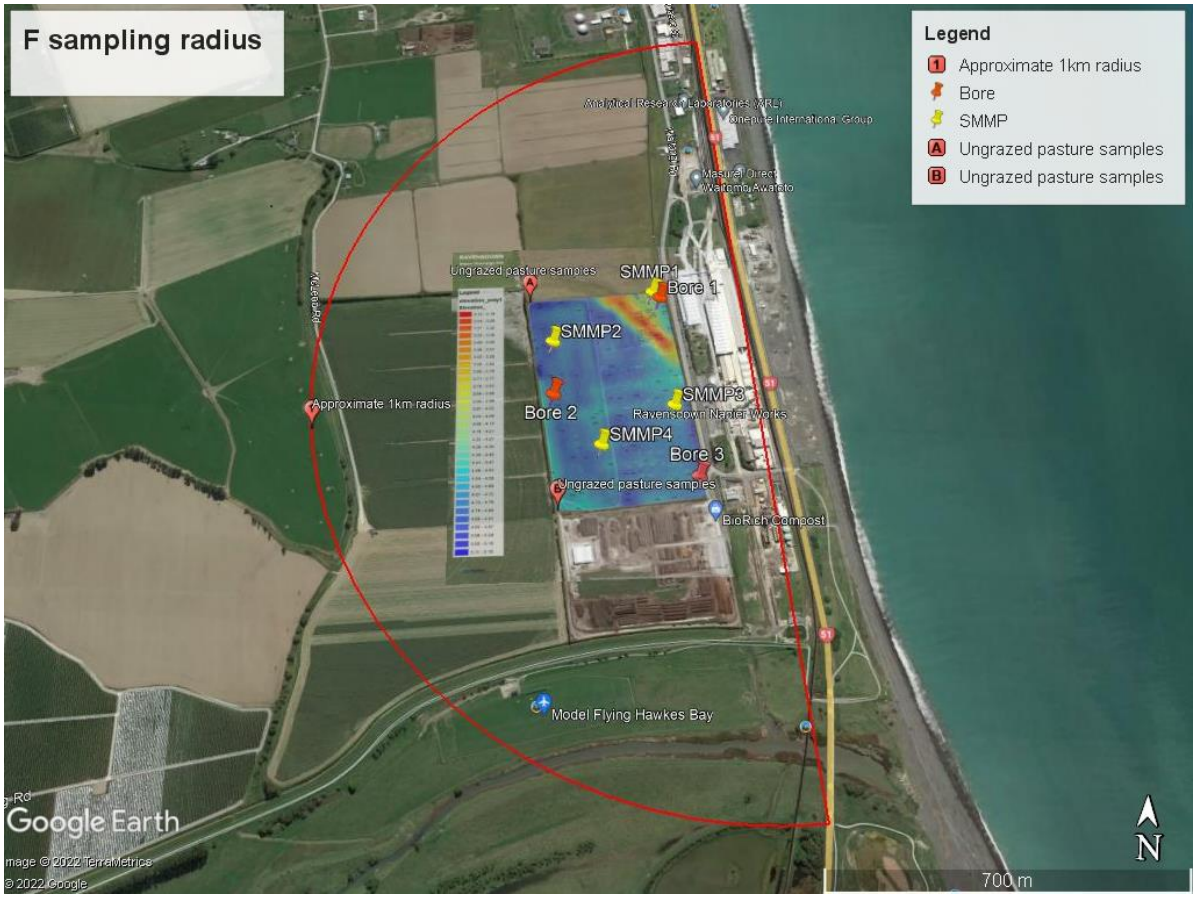
CONSENT HISTORY

Consent No. (Version)	Date	Event	Relevant Rule Number	Relevant Rule Plan
AUTH-127374-01	19/12/2022	Consent initially granted	28	Regional Resource Management Plan (2006)
AUTH-127374-01	12/01/2023	S133A (RMA) minor corrections	28	Regional Resource Management Plan (2006)

Plans

Plan A – Ambient air monitoring locations

Plan B – Land Discharge area, Soil Moisture Monitoring and Groundwater Monitoring Bore Locations



Plan C – Land Discharge Soil Sampling Locations