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 treated stormwater and process water and associated contaminants from a sulphuric acid and fertiliser manufacturing plant at Awatoto to land in circumstances where contaminants will be absorbed by crops and soils and/or may enter shallow groundwater.

LOCATION

Address of site
165 & 195 Waitangi Road, Awatoto

Legal description
Site of discharge: Lots 6 & 7 DP 25683

Map reference
E1936632 N5614396 (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. 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.
2. The discharge to land from the site shall be in accordance with the general conditions attached as Appendix 1 to this consent and within the irrigation area shown on Plan B attached to this consent.

   Advice Note:

   For the purposes of this consent "discharge" refers to stormwater, process water and groundwater added to the stormwater and process water treatment system for the purpose of sustaining constructed wetland and stormwater and process water treatment system device vegetation and non-commercial crops used in the treatment process.
3. The discharge shall be onto vegetated land. Vegetated land includes land where vegetation is actively growing or senescing and cultivated for vegetation establishment.
4. The rate of discharge shall not exceed 12 millimetres per hour.
5. The discharge to land shall not cause surface ponding or overland flow from the site.
6. No animals shall be grazed in the irrigation area.

Monitoring

Soil Moisture Monitoring

7. Soil moisture within the discharge area shall be continuously monitored using soil moisture probes. The discharge system shall be configured so that there is no discharge onto land when soil moisture at the soil moisture probes exceed 85 percent of soil capacity (refer Plan B).
8. Soil moisture monitoring results shall be recorded for each monitoring point, including results of annual calibration of soil moisture monitoring equipment. The results shall be provided to the Council on request.

Soil Chemistry Monitoring

9. Nine sampling sites are to be established across the 17.5 ha to represent the overall sites' soil chemical and physical properties of the Land Discharge area. Each sampling site is represented by GPS points within Ravensdown's spatial information system (Hawkeye™) to ensure that ongoing monitoring is from the same geospatial locations (refer Plan C).
10. Sampling sites are to be sampled at a 15cm depth and represented by 15 to 20 cores from each site.
    a) Sampling sites are to be resampled on an annual basis for the first five years to establish baseline data. From then on they are to be sampled on a biannual basis during late winter/early spring to monitor trends over time (or as required). Results are to be stored within Hawkeye.
11. The soil analysis will consist of:
    a) Soil pH, Olsen P, K, Mg, Ca, Na, Sulphate S and Organic Sulphur,
    b) Potentially Mineralisable Nitrogen (PMN)
    c) EDTA (Co, Mn, Fe, Cu, Zn)
    d) EPA Heavy Metal Suite (As, Cd, Cr, Cu, Pb, Hg, Ni, Zn)
    e) Total soil F.

Groundwater Quality Monitoring

12. Groundwater quality monitoring shall be undertaken twice annually for the first year, and annually thereafter, at three shallow groundwater monitoring bores not more than six metres deep. One groundwater monitoring bore shall be located at the mid-point of the western boundary of the irrigation area (upgradient), and one bore each shall be located on the northern and southern ends of the eastern boundary of the irrigation area (down-gradient) (refer Plan B). A suitably qualified professional shall be onsite during the drilling of the monitor bores to ensure hydraulic gradient is as predicted by bore placement as displayed in Plan B. GPS coordinates of the final bore locations will be provided to the Council.

13. All groundwater quality monitoring undertaken in accordance with the conditions of this consent shall be carried out by a person suitably qualified and experienced in environmental monitoring. Any meters used for the monitoring shall be calibrated and operated in accordance with the manufacturer's specifications.

14. Groundwater samples collected in accordance with this consent shall be analysed for fluoride. All analyses in accordance with conditions of this consent shall be carried out by a laboratory that is IANZ accredited, or that is authorised by the Council (Manager Compliance).

15. In the event that the results of groundwater monitoring indicate a significant increase in fluoride in the downgradient bore in comparison to the upgradient bore the consent holder shall:

    a) Commission a suitably qualified and experienced person to assess the risk to the environment from the exceedance, including consideration of the ecological effects and effects on groundwater quality for drinking water purposes;

    b) If the assessment undertaken in accordance with condition 15.a) identifies a risk to the environment as a result of the exceedance, potential options for reducing the concentration of fluoride in the groundwater shall be assessed;

    c) Provide a report to the Council summarising the results of the risk assessment (condition 15.a)) and options assessment (condition 15.b)) within one year of the identification of the exceedance. This shall include an assessment of the actions to be undertaken to reduce the risk to the environment if one has been identified, including timeframes for undertaking these actions; and

    d) Implement the improvement actions, within the timeframes specified.

Advice Note:

A significant increase in fluoride is defined as 1085 mg F/kg soil.

Foliage Monitoring

16. The crop shall be sampled for dry matter and metabolisable energy according to the code of practice for the trading of pasture and whole crop forages. These samples should also be analysed for macronutrients to confirm the estimate of nutrients removed in the plant.

17. The unwashed samples from each forage cut intended for livestock consumption shall be tested for fluoride levels in accordance with ANZEC guidelines.

    Advice Note:

    ANZEC guidelines are to manage the potential effect of aerosols containing fluoride being deposited on vegetation not from the discharge activity itself.

APPENDIX 1 - GENERAL CONDITIONS RELATING TO BOTH LAND AND WATER DISCHARGE PERMITS

Preamble

The purpose of these consents is to enable the ongoing operation of the Ravensdown Napier Works. The effects of the authorised activities have been considered in the context of the current and likely future state of the receiving environments, including other activities and how they contribute to those environments. The intent is that the undertaking of activities by the consent holder in accordance with the conditions of these consents will positively contribute to Te Mana o te Wai.

Water Discharge Hierarchy

1. The discharge shall be managed as follows:

    a) Discharge shall be to land via spray irrigation whenever this meets the soil moisture content condition in the land discharge permit of less than 85 percent;

    b) During times when discharge to land is not permitted (due to soil moisture exceeding 85 percent) under the land discharge permit conditions, discharge shall be to the Ravensdown Drain or Habitat Abundance Restoration Area (HARP) (refer Plan D) only between three hours before and three hours after high tide as at the Port of Napier tide gauge ("high tide discharge"); and

    c) Outside of the discharge times in condition 1.b, discharge to the Ravensdown Drain or Habitat Abundance Restoration Area (HARP) at any time on site storage capacity is likely to be exceeded.

    Advice Note:

    For the avoidance of doubt the intent of the water discharge hierarchy is to maximise the discharge of treated water to land and therefore minimise the discharge of treated water to the Ravensdown Drain or Habitat Abundance Restoration Area.

Adaptive Management Plan Process

2. The discharge shall be undertaken in accordance with the *Ravensdown Napier Works: Water Discharge Adaptive Management Plan, December 2022* and any subsequent revisions.

3. Until the Stage 1 stormwater and process water treatment system improvements are implemented, the discharge shall be via the stormwater and process water system that existed at the site on 30 November 2021;

4. If required to ensure the discharge meets the water quality discharge parameters set out in Table 1 of general condition 20, further stormwater and process water treatment system improvements and/or source control actions shall be implemented in accordance with the recommendations and timeframes recommended by the Comprehensive Review and the Adaptive Management Plan required by general condition 25(l).

Design Requirements

5. Following completion of the Stage 2 stormwater and process water treatment system improvements the site water treatment system shall have capacity to treat the first 75 millimetres of rainfall falling on the site.

6. All stormwater and process water treatment systems installed at the site in accordance with this consent shall be designed by a suitably qualified professional engineer, experienced in that field, to assist in meeting all standards and design requirements of this consent, and as set out in the application (as specified in the documents referenced in condition 1 of this consent).

7. Final Design Plans of the stormwater and process water treatment system for each stage of stormwater and process water treatment system improvements shall be provided to the Council

(Manager: Compliance) for certification that they are consistent with the conditions of this consent prior to construction commencing. If 20 working days have passed and no correspondence has been received from the Council regarding the adequacy of the water treatment system design it shall be deemed certified and construction may commence.

8. The final design plans shall demonstrate the following:

    a) The storage volume, levels and dimensions of the stormwater and process water treatment and attenuation devices sufficient to demonstrate that the stormwater and process water treatment devices have been designed in accordance with good practice guidance;

    b) The system has been designed to incorporate state of the art control and alarm systems linked to the onsite SCADA system to ensure that any faults are immediately reported to the operations team onsite and can be remedied in as short a time as possible.

    c) That following the completion of the Stage 2 stormwater and process water treatment system improvements the discharge will meet the requirements of Table 1 of general condition 20.

9. The stormwater and process water treatment system shall be constructed in accordance with the design plans certified in accordance with general condition 7.

Engineering Plans – Post Construction

10. Following the completion of construction of each stage of the stormwater and process water treatment system improvements, the consent holder shall provide Council with accurate as-built plans of the stormwater and process water treatment system, prepared by a suitably qualified and experienced professional engineer, confirming that the stormwater and process water treatment infrastructure has been installed in accordance with the certified final design plans.

Maintenance

11. The consent holder shall maintain the stormwater and process water system in accordance with good practice to maintain the water quality and water quantity performance required by this consent.

12. The consent holder shall record the details of all inspections and works undertaken under general condition 11. Those records shall be made available for inspection by the Council (Manager Compliance) on request.

Source Control Management (SCMP)

13. The consent holder shall undertake the actions described in the *Ravensdown Napier Works Source Control Management Plan December 2022* or subsequent revisions, to reduce the concentrations and load of contaminants entering stormwater at the site within the timeframes specified in Section 8 (Site improvement Action Schedule) of the SCMP following the commencement of the consent.

Habitat Abundance Restoration Project

14. The consent holder shall undertake the habitat restoration works as set out within the *Ravensdown Napier Works, Habitat Abundance Restoration Project Plan December 2022.*

15. Prior to the commencement of construction, the consent holder will engage suitably qualified experts to prepare:

    a) A Restoration Plan that will meet the requirements of the Schedule 2 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020; and

    b) The detailed design of the HARP wetland area and the associated habitat to meet general condition 14 and in particular to ensure the design requirements of the Habitat Abundance Restoration Project are always met.

16. The Restoration Plan and the HARP Detailed Design Report shall be provided to the Council (Manager Compliance) for certification that general condition 15 has been met.

17. To ensure that the HARP wetland is managed so as to avoid algal bloom events and unionised ammonia toxicity, the consent holder shall undertake total ammonia, temperature and pH measurements on a weekly basis between 1 November and 30 April of each year.

18. Nutrient and toxic contaminant loads from the Ravensdown discharge, and bore flows to the HARP wetland shall be managed to avoid adverse effects associated with toxicity and significant adverse effects associated with nutrient enrichment.

19. In the event that adverse effects outlined in Condition 18 occur, the consent holder shall:

    a) Immediately engage a suitably qualified water quality expert to advise on any immediate remediation that may alleviate the effects.

    b) Within three months of the event, and in consultation with the Council ecology team and the Awapuni Reference Komiti, develop a plan for remediating the adverse effects.

    c) Submit the remediation plan for certification by the Council (Manager Compliance) that the Remediation Plan will be effective.

    d) Implement the Remediation Plan action and time frames recommended in the plan.

Water Quality Discharge Parameters to Water and Land

20. The consent holder shall ensure that:

    a) From the time of commencement of this consent the discharge (at the point of discharge GPS Co-ordinates NZTM 2000 1936998 east, 5613831 north) shall comply with the 2007 discharge permit parameters in Table 1 in any 12-month period.

    b) Discharges to land or water (at the point of discharge GPS Co-ordinates NZTM 2000 1936998 east, 5613831 north) shall comply with the relevant parameters in Table 1 (Discharge Parameters – Any Tide Discharge (post Stage 2) and Discharge Parameters – High Tide Discharge (post Stage 2)) for 95 percent of monitoring results in any 12-month period after the completion and monitoring of Stage 2 (six years following the commencement of this consent) as set out in the *Ravensdown Napier Works: Water Discharge Adaptive Management Plan, December 2022.*

Table 1 – Discharge water quality analytes and parameters

Contaminant	2007 Discharge Permit Parameters (milligrams per litre)	Discharge Parameters – Any Tide Discharge (post Stage 2) and Land (milligrams per litre)	Discharge Parameters – High Tide Discharge (post Stage 2) (milligrams per litre)	Source For Parameter Value
Total Phosphorus	Less than 17 mg/L 95% of the time and less than 22 mg/L 99% of the time	N/A	N/A	N/A
Soluble reactive phosphorus	Less than 15 mg/L 95% of the time and less than 35	0.042	0.0735	TANK Plan Change, s42A Addendum

Contaminant	2007 Discharge Permit Parameters (milligrams per litre)	Discharge Parameters – Any Tide Discharge (post Stage 2) and Land (milligrams per litre)	Discharge Parameters – High Tide Discharge (post Stage 2) (milligrams per litre)	Source For Parameter Value
	mg/L 99% of the time			report, Table 26.5.2, Waitangi Estuary
Total ammoniacal nitrogen[1]	N/A	0.28	0.49	TANK Plan Change, s42A Addendum report, Table 26.5.2, Waitangi Estuary
Nitrate nitrogen	N/A	Improving trend toward 0.14	Improving trend toward 0.245	TANK Plan Change, s42A Addendum report, Table 26.5.2, Waitangi Estuary
Nitrite	N/A	0.546	0.9555	Regional Coastal Environment Plan, Rule 17
Total nitrogen	N/A	Improving trend toward 0.308	Improving trend toward 0.539	TANK Plan Change, s42A Addendum report, Table 26.5.2, Waitangi Estuary
Total suspended solids (TSS)	100	70	122.5	Regional Coastal Environment Plan, Schedule D, Part II Standards that apply to specific catchments
pH	6.5 – 8.5	7.0-8.5	7.0-8.5	TANK Plan Change, s42A Addendum report, Table

[1] Based on unionised ammonia at pH8 and 20 deg C.

Contaminant	2007 Discharge Permit Parameters (milligrams per litre)	Discharge Parameters – Any Tide Discharge (post Stage 2) and Land (milligrams per litre)	Discharge Parameters – High Tide Discharge (post Stage 2) (milligrams per litre)	Source For Parameter Value
				26.5.2, Waitangi Estuary
Fluoride	30	14	24.5	Site specific value – Hickey 2004
Aluminium	N/A	0.154	0.2695	TANK Plan Change, s42A Addendum report, Table 26.5.2, Waitangi Estuary / Regional Coastal Environment Plan
Copper	N/A	0.00364	0.00637	TANK Plan Change, s42A Addendum report, Table 26.5.2, Waitangi Estuary / Regional Coastal Environment Plan
Cadmium	N/A	0.0154	0.02695	TANK Plan Change, s42A Addendum report, Table 26.5.2, Waitangi Estuary / Regional Coastal Environment Plan
Chromium	N/A	0.0756	0.1323	TANK Plan Change, s42A Addendum report, Table 26.5.2, Waitangi Estuary / Regional Coastal

Contaminant	2007 Discharge Permit Parameters (milligrams per litre)	Discharge Parameters – Any Tide Discharge (post Stage 2) and Land (milligrams per litre)	Discharge Parameters – High Tide Discharge (post Stage 2) (milligrams per litre)	Source For Parameter Value
				Environment Plan
Nickel	N/A	0.196	0.343	TANK Plan Change, s42A Addendum report, Table 26.5.2, Waitangi Estuary / Regional Coastal Environment Plan
Zinc	N/A	0.042	0.0735	TANK Plan Change, s42A Addendum report, Table 26.5.2, Waitangi Estuary / Regional Coastal Environment Plan

21. Prior to the establishment of the HARP the zone of reasonable mixing shall be the Ravensdown Drain and 90 metres down the Awatoto Drain (GPS Co-ordinates NZTM 2000 1936918 east, 5613708 north). At the completion of Stage 2 of the Adaptive Management Plan and HARP wetland, the consent holder shall commission a suitably qualified expert to undertake a dye study to confirm the zone of reasonable mixing in the HARP wetland has been achieved as designed to meet general conditions 14 to 19 of this Appendix.

    Advice note:

    The discharge parameters used in Table 1 were derived utilising the dilution factors calculated following the completion of the March 2021 mixing zone dye study reported in Ecology Baseline Study, Streamlined Environmental Limited, August 2021.

Discharge Monitoring

22. The consent holder shall carry out the following monitoring:

    a) A sampling station shall be maintained at the Discharge Pond outlet and be accessible to Council officers or its agents at all times.

A representative, flow-proportional, composite sample (sampled continuously over a period of one week) shall be collected from the sampling station, referred to in general condition 22(a), at least once per week when discharge is occurring and tested for the following parameters:

i. pH
ii. Total phosphorus
iii. Soluble reactive phosphorus
iv. Fluoride
v. Total suspended solids
vi. Total nitrogen
vii. Nitrate nitrogen
viii. Nitrite
ix. Ammoniacal nitrogen

All composite samples collected by automatic sampler shall be immediately cooled to at least 4 degrees Celsius. Bottles used for the analysis of ammoniacal nitrogen, total phosphorus and total nitrogen shall be pre-acidified with 1 mL of 50% H_2SO_4 (to every 1 L discrete bottle).

The pH and temperature shall be continuously recorded at 1-hour intervals whenever the discharge is occurring, recorded at the discharge point.

Results shall be recorded on a mass per unit volume of discharge basis and the volume of discharge shall also be recorded. The records shall be forwarded to the Council at monthly intervals, along with an assessment of compliance against Table 1 of general condition 20.

b) A representative, flow-proportional, composite sample (sampled continuously over a period of one week) shall be collected from the sampling station, referred to in condition 22(a), at six monthly intervals and tested for the following parameters:

i. Dissolved copper
ii. Dissolved zinc
iii. Dissolved cadmium
iv. Dissolved chromium
v. Dissolved aluminium
vi. Dissolved nickel
vii. Total sulphur

Results shall be taken on a mass per unit volume of discharge basis and the volume of discharge taken shall also be recorded. The records shall be forwarded to the Council at six monthly intervals.

c) All sampling in accordance with the conditions of this consent shall be carried out by a person suitably qualified and experienced in environmental monitoring.

d) All analyses in accordance with conditions of this consent shall be carried out by a laboratory that is IANZ accredited, or that is authorised by the Council (Manager: Compliance).

e) The consent holder shall calibrate and operate any meters required for monitoring in accordance with the manufacturer's specifications.

f) In the event the values in general condition 20 Table 1 are exceeded the Consent Holder may have the sample re-tested to confirm that the exceedance was not due to a testing error. In these circumstances the exceedance only needs to be reported to the Consent Authority in accordance with general condition 22 if the re-tested sample confirms the exceedance.

Waitangi Waterway Monitoring

23. For a two year period following the commencement of these consents, the consent holder shall undertake monthly water quality monitoring for phosphorus and fluoride (only when water is

present in the waterway) at three locations along the Waitangi Waterway adjacent to the Ravensdown site. Details of the monitoring and the locations are to be set out in a monitoring plan to be approved by the Council.

24. Following this two-year period the consent holder shall commission a report by a suitably qualified expert to assess the trends shown by this monitoring and the effectiveness of the SCMP actions. If the results from the two-year period of water quality and dust deposition monitoring (as required by condition 57(i)(vii) of the air discharge consent) show that dust originating from the Ravensdown site is not reaching the Waitangi Waterway then the sampling can be discontinued. If dust is still entering the Waitangi Waterway from the Ravensdown site after this two year period of monitoring then the SCMP shall be reviewed and updated to target identified dust sources for remediation and the Waitangi Waterway water quality and dust monitoring (as required by condition 57(i)(vii) of the air discharge consent) shall continue until such time that the effects of dust from the Ravensdown site are not measured in the Waitangi Waterway. This process of reporting and SCMP review shall be repeated following five years of the commencement of this consent (five years being the timeframe set in the SCMP for the completion of all source control measures identified).

Reporting

25. The consent holder shall prepare an annual report for the period of July to June each year and, by the 30 November following that period, submit it to the Council. The report shall summarise monitoring and compliance against the consent conditions and discuss any non-compliance and recommended necessary actions to achieve compliance. The report shall include, at a minimum:

    <u>Compliance Monitoring Reporting</u>

    a) A summary of the volume of the discharge, the location it has been discharged to, and details of any discharge to surface water that was not on a High Tide Discharge.

    b) A summary of the results of groundwater quality monitoring from the irrigation area.

    c) The results of any assessment of effects of the irrigation discharge, if one is undertaken in accordance with condition 12 of the discharge to land permit, and a summary of the progress against any actions identified.

    d) A summary of the results of the discharge sampling undertaken at the site.

    e) An assessment of the discharge monitoring results against the relevant water quality parameters for the site, and a summary of any exceedances of these parameters.

    f) A record of any known non-compliance with conditions of this consent and the actions taken to remedy this non-compliance.

    g) An update on implementation of the Source Control Management Plan action schedule.

    h) A register of complaints relating to the authorised discharge made during the report period, and a record of how complaints were addressed.

    i) A progress summary of the implementation the Cultural Values Reports recommendations (see Schedule 1) and any other relevant matters arising from the Awapuni Reference Komiti.

    j) A summary of actions undertaken as part of the HARP over the previous 12 months.

    k) An outline of the staff education and training modules undertaken in relation to the activities authorised by this consent.

    <u>Adaptive Management Plan Reporting</u>

    l) The reporting shall include the following information on the Adaptive Management process:

i. A progress summary of the stormwater and process water treatment system improvements that have been implemented at the site over the reporting period confirming adherence with the timetable established in the *Ravensdown Napier Works: Water Discharge Adaptive Management Plan, December 2022*.

ii. If following the completion of Stage 2 stormwater and process water treatment system improvements and after an initial three month monitoring period, any water quality parameters set in this Appendix are exceeded, the consent holder shall commission a suitably qualified expert to undertake a Comprehensive Review of the options available to resolve the remaining parameter exceedances. A report prepared to document this Comprehensive Review shall be provided to the Consents Manager HBRC within six months after the completion of the Stage 2 stormwater and process water treatment system improvements, and shall include:

    i. the options assessed;

    ii. a best practicable options analysis prepared using methodology in Section 2 of the RMA;

    iii. the reasons for the water quality improvement selected to resolve the issue;

    iv. the proposed timeframes for implementing any water quality improvements selected, and the reasons for this timeframe.

iii. The consent authority shall consider the Comprehensive Review Report and certify that the recommended additional treatment proposed is fit for purpose to resolve the remaining parameter exceedances in an appropriate timeframe.

Mana Whenua Recognition and Participation

26. Within three months of the commencement of these consents the consent holder shall seek nominations to establish an Awapuni Reference Komiti to assist the consent holder to undertake the functions set out in general condition 31.

27. The consent holder will invite mana whenua hapū (Ngāti Pārau, Ngāti Hori, Ngāti Hinemoa, Ngāti Hawea) in consultation with the following organisations to nominate six representatives for the Awapuni Reference Komiti:

    a) Ngāti Pārau Hapū Trust;

    b) Kohupatiki Marae;

    c) Te Taiwhenua o Heretaunga;

    d) Te Taiwhenua o Te Whanganui Ā Orotu.

    Advice Note:

    For the avoidance of doubt the Awapuni Reference Komiti is not intended to have any representative function for marae and hapū affiliated to these organisations listed above, other than in relation to the exercise of these consents.

28. When calling for nominations from the organisations listed in general condition 27 a) to d) above, the consent holder shall provide a draft Terms of Reference for the Awapuni Reference Komiti that reflects the objectives, functions and responsibilities outlined in general condition 30 below. The consent holder shall forward a draft version of the Terms of Reference to the nominated Awapuni Reference Komiti members for consideration with a request to provide feedback within two calendar months. The Terms of Reference will provide for the following matters outlined in a) to i) below, as a minimum:

    a) Administration support.

b) Proceedings and schedule of meetings.
c) The term and succession of Komiti members.
d) Appointment of Komiti chair.
e) Duties and functions of Komiti members.
f) A flexibility mechanism to enable any future iwi and hapū management structures.
g) Manaakitanga.
h) Provision for mātauranga Māori through mauri monitoring throughout the term of the consent.
i) The role of Kaihāpai Taiao, including working with the consent holder and providing counsel to integrate mātauranga Māori in the delivery of the adaptive management process and associated monitoring, alongside other ongoing kaitiakitanga matters throughout the term of the Resource Consents.

29. The consent holder shall convene the first meeting of members nominated for the Awapuni Reference Komiti within three months following the call for nominations with the purpose of ratifying the Terms of Reference. A copy of the final Terms of Reference shall be supplied to the Council (Manager Compliance).

30. The objectives, functions and responsibilities of the Awapuni Reference Komiti shall be to assist the consent holder as follows.

a) To develop effective measures that recognise and implement the recommendations contained within the Cultural Values reports*; Whataangaanga and Surrounds; Cultural Values, Names and Associations, November 2021 and Ravensdown Napier Resource Consent Renewal Cultural Impact Assessment, Ngāti Parau Hāpu, November 2021* (see Schedule 1).

b) To champion the wider opportunity for habitat abundance enhancement including potential for further habitat enhancement projects in addition to the HARP through liaison with businesses within the wider Waitangi Estuary catchment, including HBRC as the asset owner of the Mission Pump Station.

c) To liaise with the Ravensdown Innovation and Strategy team on their work associated with climate change research relating to the company vision of "*Smarter Farming for a Better New Zealand*" set out in the "*Ravensdown Integrated Report 2022"*.

d) To facilitate information flow between the consent holder and mana whenua hapū regarding the activities associated with these consents at a Komiti meeting to be held October each year. The mechanisms for this information flow will be

i. To receive a presentation on the content of the annual reports (prepared in draft form) set out in general condition 25 prior to their finalisation and submission to the Council by 30 November each year; and

ii. To identify any issues of concern that may arise during the activities associated with these consents in order to discuss and recommend any appropriate additional measures outside of the consent conditions which may need to be considered by the consent holder to address any issues raised in relation to impacts on mauri.

e) To assist the consent holder in recruiting a suitably qualified and experienced Kaihāpai Taiao to work as part of the consent holders team exercising the consents, including to support the reporting to the Awapuni Reference Komiti and implementing the works associated with the Adaptive Management Plan Process (general condition 2), Habitat Abundance Restoration Project (general condition 14) and Whataangaanga Cultural Heritage Project (general condition 31).

31. Within three months of the commencement of these consents the consent holder shall commission the preparation of a "Whataangaanga Cultural Heritage Project Plan" by a suitably qualified and experienced expert, engaged with the assistance of the Awapuni Reference Komiti, as a means of

delivering Recommendation 1.3 of the report "Whataangaanga and Surrounds; Cultural Values, Names and Associations, November 2021" (see Schedule 1 of these general conditions). The consent holder shall finalise the Whataangaanga Cultural Heritage Project Plan within two years of the commencement of these consents and will provide a copy to the Council (Manager Compliance).

Site Decommissioning Plan

32. If the consent holder discontinues the use of the plant for a period more than three years within the consent term it shall prepare a Site Decommissioning Plan taking into account whether the site is being mothballed for future use or closed and decommissioned. In either circumstance the Site Decommissioning Plan shall be prepared as a draft by suitably qualified experts, and shall include the following matters:

    a) The safety of all structures during any decommissioning.

    b) Remediation of any qualifying contaminated land after the completion of a Detailed Site Investigation prepared under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS) and the Health and Safety at Work (Asbestos) Regulations 2016.

    c) An outline of all resource consents required for the decommissioning proposed including an Assessment of Environmental Effects prepared under the schedule 4 of the RMA.

Technology Review

33. 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 storm water and process water 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).

34. 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.

Review

35. 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;

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 34 that are not put in place by the consent holder;

e) In the event that the Stage 1 and 2 treatment works set out in the *Ravensdown Napier Works: Water Discharge Adaptive Management Plan, December 2022* do not result in compliance with all of the water discharge conditions set out in this Appendix following the monitoring check undertaken in Year 6 of the adaptive management period or after the Comprehensive Review process set out in general condition 25 (l) above.

Administration

Notification of Changes to Details

36. 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

37. 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

38. "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

39. 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

40. 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.

REASONS FOR DECISION

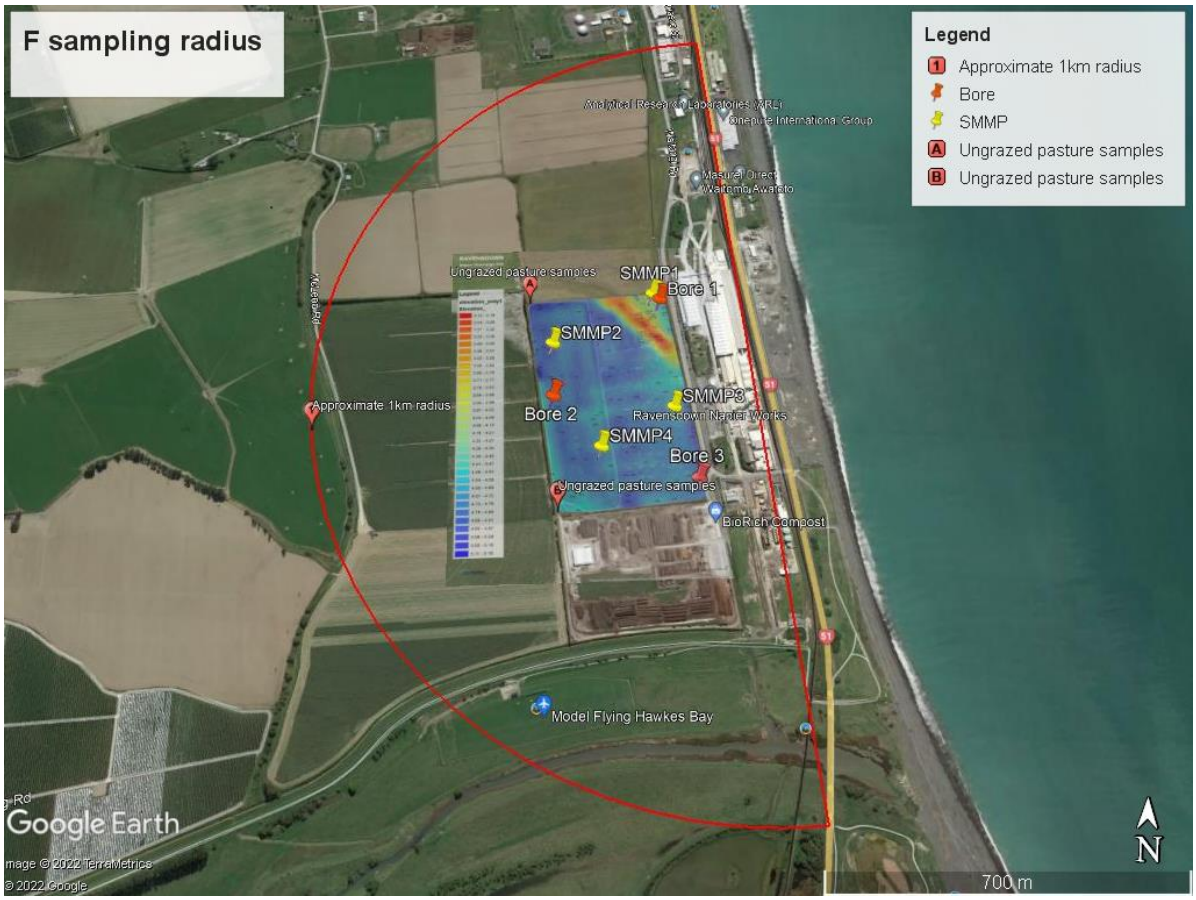
The effects of the activity on the environment will not be more than minor. Granting the consent is consistent with the purpose and principles of the RMA, the National Policy Statement for Freshwater, the Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations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

CONSENT HISTORY

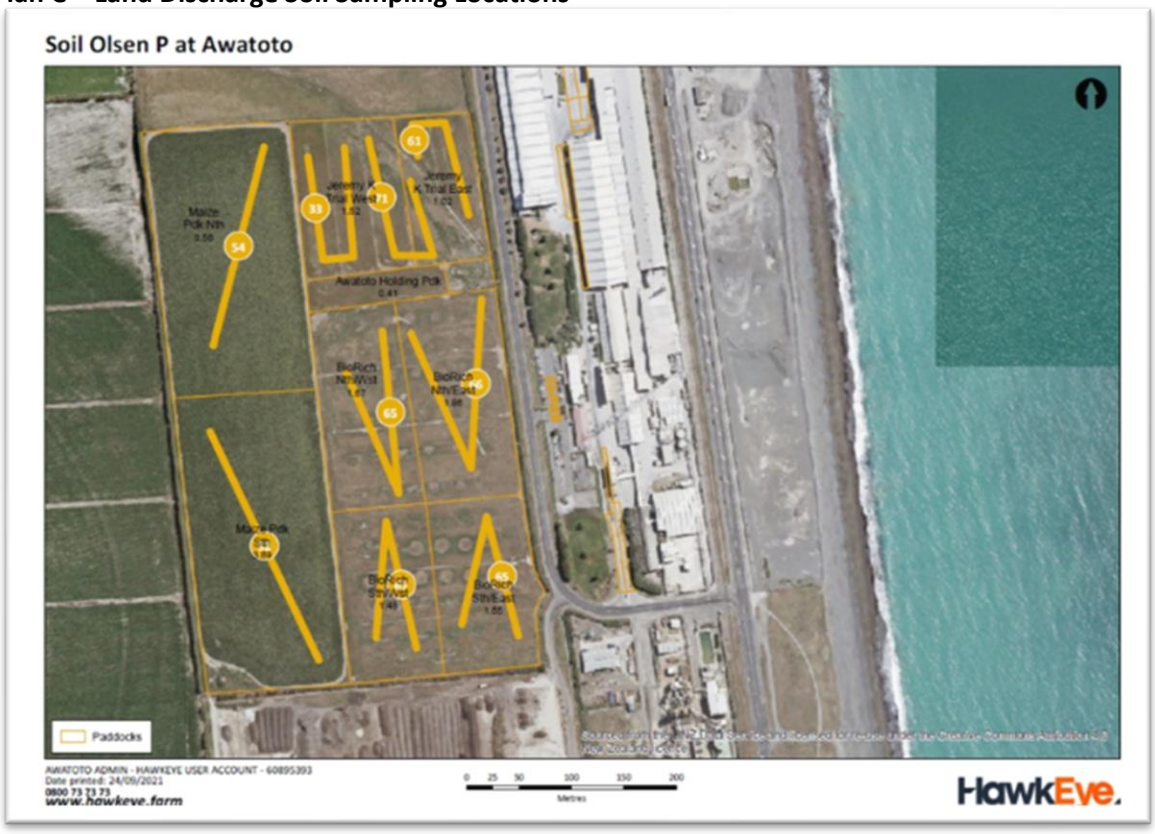
Consent No. (Version)	Date	Event	Relevant Rule Number	Relevant Rule Plan
AUTH-127886-01	19/12/2022	Consent initially granted	52 & TANK 22	Regional Resource Management Plan (2006)
AUTH-127886-01	12/01/2023	S133A (RMA) minor corrections	52 & TANK 22	Regional Resource Management Plan (2006)

Plans

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



Plan C – Land Discharge Soil Sampling Locations



Schedule 1: Recommendations - Cultural Values Reports

Whataangaanga and Surrounds; Cultural Values, Names and Associations, November 2021

1. That Ravensdown invest in Rangatiratanga - Leadership through a long-term relationship with mana whenua to achieve all cultural outcomes over the long term[2]. 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.
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.

Ravensdown Napier Resource Consent Renewal Cultural Impact Assessment, Ngāti Pārau Hapū, November 2021

1. Ngāti Pārau hapū supports the proposed site for disposal of stormwater and process water through irrigation across 17.5 ha of farmland.
2. Ngāti Pārau hapū are committed to working with Ravensdown to ensure a healthy estuarine environment for the Waitangi Estuary and wetlands area. Ngāti Pārau insists that they be kept appraised of, and included in the Habitat Abundance Restoration and ongoing monitoring.
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.

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