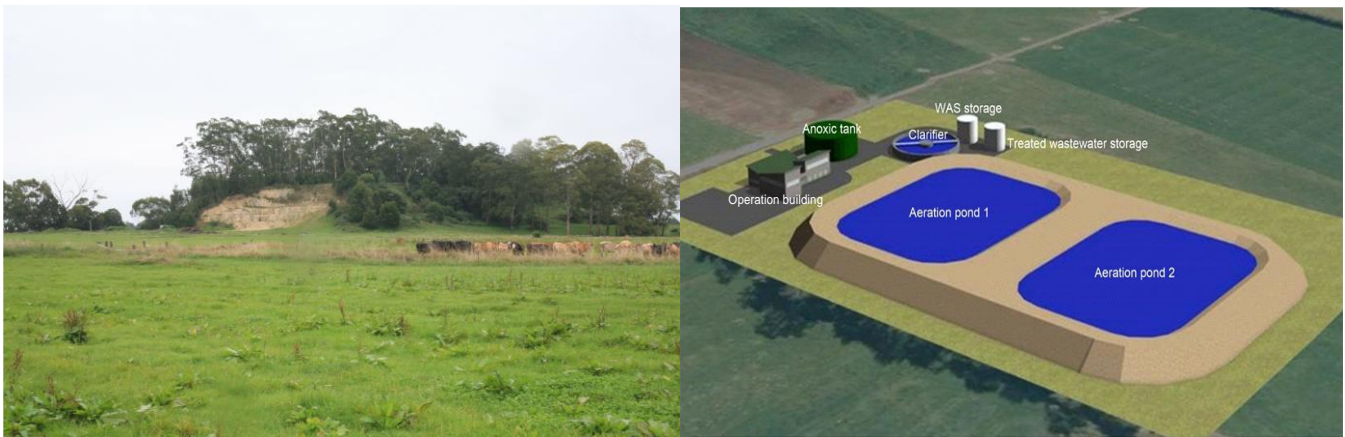


# Fonterra Limited



## Appendix P: Proposed Conditions of Consent – Discharge to Air

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**PATTLE DELAMORE PARTNERS LTD**  
*Solutions for your environment*

**February 2020**

# RESOURCE CONSENT CERTIFICATE

**Resource Consent:** AUTH139727.01.01

**File Number:** 60 62 66A

*Pursuant to the Resource Management Act 1991, the Waikato Regional Council hereby grants consent to:*

Fonterra Limited  
(Hautapu Site)  
Private Bag 885  
Cambridge 3450

*(hereinafter referred to as the Consent Holder)*

**Consent Type:** Discharge permit

**Consent Subtype:** Discharge to air

**Activity authorised:** Discharge contaminants into the air from a wastewater treatment facility treating dairy manufacturing wastewaters, wastes and by-products and including contaminated stormwater

**Location:** Fonterra Hautapu, Buxton Farm, Fencourt Road, Cambridge

**Spatial Reference:** NZTM 1818984 E 5807854 N

**Consent Duration:** This consent will commence when the time for lodging appeals against the grant of consent has expired, or when all appeals have been withdrawn or determined, unless otherwise stated in the consent's conditions, and expire on **30 June 2054 (35 years)**

**Subject to the conditions overleaf:**

## Definitions

For the purposes of this consent, the following definitions apply.

Term	Definition
BSP	British Standard Pipe thread
Certified (or Certification)	In relation to a Management Plan or Monitoring Plan: means that the Council has certified that the Management Plan or Monitoring Plan contains all information specified in the relevant condition(s) and that the Management Plan or Monitoring Plan meets all the requirements set out in the conditions of the resource consent.
Council	Waikato Regional Council
FIDOL	FIDOL factors as defined in the GPG Section 2.4
GPG	Good Practice Guide for Assessing and Managing Odour (2016), Ministry for the Environment
ISO	International Organization for Standardisation
mg/Nm <sup>3</sup>	Milligrams per normal cubic metre (i.e. corrected to 0°C and one atmosphere pressure). All concentrations specified in this consent are specified as dry basis concentrations (i.e. corrected to 0% moisture)
PM <sub>10</sub>	Particulate matter that is less than 10 micrometres in aerodynamic diameter
Site	Refers to the immediate area of the Wastewater Treatment Facility
Subject Property	The properties bearing the legal descriptions: Section 29 BLK V Cambridge Survey District, Lot 1 DP South Auckland 31054 and Section 42 BLK V Cambridge Survey District, Lot 2 DP 383822.
TSP	Total suspended particulate matter
USEPA	United States Environmental Protection Agency
WWTF	Wastewater Treatment Facility that includes all aspects of wastewater treatment and its associated sludge management.
Year, yearly, yr, annual, annually, season	Shall all be the period of the dairy season being from 1 July of one year to 30 June inclusive of the following year

## General

1. Except as specifically provided for by other conditions of this consent, all activities to which this consent relates shall be undertaken generally in accordance with the information contained in the application for this consent including: “Fonterra Hautapu: Assessment of Environmental Effects for New Wastewater Treatment Facility, prepared by Pattle Delamore Partners Limited, dated February 2020, **WRC ref xxx**; and further documentation and correspondence submitted in support of the application.

- *List any further documentation that arises through the consent processing*

If there is any inconsistency between the application and any consent condition, the consent conditions shall prevail.

## Performance Standards

2. There shall be no discharge of particulate matter or aerosols that causes an objectionable effect that is more than minor at or beyond the boundary of the subject property.

**Advice Note:** For the purposes of this consent, whether a discharge of particulate matter is objectionable is determined having regard to the frequency, intensity, duration, nature and location of the particulate matter discharge and any previous validated particulate matter complaints relating to the same site.

3. The discharge shall not result in odour that is objectionable, to the extent that it causes an adverse effect that is more than minor at or beyond the boundary of the subject property.

**Advice Note:** For the purposes of this consent, whether an odour is objectionable is determined having regard to the frequency, intensity, duration, offensiveness and location of the odour.

## Design and As-Built Certification for new WWTF

4. The consent holder shall undertake a robust and thorough detailed design review(s) of the WWTF, early enough in the design and specification of the WWTF, for the purpose that the review identifies but is not limited to those aspects of the design, wastewater management, instrumentation, monitoring and process control that if not adequately controlled could contribute to objectionable odours. Appropriate controls as recommended from the review process shall be incorporated into the WWTF design and its subsequent build so that the performance standard noted in condition 3 is achieved.

5. The consent holder shall engage a suitably qualified and experienced odour treatment consultant/practitioner, this person(s) being approved by Council, to undertake the following:
  - (a) A technical and operational peer review of the proposed WWTF design and operation, and in particular the adequacy of the control plans to be implemented to control odours. The purpose of the review is to comment on the likelihood that the design and operation of the proposed WWTF plant and including any odour emissions control units (if necessary) will be robust and capable of ensuring ongoing reliable compliance with the conditions of this consent and in particular compliance with **condition 3 of** this consent.
  - (b) The consent holder shall make their WWTF technical engineer(s) available, as required, to outline the basis of the design, technical calculations and operational matters to ensure complete and full understanding for the peer reviewer(s). The outcome of the technical and operational peer review shall be a documented report. A copy of the peer review report shall be provided to Council prior to commencement of the WWTF construction.
  - (c) Completion of an 'As-Built' report confirming that the WWTF has been completed in accordance with the design review(s) and peer review(s), required by **condition 4** and condition 5(a) and 5(b). The 'As-Built' report shall be completed prior to the WWTF receiving wastewater and a copy of the report shall be submitted to the Council within one month of its completion.

#### **Management Plans**

6. Three months prior to the commissioning of the WWTF the consent holder shall provide the Council, for certification, the Hautapu WWTF Odour Management Plan (OMP), addressing discharges from the WWTF.

The OMP shall be prepared by a suitably qualified and experienced person(s). The objective of the OMP is to document the management and operational procedures for the WWTF to achieve compliance with the conditions of this consent with regard to the discharge of contaminants into the air and in particular odour.

The OMP shall be prepared in accordance with the GPG and as a minimum shall address the following specific matters:

- i) The roles and responsibilities of Hautapu site personnel, including those with responsibility for responding to questions and complaints from the general public and those responsible for implementing the operational controls to avoid odours, and the contact details of the key people including after hours;
- ii) How training of staff, and including that of any contracted services engaged to undertake work on plant or operations, will be undertaken. This will include the areas or specific area and operational knowledge and their competency to minimise the emission of odour from these area operations. The frequency or training and scheduling of 'refresher' training at appropriate intervals.
- iii) The identification of activities undertaken on the site, identified as discrete or to a level of detail, to confirm the potential odour risk associated with these activities and how these risks will be managed by specific control plans

(methods of mitigation and operating procedures). This record will be termed the Odour Risk Register;

- iv) Identify the types, locations and frequency of monitoring, including meteorological aspects, and how records of this monitoring will kept;
- v) The identification of neighbours and those who might be considered as 'affected' parties and that Fonterra Hautapu provides these parties with site contact details.
- vi) An annual overall system performance review including provision of a summary of any complaints received being provided to Council.

Subject to any other conditions of this consent the OMP and any associated Monitoring Plans shall be implemented, and all activities shall be undertaken in accordance with, the latest version of the OMP and/or Monitoring Plans certified by the Council. Provided that the requirement to operate the WWTF in accordance with this OMP and the requirement for any changes to the OMP to be submitted for certification does not prevent Fonterra implementing its protocols of continuous improvement and refining its WWTF process to continually optimise its process and minimise the occurrence of odour.

**Advice Note:** Standard operating procedures for the wastewater treatment facility and any other infrastructure or operational aspect forming part of the Hautapu site wastewater treatment facility activities and that contribute to the emissions to air shall also be documented, separately to the OMP.

The consent holder shall review (and update if necessary) the Management Plans at a frequency to reflect actual site management practices but at least once every two years or if there have been any significant changes made to the site operations and processes that may impact upon the discharge of contaminants into the air.

Any subsequent revision of the Management Plans shall be forwarded to the Council. Except where Council provides notice in writing that it refuses to certify a Management Plan, then should certification not be provided within 20 working days, the consent holder shall regard the revised Management Plan as being deemed to have been certified.

### Monitoring

8. Prior to the WWTF receiving wastewater, the consent holder shall install, and thereafter maintain a meteorological monitoring station at a point on the subject property that is representative of local weather conditions across the site. The monitoring station shall continuously record 1 minute data collected and averaged to 10-minute and 1-hour time periods for the following meteorological parameters wind speed, wind direction and ambient air temperature.

The meteorological monitoring station shall if possible be located in accordance with AS/NZS 3580.14-2014 standard to record the likely dispersion of odours from the WWTF. If the meteorological station cannot be located to comply with AS/NZS 3580.14-2014 an alternative location shall be agreed in writing with the Council.

9. The consent holder shall undertake site and subject property boundary odour walkover assessment surveys, at an appropriate number of locations, to accurately assess any odours from the WWTF. The frequency of the assessments and details to be recorded at each location are listed in the table below. (The parameters and measurement scales shall be as per those listed in the GPG Appendix 3, Part E:

Odour Reference Sheet).

Survey Frequency	Location	Duration	Parameter
<b>WWTF</b>			
The date on which the survey is undertaken and the time at each location is to be recorded.			
Weekly	Upstream wind direction to WWTF Downstream wind direction from WWTF	At least 1 minute at each location	Wind Direction
			Wind Speed
			Odour Character Descriptor
			Cloud Cover
			Land Beaufort Wind Scale
			Scale of Intensity
			General Hedonic Tone
Measuring Temperature			
<b>Subject Property Boundary</b>			
The date on which the survey is undertaken and the time at each location is to be recorded			
Monthly	Upstream wind direction to WWTF Downstream wind direction from WWTF	At least 1 minute at each location	Wind Direction
			Wind Speed
			Odour Character Descriptor
			Cloud Cover
			Land Beaufort Wind Scale
			Scale of Intensity
			General Hedonic Tone
Measuring Temperature			

A completed Odour Walkover Survey form for each survey shall be held on file for at least 24 months, and will be made available on request by the Council

**Advice Note:**

The Subject Property boundary walkover surveys should preferably be undertaken during the early morning period when low wind speeds and low temperatures occur.

**Non-Compliance and Complaints**

10. The consent holder shall notify the Council verbally or by email within 24 hours, or as soon thereafter as practicable, after becoming aware of the limits and performance standards specified in this resource consent being exceeded and/or of any accidental discharge, plant breakdown, or other circumstances which are likely to result in the limits and performance standards of this resource consent being exceeded. The consent holder shall, within 10 working days of the incident occurring, provide a written report to the Council, identifying the exceedance, possible causes, steps undertaken to remedy the effects of the incident and measures that will be undertaken to ensure future compliance.
11. The consent holder shall maintain a log of all complaints (including those received via third parties including the Council) regarding dust, odour or other contaminants. The consent holder shall notify the Council of each complaint as soon as practicable. The consent holder shall record the following details in a complaint log:
  - (i) time and type of complaint including details of the incident, e.g. duration, location and any effects noted;
  - (ii) name, address and contact phone number of the complainant (if provided);
  - (iii) where practicable, the weather conditions including wind direction at the time of incident and including the data collected from the meteorological monitoring station required by **condition 8**;
  - (iv) the likely cause of the complaint and the response made by the consent holder including any corrective action undertaken, if applicable;
  - (v) future actions proposed as a result of the complaint, if applicable; and
  - (vi) the response from the consent holder to the complainant.

The complaint log shall be made available to the Council at all reasonable times and a summary of complaints received shall be included in the annual report required **by Condition 15**.

12. The consent holder shall within 6 months of the commencement of this consent circulate a copy of the Complaints Procedure required by **condition 11** of this consent to all residents within 1 kilometre of the proposed wastewater treatment facility. This requirement applies to any revision to the Complaints Procedure.

### **Continual Improvement**

13. If requested by the Council in writing the consent holder shall by 31 December 2025 and every 10 years thereafter supply to the Council a report from an independent suitably qualified and experienced person, approved by Council as to qualifications and experience, a review of the site activities and the best practicable option to avoid objectionable odours at or beyond the subject property boundary. The review shall include but not be limited to the following:
  - (i) A review of complaints received by both Council and the consent holder.
  - (ii) The source and characterisation of odours and their potential to be objectionable at or beyond the property boundary
  - (iii) A review of the Odour Risk Register that forms part of the OMP, to confirm that the activities undertaken on the site are identified to a level of detail



sufficient to confirm the potential odour risk associated with these activities and how these risks will be managed by specific control plans.

- (iv) The adequacy of the control plans, including management and standard operating procedures to minimise odours.
- (v) A review of odour emission control technology and including process control options to control odours from activities authorised by this consent to avoid and mitigation of any objectionable or offensive odour effects beyond the boundary of the subject property.

The outcome of each review shall be a documented report, that includes any recommendation(s), and such report shall be provided to the Council by 30 September in the year in which the review is undertaken.

### **Community Liaison**

14. The consent holder shall within 6 months of the commencement of this consent establish a Community Liaison Group (CLG) to which the following shall be invited:

- i. Waipa District Council
- ii. Ngati Haua
- iii. Ngati Koroki Kahukura
- iv. Waikato Regional Council
- v. All neighbours within 1 kilometre of the Wastewater Treatment Facility

The role of the CLG is to provide a forum:

- To facilitate communication and dialogue between the consent holder, the community and the Council;
- To facilitate communication arising from the consent holders wastewater treatment facility, including the management and operation of the treatment plant and all associated and ancillary aspects of its operation. This also includes the results of monitoring, concerns and complaints received, aspects of non-compliance (if any) and any actions taken to prevent recurrence of any operational issues and compliance.

The consent holder shall ensure that meetings of the CLG are held at least annually, and shall provide evidence of invitations to and documented minutes of meetings held, to the Council upon request. Representatives of the consent holder shall attend all meetings of the CLG. Meetings of the CLG are to be open to any member of the public to attend.

### **Reporting**

15. The consent holder shall compile an Annual Report for the activities authorised by this consent, and forward that report to the Council by 30 September of each year after the operation of the WWTF commences, or such other date agreed to in writing by the Council. As a minimum the report shall:

- (i) Comment on compliance with all conditions of this consent;
- (ii) Make recommendations in relation to any monitoring programme changes, operational changes or other matters as appropriate, which are required to ensure compliance with the conditions of this consent;
- (iii) Summarise and analyse any non-compliance or difficulties in achieving compliance with the conditions of this consent;
- (iv) Comment on any complaints received in relation to the discharges to air from the site;
- (v) Summarise any works that have been undertaken to improve environmental performance or that are proposed to be undertaken in the up-coming year to improve environmental performance in relation to the activities authorised by this consent.

### **Review**

16. The Council may within three months of each anniversary of the commencement of this resource consent serve notice on the consent holder under section 128(1) of the Resource Management Act 1991, of its intention to review the conditions of this resource consent for the following purposes:
- (i) To review the effectiveness of the conditions of this resource consent in avoiding or mitigating any adverse effects on the environment and if necessary to avoid, remedy or mitigate such effects by way of further or amended conditions; or
  - (ii) If necessary and appropriate, to require the holder of the consent to adopt the best practicable option to remove or reduce adverse effects on the surrounding environment; or
  - (iii) To review the adequacy of and the necessity for monitoring undertaken by the consent holder.
  - (iv) Implementing changes considered necessary following a review of the report produced under condition 5 and 13.

### **Lapsing Period**

15. This consent shall lapse ten (10) years after the date on which it was granted unless it has been given effect to before the end of that period.

*In terms of s116 of the Resource Management Act 1991, this consent commences on*

## **Statutory Advice Notes**

- This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the consent holder and the property owner.
- This resource consent is transferable to another owner or occupier of the land concerned, upon application, on the same conditions and for the same use as originally granted (s.134-137 RMA).
- The consent holder may apply to change the conditions of the resource consent under s.127 RMA.
- The reasonable costs incurred by Waikato Regional Council arising from supervision and monitoring of this/these consents will be charged to the consent holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the consent holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consents.
- Note that pursuant to s332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.
- If you intend to replace this consent upon its expiry, please note that an application for a new consent made at least 6 months prior to this consent's expiry gives you the right to continue exercising this consent after it expires in the event that your application is not processed prior to this consent's expiry.