

MINUTES

TITLE: Environment and Planning Sub-Committee
DATE: Monday, 7 February 2005
TIME: 9.30 am
VENUE: Council Chamber, 189 Queen Street, Richmond.

PRESENT: Crs T B King (Chair), E E Henry and M J Higgins

IN ATTENDANCE: Consent Planner (G Ray), Manager Consents (J Hodson),
Consent Planner (P Gibson), Development Engineer (D Ley),
Consent Planner (N Lewis), Administration Officer (B D Moore).

1. ANATHOTH MARKETING LIMITED, 18 KELLING ROAD, UPPER MOUTERE - APPLICATION No. RM041080 AND RM041115

1.1 Presentation of the Application

The applicant sought consent to operate a rural industry, being a food processing factory primarily for the manufacturer of jams, pickles and sauces from fruit and vegetables. Further consent was sought to subdivide a 10.1171 hectares rural one property into Lot 1 of 0.6075 hectares containing the rural industry and Lot 2 of 9.5056 hectares containing the berry farm and existing dwelling. A discharge consent was sought for 14,000 litres per day of treated fruit and vegetable processing water to land. The application site is located at 28 Kelling Road, Upper Moutere being legally described as part section 93, Moutere District on CTs NL67/221 limited and NL65/84 limited.

Ms C C M Owen, Counsel for the Applicant, tabled and read a written submission on behalf of the applicant. She described the application as discretionary saying that plan change W20 subclause 4 addresses the subdivision of land for "an essential non-productive use" and overrides Rule 306.1 which is the Rural A General Subdivision Rule that states that minimum total area of a new Lot will be 8.5 hectares.

Mr P W Borne, Environmental Engineer, read a statement of evidence about the discharge consent. His evidence included illustrations of the proposed wastewater management system. Separate processing systems were proposed for the domestic type wastewater and the processing/washdown wastewater generated from the factories and vegetable processing. A treatment plant would be established to handle the factory processed wastewater and include a settling pond for solids, a liquid holding tank and a trench disposal field. This disposal field will be located at least 10 metres from the normal watercourse of the Moutere River. This evidence detailed the proposed monitoring process and suggested conditions of consent for this discharge consent application.

The applicant's statement of planning evidence was read by Mr D R Smythe who explained the building and resource consents which had been obtained for the subject site particularly since 1998. He said that the current applications were submitted to Council in August and September 2004.

Mr Smythe addressed the concerns of submitters, the status of the applications and the relevant planning documents and effects on the environment. The subject of amenity and rural character was discussed and a landscape planting plan attached to the written evidence. Mr Smythe provided a further annexure to his statement of evidence, in the form of a revised set of suggested conditions of consent for the three applications. The whole set of conditions was based directly on the set recommended by the staff. This completed the applicant's presentation.

1.2 Presentation of Submissions

Cr King advised that a letter had been received from D and L Beagley and a note from D Turley to state that neither of the submitters would be present at this hearing. A submission from W Hamilton had been received three working days late after the closing date for submissions and the Chairman ruled that this submission would not be accepted.

1.3 Staff Reports

Planning Consultant, Mr G Ray, spoke to his staff report of 22 January 2005, contained within the agenda. Mr Ray suggested that a proposed condition of consent for the landuse, requiring legal and physical access for vehicles to the carparking areas at the rear of proposed Lot 1, should be reworded or deleted.

Consent Planner, Mr P Gibson, spoke to the landuse and subdivision applications and referred to the TRMP Schedule 16.3 A assessment criteria for subdivision, the proposed conditions of consent including financial conditions.

Subdivisions Engineer, Mr D Leay, said that some improvements to parking and access were required including sealing Rights-of-Ways 2 and 3 and providing stormwater side drains, relocation of the powerpole at the entrance of Right-of-Way 2 and trimming trees and shrubs to the east of Right-of-Way 2 on Kelling Road. Consent Planner, Ms N Lewis, spoke to the discharge consent application pursuant to the assessment criteria for discharges contained in Schedule 36.1 D of the TRMP.

Ms Lewis recommended that a reserve area for use as a disposal field, having an area 100% of the actual disposal field should be provided. This area should remain undeveloped and stock access be restricted by fencing the effluent disposal field.

1.4 Right of Reply

Ms Owen commenced a right of reply on behalf of the applicant. She questioned if there would be a greater level of effect if the business was allowed to operate more hours. The applicant accepted the need for stock fencing of the disposal area. The applicant took issue with the requirement to relocate the powerpole near the road frontage. However, the requirement to provide a compacted base course with clean gravel overlay on Right-of-Way 3 was accepted and in addition the need for timber curbing to the right-of-way was accepted by the applicant.

Ms Owen reminded the hearing panel that the domestic discharge was not part of this application. She said that the applicant could achieve an average 15 metre setback for the effluent disposal area adjacent to the Moutere River.

Ms Owen requested that the applicant's representative Mr Vaughan be allowed to determine wording for discharge condition 4 E regarding desludging the tank. Cr King agreed to this request and instructed the Applicant's Counsel to provide a written right of reply by Thursday, 3 February 2004. The Chairman said that the panel would carry out a site visit at the subject site at 28 Kelling Road, Upper Moutere and the Committee reserved its decision.

Moved Crs King / Higgins EP05/02/01

THAT the public be excluded from the following part of the proceedings of this meeting, namely:

Anathoth Marketing Limited

The general subject of the matter to be considered while the public is excluded, the reason for passing this resolution in relation to the matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

Subject	Reasons	Grounds
Anathoth Marketing Limited	Consideration of a planning application.	A right of appeal lies to the Environment Court against the final decision of Council.

CARRIED

Moved Crs Higgins / Henry EP05/02/02

THAT for the purposes of discussing the application of Anathoth Marketing Limited as an "In Committee" item, the Manager Consents be authorised to be in attendance as advisor.

CARRIED

**Moved Crs Henry / Higgins
EP05/02/03**

THAT the public meeting be resumed and that the business transacted during the time the public was excluded adopted and that the following resolutions be confirmed in open meeting.

CARRIED

- 2. ANATHOTH MARKETING LIMITED, 18 KELLING ROAD, UPPER MOUTERE - APPLICATION No. RM041080 AND RM041115**

**Moved Crs King / Higgins
EP05/02/04**

THAT pursuant to Sections 104B of the Resource Management Act 1991, Council grants consent to Anathoth Marketing Ltd to operate a rural industry (fruit and vegetable processing) at "Anathoth" 28 Kelling Road, Moutere.

The application is granted subject to the following conditions and for the following reasons:

CONDITONS – LANDUSE:

General

1. That the activity shall be carried out in accordance with the details included in the application, in particular the Site Plan showing existing development and land use entitled 'Annexure 3' prepared by John West Surveys Ltd, dated August 2004, as attached to this consent.

Rights-of-Way, Accesses and Sight Lines

2. That the access shown as Right-of-Way 2 from the existing sealed entry at Kelling Road to the turn-out at the eastern boundary of Lot 2 DP345920, shall be formed and permanently surfaced between wooden retaining edges. The formation and legal width of Right-of-Way 2 shall be not less than 6.0 metres.
3. The vehicle crossing serving Right-of-Way 2 shall be upgraded and formed to the standard specified in Schedule 16.2C: Rural Intersection and Access Design of the Tasman Resource Management Plan (attached as Annexure 2 to this consent.)
4. The consent holder shall remove vegetation outside the existing fence to the east of Right-of-Way 2 and shall keep vegetation trimmed to ensure adequate sight lines are maintained to the east and west of Right-of-Way 2.
5. Right-of-Way 1 is considered to be finished satisfactorily at present but shall be maintained on an ongoing basis to the current standard which is concrete.

Noise

6. Noise generated by the activity, when measured at or within the notional boundary of any dwelling in a Rural Zone (other than any dwelling on the site from which the noise is being generated), does not exceed:

	Day	Night
L ₁₀	55 dBA	40 dBA
L _{max}		70 dBA

Notations:

Day = 7.00 am to 9.00 pm Monday to Friday inclusive and 7.00 am to 6.00 pm Saturday (but excluding public holidays).

Night = all other times plus public holidays.

Noise must be measured and assessed in accordance with the provisions of NZS 6801:1991, Measurement of Sound and NZS 6802:1991, Assessment of Environmental Sound.

Hours of Operation

7. The hours of operation shall be generally 6.00 am until midnight Monday to Thursday and 6.00 am until 6.00 pm Friday and Saturday.

Car Parking

8. That a minimum of 35 carparks shall be provided for staff and visitors on Proposed Lot 1. The parking area and manoeuvring area shall be formed and permanently surfaced in an all weather dust free surface.
9. Legal and physical access for vehicles to the carparking area must be maintained at all times.

Landscaping

10. The planting shown on R Baldwin plan dated 2 February 2005 and attached hereto as Annexure 1 shall be completed within 12 months of the date of this consent and shall be maintained thereafter in a healthy condition. Any plants that die shall be replaced.

Review

11. That pursuant to Section 128(1)(a) and 128(1)(c) of the Resource Management Act 1991, the Consent Authority may review any conditions of the consent within eight years from the date of issue for any of the following purposes:
- To deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage; or
 - To deal with inaccuracies contained in the consent application that materially influenced the decision made on the application and are such that it is necessary to apply more appropriate conditions; or

- c) To assess the appropriateness of imposed compliance standards, monitoring regimes and monitoring frequencies and to alter these accordingly.

Monitoring Costs

12. That all actual and reasonable costs incurred by this Council in monitoring, enforcement and administration of this consent shall be met by the consent holder.

Advice Notes:

1. The Consent Holder is advised that the wastewater treatment and disposal system servicing the ablution facilities associated with the factory should either be constructed, operated, and maintained in accordance with the relevant permitted activity criteria of the Proposed Tasman Resource Management Plan or a resource consent be obtained for the domestic wastewater discharge if these criteria can not be met.
2. The Consent Holder is advised that the stormwater discharge from the factory should either be undertaken in accordance with the relevant permitted activity criteria of the Proposed Tasman Resource Management Plan or a resource consent be obtained for the stormwater discharge if these criteria can not be met.
3. The Consent Holder is advised that any discharge of contaminants to air (namely odour) from the factory should either be undertaken in accordance with the relevant permitted activity criteria of the Proposed Tasman Resource Management Plan or a resource consent be obtained for the discharge of contaminants to air if these criteria cannot be met.
4. The Consent Holder is advised that the storage and use of hazardous substances on the site should either be undertaken in accordance with the relevant permitted activity criteria of the Proposed Tasman Resource Management Plan or a resource consent be obtained to operate as a Hazardous Facility if these criteria can not be met. The Consent Holder is advised that any increase or change in the quantity and nature of hazardous substances stored on site is likely to alter the Consent Status Index for the property and resource consent may be required.
5. The Consent Holder shall meet the requirements of Council with regard to all Building and Health Bylaws, Regulations and Acts.

DECISION – RM041080 SUBDIVISION

THAT pursuant to sections 104B and 104D of the Resource Management Act 1991, Council grants consent to O and J Pope (RM041080) to subdivide Part Section 93, subject to the following conditions:

CONDITIONS

1. General Accordance

That the development be in general accordance with the plans prepared by John West Surveys Ltd and information submitted with the application on 16 September 2004; and the amended Scheme Plan received by Council on 7 October 2004; and further information received on 17 January 2004, as amended by the following conditions of consent.

2. Rights-of-Way

- a) Right-of-Way 2 from the existing sealed entry at Kelling Road to the turn-out at the western boundary of Proposed Lot 1 shall be formed and permanently surfaced to a minimum 6.0 metre width between wooden retaining edges. The legal width shall be not less than 6.0 metres.
- b) Right-of-Way 3 and the on-site carparking and vehicle manoeuvring areas on proposed Lot 1 and the "Abandoned land" shall be formed and finished with an all weather clean gravel surface graded to existing drainage channels.

Notation: Right-of-Way 1 is considered to be finished satisfactorily at present but shall be maintained on an ongoing basis to the current standard which is concrete.

Notation: Right-of-Way 4 is not required to be sealed as the application states that it will largely be used for workers crossing between the berry farm and the fruit processing facility.

3. Vehicle Crossings

- a) The vehicle crossing serving Right-of-Way 2 shall be upgraded and formed to the standard specified in Schedule 16.2C: Rural Intersection and Access Design of the Tasman Resource Management Plan (attached as **Appendix A**)
- b) The trees and shrubs outside the existing fence to the east of the entrance to Right-of-Way 2 on Kelling Road shall be removed to provide improved sight distances to the satisfaction of Council's Engineering Manager.

Notation: this is required in order to provide increased sight distance.

4. Abandoned Strip

The consent holder shall provide evidence satisfactory to Council that they have acquired the strip of land between the Woolaston Estates Ltd property and the subject site (title NL65/48 Ltd), which is shown on the scheme plan as "Pt Sec 93 Moutere District CT NL65/48 Ltd S J Cook, T Hewetson, & Best". This shall be provided prior to the issue of a section 224 Certificate for the subdivision.

Notation: this strip of land is necessary for Lots 1 and 2 to access Right-of-Way 2.

5. Financial Contributions

Reserves

Development impact levies as set down in sections 16.5.2 and 16.5.5 of the TRMP are required on one allotment. The following will apply:

Reserves and Community Services

Payment of a reserves and community services levy assessed at 5.5% of one allotment. Valuation shall be by way of a special valuation undertaken by a registered valuer at the consent holder's request and cost.

Advice Note: Development Contributions

The consent holder shall pay the required Development Contribution prior to uplifting the section 224(c) certificate.

Council will not issue the section 224(c) certificate in relation to this subdivision until all development contributions have been paid in accordance with Council's Development Contribution Policy under the Local Government Act 2002. The power to withhold a section 224(c) certificate is provided under section 208 of the Local Government Act 2002.

The Development Contributions Policy is found in the Long Term Council Community Plan (LTCCP) and the amount to be paid will be in accordance with the requirements which are current at the time the relevant development contribution is paid in full. This consent will attract a development contribution in respect of Roading.

6. Domestic Wastewater

Prior to the issue of the Section 224 certificate, the consent holder shall provide a report on the domestic wastewater treatment and disposal system servicing the fruit processing facility on Lot 1 and the dwellings on Lot 2 to illustrate how the conditions of Rule 36.1.4 of the Tasman Resource Management Plan will be met, unless otherwise authorised by a resource consent. This report shall be prepared by a suitably qualified and experienced wastewater consultant/engineer. If the report indicates that upgrading of the existing system(s) is required to meet this standard, the required works shall be undertaken prior to the Section 224 certificate being issued.

7. Storm water

Prior to the issue of the Section 224 certificate the consent holder shall provide a report of the storm water disposal system servicing the factory buildings on Lot 1 to illustrate how the conditions of Rule 36.4.2 of the Tasman Resource Management Plan will be met, unless otherwise authorised by a resource consent. This report shall be prepared by a suitably qualified and experienced consultant/engineer. Any upgrading work necessary to achieve compliance with the rule shall be completed prior to the issuing of the Section 224 certificate.

8. Power and Telephone

- a) Live telephone and electric power connections shall be provided to Lot 1 and all wiring shall be underground to the standard required by the supply authority.
- b) Confirmation of the above from the supply authority and a copy of the supplier's Certificate of Compliance shall be provided to the Council.

9. Engineering Plans

- a) All engineering works as outlined above shall be shown on the engineering plans and to the requirements as set out in the Tasman District Council engineering standards and amendments. A 223 certificate cannot be issued until the engineering plans have been received and approved by Council.
- b) "As Built" plans of services will be required at the completion of the works and approved by Council's Engineering Manager prior to the issue of the 224(c) certificate.

10. Engineering Supervision

All works shall be constructed in strict accordance with the Council's Engineering Standards and are to be to the District Engineer's satisfaction. The Tasman District Council's Engineering Supervisor shall be contacted forty-eight hours prior to the commencement of any engineering works on this subdivision.

The applicant shall engage a suitably qualified consultant (registered surveyor/engineer) for advice and to supervise/test the construction of the work. The Completion Certificate pursuant to Section 224 of the Resource Management Act 1991 shall not be released by the Tasman District Council until a "Certificate of Supervision" signed by the consultant is provided and all the necessary fees have been paid.

11. Easements

Easements are to be created over any services located outside the boundaries that they serve as easements in gross to Tasman District Council for Council reticulated services, or appurtenant to the appropriate allotment. These easements shall include, but not be limited to, those shown on the subdivision Scheme Plan.

Reference to easements is to be included in the Council resolution on the Title Plan.

REASONS FOR THE DECISION: LAND USE AND SUBDIVISION.

1. The land is zoned Rural 1 and under the Proposed Tasman Resource Management Plan (TRMP).

2. The application for the factory operation is a Discretionary Activity under the Proposed Tasman Resource Management Plan as it is a commercial activity which is not a permitted activity in the Rural 1 zone. There are no relevant references to the relevant rules thus the Proposed Tasman Resource Management Plan is the only relevant Plan in terms of the land use application. The subdivision application has been assessed as a Non-Complying Activity as there is one outstanding reference to the Tasman Resource Management Plan and it appears that the status of the application under the Transitional Plan would be a non-complying activity.
3. The applications have been considered pursuant to Part 2 and Sections 104B of the Resource Management Act 1991.
4. The Committee noted that four submissions had been received, one in support and three in opposition.

The matters raised by submitters in support included:

- Business is good for the community and employs a number of local people and has no serious impacts.

The concerns raised by the submitters include the following matters (in no particular order):

- Inadequate provision for waste water disposal and adverse effects on Moutere River.
 - Carparking
 - Noise and dust
 - Commercial nature of operation
 - Scale of operation
 - Adverse effects on rural amenity values and visual effects
 - Hazardous substances and dangerous goods used on site
 - Hours of operation
 - Access should not be via Right-of-Way 2
5. The Committee noted that the applicant had offered to do some landscaping which would soften the visual effects of the factory buildings which are already reasonably well screened by a fence and plantings. This volunteered condition was seen as appropriate. The Committee considered that it was necessary to seal Right-of-Way 2 up to the entrance to Lot 1, to minimise dust and noise nuisance, and that the car parking area should be upgraded with an all weather clean gravel surface. Some vegetation along the road side needed to be removed to improve sight distances. It was acknowledged that this was a large commercial activity but the Committee agreed with the planner's advice that this activity being linked to the primary produce from the surrounding rural land, was best located within the rural area.

The Committee did not considered that the factory was causing any adverse noise, odour or visual effects which were more than minor in the context of the existing environment. The limit on hours of operation was imposed to ensure there was control over effects associated with the staff movements and other potential effects associated with the factory operation.

6. The Committee accepted the information from the applicant that the operation had reached its maximum size on the site and that the subdivision of the land would also limit any further expansion. In this case, the Committee did not consider that the subdivision of the 6000 m² site containing the factory buildings would result in “fragmentation” of rural land. The Committee agreed with the staff advice that there was no need to require an esplanade reserve or strip along the Moutere River in association with the subdivision.
7. The Committee considered that it was appropriate to ensure by way of condition that the applicant supply information to Council that the domestic wastewater generated on the land from both within the factory and from the existing dwellings complied with the permitted activity standard (or further work required to upgrade it or a resource consent sought if needed.) Similarly for the disposal of stormwater from the factory buildings.
8. The Committee is clear that the issue of Development Contributions under the provisions of the Local Government Act 2004, which are written into the Long Term Council Community Plan (LTCCP), are not within the powers of the Committee to deal with through this resource consent. There is a separate process and while it is beneficial for an applicant to be made aware of all the costs associated with a project at the earliest opportunity, this is again not something the Committee has control over.
9. In summary the Committee considered that the consent for the increased scale of the rural industry involving the processing of fruit and vegetables known as “Anathoth” should be granted as it was considered that the activity would have no more than a minor adverse effect on the environment in terms of visual effects and effects on the character of the area. It was further considered that the proposal in this location, was consistent with the policies and objectives of the relevant planning documents.

DECISION - DISCHARGE: RM041115

THAT pursuant to Sections 104B of the Resource Management Act 1991, Council grants consent to Anathoth Marketing Ltd to discharge wastewater for a period of fifteen years, subject to the following conditions:

CONDITIONS

1. Site and Discharge Details

Physical Address:	Kelling Road, Upper Moutere
Legal Description:	Pt Sec 93 Blk XVI Motueka SD (Proposed Lot 2)
Valuation Number:	193601300
Total Property Area:	10.0169 hectares
Map Reference of Treatment Pond:	East 2510386 North 5994503
Map Reference of Disposal Area:	East 2510427 North 5994584
Receiving Environment:	Land, gravely sand soil (Category 1-2)
Maximum Discharge Volume:	14, 000 litres per day
Maximum Discharge Rate:	50 mm per day
Discharge Characteristics:	Wastewater from the processing of fruit and vegetables associated with the Anathoth Marketing Limited operation.

2. Discharge Restrictions

- a) The maximum daily discharge to land shall not exceed 14 cubic metres per day and 70 cubic metres per week.
- b) The maximum loading rate at which wastewater is applied to land shall not exceed 50 mm per day (50 litres per square metre per day).
- c) The discharge shall contain only factory process water generated within the Anathoth factory from the berry, apricot and pickling processes and washdown water from the fruit preparation area. Domestic wastewater from the factory ablution facilities shall not be included.
- d) There shall be no discharge of wastewater (either treated or untreated) that results in any surface discharge, ponding, or seepage.
- e) The median values over any year (excluding samples taken during the initial two month establishment period) of the treated wastewater entering the disposal field, as measured at the sampling point required to be provided in accordance with Condition 3(j), shall comply with the following limits:
 - i) The five day biochemical oxygen demand shall be less than 50 grams per cubic metre;
 - ii) The concentration of total suspended solids shall be less than 50 grams per cubic metre.
- f) The application of wastewater shall be at a rate not exceeding 200 kilograms of nitrogen per hectare per year, by itself or in combination with any other sources. The area used to determine the application rate shall include the surrounding non-productive land, nominally 6000 square metres.
- g) The discharge shall not cause any of the following effects in receiving waters of the Moutere River;
 - i) any conspicuous oil or grease films, scums, foams or floatable or suspended materials;
 - ii) any conspicuous change in colour or visual clarity;
 - iii) any objectionable odour from the discharge;
 - iv) any significant adverse effects on aquatic life.
- h) The discharge shall not cause any of the following effects on the receiving groundwater;
 - i) The natural temperature of the water must not be changed by more than 3 degrees Celsius;
 - ii) The water must not be tainted or contaminated so as to make it unsuitable for the irrigation of crops growing or likely to be grown in the area to be irrigated;

- iii) The water must not be tainted or contaminated so as to make it unsuitable for consumption by animals;
- iv) The pH of the water must be within the range of 6.0-9.0 pH units;
- v) The water must not be tainted or contaminated so as to make it unpalatable or unsuitable for consumption by humans, after treatment (equivalent to coagulation, filtration and disinfection), or unsuitable for irrigation;
- vii) The water must not be rendered unsuitable for treatment (equivalent to coagulation, filtration and disinfection) for human consumption by the presence of contaminants.

3. Treatment and Disposal System

- a) The wastewater treatment and disposal system shall be constructed, operated and maintained in accordance with the documentation submitted to Council as part of application RM041115 and including the report titled "On-site Wastewater Management for Anathoth Marketing Limited" prepared by Cameron Gibson and Wells and dated September 2004. Where the application conflicts with conditions of this resource consent, the resource consent conditions shall prevail.
- b) The construction and installation of the wastewater collection, treatment system and disposal system shall be carried out under the supervision of a person who is suitably qualified and experienced in wastewater treatment and disposal systems.
- c) The person supervising the construction and installation of the system shall provide a written certificate or Producer Statement to the Tasman District Council's Coordinator Compliance Monitoring prior to the exercise of this resource consent:
 - i) stating that the wastewater system (including the treatment system and the disposal field) is capable of treating the design flows and that it has been designed in accordance with standard engineering practise, and in accordance with the conditions of this resource consent, in particular, Conditions 3. (a)-(l);
 - ii) stating that all components of the wastewater system (including the treatment plant and the disposal field) have been inspected and installed in accordance with standard engineering practice, the manufacturers specifications, and in accordance with the conditions of this resource consent, in particular, Conditions 3. (a)-(l);
 - iii) stating that suitable plant species have been established in the land application area
 - iv) stating that the components used in the facility are in sound condition for continued use for the term of this resource consent; and
 - v) shall include a set of final "as built" plans that show the siting of all components of the wastewater treatment and disposal system. For the purpose of this condition, the Consent Holder shall ensure that the "as built" plans are drawn to scale and provide sufficient detail for a Council monitoring officer to locate all structures identified on the plans.

- d) The effluent shall be dose loaded to the Low Pressure Effluent Distribution trenches such that there is an even distribution of discharged wastewater across the entire disposal field. Provision be made and maintained to divert stormwater away from the disposal area.
- e) All wastewater shall be collected in a primary treatment tank prior to pumping to a secondary treatment system (Aerobic Activated Sludge Sequence Batch Reactor system as detailed in the application for resource consent RM041115) and final settlement before disposal to land. The Aerobic Treatment pond shall be not less than 400 cubic metres and shall be lined with an impervious material and maintained in such a manner to prevent any direct discharges to groundwater at all times.
- f) The disposal field shall be located on proposed Lot 2 in accordance with information submitted with the application, with the following exceptions:
 - i) the disposal areas shall be set back 1.5 metres from any property boundary;
 - ii) the disposal areas shall be located not less than 10 metres from any surface water body (including the Moutere River);
 - iii) the disposal areas shall be located not less than 20 metres from any domestic water supply.
- g) There shall be not less than a 600mm separation maintained between the base of the disposal trenches and the seasonal groundwater level. The seasonal groundwater level shall be confirmed by investigation by a suitably qualified engineer prior to the construction of the disposal system and results of the investigation shall be submitted to Council's Compliance Co-ordinator prior to installation.
- h) The disposal field shall be planted with appropriate plant species to assist evapotranspiration of treated wastewater. These plants shall be maintained in good health throughout the operational life of the treatment and disposal systems.
- i) The treatment pond and disposal areas shall be adequately fenced to exclude stock and unauthorised persons. The Consent Holder shall ensure that appropriate signs are placed on the fences, and maintained at all times, to advise the public not to enter the treatment pond and disposal areas.
- j) A sampling point to allow the collection of a sample of treated wastewater shall be provided and maintained directly after the final pump out chamber and before the point where the treated wastewater discharges to the disposal field. Details of the sampling point location shall be forwarded to the Tasman District Council's Co-Ordinator Compliance Monitoring prior to the exercise of this resource consent.

- k) Plans shall be forwarded to the Tasman District Council's Coordinator Compliance Monitoring prior to the exercise of this resource consent showing the location of a reserve disposal field that is 100% of the actual disposal field area. Details should accompany the plan of the measures that will be adopted by the Consent Holder to ensure that the reserve disposal area remains available for wastewater disposal purposes and to ensure that any development of the area will not preclude this use in the future.
- l) Groundwater monitoring bores shall be installed upstream and downstream of the disposal areas prior to the exercise of this consent, the location of these bores shall approved by Tasman District Council's Resource Scientist- Water prior to their installation.

4. Operation and Maintenance

- a) A suitably qualified person who is experienced in wastewater treatment and disposal systems shall prepare a management plan for the wastewater treatment and disposal system. The management plan shall be prepared in accordance with the conditions of this resource consent and shall contain, but not be limited to, the following:
 - i) the routine inspection programme to verify the correct functioning of the wastewater and disposal system at all times;
 - ii) a schedule for the daily, weekly, monthly and annual operational requirements;
 - iii) a schedule of maintenance requirements for the pumps, collection and holding tanks, aerobic pond, pumping tanks, flow meters and stormwater control drains;
 - iv) details of a schedule for the de-sludging of sludge tanks and how and where the sludge is to be disposed;
 - v) details of how the ground disposal system will be managed;
 - vi) a list of suitable vegetation species for use in the on the disposal areas and a schedule of maintenance and care requirements for the management for the vegetation species used;
 - vii) a contingency plan specifying the actions to be taken in the event of failure of any component of the system and any non-compliance with the conditions of this resource consent;
 - viii) The location of a reserve area for use as a disposal field as required by Condition 3 (k) of this consent. This should include details of the measures that will be adopted by the Consent Holder to ensure that the reserve disposal area remains undeveloped and available for wastewater disposal purposes;
 - ix) Emergency contact details (24 hour availability) for Service Provider and On-site Manger responsible for the wastewater system.

- b) A copy of the management plan required by Condition 4 (a) above, shall be forwarded to, and approved in writing by, the Tasman District Council's Environment and Planning Manager prior to the exercise of this resource consent.
- c) The Consent Holder shall enter into, and maintain at all times, a written maintenance contract with an experienced wastewater treatment plant operator, or a person trained in the wastewater treatment operation by the system designer, for the ongoing maintenance of the treatment and disposal systems. The contract shall specify the frequency of plant inspections and maintenance during the term of this resource consent and shall include an inspection and maintenance schedule that is in accordance with the management plan required by Condition 4 (a).
- d) A signed copy of this contract shall be forwarded to the Tasman District Council's Compliance Co-ordinator, prior to the exercise of this resource consent.
- e) All tanks within the collection and treatment system shall be desludged on a regular basis at an appropriate interval to ensure the efficient operation of the system by preventing excessive flow-through of solids. Material collected from the desludging of these tanks shall be removed from site for disposal at a location approved by the Tasman District Council's Environmental Health Officer, unless otherwise authorised by resource consent.

5. Monitoring and Reporting

- a) The Consent Holder shall install and maintain a flow meter capable of measuring, to an accuracy of $\pm 5\%$, the cumulative volume of treated wastewater discharged to the disposal field. Accurate records of weekly discharge volumes shall be kept. The flow meter shall be installed in accordance with the manufacturer's specifications and shall be maintained in good working order and calibration at all times.
- b) The weekly discharge volumes required by Condition 5. (a) shall be forwarded to Tasman District Council's Compliance Co-ordinator every six months from the date of issue of this consent or at any other time if requested by Tasman District Council's Compliance Co-ordinator.
- c) The Consent Holder, or their agent, shall collect samples of treated wastewater entering the disposal field on at least six occasions in each year at approximately two month intervals. These samples shall be collected from the purpose built sampling point required to be provided and maintained in accordance with Condition 3 (j), and the samples shall be analysed by an accredited laboratory for the following determinands:
 - i) Five day biochemical oxygen demand;
 - ii) Total suspended solids; and
- d) Following two years of continuous operation in compliance with all of the conditions of this resource consent, the Consent Holder may, with the written approval of Tasman District Council's Environment and Planning Manager,

- i) reduce the sampling frequency, required by Condition 5 c) above, to three occasions per year with samples being collected at approximately four month intervals, and
- ii) determine the median values in Condition 2 e) over a two year period.

Should any monitoring show non-compliance with any of the limits specified in Condition 2 e) (as modified by this Condition), the sampling frequency for the determinands identified in Condition 5 c) shall be returned to six times per year and median values determined in Condition 2 e) returned to a one year period.

- e) The Consent Holder, or their agent, shall collect samples of treated wastewater entering the disposal field on at least one occasion per year during the month of July. These samples shall be collected from the purpose built sampling point required to be provided and maintained in accordance with Condition 3 j), and the samples shall be analysed by an accredited laboratory for the following determinands:
 - i) Total nitrogen
 - ii) Total phosphorus, and
 - iii) pH
- f) The Consent Holder, or their agent, shall collect samples of groundwater from the bores required by Condition 3 (l) on at least one occasion per year during the month of July. These samples shall be analysed by an accredited laboratory for five day biochemical oxygen demand.

6. Review of Conditions

- a) The Consent Authority may, for the duration of this resource consent and within the three month period 31 May to 31 August of each year, review the conditions of this resource consent pursuant to Section 128 of the Resource Management Act 1991 and/or for the following purposes:
 - i) Dealing with any adverse effect on the environment which may arise from the exercise of this resource consent and which is appropriate to deal with at a later stage;
 - ii) Implementing the results of any non-compliance report that may be required by Condition 23;
 - iii) Requiring the applicant to adopt the best practicable option to remove or reduce any adverse effect on the environment;
 - iv) Complying with the requirements of a relevant operative rule in the Tasman Resource Management Plan or its successor;
 - v) Complying with the requirements of any relevant national environmental standards made under section 43 of the Resource Management Act 1991; and

- vi) To review the monitoring requirements and wastewater quality standards required by this resource consent, particularly with respect to the Water Quality Standards of the Motueka River.

ADVICE NOTICES:

1. Monitoring of this resource consent is required under Section 35 of the Resource Management Act 1991. Costs incurred may be recovered under Section 36 of the Resource Management Act 1991. A deposit fee is payable at this time and should monitoring costs exceed this initial fee, the Consent Authority will recover the additional amount from the Consent Holder. Monitoring costs can be minimised by consistently complying with the resource consent conditions.
2. Any matters not referred to in this application for resource consent or otherwise covered in the resource consent conditions must comply with the proposed Tasman Resource Management Plan and/or the Resource Management Act 1991.
3. The applicant is reminded with regards to Advice Note 1, the discharge may not create an offensive or objectionable odour beyond the property boundary and must comply with relevant permitted activity requirements unless otherwise authorised by resource consent. All associated excavation work must comply with the permitted activity requirements of the Tasman Resource Management Plan unless otherwise authorised by resource consent.
4. The applicant shall meet the requirements of Council with regard to all Building and Health Bylaws, Regulations and Acts.
5. Access by the Council or its officers or agents to the property is reserved pursuant to Section 332 of the Resource Management Act.

REASONS FOR THE DECISION – DISCHARGE:

1. The application to discharge 14,000 litres per day of wastewater from the processing of fruit and vegetables associated with the Anathoth Marketing Ltd activity is considered as a Discretionary Activity as the volume is greater than allowed as a permitted activity i.e 5000 litres per day (rule 36.1.12.).
2. The Committee noted that the discharge of wastewater from the factory was to be separately treated and disposed of from the domestic wastewater associated with the factory and the dwellings. They believed the proposal will provide a considerable improvement from the current situation, where factory process water is combined with domestic wastewater and treated and disposal of in an undersized, primary treatment system. The proposed system is expected to treat the factory wastewater to a near secondary treatment standard in a specifically designed treatment system prior to disposal to shallow low pressure effluent distribution trenches. Although, the volumes sought by this consent are well in excess of those permitted under the relevant Permitted Activity Rule of the Tasman Resource Management Plan, the conditions of this rule place no restriction on the quality or design specifications of the discharge.

3. The Committee considered that the application is consistent with the Resource Management Act's purpose to promote the sustainable management of natural and physical resources and is consistent with the matters set out in Part II of the Act, because wastewater will be treated to a level that will ensure the discharge to land will not degrade the receiving environment. Conditions have been imposed to ensure that the wastewater treatment and disposal systems will be designed, installed and maintained in such a way to ensure water bodies (both surface water and groundwater) will be protected from contamination.
4. The Committee considered that the proposal is consistent with the objectives and policies of the proposed Tasman Resource Management Plan, land application of waste reduces the risk to surface water, and the system will be designed to minimise potential adverse effects of the discharge of wastewater particularly on the valuable water resource of the Moutere River. System design and conditions of this recommendation should mean that the discharge should have no more than a minor effect on the receiving environment for the term of consent.

CARRIED

Confirmed:

Chair: