

## Decision of the Southland Regional Council

### Non-notified resource consent application

#### Section 104B and section 113 of the Resource Management Act 1991

<b>Applicant:</b>	Southland District Council
<b>RM reference:</b>	AUTH- 20211306 AUTH-20147220-02-V1
<b>Location:</b>	2 Boston Street, Riversdale
<b>Legal description:</b>	Part Lots 5 and 6 DP 92, Part Section 509 Hokonui SD, Lot 7 DP 92 and Lot 8 DP 92
<b>Decision date:</b>	3 September 2021
<b>Expiry date:</b>	5 October 2026
<b>Class of activity (ies)</b>	Non-complying
<b>Activities authorised:</b>	To discharge treated wastewater into the ground and intermittently into the Meadow Burn, and To amend the conditions of a resource consent for the discharge of treated wastewater
<b>Rules:</b>	Rule 5.2.1 of the Regional Effluent Land Application Plan Rule 2 of the Regional Water Plan Rules 33 and 33A of the proposed Water & Land Plan

### 1. Decision

Resource consent is **granted** under delegated authority.

### 2. Reasons for the decision

I agree with and adopt the assessment provided in the AEE and the consent officer's s42A report.

The applicant sought a short-term resource consent to continue with the existing discharge, and amendments to timeframes for the existing longer term consent which authorises discharge via Rapid Infiltration Basins.

The existing discharge of treated wastewater into the Meadow Burn has adverse effects on the environment, particularly total ammoniacal nitrogen, total phosphorus and dissolved reactive phosphorus concentrations after reasonable mixing. However, I am mindful that the discharge is a stage in an upgrade of the wastewater system. Taking a wider view of the wastewater system, and considering the specifics of the individual provisions, I don't consider that it is contrary to the plan provisions, based on the following in particular:

- 1 Mr Garbett's legal opinion that the proposal and its effects should be seen in the context of the wider scheme, which will shift the system to land disposal of the wastewater. I note that the applicant has a resource consent for the land disposal system, and
- 2 That written approval was received from Hokonui Runanga Inc, which was supported by Te Ao Marama Inc., on behalf of the kaitiaki rūnanga whose takiwā includes the site. As a result, I believe that the adverse effects on cultural and spiritual values will be no more than minor; and
- 3 The relatively short-term sought by the consent holder.

I also recognise that there needs to be a degree of pragmatism in this case. Wastewater from Riversdale township cannot realistically be immediately shut off, and the switch to the Rapid Infiltration Basin system cannot occur until the necessary land acquisition and construction activities are complete. The wastewater treatment and discharge infrastructure for Riversdale township is critical infrastructure, and I consider that the current proposal is an unavoidable stage in upgrading that infrastructure.

Therefore, I have granted the resource consent subject to conditions in accordance with section 108 of the Resource Management Act 1991. These conditions include limits and monitoring requirements. I have also approved amendments to the existing discharge permit for the Rapid Infiltration Basin discharge, due to the delays in implementation.

My view above only applies to this particular application. If, for some reason, there was another application to continue the discharge to the Meadow Burn, or for discharge elsewhere under similar circumstances, it will be considered on its merits.

Please read and ensure you understand and implement these conditions. By law you are required to comply with them for the duration of the consent. Failure to show compliance with conditions of a consent on inspection may result in enforcement action.

For the **Southland Regional Council**



Bruce Halligan  
**Acting Consents Manager**

## Notes

1. Right to object: Applicants and consent holders have the right to object to any part of this decision to Environment Southland. Objections must be in writing and received by Environment Southland within 15 working days of the decision being notified. Objectors can request the objection be heard by an independent commissioner. The procedure for making and hearing objections is set out in sections 357A to 357D of the Resource Management Act 1991.
2. Right to appeal: The applicant, the consent holder (if different), and any person who made a submission on the application may appeal against any part of this decision (including the consent conditions conditions) to the Environment Court. A submitter's appeal is limited in scope by the matters raised in their submission. Appellants have 15 working days to lodge an appeal, from the date they received notice of this decision. The right to appeal and procedure for lodging appeals is outlined in sections 120 and 121 of the Resource Management Act 1991.
3. Our costs: An invoice for our costs of working on your application will be forwarded to you shortly.
4. Expiry of consent: Please note the expiry date of your resource consent(s). The expiry date will be printed in on the first page of the consent. You can only undertake the activity legally between now and the expiry date. If you wish to continue with the activity after the consent expires, you will need to apply for and obtain a new resource consent in advance. We recommend you re-apply at least six months before any current consent will expire.
5. Lapse of consent: Please note that the resource consent(s) will lapse if you do not 'give effect' to it within five years of it being granted (or otherwise within a different period specified on the particular consent). Lapse of a consent has the same effect as an expiry. The consent will not lapse if you commence the activity within five years. A longer lapse period can be applied for. Please contact us in advance if you think you are not likely to give effect to the consent before it lapses.
6. Cancellation of consent: Resource consents can be cancelled if they are unexercised for a period of five years. Cancellation of a consent has the same effect as an expiry.