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Section 42A Report

Section 42A of the Resource Management Act 1991

Date: 19 March 2026

To: Lacey Bragg
Consents Manager

From: Ryan Hodgson

IRIS ID: APP-20222295

Subject: ***Section 42A Report – Resource Consent Application considered under Delegated Authority***

1. The Application

1.1 The proposed activities

Applicant: Blue Sky Meats (NZ) Limited

Application: APP-20222295

Site address or location: 729 Woodlands Morton Mains Road, Edendale

Legal description: Lot 1 DP 14802, Part Lot 7 DP 159, Part Lot 8 DP 159, Lot 1 DP 595, Lot 1 DP 541980, Lot 2 DP 541980, Lot 9 DP 159, Lot 12 DP 159, Lot 13 DP 159, Lot 292 DP 155, Lot 293 DP 155, and Lot 1 DP 8287

Map Reference: NZTM2000 1264846E, 4857558N

Activities for Consent: See Table 1 (below). A consent term of 25 years is sought for all consents.

Notification: The application was publicly notified on 20 January 2023

Table 1: Consents sought

Consent Type	Purpose
Water Permit	To abstract 1,500,000 litres per day and 7,000,000 litres per week of groundwater from three bores for a meat processing plant and a rendering and blood drying plant.
Water Permit	To take groundwater for the purpose of dewatering the ground beneath the wastewater treatment plant.
Discharge Permit	To discharge treated wastewater, BNR solids, stockyard solids, grit, paunch, and covered anaerobic lagoon stormwater onto land.
Air Permit	To discharge contaminants to air from a meat processing plant, rendering and blood drying plant and associated boiler, wastewater collection and treatment systems and associated land discharges, and a salting shed.
Discharge Permit	To discharge land drainage water and stormwater to water.
Land Use Permit	To use land to maintain, and use three non-agricultural effluent storage ponds, for the

	treatment and storage of meat works effluent.
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- 1.1.1 Blue Sky Meats (NZ) Limited (BSM) operates an existing meat works processing plant located at 729 Woodlands Morton Mains Road, Edendale. The proposal seeks to replace consents associated with the ongoing operation of the existing meat works processing plant. Having conducted extensive upgrades to the wastewater treatment plant (WWTP) and processing capacity during 2019-2021, the applicant seeks to extend the meat processing season from a 10-month season (prior to the upgrades), to eventually be able to process meat year-round. They are proposing to replace seven of their current thirteen permits as described in table 2 below.

Table 2 Existing consents

AUTH-201191-V1	To discharge up to 1000 cubic metres per day of meat processing and rendering plant wastewater to land at Morton mains via a spray irrigator	Expires 31 December 2027* Applying for a new consent
AUTH-201190-V1	To take groundwater for a meat processing plant and rendering and blood drying plant	Expires 31 December 2027* Applying for a new consent
AUTH-201193-V5	To discharge contaminants to air from a meat processing plant, rendering and blood drying plant and associated boiler	Expires 31 December 2027* Applying for a new consent (combining air permits)
AUTH-20181937-01	To construct, maintain, and use two non-agricultural effluent storage ponds, and to reconstruct, maintain and use a non-agricultural effluent storage pond, for the treatment and storage of meat works effluent.	Expires 31 December 2027* Applying for a new consent
AUTH-20181937-02	To take and use groundwater for the purpose of dewatering a wastewater treatment and storage pond site	Expires 31 December 2027* Applying for a new consent
AUTH-20181937-03	To discharge land drainage water and stormwater to water	Expires 31 December 2027* Applying for a new consent
AUTH-20181937-04	To discharge contaminants to air from a wastewater treatment plant	Expires 31 December 2027* Applying for a new consent (combining air permits)
AUTH-20252062-01	To install a bore for industrial purposes	Expires 31 December 2027*
AUTH-20252062-02	To take groundwater for a one-off pump test	Expires 31 December 2027*
AUTH-20252689-01	To install a bore for groundwater abstraction	Expires 31 December 2027*
AUTH-20252689-02	To take groundwater for a one-off pump test	Expires 31 December 2027*
AUTH-20252689-01	To install a bore for industrial purposes	Expires 31 December 2027*
AUTH-20252689-02	To take groundwater for a one-off pump test	Expires 31 December 2027*

*From 17 December 2025, under the Resource Management (Duration of Consents) Amendment Act 2025 the expired permits currently operating under s124 continuation rights are deemed to be reinstated and extended to the close of 31 December 2027. The remaining consents that expire this year (bore installation and pump tests) will also have their expiry dates extended to the close of 31 December 2027.

- 1.1.2 The following tables summarise matters relevant to this application:

Table 3 Water take summary

Water permit	To abstract 1,500,000 litres per day and 7,000,000 litres per week of groundwater from three bores for a meat processing plant and a rendering and blood drying plant.
Relevant rule(s)	Rule 54(e) (pSWLP) - Discretionary Rule 23(d) (RWP) –Discretionary
Source of water (bore or watercourse)	CG11/0128

	F46/1128 F46/0561
Groundwater zone	Waihōpai
Aquifer type (for groundwater takes)	Confined aquifer (Tertiary aquifer zone: Middle Gore Lignite Measures)
Rate of take (L/s)	40L/s
Freshwater storage onsite? How much?	334m ³
Daily volume (L/day)	1,500,000L
Weekly volume (L/week)	7,000,000L
Discretionary allocation (m ³ /day)	pSWLP (Operative Appendix L.6): 75% of the 3,630m ³ to 9,770m ³ estimated through flow. Allocation: 2,722.5m ³ to 7,327.5m ³ /day
Amount currently allocated to other users (m ³ /day and % of discretionary allocation)	pSWLP (Operative Appendix L.6): Total take of 246m ³ estimated as 2.5 - 6.8% of the through flow. Already allocated volume: 3.3%-9%
Applicant's % of discretionary allocation	pSWLP (Operative Appendix L.6): Total take of 1,500m ³ estimated as 15-41% of throughflow % of allocation: 20.4% to 55%

Table 4 Groundwater dewatering summary

Water permit – Dewatering	To take groundwater for the purpose of dewatering the ground beneath the wastewater treatment plant.
Relevant rule(s)	Rule 54(d) (pSWLP) – Discretionary Rule 23(d)(iv) (RWP) - Discretionary
Source of water	Groundwater underneath and around the perimeter of the WWTP lagoons
Groundwater zone/name of watercourse	Waihōpai
Aquifer type (for groundwater takes)	Lowland
Catchment	Waihōpai River
FMU	Ōreti
Rate of take	Water will be taken passively
Discretionary allocation (m ³ /year)	44,500,000 m ³ /year under pSWLP 54,100,000 m ³ /year under RWP
Amount currently allocated (m ³ /year)	2,613,571m ³ /year under pSWLP (5.9%) 3,589,978 m ³ /year under RWP (7%)

Table 5 Discharge to land summary

Discharge permit	To discharge treated wastewater, BNR solids, stockyard solids, grit, paunch, and covered anaerobic lagoon stormwater onto land.
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Relevant rule(s)	Rule 34(a) (pSWLP) – Discretionary
Key nitrogen load limits	On grazed pasture: 200 (kg N/ha/year) On cut and carry operations: 350 (kg N/ha/year)
Discharge season	Year round on BSM owned land. 1 October to 31 March on third-party owned land.
Type of effluent?	Treated wastewater, BNR solids, stockyard solids, grit, and paunch
Effluent disposal area (ha)	BSM-owned Land: 77ha (of the 130ha BSM-owned land) Third party land: 101ha (of the 122ha third-party owned land)
Legal description of discharge area:	BSM-owned land Lot 1 DP 14802, Part Lot 7 DP 159, Part Lot 8 DP 159, and Lot 1 DP 595 Third party - owned land Lot 1 DP 541980, Lot 2 DP 541980, Lot 9 DP 159, Lot 12 DP 159, Lot 13 DP 159, Lot 292 DP 155, Lot 293 DP 155, and Lot 1 DP 8287.
Irrigation methods	Low rate K-Line pods and a muck spreader
Application rate and depth	- Low rate K Line pods at a 35mm depth and 6mm rate per hour from 1 October to 31 March. - Low rate K Line pods at a 15mm depth and 6mm rate per hour from 1 April to 30 September. - Muck spreader to apply solids according to permitted activity criteria of rule 38 (pSWLP)
Storage available (m ³)	15,000m ³ (irrigation storage lagoon)
Monitoring proposed?	As per consent conditions

Table 6 Air discharge summary

Air discharge permit	To discharge contaminants to air from a meat processing plant, rendering and blood drying plant and associated boiler, wastewater collection and treatment systems and associated land discharges, and a salting shed.
Relevant rule(s)	Rule 5.5.2(2) Stage 2 (RAP) – Discretionary Rule 5.5.2(4) Stage 2 (RAP) – Discretionary Rule 5.5.2(16) Stage 2 (RAP) - Discretionary
Activities	- Rate of heat release exceeds 5 MW - Application of heat to animal matter - Foulwater treatment processes
Discharges to air	Fine particulate matter (PM₁₀), oxides of nitrogen (NO_x) and sulphur dioxide (SO₂) from

	a coal-fired boiler • Odour from rendering and skin salting • Odour from wastewater treatment plant • Odour from treated wastewater being discharged to land
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Table 7 Discharge of groundwater to surface water summary

Discharge permit – Dewatered groundwater to surface water	To discharge land drainage water and stormwater to water.
Relevant rule(s)	Rule 5 (pSWLP) - Discretionary
Discharge type	Dewatered groundwater and stormwater to surface water
Receiving waters	Artificial watercourse, that flows to a tributary of the Waihōpai River
Discharge location description	Open drain
Discharge point map reference (NZTM 2000)	1265126E 4857703N

Table 8 effluent storage pond summary

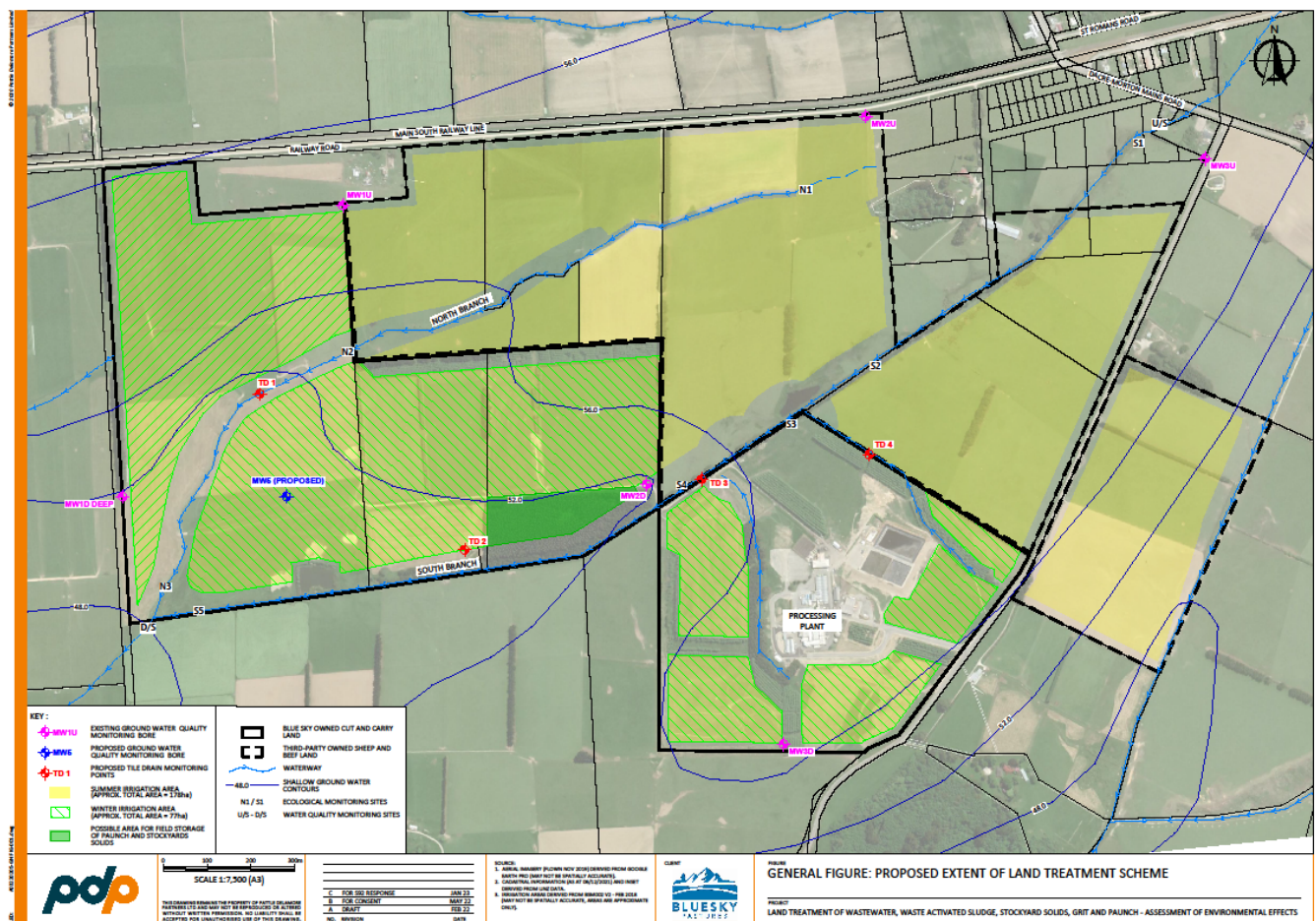
Land use consent	To use land to maintain, and use three non-agricultural effluent storage ponds, for the treatment and storage of meat works effluent.
Relevant rule(s)	Rule 32C(a) (pSWLP) – Restricted Discretionary
Pond Designer	Pattle Delamore Partners Limited
Site location (NZTM2000)	1264980E, 4857640N
Drawings from engineer supplied?	☒ Yes ☐ No
Method of sealing pond	synthetic liner
Storage available (m ³)	5,000m ³ covered anaerobic lagoon (CAL) 6,000m ³ aerobic lagoon (sequencing batch reactor (SBR)) 800m ³ Flow equalisation basin
Leak detection system?	☒ Yes ☐ No
Operational Management Plan	☒ Yes ☐ No

1.1.3 Overall, the application is a **discretionary** activity.

1.2 Description of the affected environment

Existing activities

1.2.1 Blue Sky Meats Limited (**BSM**) owns and operates a lamb and sheep processing plant, and ancillary meat rendering plant (together, **the Plant**) located 729 Woodlands-Morton Mains Road, Morton Mains, Southland (**the Site**), legally described as Lot 1 DP 595. The Site is shown below in figure 1.



- 1.2.2 BSM currently holds thirteen resource consents (as described in table 2) to operate the Plant on the Site.
- 1.2.3 The Site is made up of land owned by BSM and land owned by various third-parties.
- 1.2.4 A range of processes are required to be undertaken by BSM on the Site to support the processing activities – these include meat processing plant, an animal by-product rendering plant and a blood drying plant. Furthermore, a wastewater treatment plant (**WWTP**) treats wastewater from the Site before irrigation to BSM and privately owned land around the Plant.
- 1.2.5 Operations on the site include:
- Edible product processing, stockyards/holding areas, slaughter and boning processes and chilled and frozen storage;
 - On-site rendering, which can process up to 5,750kg of raw material per hour (the plant typically processes 4,500kg/hr)
 - A skin salting operation
- 1.2.6 Current production capacity in peak season can process 30,000 stock units per week (20 hours per day for six days per week) and 900,000 per annum. However, at present, the site is processing up

to 27,750 animals per week across a six-day operation during peak periods. In the 2020/2021 season, the Site processed a total of 807,160 animals.

- 1.2.7 Production runs from the end of July to early June each year, with processing typically peaking from January through to May and dropping off in June. In the 2020/2021 season, the site moved from a 10-month to an 11-month processing season and is targeting 12-month processing to meet demand. The Plant closes for a brief period between Christmas and New Year.
- 1.2.8 Meat processing wastewater contains diluted blood, protein, and fats and solids which are high in organic material and nutrients (nitrogen and phosphorus). A WWTP treats the meat processing and rendering wastewater prior to irrigation to land.

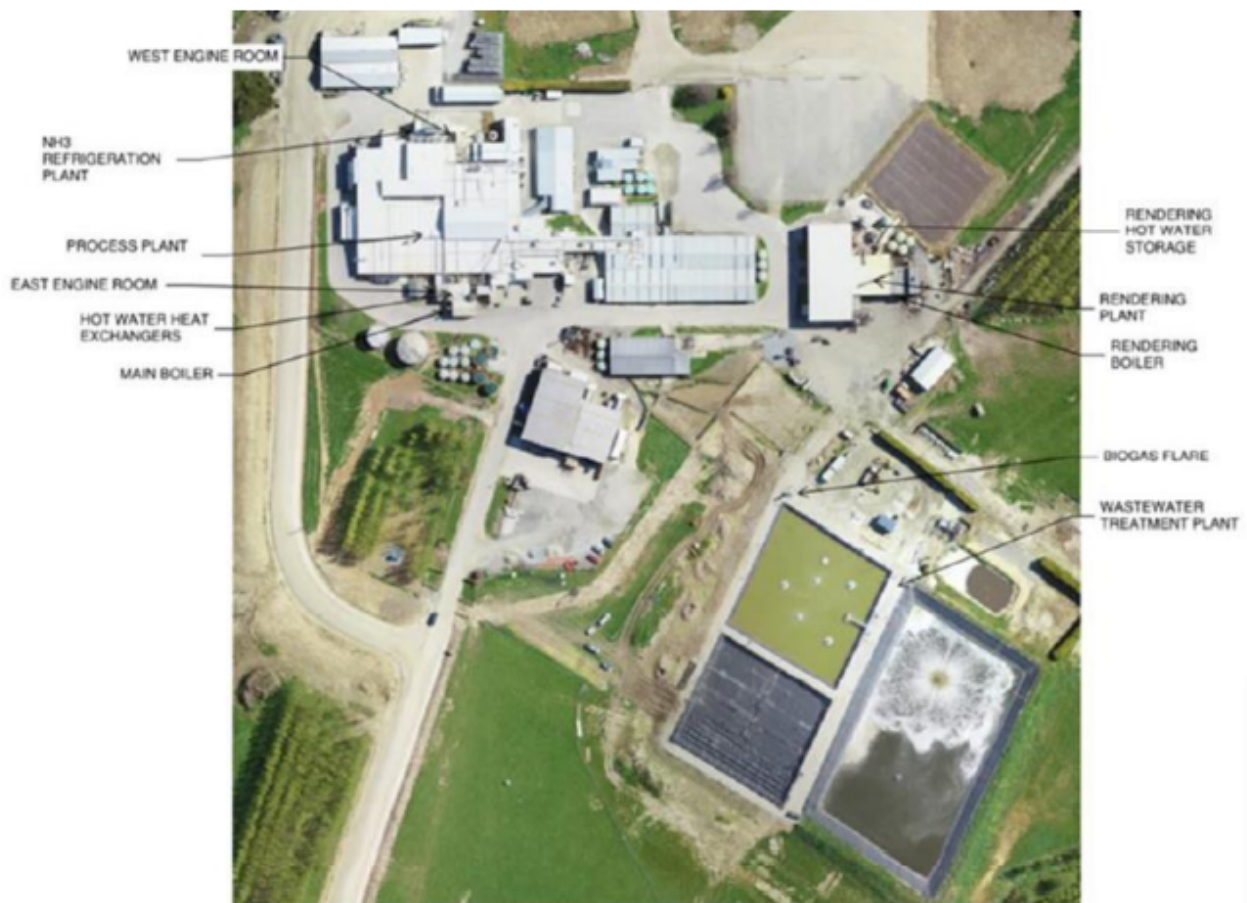


Figure 2: BSM Site Layout

Wastewater Treatment Plant (WWTP) and associated discharges

- 1.2.9 In 2019, BSM constructed substantial upgrades to the onsite WWTP which was commissioned in January 2020 where refinements continued into January 2021. The upgrade enabled the Plant to properly operate at full capacity, and to reduce nitrogen loading to the land treatment area.
- 1.2.10 The upgraded WWTP includes primary treatment via a covered anaerobic lagoon and secondary treatment via biological nitrogen removal in a Sequencing Batch Reactor (SBR) wastewater treatment plant. This treatment process provides for substantial removal of organic matter

(including fats, oils and greases) as biogas via a flare, and substantial removal of nitrogen as inert nitrogen gas.

1.2.11 The upgraded WWTP includes the following components:

- screening to remove larger solids,
- wastewater storage to provide consistent flows into the treatment plant,
- a covered anaerobic lagoon to convert organic nitrogen into mineralisable ammoniacal nitrogen,
- the combustion of biogas via a biogas flare unit with a contingency biofilter,
- A biological nitrogen removal (BNR) activated sludge system operated as a Sequencing Batch Reactor (SBR). The SBR consists of mechanical aeration supply and assists with reduction of ammoniacal nitrogen generated from the anaerobic treatment processes; and
- Discharge of SBR decant (wastewater) into a dedicated irrigation holding lagoon that provides storage of up to 15,000m³ (approximately 10 days storage) of treated wastewater for land treatment.

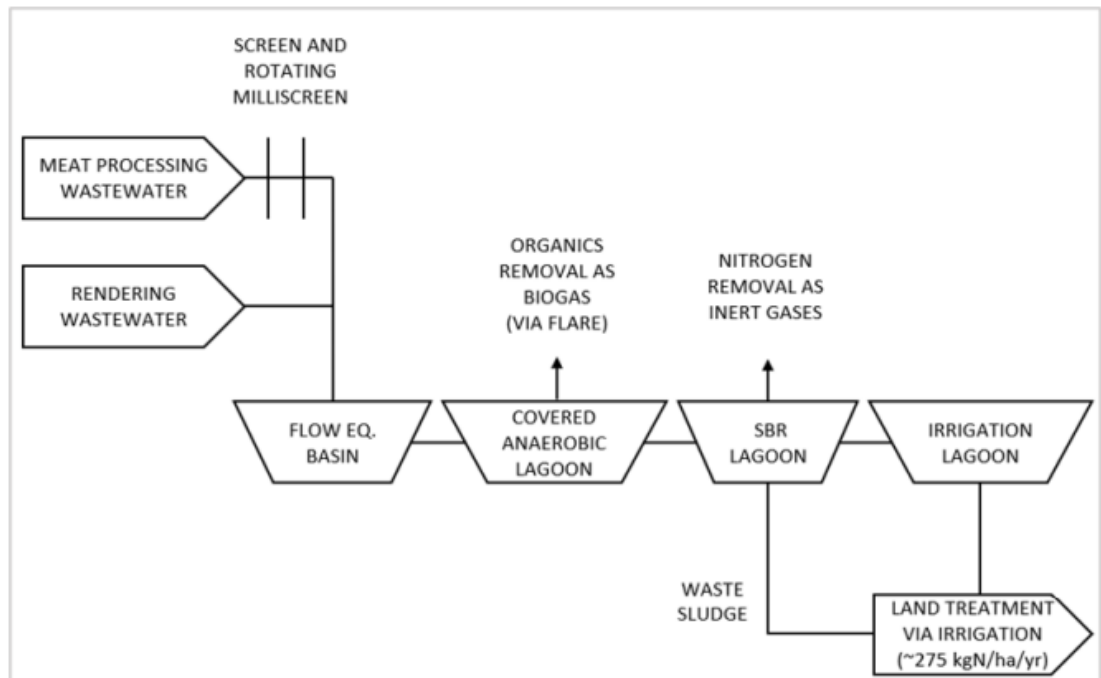


Figure 3 WWTP process diagram

1.2.12 Under this system, discharging the treated wastewater to land provides a final treatment function, where the hydraulic, nitrogen and phosphorus loads meet pastoral requirements, and are converted into biomass for export as supplementary feeds off farm (grass silage, hay, etc).

1.2.13 These wastewater treatment upgrades have resulted in a significant improvement in the removal of contaminants from the wastewater on site, with table 9 below highlighting the improvements for the following key contaminants:

Table 9: Pre and Post-2019 Wastewater Treatment Upgrades Performance

Parameter	Pre-WWTP Upgrade	Post WWTP Upgrade	Percent Removal
Biochemical Oxygen Demand (mg/L)	6,200	62	99%
Total Nitrogen (mg/L)	320	86	73%
Ammoniacal Nitrogen (mg/L)	145	10	93%
Total Phosphorus (mg/L)	36	24	33%
Fats, Oils and Grease (mg/L)	625	12	98%

- 1.2.14 Overall, the WWTP can treat up to approximately 1,200 m³ of wastewater per day and can treat up to 1,500m³ of wastewater for short periods. Waste solids generated in the SBR (SBR solids) are also discharged to land along with stockyard solids, paunch, and grit.
- 1.2.15 The perimeter of the existing WWTP lagoons have a groundwater dewatering system (permeable bedding and perforated pipelines) installed to lower groundwater beneath the lagoons permanently and passively. This dewatered stormwater, in combination with stormwater from the anaerobic lagoon cover, is then discharged to a nearby surface water drain.
- 1.2.16 A leak detection underdrainage system has also been installed below the base of the WWTP lagoons. This leak detection system discharges to a manhole with a closed valve on the outlet. The leak detection system may intercept groundwater on occasion when groundwater exceeds the dewatering drain capacity. This is periodically inspected to check for leakage of wastewater, and if only groundwater is confirmed it is discharged to the stormwater system.
- 1.2.17 Following treatment of the wastewater, BNR solids, stockyard solids, grit, paunch, and covered anaerobic lagoon stormwater to surrounding pastoral land comprised of 77ha of BSM land and 101ha of third party owned land. Irrigation to BSM owned land occurs year-round with the area predominantly operated as a pastoral cut and carry system. The third party owned land is predominantly for sheep and beef grazing and irrigation occurs from October to March (inclusive) when it is beneficial for grass growth.

Processes producing air discharges

- 1.2.18 Air discharges at the site occurs from one coal-fired boiler, a salting shed, a rendering plant, a blood drier, a biofilter, and the stockyards. Coal is used to fire the boiler which generates steam for the rendering plant. The steam boiler is 20m high with a diameter of 750mm and has an output of 4.3 MW (although designed for 6 MW). Coal quality currently complies with the existing consent limits. It should be noted that BSM also had a boiler which generated hot water for cleansing and sterilising purposes however this was decommissioned in 2024 and no longer forms part of the application.
- 1.2.19 Skins from the meat plant are salt cured in the salting shed. Salt is blended in treatment vessels with green sheep or calf skins for at least an hour. Skins are then placed into cages for drainage before being graded and packed out during the following shift. Roughly the same number of skins are treated each day as the stock that are processed at the plant. This is approximately 750,000 skins per annum.
- 1.2.20 Turning to by-products, 4,500 kg/hour (the site has capacity to process 5,750 kg/hour) of inedible animal by-products (meat, bone and offal) is rendered over two shifts for the production of tallow, and high-quality protein meat and bone meal. Additionally, 1000kg/hour of blood is processed. The majority of by-products come from this site although up to 90 tonnes/day are bought in from other meat processing plants.

- 1.2.21 The rendering plant is contained within a purpose-built structure designed to contain odorous contaminants and the building is force-ventilated to comply with existing conditions. Point source vapours produced in meal and tallow cooking processes (see figure 4) in the rendering plant are collected and directed to the plant bio-filter and hot point sources passing to the biofilter via a condenser.



Figure 4 Continuous cooker in rendering plant

- 1.2.22 Blood is transported from the slaughter board to the blood processing area. Here, the blood is fully contained (fig. 5) and all point source air discharges vented to a condenser before being vented to the rendering plant bio-filter. The blood processing room air discharges directly to the bio-filter.



Figure 5 Rotary blood drier

- 1.2.23 Stock is transported to the plant in trucks and held in stockyards, then washed prior to slaughter. The stockyards are covered but have open sides to allow natural light and ventilation. The stockyards are elevated approximately 1m above ground level and the stock are held in mesh floor pens which allow effluent to drop through onto a concrete slab that gravity feeds to a drain. The effluent and washdown water drains to a screen before being pumped to the WWTP for treatment.

Environmental setting

Surrounding area and activities

- 1.2.24 The site is predominantly in a rural area surrounded by dairy farming activities and stock finishing. Twelve rural properties are clustered together approximately 300m northeast of the proposed discharge area and 1.2km from the plant itself. Rural dwellings also exist relatively close to the plant with the nearest dwelling being approximately 460m south-east of the plant. The processing plant and upgraded WWTP are generally hidden from view by existing trees.
- 1.2.25 The BSM-owned land is predominantly operated as a cut and carry operation, while sheep are grazed to clean up buffer areas. The cut and carry operations typically occur from October to April with three grass cuts completed each season.
- 1.2.26 The third party owned land is a sheep and beef operation with silage making. In 2020-2021, 800 ewes and lambs were run and up to 30 head of cattle in November to January.
- 1.2.27 The topography of the site is flat to gently undulating and gently graded towards the tributaries which pass through the site.

Surface water environment

- 1.2.28 The property is located within the Waihōpai River catchment which is part of the Ōreti Freshwater Management Unit. Three small tributaries of the Waihōpai River traverse through, or adjacent to, the proposed discharge area (including third party owned land). They flow in a South-West direction eventually join the Waihōpai River approximately 14km downstream. These streams are fed by surface water runoff and shallow groundwater and subsurface drains. These tributaries are characterised by low flows and dry or stagnant conditions can occur.
- 1.2.29 Overall, surface water quality is heavily impacted by local land-use influences which comprise of intensive agricultural practice. Two watercourses are monitored on site and these show elevated concentrations of plant available nutrients as well as elevated E-coli concentrations, with historic activities undertaken by BSM on the site contributing to these elevated levels. Degraded shallow groundwater also feeds the two streams and will also contribute to degraded water quality. The following table provides a summary of the key water attributes from the last 10 years of existing consent compliance monitoring on the site.

Table 10 Surface water quality monitoring results

Parameter	Unit	Upstream (South Branch)		Downstream	
		Median	Maximum (minimum)	Median	Maximum (minimum)
DO	Mg/L	5.6	(<0.1)	6.7	(<0.1)
DRP	Mg/L	0.029	5.2	0.025	0.48
TN	Mg/L	1.7	9.3	5.0	163.8
Nitrate-N	Mg/L	0.775	2.2	4.8	8.5
Ammoniacal-N	Mg/L	0.11	5.0	0.11	8.9
E.coli	MPN/100mL	338	56,500	374	517,000
pH	Units	6.5	7.4 (6.1)	6.8	7.7 (6.3)
EC	µS/cm	188	371	274	493
Temperature	°C	10.9	16.3 (5.3)	10.8	16.8 (5.3)

DO = Dissolved Oxygen; DRP = Dissolved Reactive Phosphorus; TN = Total Nitrogen; EC = Electrical Conductivity

- 1.2.30 Ecological surveys indicated the presence of native aquatic species in the faster flowing water including freshwater Kōura, inanga and galaxiids. Benthic ecological assessments range from fair to poor, periphyton cover is low, and macrophyte growth is particularly high.
- 1.2.31 The riparian margin habitat is considered to be typical of that passing through pastoral land. There is strong channelization, limited shading, deep sediment accumulations, instream vegetation obstructing flows, and riparian margins characterised by stream-bank erosion and homogenous vegetation offering limited shading.

Soil and physiographic zones

Table 11 land categories

Soils	Soil Type	Vulnerability Factors		
		Structural Compaction	Nutrient Leaching	Waterlogging
	Woodlands	Moderate	Slight	Moderate
	Dacre	Moderate	Slight	Severe
	Waikiwi	Slight	Moderate	Slight
Physiographic Zones	Gleyed and Oxidising			

- 1.2.32 The Gleyed physiographic zone comprises predominately flat to undulating land that occurs between major river systems where soils are fine-textured and poorly drained. Soils in this zone are prone to water-logging and have some ability to remove nitrogen from the water via denitrification. However, this process can be bypassed when contaminants are flushed to nearby surface water bodies via artificial drains and overland flow following heavy or sustained rainfall events.
- 1.2.33 The Oxidising physiographic zone is characterised by soils and aquifers which have little to no ability to remove nitrogen (i.e. denitrification). This zone is generally found in elevated gravel terraces where there is little weathering. Soils generally have good permeability although some soils in this zone have low subsoil permeability making them susceptible to waterlogging and artificial drainage. Overland flow can also occur when rainfall intensities exceed the soil's ability to absorb water. This zone has a high risk of nitrogen build up in soils and aquifers (due to little denitrification ability).
- 1.2.34 As part of current monitoring conditions, soil infiltration rates have been measured and range from 4 - 257mm/hour with the control site ranging from 37 - 187mm/hour. All monitoring sites have shown a large degree of variation with some areas being saturated and others having rapid infiltration.
- 1.2.35 Historically, land treatment has had issues with poor infiltration rates because of overloading wastewater with high organic and fat, oil and grease content. This situation has improved significantly in the last few years since the WWTP was upgraded along with corrective actions undertaken by BSM such as the application of lime and reseeding paddocks.

Groundwater environment

- 1.2.36 The site is underlain by a shallow unconfined aquifer classified as the Waihōpai groundwater management zone, along with a deeper confined aquifer (which is interbedded with the Gore Lignite Measures) where the abstraction bores take water from, for the site.
- 1.2.37 The shallow aquifer is approximately 10m thick and generally flows south-west along the Waihōpai River.
- 1.2.38 Recent groundwater monitoring at the site shows a depth to shallow groundwater as between 0.7m and 3.2m. This is shallower than the typically reported depth across the oxidising physiographic zone in Southland.
- 1.2.39 The deeper confined aquifer where the water abstraction occurs from consists of gravelly strata between 115-121m deep. It is locally recharged primarily through lateral groundwater sources from rainfall infiltrating to deep strata north-east of the site. There is also expected to be some vertical recharge via slow leakage through the 105m thick aquitard at the site.
- 1.2.40 The nearest groundwater based registered drinking water site is approximately 11.2km south-west of the discharge area at Rimu School and services more than 25 people. An unregistered groundwater based drinking water site at Woodland's tavern is approximately 6km west of the site and services an unknown number of people. Nitrate levels are estimated to be between 1.9-2.2 mg/l reflecting low land use impacts.

Air quality

- 1.2.41 Background air quality data does not exist and therefore air quality parameters have largely been calculated according to MfE guidelines and are summarised in the below table.

Table 12 Existing air contaminant concentrations

Contaminant	Averaging period	Default background concentration (µg/m ³)
PM ₁₀	24 hours	19.8
	Annual (calculated)	6.1
NO ₂	1 hour	37
	24 hours	23
PM _{2.5}	24 hours	13
	Annual (calculated)	4
SO ₂	1 hour	0
	24 hours	0
Mercury	Annual	0.0015

1.3 Planning framework

- 1.3.1 Resource consents are required under the proposed Southland Water and Land Plan (2024 Court Version – partially operative) (**pSWLP**), operative Regional Water Plan (2010) (**RWP**), and the Regional Air Plan (2016) (**RAP**).
- 1.3.2 The discharge of treated wastewater, BNR solids, stockyard solids, grit, paunch, and covered anaerobic lagoon stormwater onto 77ha of Blue Sky Meats owned land and 101ha of third party owned land via K-Line pods and a muck spreader is a **discretionary activity** under rule 34(a) of the pSWLP.
- 1.3.3 The abstraction of up to 1,500,000 litres per day and 7,000,000 litres per week of groundwater from three bores for a meat processing plant, a rendering and blood drying plant is a **discretionary activity** under rule 54(e) of the pSWLP and rule 23(d) of the RWP.
- 1.3.4 The discharge of contaminants to air from a meat processing plant, rendering and blood drying plant and associated boiler, the bio-filter, the salting shed, the wastewater treatment plant including the biogas flare, and the application of treated wastewater, BNR solids, stockyard solids, grit and paunch to land is a **discretionary activity** under rules 5.5.2(2),(4), & (16) of the RAP.
- 1.3.5 The use of land for the maintenance and use of three non-agricultural effluent storage ponds for the treatment and storage of meat works effluent is a **discretionary activity** under rule 32C(a) of the pSWLP.
- 1.3.6 To take groundwater for the purpose of dewatering a wastewater treatment and storage pond site is a **discretionary activity** under rule 54(d) of the pSWLP and rule 23(d) of the RWP.
- 1.3.7 To discharge land drainage water and stormwater to water is a **discretionary activity** under rule 5 of the pSWLP.
- 1.3.8 Overall, the application is considered to be a **discretionary** activity.
- 1.3.9 Under Section 104B the Council may grant or refuse consent for a **discretionary activity**, and if it grants the application, may impose conditions under Section 108 of the RMA.

1.4 Request for additional consents (s91)

- 1.4.1 A request was made for an additional consent, under s91 of the Act, on 6 July 2022. This request related to the maintenance and use of three non-agricultural effluent storage facilities. This resulted in the additional application for resource consent for a 35-year term received on 1 August 2022 as an addendum to this application (see table 8 above). The Applicant has since requested a reduced 25-year term.
- 1.4.2 I note, for completeness, that the additional consent sought under section 91, forms part of the application that was publicly notified.

1.5 Further Information requested (s92(2))

- 1.5.1 Prior to notification of the Application, reports were commissioned under s92(2) on 1 August 2022. The requested information included peer reviews of the AEE technical reports, supplementary assessments, nutrient budgets and proposed draft conditions.
- 1.5.2 Further information was requested by the technical reviewers on 27 September 2022 (air) and 31 October 2022 (rest of application). The application remained on hold under s92(2) until the reviews were completed and received by Council on 5 March 2025.
- 1.5.3 An informal request for further information to provide clarity on what was being applied for was also issued prior to notification on 20 January 2023. The Applicant provided responses to this request was on 9 August, 20 September, and 23 December 2022.

1.6 Notification and Submissions

- 1.6.1 The application was publicly notified on 20 January 2023 under Section 95A(2)(a) of the Resource Management Act 1991 at the Applicant's request. Submissions closed on 20 February 2023.
- 1.6.2 A total of two submissions and one late submission (Te Ao Mārama Inc. – received on 24 March 2023) were received. One of these submissions was from Mick Woutersen, a neighbouring landowner, who then withdrew his submission on 13 March 2023¹.
- 1.6.3 In respect of the late submission by Te Ao Mārama inc., I would have recommended that it be accepted, however, on 15 July 2025 written approval was provided by Te Ao Mārama Inc.² They stated that rūnanga provide their unconditional written approval for the application citing the entire consent application, s95 recommending report, their submission, and amended consent conditions including a reduced consent term (25 years). On 26 January 2026 Te Ao Mārama Inc. confirmed they have withdrawn their submission³.
- 1.6.4 The remaining submission⁴ is summarised in Table 13 below.

Table 13 Summary of Submissions

Submitter	Oppose/Support	Reasons	Decision sought
Neil Robertson	Opposes the increased water take, term of consent, and the	Concerned about the already low groundwater levels in dry periods.	To oppose the application for the increased water take,

¹ Environment Southland Document ID: A882710

² Environment Southland Document ID: A1303101

³ Environment Southland Document ID: A1407194

⁴ Environment Southland Document ID: A878031

	discharge of bio-solids and other items to land.	Concerned about the proposed 35 year term due to the poor compliance history, future climate change and three waters legislation. Concerned that the feed out of bio-solids attracts gulls and scavenger birds that frequently drop meat items (leg bones etc) onto his property. Also wind blown wool and rubbish from feed outs often blow over the boundary fence. These issues indicate the rendering process is insufficient.	the long 35 year term, and the discharge of bio-solids and other items to land. Does not wish to be heard at a hearing.
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1.6.5 Mick Woutersen and Te Ao Mārama Inc. have withdrawn their submissions and no longer wish to be heard so are no longer submitters. Furthermore, written approval has been provided by Te Ao Mārama Inc. so any adverse effects on Te Ao Mārama Inc. cannot be considered under s104(3)(a)(ii) of the RMA.

1.6.6 The key issues from the remaining submission from Neil Robertson include:

- The already low groundwater levels during dry periods,
- The term of consent,
- Vector attraction from birds dropping meat items onto his property,
- Wind blown wool and rubbish ending up on his property from feed outs.

1.6.7 Given the submitter does not wish to be heard, I do not consider it necessary to proceed with a hearing under section 100 of the Resource Management Act 1991.

1.6.8 The submission has been used to identify potential effects and understand community perspectives relating to the proposal and effects. This is therefore considered in further detail within section 1.7 of this report which informs the statutory assessment within section 2 of this report. An assessment of the consent term is also outlined in section 3.2 of this report.

1.7 Effects on the environment

1.7.1 The application is for multiple meat works processing activities. Associated with these activities there are a number of environmental effects. These include:

- water quantity effects
- water quality effects
- soil health effects
- public health effects
- air quality effects

Water quantity

Confined aquifer groundwater abstraction

1.7.2 The Applicant intends to take 1,500m³ of groundwater per day from a confined aquifer (an increase from 1,200m³/day) for the meat works processing activities via three bores. Whilst the maximum daily water take is proposed to increase, the current weekly consented abstraction rate will remain the same (7,000m³/week).

- 1.7.3 Appendix L.6 of the pSWLP states that the primary allocation is 75% of the throughflow at the well location. The site has been assessed as having a throughflow of between 3,630m³ and 9770m³ per day. The maximum proposed daily groundwater take would therefore be approximately 14% to 39% of the throughflow on a daily basis, well within the 75% allocation. Therefore, I consider that the groundwater take from the confined aquifer will not adversely affect groundwater sustainability.
- 1.7.4 As for potential adverse drawdown and interference effects on other users, only one neighbouring bore is within 2km of the Applicant's water abstraction sites (confined aquifer). Potential drawdown effects have been assessed as about 1% to 6% which is well within the pSWLP Appendix L.3 criteria (50%). Therefore, I consider adverse interference effects on others accessing the same confined aquifer to be no more than minor.
- 1.7.5 There is another shallower neighbouring bore approximately 1.8km from the Applicant's abstraction site. It is at a different intermediate depth compared to the deeper bores of the Applicant so it is unlikely that there will be a lateral connection where interference effects could occur. If there were a connection, the maximum drawdown interference from the Applicant's groundwater abstraction is estimated to be about 15%, still within the pSWLP Appendix L.3 criteria.
- 1.7.6 The closest bores that are likely to be screened in the shallow unconfined aquifer system are a domestic bore and stock supply bore approximately 1.1km away. Drawdown effects have been assessed as less than 0.05m of the 11-13m deep bores which is well within the 20% available drawdown for unconfined aquifers (pSWLP Appendix L.3 criteria).
- 1.7.7 Stream depletion effects on the closest surface water body (a drain 5 metres away) will be low due to the depth of the Applicant's bores (approximately 120 metres deep) and the likely lack of connection between the deep confined aquifer and the shallow surface water. Furthermore, the proposed rate of take (40L/s) is not proposed to change from the current consented rate so any potential stream depletion effects are anticipated to be less than minor.

Submission

- 1.7.8 The submitter was concerned that the current consented water volume is already lowering the groundwater levels in dry periods which might be exacerbated with the proposed increase. I consider this concern is addressed due to the significant depth of the primary water take being from a different aquifer system to the shallow groundwater that may be the primary concern of the submitter. This means drawdown effects on other bores in the area are unlikely as they draw from shallower groundwater that is likely to be affected in dry periods. Regarding the Applicant's water take from the deeper aquifer, the weekly volume will remain the same where there is sufficient allocation available in the confined aquifer.

Unconfined aquifer groundwater abstraction

- 1.7.9 Regarding the groundwater abstraction from dewatering groundwater underneath the wastewater treatment plant (WWTP), this groundwater is in the Waihōpai Groundwater Management Zone. The allocation status of the groundwater management zone is low at 5.9% (pSWLP) and 7% (RWP) respectively. The rate of take will be approximately 1L/s to 6L/s and at these rates the dewatering system and its zone of influence will be localised to the vicinity of the WWTP and is not anticipated to have any effects on other users beyond 20 metres of the WWTP. Consequently, given the available groundwater allocation, and the localised nature of the activity,

I consider this water take is not likely to have an adverse effect on groundwater sustainability or have adverse drawdown effects on other groundwater users.

- 1.7.10 Given the low rate of take, distance to the nearest surface water body, and because the proposed dewatering activity will result in discharging groundwater to surface water, the activity is not anticipated to have adverse stream depletion effects.

Submission

- 1.7.11 As described above, the submitter was concerned with already low groundwater levels during dry periods that may be exacerbated by the applicant's water take proposal. Any dewatering activities will be localised to the shallow groundwater beneath the WWTP. There is sufficient distance to neighbouring bores and surface waterbodies to ensure drawdown and stream depletion effects do not occur. As such, I consider the concern about the water take, including dewatering activities have been addressed.

Water quality

- 1.7.12 The proposed discharge of treated wastewater, BNR solids, stockyard solids, grit, paunch, and covered anaerobic lagoon stormwater onto land, and the discharge of dewatered groundwater to surface water may cause adverse effects on groundwater and surface water quality.

Groundwater

- 1.7.13 The discharge to land activity has the potential for the following groundwater effects:
- Nutrient leaching;
 - Pathogen migration;
 - Heavy metal contamination; and
 - Sodium and chloride leaching.
- 1.7.14 Whilst most of the nutrients in the discharge will replace the need for fertiliser to be applied to stock paddocks, small quantities of nutrients may be flushed into groundwater. The Applicant has volunteered conditions to limit nitrogen and phosphorus loading based on modelling estimates. Nutrient loadings will be estimated and modelled based on processing plant stock kill volumes, skins treated, and water demand among other parameters using OverseerFM. Whilst OverseerFM is more suited to agricultural activities rather than industrial, In the absence of more suitable modelling tools, I consider the use of OverseerFM to be sufficient for the purposes of this activity, particularly as the discharge will be applied in a similar manner to other agricultural discharge activities (e.g. dairy effluent discharges).
- 1.7.15 Nutrient budget modelling has shown that the current worst-case proposal for nutrient leaching is predicted to be within typical ranges for sheep and beef farming, which could occur on the BSM site as a permitted activity. Furthermore, the proposed activity includes a substantial reduction in nitrogen loading from 11,350kg N/year to 2,875-4,600 N/year (estimated range depends on whether 3rd party land will be available for discharge). This 60-75% reduction will result in a significant improvement to groundwater quality over time, compared to the current operation. Consequently, adverse effects of nutrient leaching are likely to be low as it will be similar to other permitted farming activities in the area and is expected to gradually improve water quality.
- 1.7.16 Groundwater monitoring undertaken by BSM has shown infrequent increases in groundwater *E.coli* levels in the vicinity of the site suggesting the discharge activities may be having an impact.

The nearest drinking water supply bore (domestic supply) is approximately 700m downgradient of the property boundary.

- 1.7.17 As drainage water enters groundwater, any surviving *E. coli* will undergo attenuation as the shallow groundwater flows laterally through the saturated soil. Attenuation rates are expected to cause *E.coli* die-off prior to groundwater reaching the nearest domestic supply bore. Therefore, the risk of contamination of the nearest domestic supply bore is likely to be low. The Applicant will continue to monitor *E.coli* as a condition of consent.
- 1.7.18 Wastewater sampling at the site suggests metal concentrations in groundwater are likely to be low, particularly as heavy metals are likely to bind to the soil. To ensure this remains the case, the Applicant will monitor groundwater for heavy metals.
- 1.7.19 The proposed activities will increase the total load of sodium and chloride discharged to land. However, the loading intensity is anticipated to decrease by an average of 90% in the dry season and 6% in the wet season compared to the current operation because of the additional third-party land available for discharge. Should third-party land not be available existing monitoring will provide an indication of potential ongoing effects. Whilst groundwater monitoring undertaken so far shows that chloride and sodium concentrations do not exceed any potable water requirements, groundwater concentration of chloride occasionally breaches the NZDWS guidelines for 'aesthetic determinants'. Water that exceeds this guideline is still potable but can have taste and corrosion effects.
- 1.7.20 The proposed decrease in loading intensity will lower overall concentrations of sodium and chloride in the groundwater and instances where the water exceeds the aesthetic chlorine determinants are expected to decrease accordingly. Furthermore, the nearest drinking water bore is located 700m away so any exceedances at the site are likely to be sufficiently diluted prior to reaching the nearest drinking water bore. Consequently, potential effects on groundwater quality are likely to be no more than minor

Surface water

- 1.7.21 Potential effects on surface water quality include:
- Phosphorus loss via runoff
 - The discharge of impacted groundwater with elevated contaminants to surface water where shallow groundwater is 'daylighted' (e.g. nitrate nitrogen, sodium, chloride, and *E. Coli*)
- 1.7.22 The potential for phosphorus runoff from the irrigated land area will be minimised through phosphorus loading limits, and the implementation of discharge depth limits being within the hydraulic capacity of the soil. However, phosphorus loss can still be exacerbated via an increase in phosphorus loading and Olsen P levels and an increase in frequency and volume of soil moisture levels. To ensure the proposal will result in an improvement in phosphorus concentrations in the receiving environment the Applicant will undertake and maintain riparian planting to intercept any potential runoff. The Applicant will undertake monitoring for phosphorus losses where additional remediation methods may also be implemented.
- 1.7.23 The discharge of dewatered groundwater beneath the WWTP to surface water is an existing activity that will transport any contaminants entrained in the groundwater to surface water. I note that without the ability to dewater this groundwater, the structural integrity of the WWTP will be compromised which could result in significant adverse effects. Currently groundwater

beneath the WWTP is dewatered and discharged to surface water at an approximate rate of 1L-6L/second.

- 1.7.24 Any stormwater discharges from the lagoon cover will reflect that of roof run-off which can be discharged as a permitted activity within the pSWLP. Therefore, stormwater discharges to water from the lagoon cover reflects the permitted baseline. This means it is not likely to have any adverse effect on the water quality of any freshwater body beyond what is provided for by the pSWLP.
- 1.7.25 The water quality in the unnamed tributary where the discharge occurs is expected to reflect localised shallow groundwater quality. This is because it is the receiving environment for shallow groundwater that is naturally 'daylighted' when it reaches the unnamed tributary. Improvements to the discharge and loading practices including the upgraded WWTP as discussed above are anticipated to improve groundwater quality. This will lead to an anticipated improvement in the subsequent discharge of dewatered groundwater, and any other incidental discharges that occur through the groundwater profile to surface water at the site. In addition, the Applicant has undertaken riparian planting at the site with further riparian planting proposed. Ongoing monitoring of water quality will also provide information that could lead to further mitigations proposed in the future as progress is monitored and the activities and mitigations get reviewed. Therefore, due to the upgrades to the WWTP, discharge practices, loading reductions, riparian planting, and through the ongoing adaptive management approach, I consider effects on surface water quality are likely to improve.

Soil health

- 1.7.26 The potential effects on soils as a result of the proposed discharge of treated wastewater, BNR solids, stockyard solids, grit, paunch, and covered anaerobic lagoon stormwater onto land are:
- Irrigating in excess of the soil/pasture system capacity, causing excess ponding, runoff, drainage and damage to the soil structure;
 - Impacts on soil chemistry, causing damage to the soil structure; and
 - Accumulation of contaminants (e.g. heavy metals) in the soil to toxic levels.
- 1.7.27 Previously there has been difficulties with the discharge to land where fats, oils and greases in wastewater applied to land resulting in soils binding within the irrigation area reducing the soils' hydraulic capacity leading to uncontrolled runoff of wastewater. There were also issues in the nitrogen and phosphorus loading rates. These issues led to the upgrading of the WWTP and ongoing refinements to the treatment and discharge systems from 2019-2021.
- 1.7.28 Beyond the upgrading of the WWTP, the Applicant seeks to further improve soil health via mechanical aeration of soils and the application of gypsum to manage the exchangeable sodium percentage. Using soil moisture sensors, improvements in soil infiltration rates have shown steady improvements since 2022 suggesting the new systems are helping to improve soil health.
- 1.7.29 Other mitigation measures include using the entire discharge area to reduce nitrogen and phosphorus loading, not discharging on gleyed soils, riparian planting, and discharge depth limits. The Applicant will also monitor contaminant losses via nutrient budgeting tools (OverseerFM) to ensure the discharge remains within consented limits for Nitrogen and Phosphorus and monitor soil moisture to ensure soil hydrology is improving and that discharges only occur on land where soil moisture is below field capacity.

- 1.7.30 Regarding heavy metals, the Applicant provided data for the discharge material that showed heavy metal concentrations are within the relevant guideline limits⁵. The Applicant will continue monitoring for heavy metal concentrations to ensure they remain within the relevant guideline limits.
- 1.7.31 Given the recent improvements observed in soil health since the upgrade of the WWTP and the implementation of new soil health management systems and mitigations, the long-term outlook for soil health at the site is promising. Provided these management practices and mitigations continue, and conditions of consent are adhered to, I consider adverse effects on soil health is likely to be no more than minor.

Public health

- 1.7.32 Adverse effects on public health may arise from discharging microbiological contaminants such as potential pathogens and other micro-organisms of treated wastewater and meat works waste solids (e.g. BNR solids and paunch) to land.
- 1.7.33 The effects to public health from the irrigation of treated wastewater to land is managed effectively by ensuring appropriate buffer distances to property boundaries and dwellings, consideration for wind strength and direction, and ensuring discharge depths and rates do not lead to surface water runoff. Once irrigated, microbial die-off in the irrigated wastewater will naturally occur as it dries out and is exposed to ultraviolet light.
- 1.7.34 With regard to the discharge of solids, there is a risk, as observed by the submitter, that birds and or rodents could transport the solid material and dump it on neighbouring properties presenting a public health hazard. This phenomenon is known as 'vector attraction'. During the site visit undertaken on 16 May 2024, it was clear that when solids were laid out in a paddock, seagulls could be seen flying around the area and concreting in the vicinity of this discharge. This suggests that vector attraction is happening which heightens the risk of hazardous items being picked up and dropped on neighbouring land.
- 1.7.35 To ensure appropriate methods are implemented for the discharge of solids to land, the Applicant has proposed the following mitigation measures for BNR solids and paunch:
- Irrigating BNR solids as part of the wastewater discharge to land, limiting BNR solids to a maximum of 5% of the total volume of irrigated treated wastewater; and
 - Paunch solids will be managed to reduce vector attraction by field storing or storing it in a stabilisation lagoon for at least two months. Then applying it to either forested land, or as part of tilling the land, or to land where the paunch is then covered, or any other method approved by the Consent Authority.
- 1.7.36 These measures will ensure risk to public health will be appropriately mitigated significantly reducing the health hazard associated with the solid material and risk of vector attraction. Provided these mitigations are implemented, I consider potential adverse effects on public health will be no more than minor.

Submission

- 1.7.37 The submission raised concerns about hazardous material ending up on his property due to the feed outs of solids to land. The Applicant has agreed to new conditions as described above that

⁵ Guidelines for the Safe Application of Biosolids to Land in New Zealand (2003) and draft Guidelines for Beneficial Use of Organic Materials on Productive land (2017)

will help prevent this from occurring. Provided the Applicant adheres to these conditions I consider the adverse effects are likely to be no more than minor and the submitters concern has been addressed.

Air quality

- 1.7.38 As part of their operations, the Applicant intends to discharge contaminants to air from a meat processing plant, rendering and blood drying plant and associated boiler, wastewater collection and treatment systems and associated land discharges, and a salting shed. The primary discharges include:
- The boiler and flare discharging key contaminants SO₂, PM₁₀, PM_{2.5}, and NO₂;
 - Meat processing/rendering/blood drying and wastewater treatment discharging odour;
 - Odour from application of treated wastewater, BNR solids, stockyard solids, grit, paunch, and covered anaerobic lagoon stormwater onto land.
- 1.7.39 In terms of greenhouse gas emissions, the coal fired boiler is an existing heat device that delivers heat below 300°C for the rendering steam boiler (RSB) emitting 3,200 tCO₂-e/annum.
- 1.7.40 To reduce carbon emissions, the Applicant decommissioned another coal fired boiler in 2024 which was used for heating the hot water boiler (HWB) (emitting 2,200 tCO₂-e/annum). This significantly reduces the coal usage at the site resulting in a 20% reduction in the total tCO₂ emissions (4,150 tCO₂-e/annum, reduced from 5,500 tCO₂-e/annum). Other improvements include:
- Energy efficiency projects including:
 - improving the water supply to rendering so that heat can be recovered and used to pre-heat hot water to the processing plant;
 - where appropriate, insulating uninsulated lines of the hot water ring main piping; and;
 - replacing continuous flow sterilizers with motion operated sterilizers.
 - Reviewing low carbon alternatives for the RSB every five years to identify a feasible low carbon alternative for the RSB.
- 1.7.41 Council commissioned a technical review of the Applicant's findings where the technical reviewer John Iseli confirmed the Applicant's findings that concentrations of NO₂ are within air quality guidelines and that mercury emissions associated with coal combustion are minimal. Mr Iseli highlighted that the key contaminants of concern are fine particulate matter (PM) and SO₂.
- 1.7.42 Particulate matter emissions have reduced because of the fuel source being changed from Newvale lignite coal to Takitimu coal. The Applicant has therefore proposed to reduce the consent limit for particulate matter from the current 500mg/Nm³ to 400mg/Nm³. This ensures the proposal will result in an improvement in particulate matter emissions. Predicted cumulative concentrations of PM₁₀ and PM_{2.5} are anticipated to be well within the National Environmental Standard for Air Quality (NESAQ) and New Zealand Ambient Air Quality Guidelines (AAQG).
- 1.7.43 The effects of SO₂ are anticipated to be well within the AAQG of 120µg/m³ (24-hour average) and the NESAQ of 350µg/m³ (1-hour average). The elimination of emissions from the decommissioned HWB boiler and the change in coal type are expected to result in further reductions of SO₂ emissions from the site.
- 1.7.44 Odour discharges are primarily produced from the rendering plant and biofilter but also the WWTP and discharges to land.

- 1.7.45 The Applicant has a range of measures to help reduce odorous discharges including building air extraction and a bark/soil biofilter. Testing has indicated that whilst the loading rate, moisture and temperature for the biofilter is within an acceptable range, the pressure drop was relatively high indicating improvements to the airflow rate to the biofilter would help improve odour treatment. To help improve airflow, Mr Iseli suggested that the extraction rate to the biofilter be optimised so that the rendering building can be reliably maintained under negative pressure and fugitive odour emissions are minimised. To help facilitate this, the Applicant will implement an Air Discharge Management Plan (ADMP) and will monitor the pressure in key extraction ducts. The Applicant has also agreed to consent conditions that include reporting requirements by air quality experts certifying that adequate building air and point source extraction is achieved to prevent fugitive odour emissions.
- 1.7.46 In addition to the above, the Applicant proposes that the rendering building will be maintained at negative pressure with external doors remaining closed when not in use. A rapid roller door has been installed to reduce time for when the doors are open for forklift access.
- 1.7.47 Provided the improvements are achieved, and conditions of consent are complied with, I am satisfied that odour discharges from the rendering plant and biofilter will be no more than minor.
- 1.7.48 The WWTP (anaerobic pond, SBR lagoon, and irrigation lagoon) can also produce odour emissions. Covering the anaerobic pond and flaring off the captured biogas or directing it to the biofilter helps mitigate odour from this source. The SBR lagoon and irrigation lagoon do not cause significant off-site odour and are mitigated by an aerator. It is anticipated therefore that provided these measures continue, the WWTP will not cause offensive or objectionable odour at neighbouring rural dwellings.
- 1.7.49 The upgrade to the WWTP have resulted in improving wastewater quality which has reduced the potential for odour associated with irrigation of wastewater to land. The Applicant will also adhere to recommended discharge buffer distances to property boundaries and neighbouring dwellings taking into account wind direction. Provided the recommended practices and mitigations are met, I consider odour effects from the discharges to land to be no more than minor.

2. Statutory Considerations

Section 104 of the Act sets out the matters to be considered when assessing an application for a resource consent. Section 104(1) of the Resource Management Act, 1991, states:

- (1) *When considering an application for a resource consent and any submissionThs received, the consent authority must, subject to Part 2, have regard to:*
- (a) any actual and potential effects on the environment of allowing the activity; and*
 - (ab) any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity; and*
 - (b) any relevant provisions of –*
 - (i) a national environmental standard:*
 - (ia) a wastewater environmental performance standard:*
 - (ib) a stormwater environmental performance standard:*
 - (ic) an infrastructure design solution:*
 - (ii) other regulations:*

- (iii) a national policy statement:
- (iv) a New Zealand coastal policy statement
- (v) a regional policy statement or proposed regional policy statement:
- (vi) a plan or proposed plan; and
- (c) any other matter the consent authority considers relevant and reasonably necessary to determine the application.

Those matters which are relevant for this application are discussed in the following sections.

2.1 Part 2 of the Resource Management Act 1991

- 2.1.1 This application is consistent with the purpose and the principles of the Act, as set out in Section 5. The proposed activities will have no more than minor adverse effects on the ability of the receiving environment to meet the reasonably foreseeable needs of future generations, or on the life-supporting capacity of the land or any ecosystem associated with it. Proposed consent conditions will ensure that any potential adverse effects of the activities will be avoided, remedied or mitigated.
- 2.1.2 There are no matters of national importance, as outlined in Section 6 of the Act, that may be affected by the proposed activities. The application is also consistent with Section 7 of the Act, with particular regard given to the maintenance and enhancement of the quality of the environment. With regard to Section 8 of the Act, the proposed activities are not inconsistent with the principles of the Treaty of Waitangi.

2.2 Actual and potential effects including positive effects (Section 104(1)(a) and (ab))

- 2.2.1 The actual and potential effects of the proposed activities were considered earlier of this report. Recommended conditions of consent will ensure that any adverse effects are avoided, remedied or mitigated.
- 2.2.2 I have had regard to the measures proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to mitigate or offset any adverse effects that will or may result from allowing the activity. These include limits to contaminant loading and air discharges that are also informed by ongoing monitoring, storage and treatment requirements, remedial action triggers, and reporting.

2.3 Relevant provisions of National Environmental Standards and other regulations (Section 104(1)(b)(i) and (ii))

- 2.3.1 There are no relevant requirements under any National Environmental Standards and other regulations under Section 104(1)(b)(i) and (ii).
- 2.3.2 Consideration was given to the National Environmental Standards for Greenhouse Gas Emissions from Industrial Process Heat (NES-GHG) which came into force on 27 July 2023. However, section 43B(7) of the Resource Management Act 1991 states:

“This subsection applies to a resource consent not covered by subsection (5) or (6). The consent prevails over a national environmental standard if the application giving rise to the consent was the subject of a decision on whether to notify it before the date on which the standard is published under the Legislation Act 2019. However, the consent does not prevail if the standard expressly provides otherwise.”

- 2.3.3 The Applicant's consent application was lodged on 30 June 2022 and then notified on 20 January 2023. This is prior to when the NES-GHG was published and there is nothing within the NES-GHG that says the consent does not prevail. Therefore, no further regard to the NES-GHG is required.

2.4 Relevant provisions of national policy statements (Section 104(1)(b)(iii))

2.4.1 National Policy Statement for Freshwater Management 2020

- Policy 1 Freshwater is managed in a way that gives effect to Te Mana o te Wai*
- Policy 2 Tangata whenua are actively involved in freshwater management (including decision-making processes), and Māori and freshwater values are identified and provided for.*
- Policy 3 Freshwater is managed in an integrated way that considers the effects of the use and development of land on a whole-of-catchment basis, including the effects on receiving environments.*
- Policy 5 Freshwater is managed (including through a National Objectives Framework) to ensure that the health and well-being of degraded water bodies and freshwater ecosystems is improved, and the health and well-being of all other water bodies and freshwater ecosystems is maintained and (if communities choose) improved.*
- Policy 9 The habitats of indigenous freshwater species are protected.*
- Policy 11 Freshwater is allocated and used efficiently, all existing over-allocation is phased out, and future over-allocation is avoided.*
- Policy 13 The condition of waterbodies and freshwater ecosystems is systematically monitored over time, and action is taken where freshwater is degraded, and to reverse deteriorating trends.*
- Policy 14 Information (including monitoring data) about the state of water bodies and freshwater ecosystems, and the challenges to their health and well-being, is regularly reported on and published.*
- Policy 15 Communities are enabled to provide for their social, economic and cultural well-being in a way that is consistent with the National Policy Statement.*

Comment

- 2.4.2 The proposal is not inconsistent with the above policies. The proposed operation is likely to improve water quality giving effect to Te Mana o te Wai.

2.4.3 National Policy Statement for Greenhouse Gas Emissions from Industrial Process Heat 2023

- Objective The objective of this National Policy Statement is to reduce emissions of greenhouse gases by managing the discharges to air of greenhouse gases from the production of industrial process heat, in order to mitigate climate change and its current and future adverse effects on the environment and the wellbeing of people and communities.*
- Policy 1 Discharges to air of greenhouse gases from heat devices are reduced or eliminated by:*
- (a) Avoiding discharges from new heat devices that burn coal and deliver heat at or above 300 °C, unless there is no technically feasible and financially viable lower emissions alternative;*
 - (b) avoiding discharges from new heat devices that burn coal and deliver heat below 300 °C;*
 - (c) restricting discharges from existing heat devices that burn coal and deliver heat at or above 300 °C;*

- (d) *restricting and phasing out discharges from existing heat devices that burn coal and deliver heat below 300 °C;*
- (e) *avoiding discharges from new heat devices that burn any fossil fuel other than coal, unless there is no technically feasible and financially viable lower emissions alternative;*
- (a) *restricting discharges from existing heat devices that burn any fossil fuel other than coal.*

Policy 2 Regional councils consider the cumulative effects of discharges of greenhouse gases when considering resource consent applications for discharges from heat devices.

Policy 3 Holders of resource consents for discharges to air of greenhouse gases from heat devices update relevant emissions plans to reflect technological developments and best practice.

Comment

- 2.4.4 The proposal is not inconsistent with the above policies. The proposal is reducing emissions by the recent decommissioning of the hot water boiler, implementing energy efficiency projects to reduce reliance on coal fired boilers, and reviewing low carbon alternatives for the remaining boiler on a five-year basis for the duration of consent. Additionally, when compared to baseline coal usage from 2019-2023, the Applicant will reduce coal consumption by 20%.

2.5 Relevant provisions of the New Zealand Coastal Policy Statement (Section 104(1)(b)(iv))

- 2.5.1 Consideration has been given to the impact the proposal may have on the coastal marine area. Given this is for a meat works operation approximately 23km upstream of the coastal marine area, and because water quality is anticipated to improve, the effect this operation will have on the coastal marine area is likely negligible. As such, I have not given any further consideration to the New Zealand Coastal Policy Statement beyond recognising that the proposal is likely to improve freshwater water quality in the catchment to a marginal degree and consequently will contribute to improving water quality at the New River Estuary in the Coastal Marine Area, which is considered to be consistent with the provisions in the NZCPS.

2.6 Relevant provisions of the Southland Regional Policy Statement 2017 (Section 104(1)(b)(v))

- 2.6.1 The application is not inconsistent with the relevant objectives of the Regional Policy Statement (2017). The following policies in the Regional Policy Statement are of particular relevance to this application:

Tangata Whenua

Objective TW.1 The principles of the Treaty of Waitangi/Te Tiriti o Waitangi are taken into account in a systematic way through effective partnerships between tangata whenua and local authorities, which provide the capacity for tangata whenua to be fully involved in council decision-making processes.

Objective TW.2 All local authority resource management processes and decisions take into account iwi management plans.

Objective TW.3 Mauri and wairua are sustained or improved where degraded, and mahinga kai and customary resources are healthy, abundant and accessible to tangata whenua.

- Policy TW.1 Consult with, and enhance tangata whenua involvement in local authority resource management decision-making processes, in a manner that is consistent with the principles of the Treaty of Waitangi/Te Tiriti o Waitangi.*
- Policy TW.2 Actively foster partnerships and relationship agreements between local authorities and tangata whenua.*
- Policy TW.3 Take iwi management plans into account within local authority resource management decision making processes.*
- Policy TW.4 When making resource management decisions, ensure that local authority functions and powers are exercised in a manner that:*
- (a) recognises and provides for:*
 - (i) traditional Māori uses and practices relating to natural resources (e.g. mātaihai, kaitiakitanga, manaakitanga, matauranga, rāhui, wāhi tapu, taonga raranga);*
 - (ii) the ahi kā (manawhenua) relationship of tangata whenua with and their role as kaitiaki of natural resources;*
 - (iii) mahinga kai and access to areas of natural resources used for customary purposes;*
 - (iv) mauri and wairua of natural resources;*
 - (v) places, sites and areas with significant spiritual or cultural historic heritage value to tangata whenua;*
 - (vi) Māori environmental health and cultural wellbeing.*
 - (b) recognises that only tangata whenua can identify their relationship and that of their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga.*

Water Quality

- Objective WQUAL.1 Water quality in the region:*
- (a) safeguards the life-supporting capacity of water and related ecosystems;*
 - (b) safeguards the health of people and communities;*
 - (c) is maintained, or improved in accordance with freshwater objectives formulated under the National Policy Statement for Freshwater Management 2014;*
 - (d) is managed to meet the reasonably foreseeable social, economic and cultural needs of future generations.*
- Policy WQUAL.1*
- (a) Identify values of surface water, groundwater, and water in coastal lakes, lagoons, tidal estuaries, salt marshes and coastal wetlands, and formulate freshwater objectives in accordance with the National Policy Statement for Freshwater Management 2014; and*
 - (b) Manage discharges and land use activities to maintain or improve water quality to ensure freshwater objectives in freshwater management units are met.*
- Policy WQUAL.2 Maintain or improve water quality, having particular regard to the following contaminants:*
- (a) nitrogen;*
 - (b) phosphorus;*

- (c) sediment;
- (d) microbiological contaminants.

- Policy WQUAL.5** *Improve water quality by:*
- (a) *identifying water bodies that are not meeting freshwater objectives, including identifying priority freshwater management units;*
 - (b) *specifying targets to improve water quality within those water bodies within defined timeframes;*
 - (c) *implementing management frameworks to meet the targets taking into account;*
 - (i) *the values supported by the water body/ies;*
 - (ii) *national or legislative standards and requirements;*
 - (iii) *the benefits and costs associated with achieving improvement in water quality*
- Policy WQUAL.8** *Prefer discharges of contaminants to land over discharges of contaminants to water, where:*
- (a) *a discharge to land is practicable;*
 - (b) *the adverse effects associated with a discharge to land are less than a discharge to water.*
- Policy WQUAL.10** *Manage the siting and operation of activities that result in point source discharges of contaminants to land to ensure that adverse effects on groundwater, surface water and coastal water quality are avoided, remedied or mitigated.*
- Policy WQUAL.13** *Continue to improve knowledge and understanding of water resources, and the relationship of land use activities with water quality values in water bodies, in Southland to promote the sustainable management of water.*

Water Quantity

- Objective WQUAN.1** *Flows, levels and allocation regimes of surface water and groundwater in the region are developed in accordance with the National Policy for Freshwater Management 2014 to:*
- (a) *safeguards the life-supporting capacity of water, catchments, and related ecosystems;*
 - (b) *support the maintenance or improvement of water quality in accordance with Policy WQUAL.1;*
 - (c) *meet the needs of a range of uses, including the reasonably foreseeable social, economic and cultural needs of future generations.*
- Objective WQUAN.2** *The allocation and use of Southland's water resources:*
- (a) *is efficient;*

Air Quality

- Objective AQ.1** *Enable the discharge of contaminants into air while managing the adverse effects of those contaminants on human health and wellbeing, and the environment.*

- Policy AQ.1 Avoid, remedy or mitigate the adverse effects of discharges of contaminants to air on human health, cultural and amenity values and the environment.*
- Policy AQ.3 Improve areas with poor air quality, focusing in particular on reducing the adverse effects of activities that discharge particulate matter.*
- Policy AQ.4 Maintain or enhance air quality in areas where compliance with national environmental standards or guidelines for ambient air quality has been achieved or surpassed.*
- Policy AQ.5 Promote and facilitate the adoption of the best practicable option to improve air quality.*

Rural Land and Soils

Objective RURAL.1 Sustainable use of rural land resource Achieve sustainable use of Southland's rural land resource, in respect of:

- (a) agriculture and primary sector activities;*
- (b) subdivision, use and development activities;*
- (c) earthworks and vegetation clearance activities;*
- (d) the use of soil resources;*
- (e) mineral extraction activities; and*
- (f) on-site wastewater systems.*

Objective RURAL.2 Life-supporting capacity of soils Safeguard the life-supporting capacity, mauri and health of soils in rural areas, and prevent or minimise soil erosion and sedimentation from land use soil disturbance.

Policy RURAL.1 Recognise that use and development of Southland's rural land resource enables people and communities to provide for their social, economic and cultural wellbeing.

Policy RURAL.2 Maintain land use change activities in rural areas of Southland, in a way that maintains or enhances rural amenity values and character.

Policy RURAL.4 Avoid the irreversible loss of high value soils from productive use, through inappropriate subdivision, use and development.

Policy RURAL.5 The effects of rural land development shall be sustainably managed and land management practices encouraged so that:

- (a) soil properties are safeguarded;*
- (b) soil erosion is minimised;*
- (c) soil compaction and nutrient and sediment loss is minimised;*
- (d) soil disturbance is reduced;*
- (e) water quality is maintained or enhanced;*
- (f) indigenous biodiversity is maintained or enhanced;*
- (g) the mauri of water and soils is safeguarded.*

Comment

- 2.6.2 The Applicant has been in consultation with, and obtained written approval from Te Ao Mārama Inc. Significant upgrades undertaken at the site have resulted in significant improvements to the

health of the soil and is expected to improve water quality in the catchment. Further mitigations such as riparian planting initiatives will continue to improve the health and wellbeing of freshwater ecosystems.

- 2.6.3 The water take is within allocation for the confined aquifer where there are only two other consented users. The proposed take is efficient for its proposed use and will not have adverse drawdown effects on other users. Furthermore, the overall weekly water take is not changing.
- 2.6.4 All relevant air quality criteria are anticipated to be met. Boiler emission limits and maintenance and monitoring measures will ensure discharges of particulate and combustion emissions to air will be appropriately mitigated.

2.7 Relevant provisions of the relevant regional plan objectives, policies and rules (Section 104(1)(b)(v))
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- 2.7.1 Regarding water and land matters, the Council is currently operating under two Regional Plans – the Regional Water Plan (RWP) and the proposed Southland Water and Land Plan (pSWLP). The pSWLP was made operative in part in May 2024 and subsequently supersedes most provisions in the RWP. Regarding air discharge matters, these are considered against the provisions of the Regional Air Plan. The below assessment considers the relevant objectives and policies of these plans for this application. A rule assessment has already been provided earlier in section 1.3 of this report.

Regional Water Plan (2010)

- 2.7.2 The application is not inconsistent with the relevant objectives of the RWP. The policies of the RWP that are relevant to this application have been grouped according to topic:

Water quality, soil, human health, and freshwater ecosystems

<i>Objective 8</i>	<i>To maintain groundwater quality in aquifers that already meet the drinking water standards for New Zealand 2000.</i>
<i>Objective 9A</i>	<i>To manage discharges onto or into land so that the quality and structure of soil resources are maintained.</i>
<i>Objective 9B</i>	<i>To manage discharges onto or into land so that adverse effects on human health are avoided.</i>
<i>Objective 9C</i>	<i>To manage discharges onto or into land so that any adverse effects on:</i> <i>(a) the diversity and integrity of habitats and ecosystems; and</i> <i>(b) amenity and historic heritage values are avoided, remedied or mitigated to ensure that these values are maintained or enhanced.</i>
<i>Policy 3</i>	<i>Notwithstanding any other policy or objective in this plan, allow no discharges to surface water bodies that will result in a reduction of water quality beyond the zone of reasonable mixing, unless it is consistent with the promotion of the sustainable management of natural and physical resources, as set out in Part 2 of the Resource Management Act 1991, to do so.</i>

- Policy 5 Manage discharges to water in artificial watercourses so that any new discharge, in conjunction with existing discharges, does not reduce the water quality of the surface water body into which the artificial watercourse flows below any standards set for the surface water body in Appendix G “Water Quality Standards” following a zone of reasonable mixing from the point of confluence of the artificial watercourse with the surface water body.*
- Policy 7 Prefer discharges to land over discharges to water where this is practicable and the effects are less adverse.*
- Policy 25 To avoid, remedy or mitigate the adverse effects arising from point source and non-point source discharges so that there is no deterioration in groundwater quality after reasonable mixing, unless it is consistent with the promotion of the sustainable management of natural and physical resources, as set out in Part 2 of the Resource Management Act 1991, to do so.*

Comment

- 2.7.3 The proposed discharge to surface water of dewatered groundwater is small in scale and will reflect the water quality of existing groundwater and surface water runoff. The leak detection system is only expected to intercept groundwater on rare occasions and will only impact a very localised area of shallow groundwater.

Water quantity

- Objective 7 To maximise the efficiency of water use.*
- Objective 9 To ensure that the total volume and rate of groundwater abstraction is sustainable.*
- Policy 26 To avoid the adverse effects on groundwater quality and quantity arising from bores and wells by ensuring that bores and wells are appropriately designed, constructed and maintained in a way that adverse effects are avoided to the extent practicable.*
- Policy 28 To manage groundwater abstraction to avoid significant adverse effects on:*
- *Long-term aquifer storage volumes*
 - *Existing water users*
 - *Surface water flows and aquatic ecosystems and habitats*
 - *Groundwater quality*
- Policy 29*
- a (a) Manage the stream depletion effect of any groundwater abstraction with rate of take not exceeding 2 litres per second as follows:*
- (v) Where there is a low degree of hydraulic connection between the groundwater source and an adjacent surface water body, the stream flow effect is considered to be minor and the individual abstraction will not be taken into account in determining surface water allocation but will be included in the allocation volume for the relevant groundwater zone.*

Comment

- 2.7.4 The proposed groundwater abstraction and use for the purposes of a meat works operation is consistent with the above provisions. This is because there is sufficient allocation in the confined aquifer thus avoiding significant effects on long-term aquifer storage volumes and the take is well within the primary allocation limit. Furthermore, the weekly abstraction volume is not changing.
- 2.7.5 Due to the depth of water proposed abstraction, adverse stream depletion effects or drawdown effects on other users are not anticipated.
- 2.7.6 The proposed abstraction of shallow groundwater for the purpose of dewatering underneath the WWTP is also not anticipated to have any adverse effects. This is because there is sufficient groundwater allocation available, and this water take is only anticipated on rare occasions in a localised area around the WWTP at low rates of 1-6L/s. Consequently, adverse effects on groundwater allocation, other water users, and stream depletion effects are not anticipated.

Proposed Southland Water and Land Plan (2024 Court Version)

- 2.7.7 The application is not inconsistent with the relevant objectives and policies of the pSWLP. In accordance with the interpretation statement the relevant objectives are grouped together. The relevant policies have been grouped according to topic:

Interpretation Statement

All persons exercising functions and powers under this Plan and all persons who use, develop or protect resources to which this Plan applies shall recognise that:

- (i) Objectives 1 and 2 are fundamental to this plan, providing an overarching statement on the management of water and land, and all objectives are to be read together and considered in that context; and*
- (ii) The plan embodies ki uta ki tai and upholds Te Mana o Te Wai and they are at the forefront of all discussions and decisions about water and land;*
- (iii) The Policies in this plan must be interpreted and applied in a manner that implements the Objectives.*

Objectives

- Objective 1 Land and water and associated ecosystems are sustainably managed as integrated natural resources, recognising the connectivity between surface water and groundwater, and between freshwater, land and the coast.*
- Objective 2 The mauri of water provides for te hauora o te taiao (health and mauri of the environment), te hauora o te wai (health and mauri of the waterbody) and te hauora o te tangata (health and mauri of the people).*
- Objective 3 Water and land are recognised as enablers of the economic, social and cultural wellbeing of the region.*
- Objective 4 Tangata whenua values and interests are identified and reflected in the management of freshwater and associated ecosystems. Tangata whenua values and interests are identified and reflected in the management of freshwater and associated ecosystems.*
- Objective 6 Water quality in each freshwater body, coastal lagoon and estuary will be*

- (a) *maintained where the water quality is not degraded; and*
- (b) *improved where the water quality is degraded by human activities.*

Objective 8

- (a) *The quality of groundwater that meets both the Drinking Water Standards for New Zealand 2005 (revised 2008) and any freshwater objectives, including for connected surface water bodies, established under Freshwater Management Unit processes is maintained; and*
- (b) *progressively improved where it does not meet Objective 8(a) because of the effects of land use or discharge activities is progressively improved so that:*
 - 1. *groundwater (excluding aquifers where the ambient water quality is naturally less than the Drinking Water Standards for New Zealand 2005 (revised 2008)) meets the Drinking Water Standards for New Zealand 2005 (revised 2008); and*
 - 2. *groundwater meets any freshwater objectives and freshwater quality limits established under Freshwater Management Unit processes.*

Objective 11 *The amount of water abstracted is shown to be reasonable for its intended use and water is allocated and used efficiently.*

Objective 13 *Provided that:*

- (a) *the quantity, quality and structure of soil resources are not irreversibly degraded through land use activities or discharges to land; and*
 - (b) *the health of people and communities is safeguarded from the adverse effects of discharges of contaminants to land and water; and*
 - (c) *ecosystems (including indigenous biological diversity and integrity of habitats), are safeguarded,*
- then land and soils may be used and developed to enable the economic, social and cultural wellbeing of the region.*

Objective 14 *The range and diversity of indigenous ecosystems and habitats within rivers, estuaries, wetlands and lakes, including their margins, and their life-supporting capacity are maintained or enhanced.*

Objective 15 *Taonga species listed in Appendix M, and related habitats, are recognised and provided for.*

Objective 17 *Preserve the natural character values of wetlands, rivers and lakes and their margins, including channel and bed form, rapids, seasonably variable flows and natural habitats, and protect them from inappropriate use and development.*

Objective 18 *All persons implement environmental practices that optimise efficient resource use, safeguard the life supporting capacity of the region's land and soils, and maintain or improve the quality and quantity of the region's water resources.*

Ngāi Tahu Policies

Policy 1

Enable papatipu rūnanga to participate

Enable papatipu rūnanga to effectively undertake their kaitiaki (guardian/steward) responsibilities in freshwater and land management through the Southland Regional Council:

1. *providing copies of all applications that may affect a Statutory Acknowledgement area, tōpuni (landscape features of special importance or value), nonorange, mātaimai or taiāpure to Te Rūnanga o Ngāi Tahu and the relevant papatipu rūnanga;*
2. *identifying Ngāi Tahu interests in freshwater and associated ecosystems in Murihiku (includes the Southland Region); and*
3. *reflecting Ngāi Tahu values and interests in the management of and decision-making on freshwater and freshwater ecosystems in Murihiku (includes the Southland Region), consistent with the Charter of Understanding.*

Policy 2

Take into account iwi management plans

Any assessment of an activity covered by this Plan must:

1. *take into account any relevant iwi management plan; and*
2. *assess water quality and quantity, taking into account Ngāi Tahu indicators of health.*

Policy 3

Ngai Tahu ki Murihiku taonga species

To manage activities that adversely affect taonga species, identified in Appendix M, and their related habitats.

Physiographic zone policies

Policy 6

Gleyed

In the Gleyed physiographic zone avoid, as a first priority, risk to water quality from contaminants, and where avoidance is impractical, requiring risk to water quality from contaminants to be minimised by:

1. *identifying contaminant pathways to ground and surface water bodies;*
2. *requiring implementation of good management practices to manage adverse effects on water quality from contaminants transported via artificial drainage, and overland flow where relevant; and*
3. *having particular regard to adverse effects on water quality from contaminants transported via artificial drainage, and overland flow where relevant when assessing resource consent applications and preparing or considering Farm Environmental Management Plans.*

Policy 10

Oxidising

In the Oxidising physiographic zone:

1. *avoid, as a first priority, risk to water quality from contaminants, and where avoidance is impractical, requiring risk to water quality from contaminants to be minimised by:*
 - i. *identifying contaminant pathways to ground and surface water bodies;*
 - ii. *requiring implementation of good management practices to manage adverse effects on water quality from contaminants transported via deep drainage, and overland flow and artificial drainage where relevant;*
 - iii. *having particular regard to adverse effects on water quality from contaminants transported via deep drainage, and overland flow and artificial drainage where relevant when assessing resource consent applications and preparing or considering Farm Environmental Management Plans; and*

2. *avoid dairy farming and intensive winter grazing where contaminant losses will increase as a result of the proposed activity.*

Water quality and ecological policies

- Policy 13 **Management of land use activities and discharges**
1. *Recognise that the use and development of Southland's land and water resources enables people and communities to provide for their social, economic and cultural wellbeing.*
 2. *Manage land use activities and discharges (point source and non-point source) to enable the achievement of Policies 15A, 15B and 15C.*
- Policy 14 **Preference for discharges to land**
- Prefer discharges of contaminants to land over discharges of contaminants to water, unless adverse effects associated with a discharge to land are greater than a discharge to water. Particular regard shall be given to any adverse effects on cultural values associated with a discharge to water.*
- Policy 15A **Approach where Appendix E or Appendix C standards are met**
- Where existing water quality meets the Appendix E Water Quality Standards or bed sediments meet the Appendix C ANZECC sediment guidelines, maintain water quality by:*
- *Avoiding where reasonably practicable or otherwise minimising any adverse effects, including residual adverse effects, of discharges, so that those standards or sediment guidelines will continue to be met (beyond the zone of reasonable mixing for point source discharges)*
- Policy 15B **Approach where Appendix E or Appendix C standards are not met**
- Where existing water quality does not meet the Appendix E Water Quality Standards or bed sediments do not meet the Appendix C ANZECC sediment guidelines, water quality will be:*
1. *maintained by avoiding any adverse effects of new point source discharges to surface water on water quality or sediment quality so that the exceedance of those standards or sediment guidelines is, as a minimum, not exacerbated beyond the zone of reasonable mixing; and*
 - 1a. *maintained by avoiding, where reasonably practicable, or otherwise minimising any adverse effects, including residual adverse effects, on water quality or sediment quality from new discharges to land, new discharges to groundwater or new diffuse discharges to water so that the exceedance of those standards or sediment guidelines is, as a minimum, not exacerbated; and*
 2. *improved by requiring any application for the replacement of an expiring discharge permit, seeking a discharge permit for an existing but previously unconsented discharge, or seeking a different discharge permit for an existing activity, including a variation under ss 127-129 RMA which do not involve a new discharge, to demonstrate how adverse effects will be avoided where reasonably practicable and otherwise remedied or mitigated so that water quality will be improved to assist with meeting those standards or sediment*

guidelines (beyond the zone of reasonable mixing for point source discharges).

- Policy 16A **Industrial or trade processes that may affect water quality**
Subject to Policies 15A and 15B, require the adoption of best practicable option to manage the treatment and discharge of contaminants derived from industrial or trade processes.
- The adverse effects to be managed include effects on water and sediments in lakes, rivers, artificial watercourses, modified watercourses, wetlands, tidal estuaries, salt marshes and groundwater.
- Policy 32 **Protect significant indigenous vegetation and habitat**
Protect significant indigenous vegetation and significant habitats of indigenous fauna and maintain indigenous biodiversity associated with natural wetlands, lakes and rivers and their margins.
- Policy 41 **Matching monitoring to risk**
Consider the risk of adverse environmental effects occurring and their likely magnitude when determining requirements for auditing and supply of monitoring information on resource consents.

Water quantity

- Policy 20 **Management of water resources**
Manage the taking, abstraction, use, damming or diversion of surface water and groundwater so as to:
- 1A. *recognise that the use and development (such as primary production) of Southland's land and water resources can have positive effects including enabling people and communities to provide for their social, economic and cultural wellbeing;*
1. ...
2. *avoid where reasonably practicable, or otherwise remedy or mitigate, adverse effects from the use and development of groundwater resources on:*
- (a) long-term aquifer storage volumes;*
 - (b) the reliability of supply for lawful existing groundwater users, including those with existing, but not yet implemented, resource consents;*
 - (c) surface water flows and levels, particularly in spring-fed streams, natural wetlands, lakes, aquatic ecosystems and habitats (including life supporting capacity and ecosystem health and processes of water bodies) and their natural character; and*
 - (d) water quality, including temperature and oxygen content;*
3. *ensure water is used efficiently and reasonably by requiring that the rate and volume of abstraction specified on water permits to take and use water are no more than reasonable for the intended end use following the criteria established in Appendix O and Appendix L.4.*
- Policy 22 **Management of the effects of groundwater and surface water use**

Manage the effects of surface and groundwater abstractions by:

1. ...
2. *ensuring interference effects are acceptable, in accordance with Appendix L.3; and*
3. *utilising the methodology established in Appendix L.2 to:*
 - (a) *manage the effects of consented groundwater abstractions on surface water bodies; and*
 - (b) ...

Policy 42

Consideration of water permit applications

When considering resource consent applications for water permits to take and use water:

1. ...
2. ...
3. *Installation of water measuring devices will be required on all new permits to take and use water and on existing permits in accordance with the Resource Management (Measurement and Reporting of Water Takes) Regulations 2010;*
4. ...
5. ...

Comment

- 2.7.8 The proposal is not inconsistent with the above policies. The proposed meat works operation has adopted the best practicable option to manage and discharge contaminants via the upgrade of wastewater treatment infrastructure and proposed practices.
- 2.7.9 Further mitigations along with a monitoring programme and adaptive management procedures will help to sustainably manage Southland's land and water resources over the long term.
- 2.7.10 The requested rate of abstraction and abstraction volumes are no more than reasonable for the intended end use and is well within the allocation limits of the groundwater management zones. Furthermore, the water takes are not anticipated to result in adverse drawdown and stream depletion effects.
- 2.7.11 The proposed meat works operation, and any associated incidental discharges will be managed in such a way that improves water quality, safeguards soil health, and protects human health. Improvements in these areas are anticipated by the new consent regime that specifies the use of best management practices, mitigations proffered by the Applicant, and an ongoing monitoring programme and adaptive management procedures.

The Regional Air Plan (2016)

- 2.7.12 The existing Regional Air Quality Plan for Southland (1999) is being reviewed in two parts called stage 1 and stage 2. Stage 1 contains the updated policy framework and new rules which replaced section 6 of the Regional Air Quality Plan for Southland (1999) in 8 October 2016. Stage 2 encompasses the remaining framework from the Regional Air Quality Plan for Southland (1999) which will be subject to review in the future. Until such a time as the review of stage 2 is completed, both frameworks in stages 1 and 2 should be considered for any discharge of contaminants to air.

- 2.7.13 The application is not inconsistent with the relevant objectives of the Regional Air Plan (2016) – Stage 2 (RAP). The policies of the Regional Air Plan that are relevant to this application have been grouped according to topic:

Air quantity

Objective 2.4 To avoid, remedy or mitigate any adverse effects upon the localised air quality environment (including health and amenity effects) from the discharge of contaminants into air.

Objective 2.5 To ensure that Maori cultural and traditional beliefs are recognised and provided for when dealing with discharges to air.

Objective 5.2.1 To avoid, remedy or mitigate any adverse effects upon the environment (including the health of people and communities and amenity values) from the discharges of contaminants into air from industrial or trade premises.

Objective 5.2.4 Avoid, remedy or mitigate adverse effects from the discharge of greenhouse gases into air.

Objective 7.2.1 To protect the health of people and communities from any adverse effects from odour discharges.

Objective 7.2.2 To protect areas of cultural and amenity values from any adverse effects from odour discharges.

Policy 7.3.1 Avoid, remedy or mitigate the impact on the health of people and communities from offensive or objectionable odours.

Policy 7.3.2 Avoid, remedy or mitigate the impact of offensive or objectionable odours on areas of cultural or amenity value.

Policy 3.9 Any discharges of odour which is likely to have an offensive or objectionable effect beyond the property boundary, shall be managed such that the effect is suitably avoided, remedied or mitigated.

Policy 3.12 Require any discharges of contaminants to air to avoid, remedy or mitigate adverse effects on:

- (a) The receiving environment;*
- (b) Human health and wellbeing;*
- (c) Cultural, spiritual and traditional values;*
- (d) Water quality;*
- (e) Navigable airspace.*

Policy 5.3.1 Protect the environment from adverse effects from the discharge of contaminants into air from industrial or trade premises.

Comment

- 2.7.14 The current activity meets all relevant air quality criteria including odour emissions beyond the site boundary. Boiler emission limits and maintenance and monitoring measures will continue to ensure discharges of particulate matter and other combustion emissions are appropriately mitigated.

- 2.7.15 In addition to meeting current criteria, the Applicant has changed the type of coal used and has recently decommissioned their hot water boiler. Because of changing the design of their systems and removing the hot water boiler, coal usage is anticipated to reduce by approximately 20%. This will improve air quality via a reduction in harmful emissions such as particulate matter. Additionally, the Applicant is seeking to phase out coal altogether via 5-yearly reviews to assess non-carbon fuel alternatives for the site.
- 2.7.16 Due to meeting the relevant standards, the improvements already made at the site, and the reduction on coal usage, I consider the proposal will meet the policies of the Regional Air Plan.

2.8 Any other matters considered relevant and reasonably necessary to determine the application (Section 104(1)(c))

- 2.8.1 **Te Tangi a Tauira** is the Iwi Management Plan for Murihiku. This plan is recognised in Policy 1.2 of the Regional Policy Statement, and is included as a matter considered relevant and necessary under Section 104(1)(c) of the Resource Management Act 1991. Policies from Te Tangi a Tauira, which are relevant to this application, are:

Wastewater Disposal (Section 3.5.2)

- | | |
|-----------------|--|
| <i>Policy 2</i> | <i>Ensure that Ngāi Tahu ki Murihiku are provided with the opportunity to participate through pre-hearing meetings or other processes in the development of appropriate consent conditions for discharge consents, including monitoring conditions.</i> |
| <i>Policy 3</i> | <i>Require that sufficient and appropriate information is provided with applications to allow tangata whenua to assess cultural effects (e.g. nature of the discharge, treatment provisions, assessment of alternatives, actual and potential effects).</i> |
| <i>Policy 5</i> | <i>Assess proposed wastewater discharge activities in terms of:</i> <ul style="list-style-type: none"> <i>a. type/ nature of the discharge;</i> <i>b. location and sensitivity of the receiving environment;</i> <i>c. cultural associations with location of operations;</i> <i>d. actual and potential effects on cultural values;</i> <i>e. available best practice technology;</i> <i>f. mitigation that can occur (e.g. using plants to filter waste, discharging at specific times to minimise impact, treatment options)</i> <i>g. community acceptability;</i> <i>h. cost.</i> |
| <i>Policy 6</i> | <i>Avoid the use of water as a receiving environment for the direct, or point source, discharge of contaminants. Even if the discharge is treated and therefore considered “clean”, it may still be culturally unacceptable. Generally, all discharge must first be to land.</i> |
| <i>Policy 7</i> | <i>Assess waste disposal proposals on a case by case basis, with a focus on local circumstances and finding local solutions.</i> |
| <i>Policy 9</i> | <i>Encourage creative, innovative and sustainable approaches to wastewater disposal that make use of the best technology available, and that adopt principles of waste reduction and cleaner production (e.g. recycling grey water for use on</i> |

gardens, collecting stormwater for a pond that can then be used for recreation in a new subdivision).

- Policy 10 Require that the highest environmental standards are applied to consent applications involving the discharge of contaminants to land or water (e.g. standards of treatment of sewage).*
- Policy 15 Any discharge activity must include a robust monitoring programme that includes regular monitoring of the discharge and the potential effects on the receiving environment. Monitoring can confirm system performance, and identify and remedy any system failures.*
- Policy 16 Require that large scale wastewater disposal operations (e.g. town sewage schemes, industry) develop environmental management plans, including contingency plans to cope with any faults, breakdowns, natural disasters, or extreme weather events (e.g. cash bonds for liability).*
- Policy 17 Duration of consent for wastewater disposal must recognise and provide for the future growth and development of the industry or community, and the ability of the existing operations to accommodate such growth or development.*
- Policy 18 Recommend a duration not exceeding 25 years, for discharge consents relating to wastewater disposal, with an assumption that upon expiry (if not before), the quality of the system will be improved as technological improvements become available. In some instances, a lesser term may be appropriate, with a condition requiring the system is upgraded within a specified time period.*
- Policy 19 Require conditions of consent that allow for a 5-year review of wastewater disposal activities. During review, consent holders should be required to consider technological improvements. If improvements are available, but not adopted, the consent holder should provide reasons why.*

Water Quality (Section 3.5.13)

- Policy 1 The role of Ngāi Tahu Murihiku as tangata whenua and kaitiaki of water must be recognized and provided for in all water quality management.*
- Policy 2 Strive for the highest possible standard of water quality that is characteristic of a particular place/waterway, recognising principles of achievability. This means that we strive for drinking water quality in water we once drank from, contact recreation in water we once used for bathing or swimming, water quality capable of sustaining healthy mahinga kai in waters we use for providing kai.*
- Policy 3 Require cumulative effects assessments for any activity that may have adverse effects of water quality.*
- Policy 5 Avoid the use of water as a receiving environment for the direct, or point source, discharge of contaminants. Generally, all discharge must first be to land.*
- Policy 7 When assessing the effects of an activity on water quality, where the water source is in a degraded state, the effects should be measured against the condition that the water source should be, and not the existing condition of the water source (see text box on this page).*

Policy 10 Water quality definitions, categories, and standards must be determined, measured, and assessed with cultural values and indicators alongside scientific information. Such indicators and values centre on the ability of the waterway to support life, and the fitness of water for cultural uses.

Policy 11 Require robust monitoring of discharge permits, to detect non-compliance with consent conditions. Noncompliance must result in appropriate enforcement action to discourage further non-compliance.

Water Quantity (Section 3.5.14)

Policy 1 Adopt the precautionary principle when making decisions on water abstraction resource consent applications, with respect to the nature and extent of knowledge and understanding of the resource.

Policy 3 Require that scientifically sound, understandable, and culturally relevant information is provided with resource consent applications for water abstractions, to allow Ngāi Tahu ki Murihiku to fully and effectively assess cultural effects.

Policy 6 Encourage water users to be proactive and use water wisely. To encourage best practice and efficient use of water, particularly in terms of:

- sustainable irrigation design, delivery and management;*
- making best use of available water before water levels get too low;*
- reducing the amount of water lost through evaporation by avoiding irrigating on hot windy days.*

Policy 7 Consideration of consent applications for water abstractions should have particular regard to questions of:

- a. how well do we understand the nature and extent of the water resource;*
- b. how well can we monitor the amount of water abstracted;*
- c. whether land capability (e.g. soil type, vulnerability of underlying groundwater resources) matches the land use enabled by irrigation;*
- d. what might happen in the future (e.g. rainfall and recharge of aquifers, climate change).*

Policy 9 Applications for water abstractions may be required to justify the quantities of water requested. Information may need to be provided to Te Ao Mārama Inc. regarding the proposed water use per hectare, estimated water losses, stocking rates, and the level of efficiency for the scheme. This will enable iwi to put the quantity of water sought in context, and ensure that a test of reasonableness can be applied to consents

Policy 10 Require catchment based cumulative effects assessments for activities involving the abstraction of water.

Policy 16 Encourage the installation of appropriate measuring devices (e.g. water meters) on all existing and future water abstractions, to accurately measure, report, and monitor volumes of water being abstracted, and enable better management of water resources.

Policy 17 Advocate for durations not exceeding 25 years on resource consents related to water abstractions.

Policy 19 Require that Ngāi Tahu are provided with the opportunity to participate through pre hearing meetings or other processes in the development of appropriate consent conditions including monitoring conditions to address our concerns.

Air Quality (Section 3.2.1)

Policy 1 Discourage discharges from industrial and trade premises that will have an impact on mahinga kai, taonga species, biodiversity, wāhi tapu and wāhi taonga.

Policy 2 Ensure that the processes used during activities that discharge to air are supervised and monitored to ensure that contaminant emissions are minimised.

Policy 3 Encourage existing activities that emit contaminants to air to evaluate, and where practical implement new technologies to reduce adverse effects on air quality.

Policy 9 Discourage and prevent discharges to air that will have impacts on cultural well-being and community health.

Policy 10 Ensure that discharges of contaminants into the air such as dust, smoke and odour do not affect the amenity values of areas which are of cultural and historical significance to iwi.

Policy 12 Engage Ngāi Tahu ki Murihiku early in the consenting and permitting process for activities whereby there is discharge to air, particularly agrichemical and aerial spraying/topdressing and activities causing offensive odours. Discharges must not cause objectionable or offensive odour to the extent that it causes adverse effects beyond the boundaries of the consent holder's property.

Policy 13 Advocate for robust consent conditions with a maximum twenty-five years. Changes to consent conditions must be notified to affected parties and all consent conditions monitored routinely.

Amenity Values (Section 3.2.1)

Policy 4 Ngāi Tahu ki Murihiku shall provide qualified recommendations with respect to concerns raised related to odour and offensive discharge, from rural, urban and industrial activities.

Comment

2.8.2 BSM engaged with Te Ao Mārama Inc. regarding the proposal throughout the consent process. After initially opposing the application in their submission, Te Ao Mārama Inc. have since provided written approval on 15 July 2025⁶ and confirmed the withdrawal of their submission on 26 January 2026⁷. In their written approval Te Ao Mārama Inc. considered that the application is consistent with Te Tangi a Tauira.

2.8.3 I see no reason to disagree with the representatives of Mana Whenua (Te Ao Mārama Inc.). The upgrades undertaken to the WWTP, proposed mitigation measures, and conditions of consent

⁶ Environment Southland Document ID: A1303101

⁷ Environment Southland Document ID: A1407194

that include monitoring and adaptive management, are likely to ensure the proposed activities will align with the above objectives and policies. Therefore, I consider the proposal to be consistent with Te Tangi a Taurira.

2.9 Value of investment of the existing consent holder if an application affected by Section 124 (Section 104(2A))

- 2.9.1 The application was lodged at least 6 months before the expiry of the existing consents. Therefore, in accordance with Section 124(1), continuance rights were granted under section 124(3) of the RMA (noting that the consents were subsequently reinstated and extended via section 123C of the RMA).
- 2.9.2 I have had regard to the value of the investment the applicant has made exercising their current resource consents. The value is significant due to the asset value of the meat works infrastructure and the meat works requiring consents to operate.

2.10 Section 104E Applications relating to discharge of greenhouse gases

- 2.10.1 Since the repeal of s104E on 30 November 2022, the cumulative effect of greenhouse gas emissions is a relevant effect under s104 and it must be considered as part of this application. According to a paper by the Minister for Climate Change “Climate Change is a global issue”⁸, that is occurring due to “greenhouse gas emissions from human activities”⁹. ‘Aotearoa New Zealand’s first national adaptation plan’¹⁰ (page 20), states that our climate has warmed by 1.1 degrees C in the last 100 years. Associated with warmer weather, median sea level is projected to increase by between 0.44 metres and 0.83 metres by 2100. Therefore global greenhouse gas emissions, particularly from fossil fuels such as coal, contribute to a significant adverse cumulative effect.
- 2.10.2 While Aotearoa New Zealand’s greenhouse gas emissions are less than 0.3 per cent of global greenhouse gas emissions¹¹ they still contribute to a significant cumulative effect. I note that Southland contributes 7.9 per cent of Aotearoa New Zealand’s greenhouse gas emissions (all greenhouse gas emissions expressed as CO₂ emissions), and that Southland industries produced 21 per cent of that¹². Mathematically, that means that all Southland industries produce about 0.00005 per cent of global greenhouse gas emissions. As a result, every emission is potentially significant, but at the same time each emission is also miniscule at the global scale. That creates difficulties when assessing the degree to which a discharge is having an adverse effect.
- 2.10.3 In this context I consider that the most relevant measure to determine the scale of effect from a greenhouse gas discharge is consistency or otherwise with ‘Aotearoa New Zealand’s second emissions reduction plan’¹³ (2026). That approach means that whether or not an individual

⁸<https://environment.govt.nz/assets/Publications/framework-for-climate-change-policy-and-key-upcoming-decisions.pdf>

⁹<https://environment.govt.nz/assets/Publications/framework-for-climate-change-policy-and-key-upcoming-decisions.pdf>

¹⁰<https://environment.govt.nz/assets/publications/climate-change/MFE-AoG-20664-GF-National-Adaptation-Plan-2022-WEB.pdf>

¹¹<https://environment.govt.nz/publications/statement-of-intent-2008-2011/operating-intentions/climate-change/>

¹²<https://www.stats.govt.nz/information-releases/greenhouse-gas-emissions-by-region-industry-and-household-year-ended-2021/>

¹³<https://environment.govt.nz/publications/new-zealands-second-emissions-reduction-plan/>

emission is having a significant effect can be based on direction from central government that addresses greenhouse gas emissions at a national level.

- 2.10.4 In this case the proposed decommissioning of one of the boilers in the plant will have the positive effect of reducing climate change-inducing contaminant emissions from the applicant's operation. I also note that using an alternative heat pump system to replace the boiler is consistent with the key action of using energy efficiently in the Energy and Industry section of 'Aotearoa New Zealand's second emissions reduction plan¹² (2026), the government's greenhouse gas emissions plan.
- 2.10.5 The application is also actively seeking alternative energy sources such as electricity to replace the remaining boiler which would reduce fossil fuel emissions. This is consistent with another key action in the Energy and Industry section of the government's reduction plan: the phasing out of coal boilers by 2037.
- 2.10.6 Therefore, on the basis that the proposal will result in a net reduction in emissions of greenhouse gases compared with the existing operation, and because the changes proposed to the existing facility are consistent with the key actions for industry under the government's emissions reduction plan, I consider that adverse effects on climate change will be no more than minor.

2.11 Section 105 matters relevant to discharge or coastal permits

- 2.11.1 Section 105 matters need to be considered as the application is for a discharge that would contravene Section 15. Under Section 105, the consent authority must have regard to:
- (a) The nature of the discharge and the sensitivity of the receiving environment to adverse effects;
 - (b) The applicant's reasons for the proposed choice; and
 - (c) Any possible alternative methods of discharge, including discharge into any other receiving environment.
- 2.11.2 The sensitivity of the receiving environment has been considered, being in particular the key risks to surface water quality through overland flow of contaminants and to groundwater quality through leaching of contaminants via deep draining soils. The discharge is associated with the on-site meat processing plant and WWTP where wastewater is generated and treated. The land surrounding the plant is the preferred receiving environment for the discharge as it will result in lesser adverse effects on the environment than discharging to surface water. The site location and subsequent available land means the 'best practicable option' for the discharge of wastewater is to discharge it to land.
- 2.11.3 The discharge to surface water of dewatered groundwater and stormwater was also considered. Discharging to a nearby unnamed tributary is the best practicable option as the discharge of dewatered shallow groundwater reflects groundwater that naturally feeds into the nearby surface water body anyway. Additionally, the discharge volumes are small and infrequent as they are limited to the area around the WWTP and discharges occur at low rates only in periods when there is excess groundwater beneath the WWTP. Any additional stormwater discharges from the lagoon cover are likely to be similar to permitted stormwater discharges from building roofs so is not anticipated to have any adverse effects on any fresh waterbody beyond what is already authorised by the pSWLP.
- 2.11.4 The discharges of contaminants to air were also considered however at this stage there is no practicable alternative technology available to the use of the existing RSB Boiler as alternative technologies are still emerging. The decommissioning of the HWB boiler in August 2024 will

ensure discharges of contaminants to air are reduced by 20% compared to the baseline period (2019-2023) ensuring ongoing improvement in air quality.

- 2.11.5 Various mitigation measures are utilised on site in accordance with management plans to help reduce potential odorous discharges beyond the boundary of the site. Odour complaints have been minimal since the upgrading of the WWTP which has helped to reduce odorous discharges.

2.12 Section 107 restriction on grant of certain discharge permits

- 2.11.1 Section 107 restricts the grant of certain discharge permits, including the discharge permits sought in this application (for activities that would otherwise contravene section 15 of the RMA) which are:
- a. The discharge of treated wastewater, BNR solids, stockyard solids, grit, paunch, and covered anaerobic lagoon stormwater onto land; and
 - b. The discharge of land drainage water and stormwater to water.
- 2.11.2 Section 107(1) sets out the restrictions on granting discharge permits and subsections (2) and (2A) of section 107 set out the exemptions to this restriction.
- 2.11.3 Section 107(1) states that a consent authority shall not grant a discharge permit allowing the discharge of a contaminant onto or into land in circumstances which may result in that contaminant entering water, if after reasonable mixing, the contaminant, either by itself or in combination with the same, similar or other contaminants, is likely to give rise to all or any of the following effects in the receiving waters:
- (c) the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials;*
 - (d) any conspicuous change in the colour or visual clarity;*
 - (e) any emission of objectionable odour;*
 - (f) the rendering of fresh water unsuitable for consumption by farm animals;*
 - (g) any significant adverse effects on aquatic life*
- 2.11.4 The meat works activities occur above an aquifer that flows beneath the property and eventually into the Waihōpai River and the New River Estuary. Tributaries of these freshwater bodies are also on the property. It is possible that discharges are, in combination with other discharges in the catchment, giving rise to significant adverse effects on aquatic life in the Waihōpai River and New River Estuary, and section 107(1)(g) prevents the granting of the discharge permits, unless subsections (2) or (2A) apply.
- 2.11.5 Subsection (2) of Section 107 is not applicable because:
- a. There are no exceptional circumstances that justify the granting of the permit;
 - b. The discharges are not temporary; and
 - c. The discharges are not associated with maintenance work.
- 2.11.6 I consider that Subsection (2A) of Section 107 is applicable. It states that the consent authority may grant a discharge permit that may allow the effects in subsection 1(g) if the consent authority:

- (a) *is satisfied that, at the time of granting, there are already effects described in subsection (1)(g) in the receiving waters; and*
- (b) *imposes conditions on the permit; and*
- (c) *is satisfied that those conditions will contribute to a reduction of the effects described in subsection (1)(g) over the duration of the permit.*

2.11.7 For the discharge of treated wastewater, BNR solids, stockyard solids, grit, paunch, and covered anaerobic lagoon stormwater onto land, the applicant will apply limits to reduce contaminant loading and further mitigate adverse effects which I consider will reduce adverse effects on water quality, and consequently the effects on aquatic life over the duration of the permit.

2.11.8 For the discharge of dewatered groundwater and stormwater from the lagoon cover, the same mitigations that apply to improving groundwater quality will contribute to the improving groundwater quality beneath the WWTP that will be dewatered and discharged to surface water. Other incidental discharges through the groundwater profile that eventually reaches surface water will also improve as a consequence of the proposed mitigations. The key mitigations that I consider will reduce the effects on water quality, and consequently the effects on aquatic life include:

- A significant reduction in contaminant losses on the property as modelled in Overseer;
- Ongoing contaminant loss limits that can be modelled in Overseer;
- Not discharging on high risk soils;
- Maintaining and undertaking riparian planting;
- Maintaining sufficient soil infiltration capacity; and
- Ongoing monitoring and active responsive measures as required to maintain or improve water quality.

2.12.1 Given the proposed mitigations, which will be imposed as conditions on the permits, I consider that all of the requirements of Section 107(2A) are met, and section 107 does not restrict the granting of the discharge permits for this proposal.

2.12.2 Significant adverse effects on aquatic life are already occurring in the receiving waters. The Applicant has demonstrated how proposed mitigation measures are likely to improve water quality if carefully managed, and I am confident the conditions of consent will contribute to a reduction in adverse effects on aquatic life over the duration of the permit.

3. Recommendations

3.1 Whether to grant

3.1.1 As the applications are bundled, the overall activity status is a **discretionary activity**. Under Section 104B the Council may grant or refuse consent for a **discretionary activity**, and if it grants the application, may impose conditions under Section 108 of the RMA.

3.1.2 I recommend that the application be granted for the following reasons:

- a. The activities are consistent with the requirements of the RWP, pSWLP, RAP, SRPS, RMA, NPS-GHG and NPS-FM; and
- b. the adverse effects of the activity are predicted to be no more than minor;
- c. Proposed practices and mitigations are anticipated to reduce adverse effects on water quality;
- d. the relevant s105 matters have been taken into account for the discharge permits, and the proposed methods and location of discharges are considered to be the most appropriate given the nature of the discharge and sensitivity of the receiving environment; and
- e. conditions are proposed for the discharge permits that meet the requirements of s107(2A), and therefore s107 does not restrict the granting of the discharge permits;

3.1.3 My recommendation is based on the existing plan provisions. However, I note that the pSWLP anticipates catchment limits. Therefore, a decision on the application has to be made without direction about the scale of reductions in contaminant loss to water that should be achieved.

3.1.4 Overall, I recommend, that for the above reasons, the application be granted pursuant to Sections 104 B and 108 of the Resource Management Act 1991, subject to the conditions attached.

3.2 Term of consent

3.2.1 The Applicant as requested a consent term of 25 years to reflect BSM's significant existing investment in the plant and the recent investment they have committed to the WWTP upgrade. This long consent term was also proposed because it reflects the significant social and economic benefits the plant provides to the local area and gives greater certainty that those benefits will endure.

3.2.2 Consideration has been given to Policy 40 of the proposed Southland Water and Land Plan and I note the following:

a. Certainty about the nature, scale, duration and frequency of effects

Potential effects of the proposed activities are understood reasonably well, and these are to be managed as far as reasonably practicable. Potential adverse effects have in the first instance been mitigated by appropriate management techniques followed by contingency planning, ongoing monitoring and reporting. Council's level of knowledge regarding the underlying aquifer, the receiving soils and surface water management zone is also improving but suggests that there is still a lot to be understood. Substantial monitoring is proposed by the Applicant which will inform an investigation report prior to the eighth and sixteenth anniversaries of the consent. The investigation report will evaluate whether conditions of consent, practices and mitigations are improving water quality and will continue to improve water quality in the future.

b. Matching consent duration to the level of risk of adverse effects

The extent and nature of the actual and potential adverse effects of the activities on the existing environment are no more than occurring historically in the existing environment, with potential for ongoing improvement.

c. Relevant tangata whenua values and Ngāi Tahu indicators of health

The application has been assessed as consistent with the relevant tangata whenua values as outlined in the iwi management plan, with particular regard to the proposed consent duration of 25 years.

d. The permanence and economic life of any capital investment

Significant investment has been required just to get to the point of making the application including the substantial investment in the WWTP upgrades. The economic life of the operation is firstly dependent on the granting of the relevant consents, and secondly that those resource consents be granted for a reasonable duration.

e. Common expiry date

A common expiration date for all the permits applied for is considered appropriate.

f. Compliance history

The applicant has demonstrated a generally good compliance history in recent years with the existing resource consents and there is no evidence to suggest future compliance will not be good.

g. Timing and development of FMU sections

Despite the 25-year term sought, the proposed term will enable implementation of any revised framework establish in the FMU section of the pSWLP due to the eight-year consent review periods established within the consent condition's framework. Council can also consider all consents in the catchment collectively using the provisions of s128 and s129 of the RMA, which may serve to better implement any limit setting process.

3.2.3 Consideration has also been given to the submission which opposed the initial 35-year consent term. The Applicant has since agreed to reduce the consent term to 25 years. Along with new consent conditions that require various improvements, particularly with regard to water quality and public health, I consider the operation improvements and new reduced consent term will address the concerns raised in the submission.

3.2.4 Because of the significant improvements made in recent years, and the proposed conditions of consent, I consider the meat works operation is likely to result in a slight improvement in environmental outcomes. Having considered the matters outlined in Policy 40 and the submission, I am satisfied that there is reasonable certainty about the effects of the activity, and I do not consider that there are factors that would warrant a significantly shorter duration. Consequently, I consider it appropriate to grant the application for 25 years.



Ryan Hodgson
Senior Consents Officer

Attached:

Neil Robertson Submission

Water Permit AUTH-20222295-01

Water Permit AUTH-20222295-02

Discharge Consent AUTH-20222295-03

Air Discharge Consent AUTH-20222295-04

Discharge Consent
Land Use Consent

AUTH-20222295-05
AUTH-20222295-06

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