environment SOUTHLAND REGIONAL COUNCIL
Te Taiao Tonga

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Invercargill

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Discharge Permit

Under Section 104B of the Resource Management Act 1991, a resource consent is granted by the Southland Regional Council to **Capil Grove Limited** of **27 Capil Road, RD 2, Invercargill 9872** from **Date Consent Granted.**

Please read this Consent carefully, and ensure that any staff or contractors carrying out activities under this Consent on your behalf are aware of all the conditions of the Consent.

Details of Permit

Purpose for which permit is granted:		To discharge agricultural effluent to land from up to 640 cows via low rate pod system and slurry tanker
Location	- site locality	444 Springhills Tussock Creek Road
	- map reference	NZTM2000 1250581E 4872599N
	- physiographic zones	Gleyed, Bedrock/Hill Country and Peat Wetlands
	- groundwater zone	Makarewa
	- catchment	Makarewa River
	- FMU	Oreti
Legal description of land at the site:		Part Lot 2 DP 2005, Lot 1 DP 12811, Section 298 Forest Hill HUN, Lot 2 DP 13790, Section 517 Forest Hill HUN, Lot 3 DP 13790 and Lot 1 DP 13793
Expiry date:		**30 December 2030**

Schedule of Conditions

General conditions

1. This resource consent shall not be exercised until Discharge Permit AUTH-20211143-02 is surrendered or has expired.

2. This consent shall be exercised in conjunction with Land Use Consent AUTH-20222055-04 and Land Use Consent AUTH-20222554.

3. This consent authorises the discharge of dairy shed effluent, wintering barn effluent and silage pad effluent ("agricultural effluent") onto land, via a land disposal system consisting of a stone trap, sump, weeping wall and sludge bed, winter barn weeping wall, winter barn sump 1 and sump 2 and two synthetically lined effluent storage ponds to low rate pods and slurry tanker, as described in the application (APP-20222055) for resource consent dated 5 April 2022[1], additional application dated 27 April 2022[2], additional AEE dated 27 April 2022[3] and additional information responses dated 6 September 2022 and 17 September 2022[4]. The activity shall be limited to:

   (a) the discharge to land of agricultural effluent generated from milking of up to 640 cows up to twice per day;
   (b) the discharge to land of agricultural effluent via a low rate pod system and a high rate slurry tanker;
   (c) the discharge of agricultural effluent to an area of 272 hectares, as per the plan attached as Appendix 1;
   (d) the discharge of effluent from a silage storage facility no larger than 900 m^2;
   (e) the discharge to land of winter barn effluent generated from the use of two winter barns.

   Advice Note: *Routine monitoring inspections of this consent may occur up to two times a year. This number does not include any other required inspections.*

4. No cows shall be milked in accordance with this consent until the effluent storage capacity specified in condition 17 has been completed as per Land Use Consent AUTH-20222554.

5. Notwithstanding these conditions, this permit shall be exercised in accordance with the Collected Agricultural Effluent Management Plan. Where there is inconsistency between the Collected Agricultural Effluent Management Plan and the conditions of this consent, the conditions of this consent shall prevail.

6. The agricultural effluent discharge shall not exceed:

   (a) a depth of application of 25 millimetres for each individual application, and an instantaneous rate of 10 millimetres per hour via a low rate pod system on Category A land;
   (b) a depth of application of 10 millimetres for each individual application, and an instantaneous rate of 10 millimetres per hour via a low rate pod system on Category C land;
   (c) a depth of application of 5 millimetres for each individual application via slurry tanker on Category A land.

7. The minimum return period for the discharge of agricultural effluent to land shall be 28 days.

8. The agricultural effluent discharge shall not occur when the moisture content of the soils is at or above field capacity.

9. Nitrogen loading onto any land area as a result of the exercise of this consent shall not exceed 150 kilograms of nitrogen per hectare per year.

[1] Environment Southland Document ID: A763106
[2] Environment Southland Document ID: A768436
[3] Environment Southland Document ID: A768442
[4] Environment Southland Document ID: A829931 and A833784

Exclusions

10. This consent does not authorise the discharge of:

    (a) effluent collected by a feed pad, stand-off pad, calving pad or underpass; and
    (b) agricultural effluent via high rate slurry tanker on Category C land (see Appendix 1).

11. No agricultural effluent discharge shall occur between 1 June and 31 August each year.

12. No agricultural effluent discharge shall occur within:

    (a) 20 metres of any surface watercourse or wetland;
    (b) 100 metres of any water abstraction point;
    (c) 200 metres of any place of assembly or dwelling not on the subject property; and
    (d) 20 metres from any property boundaries.

    Where there is inconsistency between the plan attached as Appendix 1 and the conditions of this consent, the conditions of this consent shall prevail.

13. The stored or discharged agricultural effluent shall not enter any surface watercourse in any way, including:

    (a) directly;
    (b) indirectly;
    (c) by overland flow;
    (d) via entrainment by stormwater or run-off; or
    (e) via a pipe.

14. The stored or discharged agricultural effluent shall not:

    (a) form ponds or flow on the land surface, or
    (b) cause contamination of water.

15. The stored or discharged agricultural effluent shall not cause any odour beyond the boundary of the site (see Appendix 1) that is offensive or objectionable in the opinion of the Council's Compliance Officer.

16. Spray drift beyond the boundary of the site shall not occur.

Effluent storage

17. The agricultural effluent discharge shall occur via agricultural effluent storage facilities with more than 18,180 cubic metres capacity.

18. The Consent Holder must maintain at least 500 mm of freeboard in the agricultural effluent storage facility at all times.

System management

19. The Consent Holder shall notify the Consent Authority the identity of the Person in Charge of the agricultural effluent disposal system:

    (a) prior to the first exercise of this consent; and
    (b) no more than five working days following the appointment of any new Person in Charge.

20. The Consent Holder shall install and maintain:

    (a) an operational alarm that alerts the Person in Charge to any system failure that could cause the over-application, overflow or spilling of agricultural effluent (e.g. sudden pressure drop, irrigator stoppage); and/or
    (b) an operational automatic switch-off system that prevents any over-application or spilling of agricultural effluent.

21. Where the agricultural effluent reticulation system is installed in such a way that effluent can be siphoned when pumping ceases, the Consent Holder shall install and maintain an anti-siphon device in the agricultural effluent pipeline.

22. In the event of the failure or mismanagement of the agricultural effluent disposal system, or any other event that may result in a discharge of agricultural effluent that may have significant adverse effect on water quality, particularly in the region of the abstraction point of a registered drinking-water supply, the Consent Holder shall notify, as soon as reasonably practicable, the following:

    (a) the Consent Authority (ph 03 211 5115 or 03 211 5225 after hours); and
    (b) Southland District Council (ph 0800 732 732).

Collected Agricultural Effluent Management Plan

23. Prior to the first exercise of this consent, the Consent Holder shall prepare and submit to the Consent Authority a Collected Agricultural Effluent Management Plan. The Collected Agricultural Effluent Management Plan shall:

    (a) provide concise and clear direction to the Person in Charge and other staff on the operation of the agricultural effluent system;
    (b) identify environmental risks of agricultural effluent discharges specific to the farm including, but not limited to, locations of drains, surface waterways, sub-surface drainage and critical source areas in the agricultural effluent disposal area;
    (c) identify how the above environmental risks are avoided;
    (d) describe how each component of the agricultural effluent system is maintained and have regard to the information provided in the pond storage calculations provided in the application;
    (e) describe how agricultural effluent in storage is managed;
    (f) describe how agricultural effluent is managed when soils are at or above field capacity and/or during adverse weather conditions; and
    (g) describe how the stormwater diversion on the system is set up and managed.

24. Annually or more frequently, the Collected Agricultural Effluent Management Plan shall be reviewed and the outcome of the review provided to the Consent Authority within one month.

25. If amended at any time, the most recent version of the Collected Agricultural Effluent Management Plan shall be provided to the Consent Authority within one month of the amendment.

Advice note: *The Collected Agricultural Effluent Management Plan required by Condition 23 may be incorporated into the Farm Environmental Management Plan required by AUTH-20222055-04, and prepared in accordance with Appendix N, of the proposed Southland Water and Land Plan (Decisions Version) (or any updated version of the plan).*

Monitoring

26. The Consent holder shall develop a surface water monitoring programme, sampling water quality at a minimum of three sites including:
    (a) SW u/s 1 – upstream at or about NZTM2000 1249720E 4872470N;
    (b) SW u/s 2 – upstream at or about NZTM2000 1251033E 4873268N;
    (c) SW d/s 1 – downstream at or about NZTM2000 1251356E 4872264N.
    These locations are shown in Appendix 2.

27. Water samples shall be collected for analysis from the locations in condition 26 twice annually in February and August and sampled for:
    (a) Biochemical oxygen demand
    (b) Total suspended solids
    (c) Total phosphorus
    (d) Dissolved reactive phosphorus
    (e) Total nitrogen
    (f) Ammoniacal nitrogen
    (g) *E. coli*; and
    (h) Temperature

28. Sample collection, preservation and analysis shall be carried out by a suitably qualified person in accordance with the most recent edition of APHA *"Standard Methods for the Examination of Water and Wastewater"*;

29. The analyses must be carried out by a laboratory with IANZ accreditation, or equivalent, for all laboratory analyses.

30. The result of analyses shall be recorded within the Consent Holders Farm Environmental Management Plan. The results of monitoring shall be made available to the Consent Authority on request.

Review of consent

31. The Consent Authority may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the Consent Holder of its intention to review the conditions of this consent during the period 1 February to 30 September each year, or within two months of any enforcement action being taken by the Consent Authority in relation to the exercise of this consent, for the purposes of:

(a) determining whether the conditions of this permit are adequate to deal with any adverse effect on the environment, including cumulative effects, which may arise from the exercise of the permit, and which it is appropriate to deal with at a later stage, or which become evident after the date of commencement of the permit;
(b) ensuring the conditions of this consent are consistent with any National Environmental Standards Regulations, relevant plans and/or the Environment Southland Regional Policy Statement;
(c) amending the monitoring programme to be undertaken;
(d) adding or adjusting compliance limits;
(e) ensuring the Ōreti Freshwater Management Unit meets the freshwater objectives and freshwater quality limits set in an operative regional plan or National Policy Statement for Freshwater Management; and
(f) Requiring the Consent Holder to adopt the best practicable option to remove or reduce any adverse effect on the environment arising as a result of the exercise of this permit.

for the **Southland Regional Council**

[Signature]
Decision maker

Notes:

1. *The Consent Holder shall pay an annual administration and monitoring charge to the Consent Authority, collected in accordance with Section 36 of the Resource Management Act, 1991, payable in advance on 1 July each year.*

2. *In accordance with Section 125(1)(a) of the Resource Management Act, this consent will lapse after a period of five years after the date of commencement unless it is given effect to or an application is made to extend the lapse period before the consent lapses.*

3. *In accordance with section 126 of the Resource Management Act, 1991, this consent may be cancelled by the Consent Authority if not exercised for a continuous period of five years or more.*

4. *The Consent Holder is reminded that they may apply at any time under Section 127 of the Act to have any condition of this consent changed except that which specifies the expiry date of this consent.*

5. *If you require a replacement permit upon the expiry date of this permit, any new application should be lodged at least six months prior to the expiry date of this permit. Applying at least six months before the expiry date may enable you to continue to exercise this permit until a decision is made, and any appeals are resolved, on the replacement application.*

6. *Dairy shed effluent should not be discharged onto any land area that has been grazed within the previous 5-10 days. Where there has been significant damage to soil during grazing, it is recommended that effluent not be applied until that damage has been repaired.*

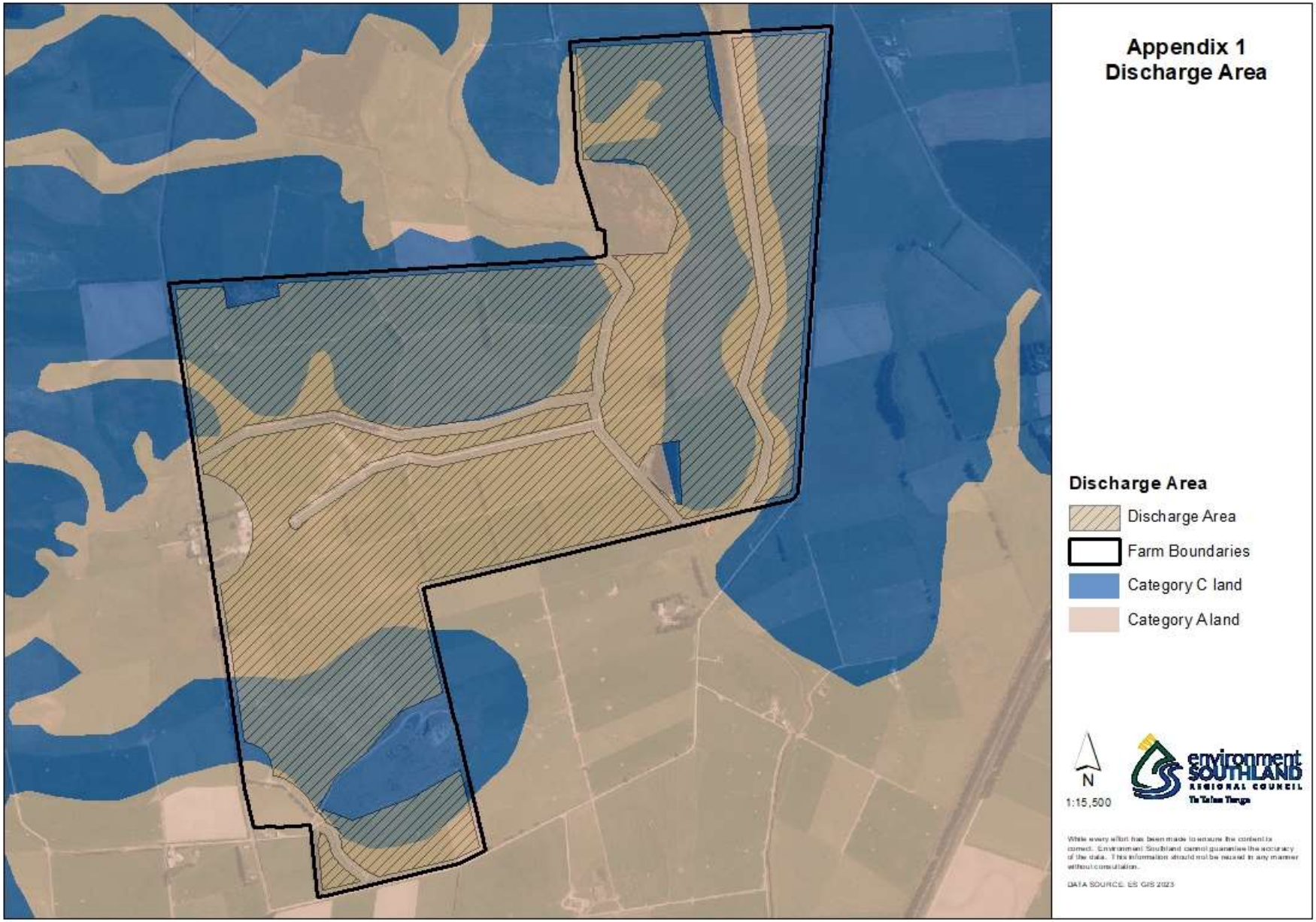
7. *Measuring the moisture content of the soil to determine when the soils are at or above field capacity can be done by either actual monitoring on site or by reference to the appropriate Council monitoring site. The Council's soil moisture monitoring sites can be viewed at* http://maps.es.govt.nz/ *and following the "Soil Moisture Map" link.*

8. *Ponding is the accumulation of effluent on the soil surface resulting from the application of effluent to saturated soils, or the application of effluent inducing saturated soil conditions.*

9. *Extreme caution should be taken when applying nitrogen fertiliser to the effluent disposal area. It is recommended that a nutrient budget is used to check that nitrogen and potassium application rates to the effluent disposal area are not excessive.*

10. *The Consent Holder should display, in a prominent place in the dairy shed, a copy of the resource consent and relevant limits about the operation of the effluent disposal system that must be complied with.*

11. *Storage systems should be operated at low levels when conditions for effluent disposal are suitable in order to maintain storage for wet weather periods. In particular, storage systems should be emptied in late summer/early autumn to ensure sufficient storage capacity for the following late winter/early spring period.*


Appendix 1
Discharge Area
Discharge Area
Discharge Area
Farm Boundaries
Category C land
Category A land
N
1:15,500
environment SOUTHLAND
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While every effort has been made to ensure the content is correct, Environment Southland cannot guarantee the accuracy of the data. This information should not be reused in any manner without consultation.
DATA SOURCE: ES GIS 2023

Appendix 2: ***Surface Water Monitoring locations***