

Officer Report for Resource Consent RC-2024-0136 (Pursuant to Section 42A of the Resource Management Act)

To Hearing Panel
From Tony Ridge, Senior Consent Officer
Consent Discharge permits under s15(1)(b) and 15(1)(c)
Date 29 January 2026

To undertake composting operations of various waste/feedstocks products for commercial use including its discharge to land (compost leachate) and air (odour)

Activity type Discharge Permits
Activity subtype Discharge to land (composting operations) & (irrigation of leachate) and Discharge to air (ss.15(1)(b) & 15(1)(c))
Activity status Discretionary

Applicant von Ah Contracting Limited

Site location 1047 Kaniere-Kowhitirangi Road, Kokatahi
Grid reference(s) NZTM E1439063 N5255590
Recommendation Grant with conditions

The recommendation in the staff report represents the opinion of the writers and it is not binding on the Hearing Commissioner. The report is evidence and will be considered along with any other evidence that the Hearing Commissioners will hear.

EXECUTIVE SUMMARY OF RECOMMENDATION

von Ah Contracting Limited ("the applicant") has lodged an application to compost various waste/feedstocks streams for commercial use at 1047 Kaniere-Kowhitirangi Road, Kokatahi, not far (c.1.5 km upstream) from the confluence of the Hokitikia River and the Kokatahi River.

After assessing the actual and potential effects of the applications, the submissions received, and considering all of the matters in section 104 of the Resource Management Act 1991, the recommendation of the reporting officer is to grant for a duration of 10 years subject to the recommended conditions of consent.

REPORT AUTHOR

Tony Ridge - Senior Consents Officer
 BAgSc, Dip.Appl.Sc, M.Appl.Sc

INTRODUCTION

1. von Ah Contracting Limited ('the applicant') has lodged an application to compost various waste/feedstocks streams for commercial use at 1047 Kaniere-Kowhitirangi Road, Kotatahi.
2. The status of the activity is discretionary under the Regional Land and Water Plan and the Air Quality Plan. The S.42A report has been complied with consideration given to the following documents.
 - a) an assessment of the environmental effects (AEE);
 - b) the status of the activity under the relevant Regional plan;
 - c) a description of the environment;
 - d) a description of the activity;
 - e) further Information;
 - f) proposed consent conditions; and
 - g) proposed mitigation measures.
3. Notwithstanding the above, the following documents have either been provided in support of the application, requested, or commissioned.
 - i. Application lodged 11/10/2024;
 - ii. Further information (1st) request s.92(1) 29/10/2024, and response 6/11/2024;
 - iii. Report commissioning s.92(2) notice to applicant 14/11/2024, and report commissioned on 15/01/2025;
 - iv. Further information (2nd) request s.92(1) 29/01/2025, and response 26/02/2025;
 - v. Final Submission documents, 29/08/2025;
 - a. Farm map - Waterways and Plantings;
 - b. Von Ah Compost Facility Management Plan;
 - c. Compost Process Overview;
 - d. Von Ah Composting proposal and AEE.
4. My notification decision assessment of the application included a visit to the site with a WCRC Biosecurity Officer, Ms Emily Rutherford-Jones on 17 September 2024. Also, Paul Baynham from Mote visited the site on 11 December 2024 for the purposes of commissioning a report for the WCRC pursuant to s.92(2) of the Act (see 3.iii).

DESCRIPTION OF THE PROPOSED ACTIVITY

5. The revised von Ah Contracting composting proposal and AEE (dated 29/08/2025) provides a good description of the activity.
6. The proposed site is situated in Kokatahi, approximately 14 kilometres southeast of Hokitika.
7. The applicant wishes to provide commercial composting and soil conditioning products utilising a variety of "unwanted organic waste streams" that could alternately be destined for landfills.

8. The site proposed for compost manufacture, including storage and blending is located on Duck Creek Farm in Kotatahi. Of note to the locality is its relative remoteness with the nearest neighbour being some c.250 metres away and behind a stand of trees. As the application includes discharging contaminants to air, nuisance odour and dust effects are a consideration.
9. The composting will utilise two pads each for differing waste streams, which are delineated further within the application. The pads are constructed on compacted gravel which will provide for leachate collection into constructed ponds, which will be irrigated to land during times of moisture deficit and to composting windrows to achieve the moisture levels cited within the current NZ standards, i.e. NZS 4454:2005.
10. The applicant opines that the composting will be in accordance with the NZS 4454:2005.
11. The NZS 4454:2005 standards were developed by the New Zealand technical group of stakeholders for composts, soil conditioners and mulches. The standards prescribe compositional requirements, compliance requirements, sampling and testing methods for composts, soil conditioners and mulches.
12. The irrigation of compost leachate to land will in accordance with the irrigation block management plan contained within the application. The irrigation area is to 30 hectares and is based on an irrigation Model that incorporates weather forecasting in its functionality to ensure that adequate pond storage is in play for forecasted rain events.
13. The receiving soils are comprised of the Huangarua and the Rangitata which are described below based on the report from: <http://smap.landcareresearch.co.nz/>
14. The *Huangarua soil* is moderately well drained with very low vulnerability of water logging in non-irrigated conditions and has moderate soil water holding capacity. It is susceptible to nitrogen leaching.
15. The *Rangitata soil* is well drained with very low vulnerability of water logging in non-irrigated conditions and has moderate low soil water holding capacity. Has a very high N leaching potential.
16. The applicant notes that other irrigatable blocks may be utilised as a contingency if Duck Creek becomes saturated. The areas are within 20 km of Duck Creek and have been described further in the information response, including its suitability to receive compost leachate.
17. Odour discharge mitigations are described in the application and include achieving a compost moisture content to minimise nuisance air emissions and utilising carbon rich waste streams as covering the waste lines.
18. The application was subject to a further information request (i.e. pursuant to s.92(1)) after which a report was commissioned for the Council (i.e. pursuant to s.92(2)) by Mote Limited, titled "Odour assessment report associated with von Ah Contracting Composting proposal", to provide an overview of the application and the s.92(1) response. The report provided recommended consent conditions and detailed the radius of nuisance where persons would be potentially affected from the odour discharge. Of note is that another further information request was then made after this assessment to clarify some matters raised in the report.

DESCRIPTION OF THE AFFECTED ENVIRONMENT

19. As detailed above, the commissioned report undertaken by Mote Limited provided an odour assessment to the nuisance odour dispersion radius which was

extrapolated on a property map to identify parties potentially affected by it. In response to this the applicant restricted the material types used for composting which then resulted (through a reassessment) in a 100-meter reduction of the disturbed area (see email Paul Baynham, 20 May 2025).

20. The nearest waterbody is Duck Creek which has been privy to sampling by WCRC staff over a number of years just upstream of the proposed composting facility. A report by Mr Jonny Horrox - WCRC Principal Scientist (see attached) describes it as being fed largely through groundwater recharge and having a good macroinvertebrate score. It is high in visual clarity although due to the agricultural influences in its catchment suffers from high *E. coli* concentrations. Its flow has been cited as 1.1 m³/s (i.e. 1.1 cumecs) so there is some capacity contaminant assimilation.
21. The nearest bore within the WCRC database is MGS-BORE 0490 at or near NZTM E1439243 N5256208 some 635 meters west from the proposed composting location. Its location is bisected by Duck Creek. As the predominate drainage direction is towards Kokatahi River towards the south it is envisaged that there will be no adverse effects through the discharge either by the composting plant or the irrigation of the leachate to land.
22. There are no scheduled water supply values listed in Scheduled 7B of the Regional Land and Water Plan in Kotakahi.
23. A number of submitters have alluded to their water supplies being from roof water and have cited concerns over the stockpiling of some composting materials, namely the fly ash i.e. “Karbon King” due to its chemical composition including heavy metal components (in application).
24. A discussion with Dr Joe Wildy, a wastewater engineer who is familiar with composting operations, gave rise to the suggestion of minimising or even removing fly ash from the authorised waste product streams, as it wouldn’t provide any positive benefits to the composting process due to a paucity in useable carbon content, while potentially resulting in negative environmental outcomes.
25. With regard to any listed spiritual and cultural beliefs, values and uses of significance to Poutini Ngai Tahu (See Schedule 7C), within the Regional Land and Water Plan, it appears that only the Hokitika River is noted, which connects to the Kokatahi River some c.1.6 km downstream from the composting plant.

CONSULTATION

26. The applicant undertook consultation with a number of potentially affected parties including those that were identified in the “Odour assessment report associated with von Ah Contracting Composting proposal”.
27. The applicant has also consulted with representatives from Te Runanga o Ngati Waewae, Fish and Game – West Coast, and the Department of Conservation. All three parties submitted to the application with only Te Runanga o Ngati Waewae at the time of writing this report wishing to be heard.

REASON FOR CONSENT(S)

28. As detailed below, the composting activities are considered under Section 15 of the Act and Regional Plans’, namely the Regional Land and Water Plan and the Discharge to Air Plan.
29. Section 15 of the Act provides for the discharge of contaminants into the environment:

- (1) No person may discharge any—
- (a) contaminant or water into water; or
 - (b) contaminant onto or into land in circumstances which may result in that contaminant (or any other contaminant emanating as a result of natural processes from that contaminant) entering water; or
 - (c) contaminant from any industrial or trade premises into air; or
 - (d) contaminant from any industrial or trade premises onto or into land—
- unless the discharge is expressly allowed by a national environmental standard or other regulations, a rule in a regional plan as well as a rule in a proposed regional plan for the same region (if there is one), or a resource consent.

Regional Plans

Regional Land and Water Plan

30. The *West Coast Regional Land and Water Plan* (RLWP) provides regional objectives, policies and rules relating to land and freshwater management in the West Coast. The RLWP has been operative since 27 May 2014.
31. Of note is that composting is potentially a permitted activity under Rule 85 of the RLWP, however as the applicant intends to import materials largely from waste streams, as opposed to composting materials generated on the property boundary, the activity defaults to Rule 91 which is a discretionary activity.

Rule 85. Composting

The discharge of any contaminants into or onto land in connection with composting operations on production land or for or from domestic composting operations, is a **permitted activity**, provided **all of** the following conditions are met:

- (a) There is no contamination of groundwater, water bodies, or coastal water; and
- (b) Subject to condition (c), the discharge consists only of biodegradable wastes from that property;
- (c) The discharge does not contain:
 - i) Any hazardous substance or container used to store hazardous substances; or
 - ii) Any offal or carcasses; or
 - iii) Any septage or sludge; or
 - iv) Any agricultural effluent or sludge; and
- (d) There is no windblown litter from the subject property.

Explanation

This Rule applies to composting on production land and in residential areas, provided that the discharge only contains wastes generated on that property. For the purposes of this Rule, 'composting operations' refers to operations where material is collected and brought together for the purposes of making compost.

32. The discharge of compost and its leachate is potentially permitted under Rule 74 of the RLWP that provides for the discharge of fertiliser. A WCRC planner, Mr Doug Bray has provided the following commentary to its applicability.
- "There are certainly ways to both collect and reduce such leachate if it is not wanted. But it definitely would seem to have potential use as a fertiliser - and so would arguably fall under a standard definition of "fertiliser". Certainly, the definition of fertiliser in the Regional Land and Water Plan does not specifically exclude leachate or any other "by products".*
33. Within the RLWP, the definition of fertiliser means any proprietary substance specifically manufactured for use in increasing the nutrient status of land. However,

if the composting operations incorporate waste streams that are not of benefit to the process of manufacturing fertiliser and in particular the end products fertility status then consent would be required.

34. As noted above the application of fertiliser is potentially permitted pursuant to Rule 74 of the RLWP, depending on the waste streams utilised, which is copied below.

Rule 74. Application of fertiliser

Except where Rule 15 applies the discharge of fertiliser¹, into or onto land is a **permitted activity** provided that all of the following conditions are met:

- (a) There is no discernible contamination of water; and
- (b) Any drift derived from the discharge is not noxious, dangerous, offensive or objectionable beyond the target area to such an extent that it has or is likely to have an adverse effect on the environment; and

In the Lake Brunner catchment:

- (c) Phosphorus fertiliser shall not be discharged to land that is developed under Rule 15 unless it has a water solubility of less than 10%.

Explanation

In making the application of fertilisers a permitted activity, the Council recognises that the adverse effects associated with the activity are generally minor and can be controlled through the conditions imposed.

Regional Air Quality Plan

- 35. The *West Coast Regional Air Quality Plan* (RAQP) details objectives, policies and rules relating to air quality management in the West Coast. The RAQP became operative on 31 July 2002.
- 36. Rule 16, a discretionary activity of the RAQP is relevant as it provides for the discharge of contaminants into air from commercial, industrial or trade premises which are not specifically provided for by any other rule and that includes composting operations on industrial or trade premises.
- 37. Also of relevance to the composting operations are Rules 2 & 3 that provides for the discharges to air from production land as permitted activities.

RULE 2 DISCHARGES TO AIR FROM PRODUCTION LAND

Unless covered by another Rule in this Plan, the discharge of any contaminant into air arising from:

- 1. the disposal of solid contaminants into or onto land from the use of land as production land where the waste is generated on the same property; or
- 2. other on-farm processes, such as, but not limited to, silage production; or
- 3. the application of organic fertilisers such as fish wastes to land;

is a **permitted activity** provided that the following conditions are met:

- a) any discharge of odour is not noxious, dangerous, offensive or objectionable beyond the boundary of the subject property; and
- b) there is no discharge of dust beyond the boundary of the subject property.

RULE 3 STOCKPILING, CONVEYING AND HANDLING

Unless covered by another rule in this Plan, the discharge of any contaminant into air arising from the stockpiling, conveying and handling of gravel, sand, soil, rock, coal, sawdust or wood chips, is a **permitted activity** provided that the following conditions are met:

- a) there is no discharge of dust beyond the boundary of the subject property, and
- b) any discharge of odour is not noxious, dangerous, offensive or objectionable beyond the boundary of the subject property.

Advisory Notes:

This rule applies to discharges from the handling of materials to and from stockpiles and spoil dumps, including for example, sorting, loading, unloading, storage, hauling, and transportation on the site.

If an activity is unable to meet the conditions of this Rule, then it is a **discretionary activity** (See Rule 16).

- 38. With regard to dust discharge the Mote Limited report notes, *“The applicant intends to utilise a tractor drawn watercart to suppress dust. While this can be effective in controlling dust on accessways and transport corridors, it will not address the issue of dust generation associated with the turning and aeration of the compost windrows. This latter issue could potentially be managed by having regard to wind speed and direction and potentially using a water mist sprinkler system to control dust during turning and aeration operations if needed.”*
- 39. Also of note is that the applicant intends to install a weather station to ascertain wind speed and direction to provide for the management of the composting operations. Consent conditions also provide for further details pertaining to the mitigation of air discharges through a certified plan approach.

District Plan

- 40. Correspondence was entered into with Ms Sweta Kumar, a Senior Planner of the Westland District Council (WDC) who noted that the activity required consent pursuant to part 6.5(f) Odorous Activities of the current operative District Plan. The von Ah Limited application to the WDC was placed on hold pending the decision to the Regional Council's consent. Ms Kumar also noted that a joint hearing wasn't viable as it could be processed under the non-notification provisions of the Act.

NOTIFICATION

- 41. The application was limited notified on 10 October 2025, in accordance with Sections 95 and 95A-G of the Act. A notification report was prepared to assess the potential effects of the proposal and to determine the parties considered adversely affected and, therefore, required to be served notice of the application. The notification decision can be found under Council consent file RC-2025-0136.
- 42. Limited notification was served to the following identified affected parties on 10 October 2025:

Table 1 The affected parties initially served a copy of the application.

Name
Department of Conservation
Fish and Game – West Coast
Te Runanga O Ngati Waewae
Community and Public Health
Westland District Council
Adair Catherine Quaife
Adam James Wyatt
Andrew John Raeburn Austin
Andrew Nicholas Thompson
Andries Salemon Bester
Anthony Francis Murphy
Benjamin John Nilson
Charlotte Elizabeth Mitchell
Christine Mary Mahuika
Colleen Margaret Frost
David Louise Barnes
Estate of Late Martin Peter Joseph Nolan <i>Replaced by Shane Samuel Wiramua Lang & Kim McPherson</i>
Garry McShea
Hannah Mary Charlotte Hale
Helen Betty Agnew
James Ambrose O'Connor
John Larry Alloway
Kenneth Rex Hall
Kokatahi School Board
Land Information New Zealand
Maragret Ann Norrell
Martin Albert Von Ah
Ministry of Education
Monk R J & J A Family Trust
Neville Graham Monk
NWM Trustees 110 Limited
PAC Consultancy Ltd
Philip James Agnew
Phillip Shawn Mitchell
Ricky Joseph McCobb <i>Replaced by Stacey Brooke Bowden & Alexander Gerald Skelton</i>

Stephen Mark Wallace
Susan Lesley Stead
Warren William Diedrichs
Westland District Council
Westpower Limited
Z A Holdings Ltd

- *Notes to the table of affected parties: As the WCRC data base showed a number of erroneous property ownership details a number of affected parties were added during the submission period.*

43. The submission period opened on 17 October 2025 and closed on 14 November 2025.

SUBMISSIONS

44. A total of 30 submissions were received. A total number of 4 submissions were in support, 22 were in opposition and 3 were neutral.
45. Twelve submitters have indicated they wish to be heard at a hearing.
46. Late submissions were received which are detailed in the table below.

Table 2 - Summary table of submissions received.

Submitter	Submission Points	Stance / Wishes to be heard
*Adair Catherine Quaife	Airborne dust that contains Legionella bacteria.	Oppose / Yes
Andrew John Raeburn Austin & Julie Margaret Austin	Inconsistent with regional and district plans, adverse effects on the environment. The proposed conditions do not avoid, remedy or mitigate adverse effects.	Oppose / Yes
Andrew Nicholas Thompson	Odour and amenity effects. Leachate and water quality risks. Effects generated through the composting activities are not anticipated in the Small Settlement Zone. Activities are inconsistent with Regional and District planning provisions.	Oppose / Yes
Benjamin John Nilson & Stephanie Michelle Renton- Nilson	Discharge to air. Karbon King fly ash contains toxic heavy metals. Testing of drinking water from roof supply.	Oppose / No
Charles Vincent Patton and Raewyn Joanne Patton (Barrister Dean van Mierlo)	Inconsistent with regional and district planning provisions. Effects from the composting operations are more than minor and are significant. The proposed conditions do not avoid, remedy or mitigate the adverse effects of the proposal.	Oppose/ Yes
Charlotte Elizabeth Mitchell	Contamination of Duck Creek	Oppose / Yes
David & Jane Hutchison	Odour and air quality, vermin, health concerns, environmental impact, noise and traffic, property values.	Oppose / Yes
Department of Conservation	Appropriate conditions on the consent	Neutral / No
Donna Marie Haronga	Supports application	Support / No

Fish and Game – West Coast	No monitoring criteria for any discharges to Duck Creek	Neutral / No
George Christopher Tripe	Contamination of water ways and odour discharge	Oppose / Yes
Helen Betty Agnew	Remove animal carcasses from the consent. Concise conditions to windrow turning. Breach notification and consequences.	Oppose / No
Jeanna Ruth MacDonald	Not appropriate for the zone also located to a small settlement. Odour will be more than minor. No exiting successful examples in NZ of such an activity. Rights of existing residents to live in the township without significant odour. May detract from friend and family wanting to visit.	Oppose / No
Kenneth Hall	Supports the proposal	Support / No
Margareta Bishop	Too close to primary school and village.	Oppose / No
Maurice Ronald Wright	Heavy metals contaminants of land. Aquifer/bore effects. Odour discharge.	Oppose / Yes
Monk R J & J A Family Trust (Ronald John Monk)	Supports proposal.	Support / No
Te Runanga o Ngati Waewae	Effects on Kokatahi River and Duck Creek. Seeks an assessment from a suitability qualified person regarding the impacts to instream ecology/water quality.	Neutral / Yes
PAC Consultancy Ltd (Phillip and Anne Molloy)	Cannot legally apply compost leachate to grazing land. Heavy metal contamination from boiler ash. Odour discharge.	Oppose / No
Philip James Agnew	Supports proposal	Support / No
Phillip and Anne Christine Molloy	Devalue properties	Oppose/ No
Phillip Shawn Mitchell	Area not suitable for an open-air waste processing operation.	Oppose / Yes
Shane Samuel Wiramū Lang & Kim McPherson <i>(Was originally in the Estate of Late Martin Peter Joseph Nolan)</i>	Contradictions within the application makes it difficult to understand what they are actually doing.	Oppose / No
*Stacey Brooke Bowden & Alexander Gerald Skelton <i>(Replaced Ricky Joseph McCobb as owners of 11 Bowen Street)</i>	Health impacts through contaminant discharge to air.	Oppose / No
Warren William Diedrichs	Odor discharge would be carried further than the 870-metre radius.	Oppose / Yes
Peter Anthony Bishop	No positive outcomes	Oppose / No

(added later, same household as Margareta Bishop)		
Ashlee Elizabeth Speirs (added later, same household as Andrew Nicholas Thompson)	Odour discharge in proximity to school.	Oppose / No
Jacob Adam McPherson (added later, same household as Shane Wiramu Lang)	Compost piles are 200 metres from backyard. Potential odour problems. Health effects,	Oppose / Yes
Adam & Tineke Wyatt (AJ & TJ Family Trust)	DAF sludge and paunch grass highest odor risk cited in guidelines written by the Victoria State Government. Odour discharges and discharges to Duck Creek Heavy metals from fly ash may contaminate drinking water supplies. No functional need for the proposal to take place at this location.	Oppose / No

Notes to the table of submission received: as the WCRC data base showed a number of erroneous property ownership details several affected parties were added. Also as noted in the table a number of occupants provided submissions.

*Late submissions – two late submissions were received on 18 November (Tuesday) two working days after the closing date of 14 November (Friday) as summarised in the table. It is left to the hearing commissioner to determine the weight given to them.

RECOMMENDATION ON THE SUBSTANTIVE DECISION

Consideration of Applications (Section 104)

47. Section 104(1) of the RMA outlines the matters which, subject to Part 2 of the RMA, the West Coast Regional Council must have regard to in considering an application.

Actual and Potential Effects (Section 104(1)(a)) and Offsets/Compensation (Section 104(1)(ab))

48. Section 104(1)(a) of the RMA requires decision makers to have regard to the actual and potential effects of an activity.
49. The applicant's assessment of environmental effects is appropriate for the scale and nature of the activity, which I have summarised below, along with additional comments. This assessment concludes that, subject to the mitigation proposed by the applicant, the adverse effects of the proposal on the environment are acceptable and appropriately managed.

Effect 1 – Odour discharge

50. A key component to mitigating nuisance odour emissions is to maintain correct temperatures (signifying that the composting process is correctly maintained) and to ensure that the initial waste input mix is correct, particularly in terms of moisture content (40 to 50%) and to ensure adequate airflow through the windrows. The applicant notes that, if odours are present, then the windrows are turned to improve aeration. If the wind is blowing in an unsuitable direction for turning, then they are capped with bark, which works as a biofilter to contain odour.

51. The composting operation is limited to the following materials:
- Paunch Grass
 - Bark chip
 - Sawdust
 - Old bailed and silage
 - Used herd home and calf bedding (wood chips & manure)
 - Abattoir DAF Wastewater Sludge (industrial)
 - Moss fines
52. The application provides the prescribed composting processes from its collection to the final stage of sales or storage.
53. As noted previously the composting processes and analysis are in accordance with the NZS 4454:2005 New Zealand Standards for Compost, Soil Conditions and Mulches.
54. If analysis determines a limit imbalance, the material shall be recycled through the curing process until the limits are met. Once analysis indicates limits are met, then the material is screened to 20mm diameter and made available for sale.

Effect 2 – Leachate generation and surface water and groundwater contamination

55. As a resultant of the composting operations leachate will be produced through a leachate collection system that is designed to prevent any leachate from entering groundwater.
56. The normal operation of the leachate collection is a closed system with runoff entering the lined leachate pond, that will be pumped out weekly (or as needed) by a sucker truck and irrigated to land via travelling irrigator. Six monthly samples of leachate will be collected and volumes of leachate removed will be recorded.
57. The system incorporates a stormwater diversion to provide for times of high rainfall events.

Effect 3 – Irrigation of leachate

58. The applicant notes potential effects associated with the irrigation of leachate
- Spray drift from irrigations
 - Odour discharges if irrigation is conducted when the wind is blowing directly to a nearby house.
 - Ponding and surface drainage to local waterways could impact freshwater ecosystems.
 - Excessive nitrogen loadings
59. Irrigation will be conducted across the 30Ha Duck Creek Farm property. Each discharge event will be recorded to include volume and location of discharge event. Prior to each discharge event operators will check wind direction to ensure it is not blowing towards neighbours causing potential odour or spray drift does issues.
60. The applicant has alluded to multiple other land areas suitable to receive leachate, which have been identified in a further information response (dated 6 November 2024) and are listed below.
- *Duck Creek Farm 30 ha of mixed riverbed soils. Produces forage feeds maize, oats grass. And brassica crops for winter dairy grazing.*
 - *Stewart Block is 60ha and situated along the beach at Ruatapu. It produces forage feed and brassica crops for dairy grazing over winter.*

- *Singers Karens Block is 21 ha and situated along the beach at Ruatapu. It produces forage feed and an Oats grass crop for dairy grazing over winter.*
- *Airport Farm Block, situated above Hokitika, has 25 ha of pasture and 225 ha of parking ground. It produces forage feed and winter dairy grazing.*
- *Doughboy Farm 90 ha located in Kowhitirangi. Produces forage feed and winter dairy grazing.*
- *Neighbouring farms are also interested in having leachate applied to their land.*

61. As noted previously, it is possible that the subsequent discharge of the compost and its leachate could satisfy the definition of fertiliser within the Regional Land and Water Plan, thereby being potentially permitted subject to compliance with its conditions (i.e. Rule 74).

Effect 4 – Vector attraction

62. The applicant opines that the timely mixing of raw wastes and good control of water from drainage, runoff, and leaching will limit the opportunities for insect breeding and other vector attraction. Vermin traps are proposed as a backup measure.
63. Section 104(1)(ab) of the RMA also requires the decision maker to have regard to any measure proposed by the applicant to ensure positive effects to offset or compensate for adverse effects. Although I note that the applicant has proposed a number of conditions that reflect good management practices within NZS4454:2005 there are no offsets proposed.
64. Overall, I conclude that the adverse effects of the proposal are acceptable subject to the recommended conditions and will result in the positive effects identified above.

Relevant Statutory Provisions (Section 104(1)(b))

65. Section 104(1)(b) of the RMA requires the decision maker to have regard to the relevant provisions of the following documents:
- A national environmental standard;
 - Other regulations;
 - A national policy statement;
 - A New Zealand coastal policy statement;
 - A regional policy statement or proposed regional policy statement; and
 - A plan or proposed plan.
66. Of relevance to this application is also the following standard:
- NZS 4454:2005 New Zealand Standard Composts, Soil Conditioners and Mulches.

National Environmental Standards for Air Quality

67. National Environmental Standards for Air Quality (AQNES) are regulations issued under Section 43 and 44 of the RMA. These regulations became operative in October 2004. AQNES standards prescribe technical standards, methods or requirements for environmental matters.
68. The AQNES for air quality includes five ambient air quality standards for carbon monoxide (CO), fine particles of less than 10 micrometres in diameter (PM₁₀), nitrogen dioxide (NO₂), sulphur dioxide (SO₂) and ozone (O₃). These standards are summarised in the table below.

Table 3 A summary of the ambient air quality standards

Chemicals	Standards
Carbon monoxide (CO)	An ambient air quality concentration of 10 mg/m ³ (eight-hour average). One exceedance allowed in a 12-month period.
Fine particulate matter less than 10 micrometres in diameter (PM ₁₀)	An ambient air quality concentration limit of 50 µg/m ³ as a 24-hour average. One exceedance allowed in a 12-month period.
Ozone (O ₃)	An ambient air quality limit of 150 µg/m ³ (one-hour average) for O ₃ . This must be met for 100% of the time with no allowable exceedances.
Nitrogen dioxide (NO ₂)	An ambient air quality concentration limit of 200 µg/m ³ (one hour average). Nine exceedances allowed in a 12 month period.
Sulphur dioxide (SO ₂)	An ambient air quality concentration of 350 µg/m ³ (one-hour average). Nine exceedances allowed in a 12 month period. A maximum ambient air quality concentration limit of 570 µg/m ³ (one hour average). This must be met for 100% of the time with no allowable exceedances.

69. I have considered the application against the relevant ambient air quality standards as part of the assessment, and it is anticipated that the discharge will not compromise it.

National Policy Statement for Freshwater Management

Te Mana o te Wai

70. The primary policy of the National Policy Statement for Freshwater Management (NPS-FM) is that freshwater is managed in a way that gives effect to Te Mana o te Wai. The definition of Te Mana o te Wai includes the following paragraphs.

“Te Mana o te Wai is a concept that refers to the fundamental importance of water and recognises that protecting the health of freshwater protects the health and well-being of the wider environment. It protects the mauri of the wai. Te Mana o te Wai is about restoring and preserving the balance between the water, the wider environment, and the community.”

71. The approach for implementing Te Mana o Te Wai is prescribed in section 3.2 of the NPS-FM. Fundamental to this approach is that the Council must engage with communities and tangata whenua to determine how Te Mana o Te Wai applies to water bodies and freshwater ecosystems in the West Coast through the Plan development process. The WCRC is still in the process of this plan development engagement, however, the West Coast Regional Council must still have regard to the policy when considering each application.

In having regard to the policy, Te Runanag o Ngati Waewae have been served a copy of the application and choose to submit to it with the desire of being heard.

Wetlands

72. Clause 3.22 of the NPS-FM is relevant if the activity will result in a loss of extent and/or values of natural inland wetlands.
73. In this case, the proposal will not result in a loss of wetland extent and/or values.

Rivers

74. Clause 3.24 of the NPS-FM is relevant if the activity will result in a loss of river values. It is quoted below.

“The loss of river extent and values is avoided, unless the council is satisfied:

- (a) that there is a functional need for the activity in that location; and*
- (b) the effects of the activity are managed by applying the effects management hierarchy.”*

- 75. In this case, the proposal does not result in a loss of river values.
- 76. There are no losses of extend or values of any waterbody. Any adverse effects would be avoided and mitigated by such things as treatment, standards/limits, minimum flow restrictions, and operating in line with management plans.
- 77. There will be no residual adverse effects that are more than minor, therefore no aquatic offsetting or compensation is required.

Regional Policy Statement for the West Coast

- 78. The Regional Policy Statement for the West Coast (RPS) contains a number of provisions which are relevant to the application(s). However, as the RLWP and RAQP gives effect to the RPS, the majority of these policies are refined and expanded on in the RLWP and RAQP, which are discussed below.
- 79. Perhaps the most pertinent policy within the RPS is contained within Chapter 20 Air Quality, that provides for an anticipated environmental result of ensuring discharges are at acceptable levels and in accordance with nationally recognised guidelines and standards, thereby enabling resource use and development to occur for people’s social, cultural and economic wellbeing.

West Coast Regional Land and Water Plan

- 80. Provisions of the RLWP that are particularly relevant to the activity are summarised in Table 4 below. The RLWP gives effect to the RPS.

Table 4: Assessment of particularly relevant RLWP provisions

Provision Reference	Provision	Assessment
Section 2 – Poutini Ngāi Tahu/Ngāi Tahu Perspective		
2.7 – 2.14	Kaitiakitanga, Mauri, Mahinga Kai, cultural importance and management of water, Poutini Ngai Tahu objectives and significance.	Te Runanga o Ngati Waewae have been consulted by the applicant and have elected to submit to the application. It is anticipated that consent conditions will be implemented through consultation with iwi.
Section 3 – Natural and Human Use Values		
O. 3.2.1, 3.2.2, 3.2.3 P. 3.3.1, 3.3.7, 3.3.8, 3.3.10, 3.3.11	Provides for the sustainable use and development of land and water resources while protecting water for its characteristics and promoting the engaging with Poutini Ngai Tahu.	
Section 4 – Land Management		
O.4.2.1 P.4.3.1, 4.3.2, 4.3.9	To promote land management being undertaken in accordance with industry best practice to minimize the leaching of nutrients.	
Section 8 – Surface Water Quality		
O.8.2.1 P.8.3.1	To management the receiving water bodies for aquatic ecosystem purposes (Class AE)	Class AE Water (being water managed for aquatic ecosystem purposes) (1) The natural temperature of the water shall not be changed by more than 3° Celsius. (2) The following shall not be allowed if they have an adverse

Provision Reference	Provision	Assessment
		effect on aquatic life: (a) Any pH change: (b) Any increase in the deposition of matter on the bed of the water body or coastal water; (c) Any discharge of a contaminant into the water. (3) The concentration of dissolved oxygen shall exceed 80% of saturation concentration (4) There shall be no undesirable biological growths as a result of any discharge of a contaminant into the water.
P.8.3.5, 8.3.6, 8.3.7	To discharge contaminants in a fashion that supports its natural and human use values. Mixing zones applicable to consent conditions. Consideration of the duration of the consent with regard to the water quality class.	Consent conditions include monitoring of the waterbodies that emanate here. Mixing zones are applicable as the monitoring points are at the property boundaries.
8.3A.1	Extent to which the discharge would avoid contamination and the avoidance of adverse effects.	The discharges will largely be undertaken when the soils have the ability to assimilate the leachate, thereby minimizing the potential for surface water contamination.
Section 10 – Groundwater		
O.10.2.1, 10.2.3 P. 10.3.1,	To avoid groundwater contamination in hydraulically linked surface water bodies.	The applicant will construct a storage facility for composting leachate that is constructed in accordance to recognized practices to minimize any groundwater percolation effects and to capture stormwater during rainfall events.
Section 12 – Agricultural Contaminants		
O.12.2.1 P.12.3.1, 12.3.2, 12.3.3	To avoid adverse effects from the discharge of agricultural contaminants. To promote land management practices that minimize effects on surface and groundwater of runoff and leachate through the management of riparian margins and applying at rates which are appropriate to site and weather conditions.	Consent conditions provide restrictions on the irrigation depth and the total annual permissible volumes based on nitrogen rates. Soil sampling is also stipulated within the proposed consent conditions providing an insight to the accumulation of any metals within the compost.
Section 13 – Liquid Contaminants		
O. 13.2.1 P. 13.3.1	To ensure that the discharge does not exceed the ability of the land to assimilate the contaminant and does not result in soil contamination.	The applicant will only irrigate when the soil is unsaturated and has the ability to assimilate the leachate.

81. I have had regard to the relevant provisions of the RLWP as outlined in Table 4 above. Based on this assessment, I conclude that the application is consistent with or not contrary to the overall intent of the relevant provisions of the Plan.
82. In assessing these provisions, I have considered the relative weighting of policies, particularly where there may be conflicting or contrary policies and concluded that the application is consistent with or not contrary to it.

West Coast Regional Air Quality Plan (RAQP)

83. Provisions of the RAQP that are particularly relevant to the activity are summarised in Table 5 below. The RAQP gives effect to the RPS.

Table 5: Assessment of particularly relevant RAQP provisions

Provision Reference	Provision	Assessment
Chapter 5 – Information of Air Quality		
O.5.3.1 P.5.4.1	To adopt ambient guidelines for the West Coast.	
P.5.4.2	To develop and implement an air quality monitoring programme.	
P. 5.4.3	To develop ambient air quality guidelines specific to the West Coast Region for the protection of human and environmental health and amenity value based on P.5.4.2.	
Chapter 6 - Odour		
O.6.3.1	Protection of human health and areas of cultural and amenity value from the adverse effects of odour discharges	
P.6.4.1	To avoid or mitigate any adverse effects on amenity values or human health arising from the discharge of offensive or objectionable odour, through consideration of the following: • Good management practices (including the use of codes of practice) and process technology, to minimise odorous contaminants; • Appropriate control technologies to reduce the emission of odorous contaminants; • Buffer zones and site planning mechanisms.	The applicant has employed a number of recommendations made in the Mote report and recognised management practices within the NZS 4454:2005 standards. These include a weather station to provide for compost turning during suitable wind directions and strengths, the monitoring of the compost composition particularly for C/N ratios and the strategic placing of thermometers within the compost windrows.
P.6.4.2	The Regional Council will have regard to the following factors in the management of odour: • Frequency of the odour; • Intensity of the odour; • Duration of the odour; • Offensiveness of the odour; • Location of the odour.	It is anticipated that WCRC compliance staff will be proficient in the monitoring and reporting of odour in accordance with P.6.4.2. and national guidelines.
Chapter 7 – Dust		
O.7.3.1	The protection of human health, property, structures and ecosystems from the adverse effects of discharges of dust to air.	
P.7.4.1	Adverse effects of the deposition of dust will be avoided, remedied, or mitigated by ensuring that any discharge of dust does not occur at a volume, rate or in a manner that could cause an offensive or objectionable effect, including the significant restriction of visibility or the soiling of property.	
P.7.4.2	Adverse effects of suspended dust will be avoided, remedied, or mitigated by ensuring that any discharge of dust does not occur at a volume, rate or in a manner that could cause an offensive or objectionable effect, including the impairment of human health.	It is recommended to remove fly ash from the composting waste streams, as it will actually provide any positive outcomes to it has the ability to contaminate drinking water supplies from the stockpiling of it.
P.7.4.3	In assessing offensive or objectionable effects from discharges of dust, the Regional Council will take into account the following factors: • Frequency of dust discharges;	It is anticipated that WCRC compliance staff will be proficient in the monitoring and reporting of dust

Provision Reference	Provision	Assessment
	- Intensity of dust discharges; - Duration of dust discharges; - Offensiveness of the odour; - Extent of dust discharges (suspended and deposited); - Location of dust discharges.	in accordance with P.7.4.3 and National guidelines.
P. 8.5.4	The Council will educate and promote alternatives to burning of domestic rubbish, such as composting.	

84. I have had regard to the relevant provisions of the RLWP as outlined in Table 5 above. Based on this assessment, I conclude that the application is consistent with or not contrary to the overall intent and relevant provisions of the Plan.

Part 2 – Purpose and Principles

85. The Court of Appeal considered the application of Part 2 under section 104 in *R J Davidson Family Trust v Marlborough District Council*¹. That decision found it is necessary to consider Part 2 in making decisions on consent applications, where it is appropriate to do so. Whether it is "*appropriate*" depends on the planning documents in question.
86. The Court of Appeal stated that consent authorities should continue to undertake a meaningful assessment of the objectives and policies of the relevant plan. Where those documents have been prepared having regard to Part 2 of the RMA, and with policies designed to achieve clear environmental outcomes, consideration of Part 2 is not likely to be necessary as "*genuine consideration and application of relevant plan considerations may leave little room for Part 2 to influence the outcome*". The consideration of Part 2 is not prevented, but it cannot be used to justify an application that is otherwise not supported by objectives and policies.
87. In light of this judgment, Part 2 of the RMA is required to be considered when determining an application for resource consent, but the objectives and policies still hold significant weight, and in most cases (unless the plan has not been prepared in accordance with Part 2), will largely be determinative unless the West Coast Regional Council has doubt as to whether the planning documents have been prepared in a manner that appropriately reflects Part 2.
88. In this case I am satisfied that, with respect to the activity being considered, the policy documents give effect to Part 2. I have therefore made no specific Part 2 assessment.

Determination of Application

89. Having had regard to those matters specified in Section 104(1) [and Section 105(1)], it is then necessary to consider those matters relevant to determining the application, as determined by its status.

Determination of Applications for Discretionary Activities (Section 104B)

90. In accordance with Section 104B of the RMA, after considering an application for a resource consent for a **discretionary activity**, a West Coast Regional Council:

¹ *R J Davidson Family Trust v Marlborough District Council* [2018] NZCA 316, [2018] 3 NZLR 283.

- (a) *May grant or refuse the application; and*
- (b) *If it grants the application, may impose conditions under section 108 of the RMA.*

Consideration of activities affecting drinking water supplies (Section 104G)

- 91. Section 104G of the RMA requires consent authorities to have regard to:
 - a. *The actual or potential effect of the proposed activity on the source of a registered drinking water supply; and*
 - b. *Any risks that the proposed activity may pose, that are identified within a source water risk management plan.*
- 92. I have had regard to the above matters and note that there is no source for a registered drinking water supply which is likely to be affected by the proposed activity.

Matters Relevant to Certain Applications (Section 105(1))

- 93. In addition to the matters in Section 104(1) of the RMA, Section 105(1) also requires decision makers to have regard to the following matters for applications for that would contravene Section 15 or Section 15B of the RMA:
 - 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.
- 94. I have had regard to the above matters and note that the adverse effects of the discharge are acceptable. It is noted that consent conditions provide for monitoring of the receiving water bodies providing for an adaptive management approach to the mitigation methods.

Restrictions on Grant of Certain Discharge Permits (Section 107)

- 95. Under Section 107(1) of the RMA a West Coast Regional Council shall not grant a resource consent for the discharge of a contaminant into water, or onto or into land, if after reasonable mixing the discharge is likely to give rise in the receiving waters to:
 - a. The production of conspicuous oil or grease films, scums, foams, floatable or suspended material;
 - b. Any conspicuous change in the colour or visual clarity;
 - c. Any emission of objectionable odour;
 - d. The rendering of fresh water unsuitable for consumption by farm animals;
 - e. Any significant adverse effects on aquatic life
- 96. I consider that the discharge will not give rise to any of the effects specified in Section 107(1), and therefore the resource consent may be granted.

Overall Recommendation on Decision

- 97. Having had regard to those matters in Section 104 and Section 105, and that consent is able to be granted in accordance with Sections 104, 104B, and 107 of

the Act, I recommend granting the resource consent subject to the conditions and duration recommended below.

Conditions of Resource Consent (Section 108)

98. Section 108 of the RMA enables the West Coast Regional Council to impose conditions subject to those restrictions specified in Section 108 and Section 108AA.
99. In my opinion, the consent conditions I have recommended (as specified in Appendix 1) are reasonably necessary to avoid, remedy or mitigate adverse environmental effects and to ensure that the nature and scale of the activity is consistent with the application and the assessment of environmental effects presented.
100. The conditions reflect good composting practices and procedures contained within the NZS 4454:2005 standards, which include a weather station to provide for compost turning during suitable wind directions and strengths, the monitoring of the compost composition particularly for C/N ratios and the strategic placing of thermometers within the compost windrows.
101. Monitoring requirements of Duck Creek, the leachate receiving soils and the compost itself are also stipulated within the conditions, also there are restrictions on the composting materials and its annual quantities and the reporting of it including the areas receiving leachate.
102. It is noted that the conditions proffered within this report may be amended after expert review which will be presented at the hearing.

Reasons for Recommended Decision (Section 113(4))

103. The reasons for the decision I have recommended are detailed in this report. However in summary, they are:
 - a) Granting the application is consistent with National Policy Statements, the RPS, Regional Plans and consistent with the purpose and principles of the RMA; and
 - b) Undertaking the activity in accordance with the conditions recommended is unlikely to cause any significant adverse effects on the environment.

Duration (Section 123)

104. Section 123 of the RMA details the possible durations of resource consent. The applicant has sought a consent duration of 20 years.
105. Due to the relative uncertainty associated with the composting activities in this environment and its potential volatility if not managed correctly the recommended term has been truncated to 10 years.
106. In considering an adequate consent duration, I have had regard to the following factors developed through case law that are relevant to the determination of the duration of a resource consent²:
 - a. The duration of a resource consent should be decided in a manner which meets the RMA's purpose of sustainable management;
 - b. Whether adverse effects would be likely to increase or vary during the term of the consent;

² *Ngati Rangi Trust v Genesis Power Ltd* [2009] NZRMA 312 (CA); *Genesis Power Ltd v Manawatu-Wanganui Regional Council* (2006) 12 ELRNZ 241, [2006] NZRMA 536 (HC); *Royal Forest and Bird Protection Society of New Zealand Inc v Waikato Regional Council* [2007] NZRMA 439 (EnvC); *Curador Trust v Northland Regional Council* EnvC A069/06.

- c. Whether there is an expectation that new information regarding mitigation would become available during the term of the consent;
 - d. Whether the impact of the duration could hinder implementation of an integrated management plan (including a new plan);
 - e. That conditions may be imposed requiring adoption of the best practicable option, requiring supply of information relating to the exercise of the consent, and requiring observance of minimum standards of quality in the receiving environment;
 - f. Whether review conditions are able to control adverse effects (the extent of the review conditions proposed is also relevant bearing in mind that the power to impose them is not unlimited);
 - g. Whether the relevant plan addresses the question of the duration of a consent;
 - h. The life expectancy of the asset for which consents are sought;
 - i. Whether there was/is significant capital investment in the activity/asset; and
 - j. Whether a particular period of duration would better achieve administrative efficiency.
107. Therefore, taking the above reasonings and policy guidance into consideration, I consider a duration of 10 years is appropriate for this application.
108. The recommended conditions also provide for occasional reviews of the consent conditions in line with standard catchment dates.

Lapsing of consent (Section 125)

109. A resource consent lapses five years after commencement unless it is 'given effect to', or another date is specified in the consent. The 'default' lapse period of five years is considered appropriate in this case. In simple terms, this means that the consent must be exercised within this period.

Recommended by:



Date: 29 January 2026

Name:

Tony Ridge
Senior Consents Officer

Reviewed by:



Date: 29 January 2026

Name:

Selva Selvarajah Technical Advisor Regulatory & Policy
West Coast Regional Council

APPENDIX 1 – RECOMMENDED CONDITIONS

PURPOSE OF RESOURCE CONSENT

Consent No	Consent Type	Activity / Location
RC-2024-0136-01	Discharge Permit	To discharge contaminants (namely odour and dust) to air from a composting operation.
RC-2024-0136-02	Discharge Permit	To discharge contaminants to land in circumstances where they may enter water associated with a composting operation.
RC-2024-0136-03	Discharge Permit	To discharge contaminants from composting leachate to land by irrigation to land in circumstances where they may enter water.

LOCATION

1047 Kaniere-Kowhitirangi Road, Kotatahi – Lot 2 DP 1946 and Lot 2 DP 574750

MAP REFERENCE

At or about NZTM: E1439063 N5255590

CONDITIONS

Pursuant to Section 108 of the Resource Management Act 1991, the Resource Consents include the following conditions:

General Conditions Applying to All Consents

1. The discharges must be carried out in general accordance with the details contained in the consent application submitted to the West Coast Regional Council, except where inconsistent with these conditions.
2. Any person working under this consent must have a copy of the consent conditions on site and present it to an officer of the West Coast Regional Council upon request.
3. The Consent Holder must ensure that the following effects do not occur beyond the property boundary:
 - a. Any discharge of particulate matter or deposition of particulate matter on any land or structure is not objectionable beyond the property boundary; or
 - b. Any discharge of odour is not noxious, dangerous, offensive or objectionable beyond the property boundary.

Advice Note: *The site is defined as the property boundary is legally identified as Lot 2 DP 1946 BLK IX Kaniere SD and Lot 2 DP 574750.*

4. The discharge beyond the property boundary must not result in non-compliance of the Resource Management (National Environmental Standards for Air Quality) Regulations 2004.
5. The Consent Holder must record any complaints it receives in complaints register which details those complaints, onsite causes for the complaints, the weather conditions at the time of the complaint and the action(s) taken to address the complaint and prevent it from reoccurring. A copy of the complaints register must be provided to the West Coast Regional Council within 15

working days of the complaint being received or upon request by the West Coast Regional Council.

6. Pursuant to Section 128 of the Resource Management Act 1991, the West Coast Regional Council may review the conditions of this consent by serving notice within a one month period of each anniversary of the date of commencement of the consent for any of the following purposes:
 - a. To deal with any adverse effect on the environment which may arise from the exercise of this consent and which it is appropriate to deal with at a later stage; or
 - b. To require the Consent Holder to adopt the best practicable option to remove or reduce any adverse effect on the environment; or
 - c. To comply with the requirements of a Regional Plan.

Specific Conditions Applying to RC-2024-0136-01 (Discharge to air from composting operations including odour and dust)

7. The discharge to air must not cause an odour which is offensive or objectionable beyond the boundary of the property on which this consent is exercised.
8. The raw materials used in the manufacture of compost must be limited to the items listed in Table 1 below:

Table 1 – Feedstock

Feedstock	Annual limit (tonnes)
Paunch Grass	500
Bark Chip / Sawdust / Old bailing and silage / Used herd home and calf bedding (wood chips & manure)	Cumulative total of 3000
Abattoir DAF Wastewater Sludge (industrial)	500
Moss fines	100

9. The total amount of raw material received on the site to produce compost must not exceed 4,100 tonnes per year.
10. The Consent Holder must ensure that where possible, compost operations (such as turning of windrows) is undertaken at times which are least likely to cause objectionable odour effects on neighbours, with consideration given to wind speed and direction.
11. Prior to first exercise of this consent, the Consent Holder must ensure installation and maintenance of an electronic data logging weather station by a suitably qualified and experienced person in an unobstructed central location on the site to record weather

conditions on-site and for the purposes managing composting and composting process and assessing the need for mitigation measures against objectionable odour emissions and to inform the Compost Site Management Plan (CSMP) review.

Resource consent conditions during compost pasteurisation phase

12. The ratio of C:N (carbon to nitrogen) within the composting organic mixture must be maintained within the range of 25:1 to 35:1 at the start composting.
13. The Consent Holder must ensure that the compost windrow temperature is greater than or equal to 55 degrees Celsius for a minimum of 15 consecutive days and that the windrows are turned at least 5 times during this period.
14. The Consent Holder must ensure that the compost windrow oxygen concentration is always greater than 10%.
15. The Consent Holder must ensure that the moisture content within the compost windrow is maintained between 45% and 60%.
16. The Consent Holder must ensure that the pH of the compost windrow is maintained between 6.5 and 8.
17. The Consent Holder must monitor and record the operational parameters referred to in Conditions 12 - 16. This information must be made available to the West Coast Regional Council upon request or when non-complying with conditions 12-16 with reasoning and remedies to comply with conditions which must include:
 - a. Daily visual and olfactory assessment of the condition of the compost windrows.
 - b. Daily monitoring of temperature using a sampling temperature probe with an accuracy of +/-0.5 degrees Celsius.
 - c. Daily monitoring of oxygen concentration at a depth of at least 200mm inside the windrow using an oxygen sampling probe with a minimum accuracy of +/- 1%.
 - d. Twice weekly monitoring of the moisture content as measured using Appendix F of New Zealand Standard 4454:2005 Composts, Soil Conditioners and Mulches.
 - e. Fortnightly monitoring of pH using Appendix A of New Zealand Standard 4454:2005 Composts, Soil Conditioners and Mulches.

Resource consent conditions during compost maturation phase

18. During the composting maturation phase the Consent Holder must measure the temperature, moisture content, and oxygen level twice weekly. This information must be recorded and made available to the West Coast Regional Council upon request.
19. The Consent Holder must maintain records of any odour or dust complaints received and provide these to the West Coast Regional Council on request.
20. The complaint records required by Condition 19 of this resource consent must include:

- a. Name and location/address and telephone number of complainant when odour/dust is detected (if provided);
- b. Date and time of the odour/dust detection;
- c. Weather conditions, including wind direction and speed at the composting facility when odour/dust detected;
- d. Intensity, duration and offensiveness of the odour/dust complained of;
- e. Any possible cause for the odour/dust complained of; and
- f. Any corrective action taken.

Other matters

- 21. Twenty working days prior to exercise of this consent, the Consent Holder must prepare and submit to the West Coast Regional Council, a Composting Site Management Plan (CSMP) for approval that it complies with the requirements of this consent. The composting operation must be managed in accordance with this plan, and a copy must be always held onsite by the operator.

The plan must include, but not be limited to, the following:

- a. Describing measures to be undertaken to achieve compliance with the conditions of this consent;
 - b. A detailed description of the compost operation, including hours of operation;
 - c. Acceptable raw material, unacceptable raw material, site access and security; and
 - d. A description of activities or operations that may generate odour and/or dust, and measures in place to avoid, remedy or mitigate those discharges; and
 - e. A description of how the leachate and stormwater collection system will operate, including when and how collected leachate will be pumped onsite back over the windrows and/or off site for disposal to land; and
 - f. The means of receiving, recording in writing, and dealing with any complaints; and
 - g. A list of site management structure and responsibilities; and
 - h. A list of afterhours contact details in case of any emergency of problems; and
 - i. Contingency plans in the event of system malfunctions or breakdowns; and
 - j. Procedures for effective pasteurisation of compost in accordance with Appendix K of New Zealand Standard 4454:2005; and
 - k. Monitoring programme for airborne spores/pathogens and dust.
- 22. The CSMP must be reviewed once every two years or as requested by the West Coast Regional Council, and updated as required, and the outcome of the review and any update, must be provided in writing to the West Coast Regional Council. At all times, the Consent Holder must

ensure that the West Coast Regional Council has a copy of the most recent version of the CSMP.

Specific Conditions Applying to RC-2024-0136-02 and RC-2024-0136-03 (Discharge from composting and leachate irrigation)

23. Upon the anniversary date (12 months) from the commencement of these consents, and at annual intervals thereafter, the Consent Holder must supply the West Coast Regional Council with the following information:

A detailed scale plan or aerial photograph showing:

- (i) The locations of the areas receiving the compost leachate within the last 12 months together with the quantities discharged;
 - (ii) Locations of any natural watercourses in proximity to compost leachate discharged.
24. The Consent Holder must ensure that stormwater is diverted away from any Compost stockpile location(s) and any discharge from the Compost stockpile(s) are contained to ensure that neither the discharge nor any contaminants arising from the stockpile(s) are able to enter any surface water body, including a drain.
25. The Consent Holder must not discharge compost leachate within:
- i) 20 metres of any river, creek or stream;
 - ii) 20 metre of any drain with flowing water;
 - iii) 50 metres of any well or bore used for potable water supply.
26. The Consent Holder must ensure that
- (a) There is no visible runoff of compost leachate into surface water bodies or drains;
 - (b) There is no ponding or visible surface flow of effluent, or pasture burning; and
 - (c) The cumulative application rate of compost leachate is at a rate not exceeding the equivalent of 200kg compost leachate total-nitrogen/ha/year and must not exceed 20mm in depth per application.
 - (d) For the purpose of compliance with condition 26(c), the consent holder must provide annual report to West Coast Regional Council including the calculations of total-N concentrations and compost leachate volumes applied on a hectare basis.

27. The Consent Holder must provide a report to the West Coast Regional Council annually together with the information required under Condition 21 and the sampling under Condition 28, this report must include annual sampling in accordance with the New Zealand Standards for Composts, Soil Conditions and Mulches as contained in Table 3.1 for Physical, Chemical and Biological Requirements.

28. Notwithstanding Condition 27, at monthly intervals for no less than a contiguous 12-month period from the date of commencement and upon written request from the West Coast

Regional Council thereafter, the Consent Holder must undertake sampling at the following sampling points, for the following sampling parameters and for the duration stipulated within the request (i.e. if required after 12 month of sampling):

Sampling Points

- a) Point A – at or about NZTM E1439310 N5255665 Duck Creek (U/S);
- b) Point B – at or about NZTM E1439181 N5255852 Duck Creek (D/S);
- c) Point C – at or about NZTM E1439140 N5255365 unnamed tributary (U/S);
- d) Point D – at or about NZTM E1439112 N5255853 unnamed tributary (D/S); and
- e) Point E – The Compost Leachate within the collection pond.

Sampling Parameters

- BOD₅;
- Suspended Solids;
- *E. Coli*;
- Ammoniacal-Nitrogen;
- Total Nitrogen;
- Dissolved Reactive Phosphorus (DRP);
- Total Phosphorus.

Sampling Requirements

The sampling required under the request must only be undertaken.

On each separate occasion where sampling is carried out it must be undertaken as follows:

- a) A suitably qualified person must carry out sample collection;
 - b) Analysis must be undertaken by an accredited laboratory;
 - c) Photographs must be taken of the discharge and sampling points;
 - d) Sampling and taking photographs must be at approximately the same time of day.
29. Results from the sampling and the photographs required by Condition 28 must be forwarded to the West Coast Regional Council within 10 days of the results of each sampling occasion being received by the Consent Holder. The time of day the samples were collected and the photographs taken must be included with the results.
30. The discharge must not cause the natural (background) water quality of Point A or Point C as measured at Point A, to fall below the following standards at Point B:
- a) The BOD₅ must not be increased by more than 5 mg/L;
 - b) The concentration of *E. Coli* must not be increased by more than 1000 per 100 ml; and
 - c) The concentration of ammoniacal-nitrogen must not be increased by more than 0.03 mg/L.
31. Notwithstanding Condition 30, the discharge of compost leachate must not result in the following effects within any receiving water body at or beyond 200 metres of the discharge point:
- a) The production of any conspicuous oil or grease films, scums or foams, or floatable suspended materials;
 - b) Any conspicuous change in the colour or visual clarity;
 - c) Any emission of objectionable odour;
 - d) The rendering of fresh water unsuitable for consumption by farm animals;
 - e) Any significant adverse effects on aquatic life.

32. Notwithstanding Condition 28, any areas receiving any compost leachate discharge as identified in condition 23 within the previous 12 months shall be monitored for soil quality in accordance with the attached table titled "**Annexure 1 RC-2024-0136 Soil Monitoring Regime for Approved Organic Biomass Land Application**".
33. The Consent Holder shall provide a report to the West Coast Regional Council annually together with the information required under Condition 27, this report shall also include the results together with an explanation of the monitoring required under Condition 32, which includes a comparison with the New Zealand Water and Wastes Association (NZWWA) guidelines for post remediated maximum soil contaminant concentrations listed in the attached table titled "**Annexure 2: RC-2024-0136 Contaminant Monitoring Parameters**".
34. The Consent Holder must provide the West Coast Regional Council with any further information, which the West Coast Regional Council may reasonably request after reviewing the results of its monitoring under Condition 7 within one month of the request being made or at a later date subject to the West Coast Regional Council's written agreement.

TERM

The term of this consent is 10 years from the date of commencement.