

Environmental Scoping Study

AFFCO New Zealand Ltd, Wairoa

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1 Summary

The purpose of this scoping report is to describe the current situation with regard to the environmental effects of the AFFCO New Zealand Ltd, Wairoa (AFFCO Wairoa) activity. This includes the identification of the resource consents currently held by AFFCO Wairoa, the level of compliance with those consents based on monitoring data, and any other effects on the North Clyde environment that may be occurring as a result of activities on-site and if these are being adequately addressed. This scoping report will then inform the wider North Clyde Strategy that is being prepared concurrently.

From a review of on-site activities, AFFCO Wairoa achieves general compliance with relevant District and Regional planning requirements. All discharge and water takes are subject to regional consents from Hawke's Bay Regional Council, and as such are subject to comprehensive consent conditions and regular monitoring requirements to ensure compliance.

The operation is subject to regular scrutiny (in addition to environmental regulations, AFFCO are also regularly audited by the USDA and EU, and are ISO 9002 certified and HACCP approved by the Ministry of Primary Industries). Over time, AFFCO Wairoa has progressively implemented (and continues to implement) measures in an attempt to respond to and address any significant adverse effects of its activities on the natural environment and on neighbouring residents.

Key recommendations for AFFCO Wairoa are:

- 1) To continue to achieve compliance with its regional consents.
- 2) To continue to identify opportunities, and implement technological and site management improvements, that result in on-going improvements in overall environmental performance.
- 3) To participate in any community advisory group that may be established to facilitate positive relationship building between local businesses and the residents of North Clyde.

2 Scoping Report Methodology

This scoping report has been developed using information obtained from a site visit held on the 29th January 2013 accompanied by the Plant Manager – Dean Tucker, data sourced from both Wairoa District Council and Hawke's Bay Regional Council, a broad desktop assessment, and input from Wairoa District Council's Environmental Health Officer.

It is important to note that although this report has sought to provide an accurate representation of the operation's activities, it is not a comprehensive environmental impact assessment. *Of particular note, AFFCO Wairoa discharges to the River were purposely excluded from this scoping exercise, as these are predominantly of ecological and water quality importance, and of less relevance in terms of impacts on neighbouring amenity (the latter being the primary focus of the overall strategy for 'North Clyde').*

3 Site Description

3.1 Business Details

AFFCO is the supplier of premium meat products (including chilled and frozen beef, lamb, mutton, goat and pork cuts) to the New Zealand domestic market and to more than 70 countries internationally. There are 9 AFFCO operations located around New Zealand with one being located in the Industrial Zone in Wairoa. The Wairoa site was incorporated into AFFCO's operation in 1990, following the purchase of the North Island assets of Waitaki International. The site is considered to be strategically located between Napier and Gisborne giving a large land base from which to draw livestock for slaughter. It is one of the largest plants in New Zealand. The current Plant Manager is Dean Tucker.

AFFCO undertake slaughter and processing techniques to comply with cultural needs, such as Halal processing and are regularly audited by the USDA and EU. AFFCO Wairoa operate under a Risk Management Program approved by the Ministry of Primary Industries.

The AFFCO Wairoa operation is located on the northern fringe of North Clyde, and borders a largely residential area to the south and local recreation grounds (War Memorial Park), with rural land use surrounding the other boundaries of the site. A short distance north of the site, on State Highway 2, lies 'Taihoa Marae'.

The site is accessed from both Hunter Brown Street to the south and State Highway 2 to the north. The site also abuts the Wairoa River on the river's northern banks, with an intervening strip of esplanade reserve following the bank edge.

According to Dean Tucker (Plant Manager), AFFCO Wairoa employs over 600 workers (some of whom live in North Clyde) with the plant operating 10-11 months of the year. During peak times, the plant operates on 2 shifts, 5 or 6 days per week.

3.2 Site Details

Physical address: Hunter Brown Street, Wairoa

Site area: 21.1446 ha

Legal description: Part Lot 2 DP3286, Lot 1 DP13699, Lot 2 DP13699, Lot 1 DP 3827, Lot 2 DP3183 and Lot 1 DP3435.

Additional lots referred to in resource consents:

Lot1 DP13699, Lot 11 DP12092, Lot 80 DP1584, Lot 1 DP 3901, , Secs 10R,11R,12R Blk 2, Lot 2 DP3183, Lot 2 DP16841, Lot 1 DP3435 Clyde SD, PT Lot 2 DP3286, PT Lot 2 DP3286, Lot 1 DP3901, Survey District (SO4313), Sec 11R Blk 2 Clyde Survey District (SO 4313), Sec 12R Blk 2 Clyde Survey District (SO4313), Sec 15 Blk 2 Clyde Survey District (SO4313).

3.3 Applicable District and Regional Plans

The following section outlines the applicable district and regional plans and the specific sections of each plan that apply to the AFFCO Wairoa site. A detailed assessment of the AFFCO Wairoa site against the relevant sections of each plan are discussed further in section 7.1 below.

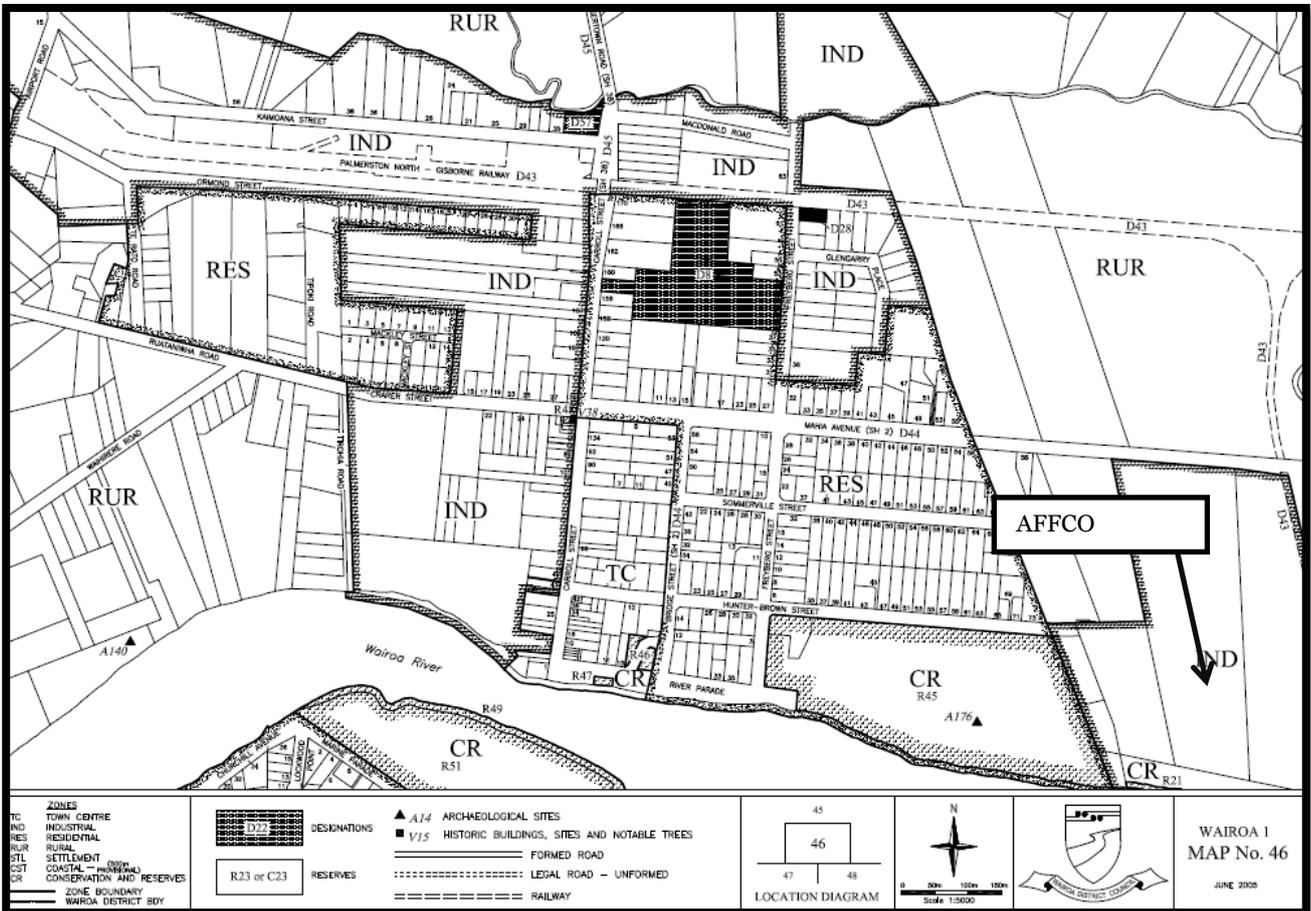
3.3.1 Wairoa District Plan

The AFFCO Wairoa yard is located entirely within the Industrial Zone in the Wairoa District Plan, and adjoins areas of residential, rural and conservation/reserve zoned land – see planning map Figure 1 below.

The objectives and policies of the Industrial Zone aim to provide for the establishment of industry in this area, whilst avoiding, remedying or mitigating adverse effects on the environment and on the amenity values of surrounding areas (particularly where sites adjoin the Residential Zone).

The District Plan provides for any activity to locate in the Industrial Zone provided it can meet the Industrial Zone performance standards for permitted activities.

Permitted activity performance standards in the Industrial Zone include noise limits, odour & glare standards, building setbacks, parking and loading requirements, signage limits, hazardous substance thresholds, building freeboard requirements in flood prone areas, and earthworks limits.



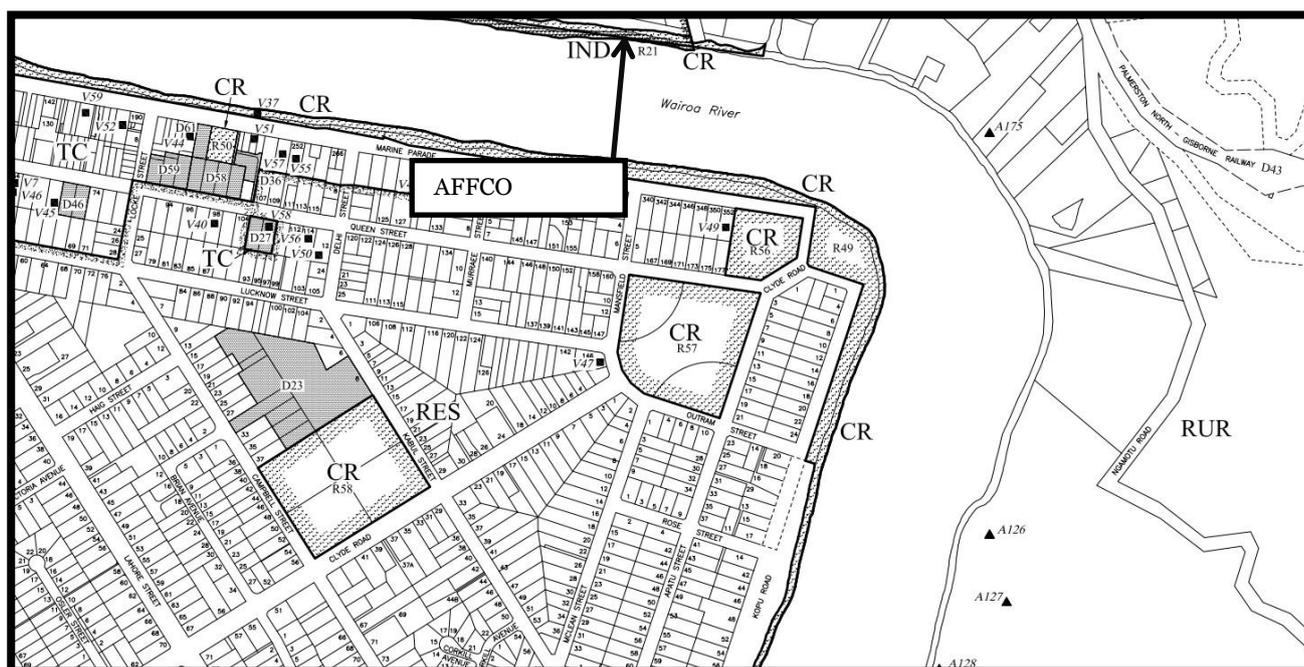


Figure 1 & 2 – location of AFFCO on Wairoa District Council Planning Maps

3.3.2 Hawke’s Bay Regional Resource Management Plan (RRMP)

The Hawke’s Bay Regional Resource Management Plan applies to the AFFCO Wairoa site. This Plan addresses matters such as odour, dust, and discharges to land and water and the way in which AFFCO Wairoa need to manage their site in relation to these matters.

AFFCO Wairoa has the appropriate number of resource consents with Hawke’s Bay Regional Council from the operation of the company’s meat processing operation, including the following processes:

- *Products of combustion from a 15 MW coal fired boiler*
- *Fellmongery*
- *Effluent treatment plant*
- *Rendering plant*
- *General associated operations to those above’.*

These regional consents address:

1. Discharges of contaminants into the air;
2. Discharges of contaminants to water; and
3. Water take to supply non-potable water.

In terms of ‘amenity’-related issues, the regional consent of particular interest is the discharge of contaminants into the air, as odour is the most significant regional matter in relation to the amenity of neighbouring properties. Discharges to water and the water take (although high in terms of ecological significance) are less significant in terms of direct impacts on the amenity of surrounding residential areas. Refer to Appendix 2 for a copy of the discharge to air and water take consents and section 7.2 for further detail regarding these consents.

4 Current Activities/Operations On-Site

4.1 Site Plan & Operations



Figure 2: AFFCO Site

As can be seen from Figure 2 above, there are a large number of buildings located on the site with the main buildings comprising of (refer also photographs over page, and the site plan in Figure 3):

- Coal fired boiler;
- Onsite waste water treatment with effluent pond;
- Wool store;
- Covered sheep & Beef yards;
- Fellmongery and rendering shed;
- Coolstore, chillers and freezers;
- Sheep & Lamb Slaughter & Cutting;
- Beef Slaughter & Boning;
- Administration office and amenities; and
- Palleting and stores areas.

The site has two entry points; one entry point from Flaxmill Road off State Highway 2 and one entry point from Hunter Brown Street. From the Flaxmill Road access, stock trucks can directly access the stock yards and holding paddocks at the rear of the site for delivery of livestock. The Hunter Brown Street entrance services the main staff car parking area, and the loading areas for transportation of processed meat to market.

4.2 Site Servicing

AFFCO Wairoa is connected to town water supply and all toilets are connected to the town sewer. Stormwater is currently discharged to the Wairoa River (along with treated wastewater from the meatworks and fellmongery), which is subject to discharge consent from the Hawke's Bay Regional Council.

5 Environmental Effects Occurring/Observed

5.1 Environmental Effects

On the 29th January 2013 a site visit was undertaken to understand the nature of the AFFCO Wairoa operation. A discussion was held with the Plant Manager, Dean Tucker at that time. From the site visit and discussions with Dean, the following environmental effects were identified/observed.

5.1.1 Discharge to Air

Emissions to air at AFFCO Wairoa are created from a range of sources. These sources include, combustion emissions from the coal fired boiler, emissions from the fellmongery and rendering plant, and emissions from the effluent treatment plant and associated holding ponds.

Under normal operations the discharges to air are not generally detectable or objectionable, however there are incidents when odour is detected and occasionally generates complaints from nearby residents. Given the site's proximity to a suburban residential area, it is important that emissions are managed and that continual improvements are made wherever possible.

According to Dean Tucker, the rendering plant (which is a recent addition to the Plant) is among the best regarded in the country in terms of managing odour and waste products.

5.1.2 Traffic

The nature of this business means that there are regular truck movements into, around and out of the yard on a frequent basis.

The trucks entering the site from Flaxmill Road are generally large stock trucks that transport livestock to the site.

The trucks entering the site from Hunter Brown Street are generally goods trucks that are used to transport product from the site to market.

Trucks access the site at all times of the day and night to deliver and receive stock/ product.

Employees of the AFFCO Wairoa operation park in the dedicated staff parking area off Hunter Brown Street.

NOTE: AFFCO Wairoa recently installed a new swipe card system for night shifts on the Flaxmill Road entrance gate and this has subsequently diverted 35% of traffic that used to enter the site from Hunter Brown Street. Approximately 20 trucks per day still enter the site through the Hunter Brown Street entrance. Truck movements are now fairly evenly spread across both gates.

5.1.3 Visual Impact

The visual impact of the AFFCO Wairoa site is historical. The site has been located in the area for a long length of time. Although a large operation, the site is generally considered to be an acceptable feature of the landscape.

5.1.4 Wastewater/ Stormwater Discharge

Currently wastewater and stormwater are discharged into the onsite water treatment facility which has appropriate resource consents. This facility is located well away from State Highway 2 and Hunter Brown Street therefore any adverse effects are generally limited. This facility is carefully monitored to ensure appropriate resource consent compliance.

5.1.5 Noise/ Vibration

Noise/ vibration is inevitable in a yard such as this one, particularly given the large number of truck movements to and from the site on a regular basis. The trucks braking to enter the site, their manoeuvres whilst entering, turning and exiting the yard all generate noise/ vibration.

The hours of operation at the site are 24 hours a day, 7 days a week during peak operating season.

5.1.6 Hazardous Substances

AFFCO Wairoa store various hazardous substances on-site. The plant is HASNO certified with 14 staff trained as handlers, as per HASNO requirements. The plant is audited annually to ensure compliance. All substances are secured in bunded, locked areas, and detailed spill response plans are in place.

5.2 Complaints History/Experience

From a review of the Wairoa District Council complaints records, there have been 3 complaints recorded in the last 5 years (in February and August 2008, and February 2009), which all related to offensive and objectionable odour.

From a review of Hawke's Bay Regional Council's complaints register there have been 9 complaints recorded in the last 5 years, with the last one recorded in 2010. The majority of complaints received were in relation to offensive odour, with one complaint relating to black smoke emanating from the boiler stack. In most instances, odour issues were tracked to specific management and plant malfunction incidents. In three of these cases, the reason for the odour was traced to the effluent plant shed door being left open. This door has subsequently been fitted with a padlock to enable managed entry and exit.

From a discussion with the Plant Manager, Dean Tucker, there have been several complaints received in the past regarding site operations, regarding odour, noise and night time traffic effects.

6 Environmental Initiatives

6.1.1 Air Discharge

Necessary resource consents have been obtained from Hawkes Bay Regional Council for:

‘discharge contaminants into the air from the operation of the company’s meat processing operation at Wairoa, including the following processes:

- *Products of combustion from a 15 MW coal fired boiler*
- *Fellmongery*
- *Effluent treatment plant*
- *Rendering plant*
- *General associated operations to those above’.*

The operation has been regularly monitored by Hawkes Bay Regional Council with compliance reports returning ‘Full compliance with conditions has been achieved’. For the latest Monitoring Report refer to Appendix 3.

The rendering plant, which was commissioned in 2007, is fully enclosed and all odour ventilated through a bio-filter. In 2010, the effluent plant shed was connected to its own purpose built bio-filter. These initiatives have comprehensively addressed odour issues.

6.1.2 Noise

Historically there have been minor issues in relation to the handling of large steel bins which can cause noise. The transport companies using these steel bins have been required to better manage noise levels in this regard.

AFFCO Wairoa have made attempts to address traffic noise on Hunter Brown Street through measures to divert as much heavy vehicle traffic as possible to the Flaxmill Road entrance, including the installation of swipe card entry on the Flaxmill Road entrance to enable trucks to enter that gate at all hours. These measures are estimated to have reduced truck traffic through the Hunter Brown Street entrance by approximately 35%. Approximately 20 trucks per day still enter the site through the Hunter Brown Street entrance. Truck traffic is now fairly evenly spread across both gates.

In addition, stock management practices on-site, are carefully managed to ensure there is minimal animal noise (calm animals throughout process). Stock are also held at the rear of the site, therefore there is added benefit of intervening buildings for reducing noise emanating to the residential area.

6.1.3 Community Engagement

The regional consent for discharge to air from AFFCO Wairoa’s operations includes a condition requiring AFFCO Wairoa to facilitate regular meetings with the AFFCO Wairoa Odour Working Party. AFFCO Wairoa has been running these on a regular basis, but notes that fewer and fewer people are attending, which is attributed to odour issues having been addressed over time.

7 Current Planning Status

7.1 District & Regional Plan Compliance

The two relevant planning documents that apply to the AFFCO Wairoa site and operations are:

- the Wairoa District Plan (June 2005), administered by Wairoa District Council;
- the Hawke's Bay Regional Resource Management Plan (August 2006), administered by Hawke's Bay Regional Council.

7.1.1 Compliance with the Wairoa District Plan (June 2005)

The following table provides an assessment of the AFFCO Wairoa land use activity in terms of compliance with the provisions of the current operative Wairoa District Plan.

The following is an assessment of the activity against the standards and conditions for permitted activities that would be relevant to the establishment of AFFCO Wairoa if it were being newly established in its current location under the current District Plan rules¹:

Wairoa District Plan			
Chapter 20 – Industrial Zone			
"Rule 20.7.1 – Permitted Activities			
Any activity that complies with all the standards and conditions for permitted activities."			
Section 20.8.1 – Noise	20.8.1 All activities shall be designed and conducted to ensure that the following noise limits are not exceeded:	The locational circumstances of the AFFCO Wairoa site (having area of 'Residential'-zoned land adjoining the site) would invoke the noise limits contained in both Tables A & B. The limits in Table A are the same as those that apply within the Residential Zone itself. The limits in Table B are significantly higher than for sole residential environments, reflecting lower amenity expectations <u>within</u> an Industrial Zone. In the qualified opinion of Wairoa District Council's Environmental Health Officer, noise emanating from the AFFCO Wairoa site would likely comply with these noise limits in the most part.	
	A. At or within the notional boundary of any dwelling or place of assembly in zones other than the Industrial Zone:7am to 10pm		50 dBA L10
	10pm to 7am		40 dBA L10
	On any day between 10pm – 7am		65 dBA Lmax
	and/or		
	B. At or within the boundary of any property other than the property from which the noise is being emitted:7am to 10pm		65 dBA L10
	10pm to 7am		55 dBA L10
	At all times		75 dBA Lmax

¹ Note, section 10 of the Resource Management Act 1991 provides for certain existing use rights for land use. Under this section, essentially a land use may continue in a manner that contravenes a rule in a district plan or proposed district plan if:

- the use was lawfully established before the rule became operative or the proposed plan was notified,
- the effects of the use are the same or similar in character, intensity and scale, and
- activities have not been discontinued on the site for a continuous period of more than 12 months.

		AFFCO Wairoa would therefore likely comply with these standards if it were being established in this location under the current District Plan.								
Odour	<p><i>20.8.2 Note: The discharge of odour to air is controlled by rules in the Hawke’s Bay Regional Air Plan and Proposed Regional Resource Management Plan. Land use zoning and separation distances are the methods employed within the District Plan to deal with odour issues.</i></p> <p><i>20.8.3 Any new dwelling shall be set back 200 metres from any buildings associated with any existing intensive farming activity, oxidation pond, effluent holding pond or waste disposal area.</i></p> <p><i>20.8.4 Any building associated with a new intensive farming activity, oxidation pond, effluent holding pond or waste disposal area shall be set back in accordance with the following separation distances:</i></p> <p><i>Feature Separation Distance (m):</i></p> <ul style="list-style-type: none"> • <i>From a Town Centre or Residential Zone Boundary = 500m</i> • <i>From a Settlement Zone Boundary or any Individual Residence in any other zone = 200m</i> 	<p>AFFCO Wairoa hold the necessary resource consents from Hawkes Bay Regional Council in relation to discharges to air including odour (this is detailed later in this report).</p> <p>It is likely that AFFCO Wairoa’s effluent holding pond would meet the separation distance in Rule 20.8.4 to the boundary of the Residential Zone. However, there is one neighbouring residence that is less than 200m distance from the pond.</p> <p>On that basis, AFFCO Wairoa’s effluent holding pond would not fully comply with Rule 20.8.4 if it were being established in this location under the current District Plan.</p>								
Glare	<p><i>20.8.5 Light emissions measured from any site shall not exceed a measurement of 10 lux (lumens per square metre) measured at 1.5 metres above ground level at the site boundary.</i></p> <p><i>20.8.6 No building or structure shall be finished with materials that create a glare nuisance to neighbouring properties or road users.</i></p>	It is likely that AFFCO Wairoa would comply with these standards.								
Privacy, Shading and Visual Amenity	<p><i>20.8.7 All buildings shall meet the following bulk and location requirements:</i></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;"><i>Minimum Front yard</i></td> <td style="padding: 2px;"><i>5.0m</i></td> </tr> <tr> <td style="padding: 2px;"><i>Minimum Side yards</i></td> <td style="padding: 2px;"><i>Nil, except for (1) below</i></td> </tr> <tr> <td style="padding: 2px;"><i>Minimum Rear yard</i></td> <td style="padding: 2px;"><i>Nil</i></td> </tr> <tr> <td style="padding: 2px;"><i>Maximum Building height</i></td> <td style="padding: 2px;"><i>15.0m (2)</i></td> </tr> </table> <p><i>(1) Where activities in an Industrial Zone adjoin a Residential Zone, the side yard shall be 1.5 metres.</i></p> <p><i>(2) No part of a building shall exceed a height of 2 metres plus the shortest horizontal distance between that part of the building and the nearest site boundary where this is to a residential property.</i></p> <p><i>20.8.8 Where a non-residential activity is to locate within or adjacent to land zoned ‘Residential’, or land used principally for residential purposes, screening shall be provided along the boundary to a height of 1.8 metres.</i></p>	<i>Minimum Front yard</i>	<i>5.0m</i>	<i>Minimum Side yards</i>	<i>Nil, except for (1) below</i>	<i>Minimum Rear yard</i>	<i>Nil</i>	<i>Maximum Building height</i>	<i>15.0m (2)</i>	It is likely that AFFCO Wairoa would comply with these standards.
<i>Minimum Front yard</i>	<i>5.0m</i>									
<i>Minimum Side yards</i>	<i>Nil, except for (1) below</i>									
<i>Minimum Rear yard</i>	<i>Nil</i>									
<i>Maximum Building height</i>	<i>15.0m (2)</i>									

<p>Hazardous Substances</p>	<p><i>20.8.14 The use, storage, disposal or transportation of hazardous substances shall not exceed the Medium Threshold Hazard Factor (refer definitions and Appendix III for examples).</i></p> <p><i>20.8.15 Any activity involving the use, storage, disposal or transportation of hazardous substances on-site, shall ensure that any area or container used is designed, constructed and managed to prevent any leakages or spills.</i></p> <p><i>20.8.16 Any activity involving the use or storage of hazardous substances exceeding the Low Threshold Hazard Factor (excluding all below ground tanks, and the above ground storage of petrol or diesel for the purposes of farming activities where the tank is at least 20 metres away from any natural watercourse or site boundary), shall provide a secondary containment system sealed with impervious materials equalling the maximum volume of the hazardous substance on site.</i></p>	<p><i>'Freezing works and rendering plants' and 'Wastewater Treatment Plants' are identified as 'High Threshold Hazard Factor' facilities in Appendix III of the District Plan.</i></p> <p><i>As these exceed the 'medium' threshold, the establishment of AFFCO Wairoa would not comply with Rule 20.8.14 if it were being established in this location under the current District Plan.</i></p>
<p>Chapter 24 Access and Parking</p>	<p><i>Access</i></p> <p><i>24.2.1 Where access is to a sealed road, the accessway shall be sealed or paved from the edge of the existing seal of the road pavement to the property boundary, or 5 metres in from the edge of the existing seal, whichever is the closest. This requirement applies to:</i></p> <p><i>i) Arterial and Secondary Arterial Roads; or</i></p> <p><i>ii) Any roads where access is likely to exceed 4 vehicle movements per week (averaged over the period of one calendar year).</i></p> <p><i>24.2.2 Vehicle crossing design shall be provided in accordance with the relevant diagram in Appendix I, except that access shall be designed to accommodate the swept path of the largest vehicle expected (i.e. for left turns, the access must be designed so that the vehicle does not cross the road centre line).</i></p> <p><i>24.2.3 Where access is to an Arterial or Secondary Arterial Road, sufficient manoeuvring space shall be provided on-site, adequate to enable vehicles to enter and exit the site in a forward direction.</i></p> <p><i>Parking</i></p> <p><i>24.2.5 The number of parking spaces to be provided on-site in association with an activity shall be in accordance with Table 2 below. Processing and storage facilities - 1 space per 200m² gross floor area, plus 1 space for heavy vehicles.</i></p>	<p><i>It is likely that AFFCO Wairoa would comply with these standards.</i></p>

If AFFCO Wairoa was to newly establish in the same location under the rules of the operative District Plan, the land use would require a resource consent as a Discretionary Activity for failing to meet one or more of the performance standards and terms for activities in the Industrial Zone (notably, effluent holding pond separation distances and hazardous substances thresholds).

However, as AFFCO Wairoa was lawfully established prior to the operative District Plan, and has not been discontinued on the site for a continuous period of more than 12 months, and the effects have remained the same or similar in character, intensity and scale, the operation can rely on existing use rights pursuant to section 10 of the Resource Management Act 1991.

It is noted however, that whilst the site likely complies with the limits in the District Plan, noise is also regulated by section 16 of the Resource Management Act 1991. Under section 16, AFFCO Wairoa has a general duty to avoid unreasonable noise – ‘Every occupier of land... shall adopt the best practicable option to ensure that the emission of noise from that land...does not exceed a reasonable level’. Enforcement of this specifically excludes noise from trains or vehicles on roads, and only relates to noise heard from a place other than where the noise is made.

7.1.2 Compliance with the Hawke’s Bay Regional Resource Management Plan (August 2006)

The following table provides an assessment of AFFCO Wairoa activities in terms of compliance with the provisions of the current operative Hawke’s Bay Regional Resource Management Plan.

The following is an assessment of the activity against the applicable rules, and any relevant standards and conditions for permitted activities, in the current Regional Plan²:

Hawke’s Bay Regional Resource Management Plan		
Discharges to Air		
<p>Rule 28</p> <p>Miscellaneous Industrial & trade premises</p>	<p><i>The discharge of contaminants into air from any industrial or trade premises arising from any of the following activities, that is not specifically regulated by any other rule within this Plan:</i></p> <ul style="list-style-type: none"> • <i>combustion of coal, light fuel oil, heavy fuel oil or untreated wood with a maximum heat output that exceeds 100 kW</i> • <i>rendering, tanning, fellmongering, skin or hide processing, or pet food processing</i> <p>is a Discretionary Activity.</p>	<p>AFFCO Wairoa carry out activities that are caught by Rule 22, and hold a resource consent for ‘discharge contaminants into the air from the operation of the company’s meat processing operation at Wairoa, including the following processes:</p> <ul style="list-style-type: none"> • <i>Products of combustion from a 15 MW coal fired boiler</i> • <i>Fellmongery</i> • <i>Effluent treatment plant</i> • <i>Rendering plant</i> • <i>General associated operations to those above’.</i>
<p>Rule 29</p> <p>Minor discharges from industrial & trade premises</p>	<p><i>The discharge of contaminants into air from any industrial or trade premises that is not specifically regulated by any other rule within this Plan, including:</i></p> <ul style="list-style-type: none"> • <i>discharges of heat to air</i> • <i>discharges of dust arising from the loading, unloading, and conveyance of goods and materials (including aggregates).</i> <p>is a Permitted Activity subject to various specific conditions, standards and terms.</p> <p>Conditions of particular relevance include:</p> <ol style="list-style-type: none"> a. <i>The opacity of any discharge of smoke when measured at the point of discharge shall not exceed 20%, except that a discharge in excess of this shall be permitted for a period of not more</i> 	<p>AFFCO Wairoa are likely able to comply with all the conditions and terms of Rule 29 in respect of discharges of heat to air and discharges of dust.</p> <p>Note: AFFCO Wairoa holds a resource consent for ‘discharge contaminants into the air from the operation of the company’s meat processing operation at Wairoa’.</p>

² Note: Existing use rights do not apply to rules in a regional plan.

	<p>than two minutes continuously or for an aggregate of four minutes in any 60 minute period.</p> <p>d. At any point beyond the boundary of the subject property, or on public land;</p> <p>i. The discharge shall not result in any noxious or dangerous levels of airborne contaminants;</p> <p>ii. There shall be no visible discharge of any contaminant, other than smoke from fuel burning equipment or water vapour;</p> <p>iii. Any discharge of water vapour shall not result in any plume which adversely affects traffic safety, or reduces visibility within a height of 5 metres above ground level, or reduces visibility within recognised flight paths in the vicinity of airports;</p> <p>iv. The discharge shall not result in any offensive or objectionable odour;</p> <p>v. The dust deposition rate resulting from the discharge shall not raise the ambient dust deposition rate by more than 4g/m² per 30 days;</p> <p>vi. The discharge shall not result in any objectionable deposition of particulate matter on any land or structure.</p>	
Discharges to Land		
<p>Rule 36</p> <p>Existing high discharge volume sewage systems</p>	<p>The discharge of contaminants onto or into land, and any ancillary discharge of contaminants into air, from any existing sewage system with a discharge volume exceeding 2m³/day averaged over any 7 day period is a Restricted Discretionary Activity.</p>	<p>AFFCO Wairoa carry out activities that are caught by Rule 36, and hold a resource consent for its on-site effluent treatment system.</p>
Discharges to Water		
<p>Rule 47</p> <p>Discharges to surface water</p>	<p>The discharge of contaminants into surface water, pursuant to section 15(1)(a) RMA, except as expressly regulated by other rules in this Plan. is a Permitted Activity subject to various specific conditions, standards and terms.</p>	<p>AFFCO Wairoa are unable to comply with all the conditions and terms of Rule 47, and hold a resource consent for discharges to the Wairoa River from its on-site effluent treatment system.</p>

Water Takes		
<p>Rule 53</p> <p>Minor takes and uses of ground water</p>	<p><i>The take and use of groundwater, excluding the take and use of groundwater from the water management zones shown in Schedule VI.</i></p> <p>is a Permitted Activity subject to various specific conditions, standards and terms.</p>	<p>AFFCO Wairoa are unable to comply with all the conditions and terms of Rule 53, and hold a resource consent <i>‘to take and use water from well no. 15657 (200mm diameter) to provide a non-potable water supply to a meat processing factory’.</i></p>

AFFCO Wairoa carry out various activities that are captured by rules in the Hawke’s Bay Regional Resource Management Plan, leading to a requirement for a number of resource consents to address those aspects of their operations. AFFCO Wairoa has all the necessary resource consents for its discharges to air, land and water and for its groundwater take.

7.2 Operational Resource Consents

AFFCO have several operational resource consents, each of which have a number of conditions of consent attached to them.

Wairoa District Plan

- **Land Use Consent** – No land use consents

Hawkes Bay Regional Council – Regional Resource Management Plan

- **Discharge Permit** – Consent No. DP070026Aa – *‘discharge contaminants into the air from the operation of the company’s meat processing operation at Wairoa, including the following processes:*
 - *Products of combustion from a 15 MW coal fired boiler*
 - *Fellmongery*
 - *Effluent treatment plant*
 - *Rendering plant*
 - *General associated operations to those above’.*

This consent is granted for a period expiring on 31 May 2022.

- **Water Permit** – Consent No. WP110007T – *‘to take and use water from well no. 15657 (200mm diameter) to provide a non-potable water supply to a meat processing factory’.*
This consent is granted for a period expiring on 31 May 2031.

Copies of the above consents are attached in Appendix 2 to this report.

7.2.1 Conditions of Consent

Discharge Permit (DPO70026Aa) - discharge contaminants into the air from the operation of the company's meat processing operation at Wairoa

The above resource consents impose a range of conditions on the AFFCO Wairoa operation, and a number of monitoring requirements. The most notable of these are:

General:

2. The concentration of hydrogen sulphide shall not exceed 7 ug/m³, as a 1 hour average, in the ambient air at or beyond the boundary of the premises as a result of emissions from the consent holders property

3. There shall be no discharge of any objectionable particulate matter on any land or structure beyond the boundary of the site

4. There shall be no discharge of offensive or objectionable odours beyond the boundary of the site.

20. Annual testing shall be carried out to measure the concentration of hydrogen sulphide in the ambient air beyond the boundary of the premises. These tests shall be carried out by the Council, or by a suitably qualified person using test methods as authorised by the Council.

21. Condition 21 requires a management plan to be prepared.

22. The Consent Holder shall facilitate, in conjunction with AFFCO Wairoa Odour Working Party, regular meetings at a frequency determined by the consent holder and the AFFCO Wairoa Odour Working Party, but not less than once each calendar year. Minutes from these meetings shall be made available to Council on request.

There are also specific conditions for the **coal fired boiler** emissions which include:

- Restrictions around PM₁₀ concentrations of 200 milligrams of gas discharged into the air (with the exception of 30 minutes following the start up of the boiler).
NOTE: By the 31 December 2011 the discharge to air from the coal fired boiler system shall be reduced to a PM₁₀ concentration of 100 milligrams.
- The coal fired boiler is also required to operate using coal with a restricted sulphur and ash content and biosolids pre dried to not more than 25% moisture and sourced from the on-site effluent treatment plant only.
- Emission testing (as per the requirements contained within Condition 19) of the coal fired boiler is required annually.

There are a number of specific conditions for the **rendering plant** which include:

- Containment of odour and regular inspections to ensure that the associated system and maintenance practices are operating effectively. All inspections are to be recorded.

There are a number of specific conditions for the **Effluent Treatment Plant** which include:

- *'Within 16 months of the commencement of consent, if the biosolids belt press is still in operation, the biosolids building shall be fully contained and ventilated to a biofilter'.*

Water Permit (WP110007T) ‘to take and use water from well no. 15657 (200mm diameter) to provide a non-potable water supply to a meat processing factory’.

The above resource consents impose a range of conditions on the AFFCO Wairoa operation, and a number of monitoring requirements. The most notable of these are:

- 1) The rate of taking shall not exceed 5 litres per second.*
- 2) The volume taken shall not exceed 3000m³ per week.*
- 3) A water meter shall be installed prior to the exercise of this consent, and maintained to measure the volume of water taken to an accuracy of +/- 5%. The device shall be installed and maintained in accordance with the Council’s “Technical Specifications and Installation Requirements for Flow Meters” (February 2010).*

Data Returns:

There are a number of reporting requirements as per conditions 4 – 6 and 10.

Restrictions:

- 7) No water shall be taken during “no take’ periods specified by the Council for the purpose of obtaining accurate hydrological measurements, provided that:*
- a) the ‘no take’ period specified by Council is of no longer than twenty four (24) hours duration,*
 - b) the Council gives at least 7 days notice to the consent holder of the time of the ‘no take’ period,*
 - c) consecutive ‘no take’ periods are separated by an interval of at least 14 days.*

7.2.2 Consent Compliance History

Hawke’s Bay Regional Council regularly monitors AFFCO Wairoa for compliance with the conditions of its resource consents.

The AFFCO Wairoa site is inspected annually by Hawke’s Bay Regional Council in relation to Discharge Permit (DPO70026Aa). Monitoring inspections were undertaken on 28 July 2011 and again on 29 April 2012. The most recent Monitoring Report dated 1 May 2012, and also the prior Report to this dated 16 November 2010, both recorded the operation as being fully compliant with the consent conditions. A copy of the most recent Monitoring Report (dated 1 May 2012) is attached in Appendix 3 to this report³.

NOTE: Over the past 12 months, AFFCO Wairoa has been undertaking a study of the entire Wairoa air shed to measure Air Quality in the District – this is expected to be submitted to Hawke’s Bay Regional Council later this year.

7.3 Summary of Compliance

AFFCO Wairoa is not required to hold any land use consents from Wairoa District Council by virtue of existing use rights. These existing use rights apply to the land use itself so long as the operation is not discontinued for a continuous period of 12 months or more, and so long as the effects of the use remain the same or similar in character, intensity and scale.

However, AFFCO Wairoa carry out various activities that are captured by rules in the Hawke’s Bay Regional Resource Management Plan. Existing use rights do not apply to regional rules.

³ As previously noted, this Scoping Report does not address AFFCO Wairoa’s regional consent to discharge treated wastewater and stormwater to the Wairoa River.

AFFCO Wairoa holds all necessary resource consents for those aspects of its operations from Hawke's Bay Regional Council. These consents have numerous conditions attached to them, and the Regional Council monitors compliance with those conditions on a regular basis.

In terms of its resource consent for discharges to air (the most relevant consent in terms of effects on neighbouring residential amenity), AFFCO Wairoa has made continuous improvements over time and has been deemed by the Regional Council to be fully compliant with the conditions of its consent in more recent years.

All in all, AFFCO Wairoa achieve general compliance with relevant District and Regional planning requirements, largely operating under regional consents from Hawke's Bay Regional Council.

8 Conclusions & Recommendations

From a review of on-site activities, AFFCO Wairoa achieves general compliance with relevant District and Regional planning requirements. All discharge and water takes are subject to regional consents from Hawke's Bay Regional Council, and as such are subject to comprehensive consent conditions and regular monitoring requirements to ensure compliance.

The operation is subject to regular scrutiny (in addition to environmental regulations, AFFCO are also regularly audited by the USDA and EU, and operate under a Risk Management Program approved by the Ministry of Primary Industries). Over time, AFFCO Wairoa has progressively implemented (and continues to implement) measures in an attempt to respond to and address any significant adverse effects of its activities on the natural environment and on neighbouring residents.

Overall it is recommended that AFFCO Wairoa be encouraged and supported to:

- 1) Continue to achieve compliance with its regional consents.
- 2) Continue to identify opportunities, and implement technological and site management improvements, that result in on-going improvements in overall environmental performance.
- 3) Participate in any community advisory group that may be established to facilitate positive relationship building between local businesses and the residents of North Clyde.

Environmental Scoping Study

East Coast Lumber

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Appendix 1 - Certificate of Title

Appendix 2 - Safety Data Sheet for Sapstain and Mould Control Product

1 Summary

The purpose of this scoping report is to describe the current situation with regard to the environmental effects of the East Coast Lumber activity. This includes the identification of any consenting requirements under the Resource Management Act 1991 and the relevant local plans operating under the Act, and any effects on the North Clyde environment that may be occurring as a result of activities on-site and if these are being adequately addressed. This scoping report will then inform the wider North Clyde Strategy that is being prepared concurrently.

From the information available at the time of preparing this report it has been identified that the activities at East Coast Lumber are currently complying in most part with the Resource Management Act 1991 and the relevant district and regional plans.

Key recommendations for East Coast Lumber are:

- 1) To develop an Environmental Management Plan to include; on-going management of various aspects of the operation including dust suppression and noise reduction.
- 2) To progress the planned removal of the moth-balled timber treatment facility on-site, in a manner agreed with Hawke's Bay Regional Council.
- 3) To consider additional landscaping improvements along the boundary with Ormond Road (additional buffer planting) to better manage the impact of the yard on the visual amenity of adjoining residential dwellings.
- 4) To participate in any community advisory group that may be established to facilitate positive relationship building between local businesses and the residents of North Clyde.

2 Scoping Report Methodology

This scoping report has been developed using information obtained from a site visit held on the 29th January 2013 accompanied by the Operations Manager – Mike Pollock, data sourced from both Wairoa District Council and Hawke's Bay Regional Council, a broad desktop assessment, and input from Wairoa District Council's Environmental Health Officer.

It is important to note that although this report has sought to provide an accurate representation of the operation's activities, it is not a comprehensive environmental impact assessment.

3 Site Description

3.1 Business Details

East Coast Lumber is a family owned and operated raw timber processing and wholesaler business in Wairoa¹. The business was initially established by the Hedley family in 1973. The current owner took ownership in 2003, and the operation is currently managed by Mike Pollock (Business Manager).

¹ Wairoa Timber Processors is a sister company of East Coast Lumber, hence the two businesses operate closely.

The East Coast Lumber yard is located on Carroll Street in North Clyde. North Clyde has a long history of mixed use dominated by medium-scale industries and commercial operations. It is for this reason that Mike Pollock considers the yard to be situated in an appropriate and logical location.

The business takes high grade wood from the lower half of the pine tree (this involves approximately 5 – 6 logging trucks entering the site each day, carrying approximately 28 tonne of logs each), and these raw logs are then milled with 50% of the lumber going to the United States and European high-end housing markets, with the rest going to the local NZ market. The by-product material is sent to Pan Pac for pulp, and to fuel the kilns at Wairoa Timber Processors.

Approximately 25 full time equivalents and 5 contractors are employed by East Coast Lumber and Wairoa Timber processors combined (staff work across the two businesses).

3.2 Site Details

Physical address: 161 Carroll St, Wairoa

Site area: 2.7373 ha

Legal description: Lot 2 DP 28346

3.3 Applicable District and Regional Plans

The following section outlines the applicable district and regional plans and the specific sections of each plan that apply to the East Coast Lumber site. A detailed assessment of the East Coast Lumber site against the relevant sections of each plan are discussed further in section 7 below.

3.3.1 Wairoa District Plan

The East Coast Lumber yard is located in the Industrial Zone in the Wairoa District Plan, bounded to the north by a strip of Residential-zoned land – see planning map Figure 1 below.

The objectives and policies of the Industrial Zone aim to provide for the establishment of industry in this area, whilst avoiding, remedying or mitigating adverse effects on the environment and on the amenity values of surrounding areas (particularly where sites adjoin the Residential Zone).

The District Plan provides for any activity to locate in the Industrial Zone provided it can meet the Industrial Zone performance standards for permitted activities.

Permitted activity performance standards in the Industrial Zone include noise limits, odour & glare standards, building setbacks, parking and loading requirements, signage limits, hazardous substance thresholds, building freeboard requirements in flood prone areas, and earthworks limits.

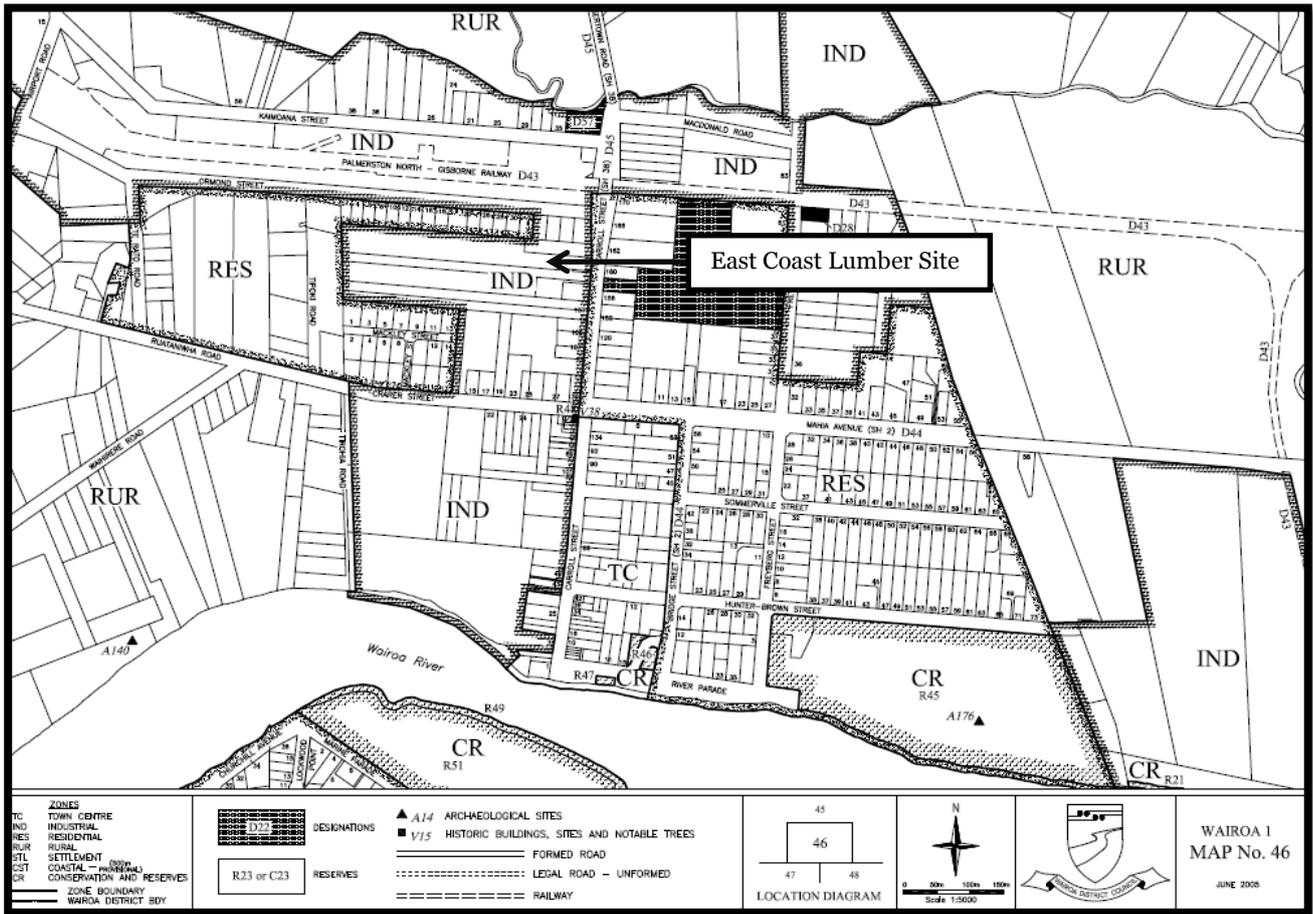


Figure 1 – location of East Coast Lumber on Wairoa District Council Planning Map

3.3.2 Hawke’s Bay Regional Resource Management Plan (RRMP)

The Hawke’s Bay Regional Resource Management Plan applies to the East Coast Lumber site. This Plan addresses matters such as odour, dust, and discharges to land and water and the way in which East Coast Lumber need to manage their site in relation to these matters.

Rule 29 of the RRMP is considered to be most applicable and permits the discharge of dust arising from the loading, unloading, and conveyance of goods and materials (including aggregates) subject to meeting certain standards. Consideration of this section of the RRMP is discussed further in section 7.1.2 below.

4 Current Activities/Operations On-Site

4.1 Site Plan



Figure 2: East Coast Lumber Site

As can be seen from figures 2 & 3, there are a number of large buildings located on the site. These include an office block to the rear of the site adjacent to the sawmill, a large sawmill, a revolving sorting table, a former timber treatment building and various storage facilities towards the front of the yard.

Stockpiles of timber are located along the northern boundary immediately behind large earth bunds. The majority of the yard comprises an unsealed permeable gravel/sawdust surface. It has one access (entry/ exit) point to Carroll Street. Goods vehicles then manoeuvre around the rear of the property to load/ unload timber, where there is a larger open area for this purpose.

As is noted on the Certificate of Title shown as Appendix 1, the site also has a number of 'interests' being:

- Subject to sewerage rights (in gross) over part in favour of the Council
- 'Area A & B' subject to a right of way specified in Easement Certificate 706672.4 – 1.9.2000. Relates to rights to convey electric power underground. These are subject to section 243 (a) of the Resource Management Act 1991²

² This section relates to 'conditions as to easements – a survey plan approved subject to grant or reservation of easements'.

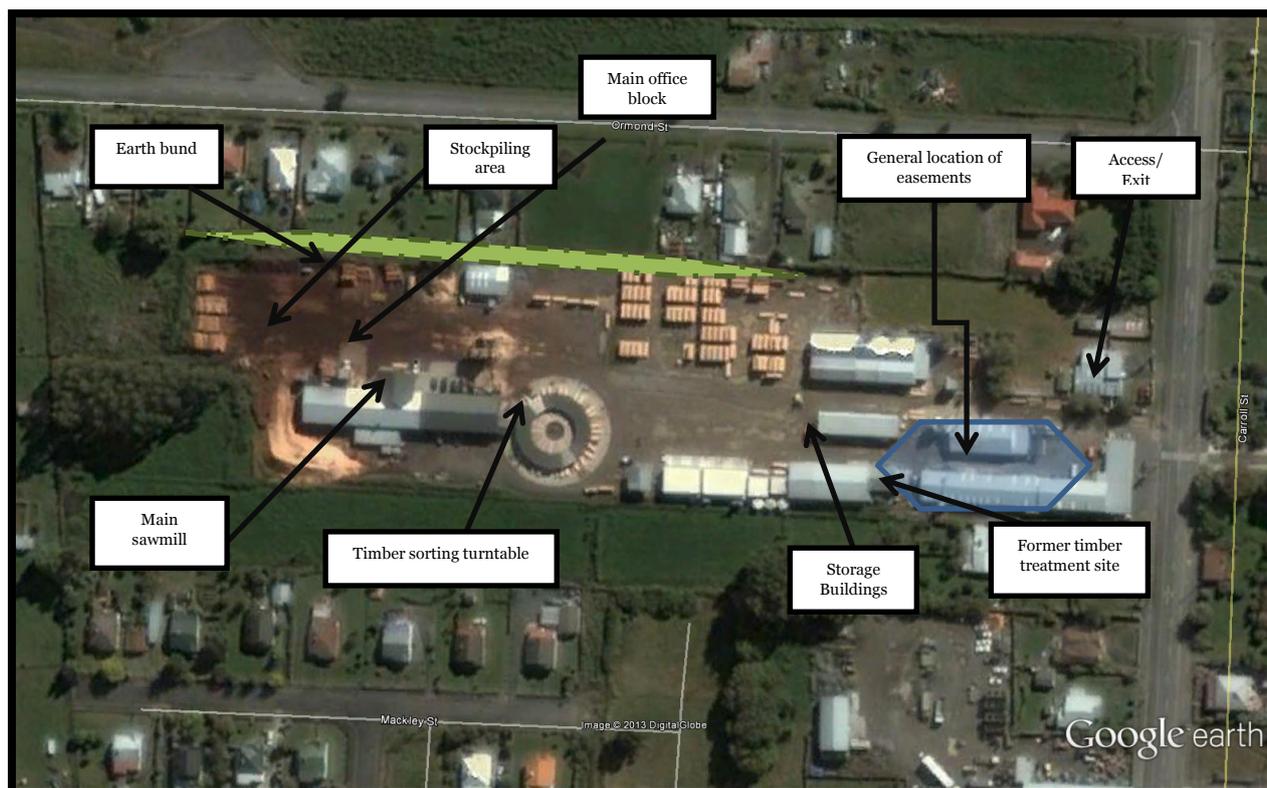


Figure 3: Site Plan

Note: The previous owners of this site/ operation had a timber treatment facility as is shown in the image above. This facility has been mothballed for quite some time and is no longer in operation. It is understood that East Coast Lumber are working with the Hawke’s Bay Regional Council to carefully decommission the former chemical storage cylinder that remains on-site, and determine if any further remediation is required for this area of the site.

4.2 Movement of Goods and Services

Raw logs (East Coast Lumber only accept the high grade wood from the lower half of the pine tree) are brought to the East Coast Lumber site by logging trucks and stored on-site until milling. Approximately 5 - 6 logging trucks are brought onto the site each day, which carry approximately 28 tonne of log per truck .

The raw logs then enter the milling shed for processing.

Upon completion of milling the timber is then transferred onto a conveyer belt and sent to the revolving sorting table. The timber is then sorted manually by staff and placed on timber stacks. Further timber processing occurs off site.

60% of the product is milled timber which is exported to the United States and Europe (with a small amount distributed to New Zealand markets), mainly for the high-end housing market. 20% of the milled product comprises chip and bark which is sent to Pan Pac for pulp, and the remaining 20% is sawdust which is used to fuel the drying kilns on ‘Wairoa Timber Processors’ site (sister-company).

Approximately 4 - 5 smaller (approximately 15 tonne) truck units per day are used to transport the lumber to the Wairoa Timber Processors site on Crarer Street for drying. Half of the final product is then transported back to the East Coast Lumber site for re-sorting and distributing – the other half goes directly from Wairoa Timber Processors site to the market.

From discussion with the Business Manager, the timber does not remain on site for any length of time. The logs are held on site for a maximum of 1 week, and the Lumber in the wet form can be up to 1 month as it air dries. The Dry Lumber is dispatched as soon as possible.



Photograph 1: Milling operation at East Coast Lumber



Photograph 2: Revolving sorting table at East Coast Lumber



Photograph 3: General operations at East Coast Lumber



Photograph 4: View of revolving sorting table at East Coast Lumber

4.3 Site Servicing

East Coast Lumber is connected to town water supply, the town sewer, and also drains to the Council stormwater system.

5 Environmental Effects Occurring/Observed

5.1 Environmental Effects

On the 29th January 2013 a site visit was undertaken to understand the nature of the East Coast Lumber operation. A discussion was held with the Business Manager, Mike Pollock at that time. From the site visit and discussions with Mr Pollock, the following environmental effects were identified/ observed.

5.1.1 Noise/ Vibration

Noise/ vibration is inevitable in a yard such as this one, particularly given the large trucks entering and exiting the site on a regular basis. The trucks braking to enter the site, their manoeuvres whilst entering, turning and exiting the yard all generate noise/ vibration.

The movement of logs to and from the trucks into the milling operation also causes noise/ vibration effects. The milling operation itself is enclosed, which helps to reduce noise from the sawmilling operation itself.

The hours of operation at East Coast Lumber are:

- The sawmill operates 7:00a.m. until 4.30pm
- The moving plant can start operating from 6:00am but more often 6.30a.m

Earth bunding along the site boundary with the residential-zoned land to the north of the site has been established in an attempt to address noise emanating from the site, and to provide some screening. This is likely to be producing some benefits, although landscaping of the bund may provide additional screening benefits for neighbouring residents.

NOTE: Business Owner, Mike Pollock has raised some concerns that the noise standards in the current Wairoa District Plan are lower than applicable NZ Standards and are difficult to comply with. The Business has previously made a submission to the 10 year plan (Wairoa District Council) requesting raising of noise level standards in the District Plan from 50dBA to 55dBA on the boundary between industry and residential properties.

5.1.2 Dust

Despite being a predominantly gravelled yard, dust from the ground does circulate around the yard during the dry summer months. This is an issue for East Coast Lumber, particularly on windy days. A number of mitigation measures have been instigated to address the issue of dust. These are discussed further in section 6.1.3 of this report.

Windblown sawdust is not a significant issue for the East Coast Lumber site. Sawdust from the milling operation is captured directly from the sawmill and taken to the Wairoa Timber Processors site to fuel the kilns there.

5.1.3 Traffic

The nature of this business means that there will be truck movements into, around and out of the yard on a frequent basis. The trucks entering the site are generally logging trucks, with smaller trucks being used to transport the timber material off site, to and from the Wairoa Timber Processors site on Crarer Street.

5.1.4 Visual Impact

From a site observation it appears that the visual impact of the activity from the Carroll Street entranceway, is relatively low. The trucks access the yard from a narrow accessway and buildings on either side restrict visibility from the street.

The site is still highly visible from Ormond Road by neighbouring properties despite the bunding that East Coast Lumber established along the northern boundary of the site. Much of the yard and timber processing/ handling in particular, are visible from vantage points along Ormond Road and neighbouring properties. The height of some aspects of the operation are such that complete screening is impractical however. Photograph 5 shows the view towards the site from Ormond Road.

From general observations the buildings and general yard appear to be well maintained. Refer to photograph 6.



Photograph 5: View of East Coast Lumber from Ormond Street



Photograph 6: General building structures at East Coast Lumber

5.1.5 Wastewater/ Stormwater Discharge

Currently stormwater is discharged into the Council system. There are issues with the clearance of the Council drains however; meaning that flooding during significant wet weather events has been known to occur. This is a problem wider than the East Coast Lumber site, and is an on-going issue for the majority of this side of North Clyde.

The majority of the yard comprises of permeable surface, therefore much of the site's stormwater permeates into the ground. Runoff from the buildings and any sealed yard area is directed to the Council stormwater drain adjoining the site which runs south past Mackley Street.

5.1.6 Hazardous Substances

East Coast Lumber has a maximum of 200 litres of Anti Sap Stain Chemical on site at any one time, which has a formal Hazard Management Plan associated with it. Refer to Appendix 2 for further information regarding this chemical. East Coast Lumber also has a Diesel tank that has a full Concrete Bund to catch any spill.

There is a moth-balled timber treatment facility on-site that was used historically by previous owners. This is planned for removal, and has been investigated by the Regional Council (HBRC) including soil testing. The current owners are working with HBRC to determine what action may be required to remove this facility.

5.2 Complaints History/Experience

From a discussion with the Business Manager, Mike Pollock, there have been occasional comments regarding noise and dust emanating from the East Coast Lumber yard in recent years. He asserts that the business has been working hard to address these issues as best it can, and is open to further practical suggestions to improve performance in this regard.

From a review of the Wairoa District Council complaints records, there have been no formal complaints directly relating to the East Coast Lumber site recorded in the last 5 years.

Similarly, from a review of Hawke's Bay Regional Council's complaints register, there have been no formal complaints recorded in the last 5 years regarding this site.

6 Environmental Initiatives

6.1.1 Visual Amenity

A large earth bund has been constructed along the northern extent of the East Coast Lumber site – partly to mitigate visual effects on neighbouring residential properties. Although not planted, this bunding goes some way towards reducing the overall visual effect of the site.

6.1.2 Noise

As identified above, earth bunding along the site boundary with the residential-zoned land to the north of the site has been established partly to provide screening, but also in an attempt to address noise emanating from the mill. This is likely to be contributing some noise attenuation benefits for neighbouring residents. The sawmill operation itself is also enclosed, which will also be assisting in reducing noise.

6.1.3 Dust Suppression

In order to alleviate the issue of dust, East Coast Lumber have introduced the following measures over recent years:

- more sealing of yard surfaces has occurred
- acquisition of an old fire engine to regularly dampen the ground with water to suppress dust which is used when conditions require.

6.1.4 Community Engagement

Business Owner/ Manager Mike Pollock has indicated an interest in supporting the development of, and participating in, a community advisory group to facilitate regular on-going positive communication between Wairoa District Council, local businesses, and the residents of North Clyde, recognising that all parties have a legitimate role to play in the future of North Clyde and Wairoa in general.

7 Current Planning Status

7.1 District & Regional Plan Compliance

The two relevant planning documents that apply to the East Coast Lumber site and operations are:

- the Wairoa District Plan (June 2005), administered by Wairoa District Council;
- the Hawke’s Bay Regional Resource Management Plan (August 2006), administered by Hawke’s Bay Regional Council.

7.1.1 Compliance with the Wairoa District Plan (June 2005)

The following table provides an assessment of the East Coast Lumber land use activity in terms of compliance with the provisions of the current operative Wairoa District Plan.

The following is an assessment of the activity against the standards and conditions for permitted activities that would be relevant to the establishment of East Coast Lumber if it were being newly established in its current location under the current District Plan rules³:

Wairoa District Plan		
Chapter 20 – Industrial Zone		
“Rule 20.7.1 – Permitted Activities		
Any activity that complies with all the standards and conditions for permitted activities.”		
Section 20.8.1 – Noise	20.8.1 All activities shall be designed and conducted to ensure that the following noise limits are not exceeded:	
	A. At or within the notional boundary of any dwelling or place of assembly in zones other than the Industrial Zone: 7am to 10pm	50 dBA L10
	10pm to 7am	40 dBA L10
	On any day between 10pm – 7am	65 dBA Lmax
	and/or	
	B. At or within the boundary of any property other than the property from which the noise is being emitted: 7am to 10pm	65 dBA L10
	The locational circumstances of the East Coast Lumber yard (a strip of properties to the north are zoned ‘Residential’) would invoke the noise limits contained in both Tables A & B. The limits in Table A are the same as those that apply within the Residential Zone itself. The limits in Table B are significantly higher than for sole residential environments, reflecting lower amenity expectations <u>within</u> an Industrial Zone. In the qualified opinion of Wairoa District Council’s Environmental Health Officer, noise emanating from the East Coast Lumber yard would likely not comply with these noise limits, particularly those in Table A at the boundary with those residential-zoned properties to the north.	

³ Note, section 10 of the Resource Management Act 1991 provides for certain existing use rights for land use. Under this section, essentially a land use may continue in a manner that contravenes a rule in a district plan or proposed district plan if:

- the use was lawfully established before the rule became operative or the proposed plan was notified,
- the effects of the use are the same or similar in character, intensity and scale, and
- activities have not been discontinued on the site for a continuous period of more than 12 months.

East Coast Lumber: Environmental Scoping Report

	<table border="1"> <tr> <td><i>10pm to 7am</i></td> <td><i>55 dBA L10</i></td> </tr> <tr> <td><i>At all times</i></td> <td><i>75 dBA Lmax</i></td> </tr> </table>	<i>10pm to 7am</i>	<i>55 dBA L10</i>	<i>At all times</i>	<i>75 dBA Lmax</i>	<p>East Coast Lumber would therefore be unlikely to comply with the noise standards in the District Plan if it were being established in this location now under the current District Plan.</p>				
<i>10pm to 7am</i>	<i>55 dBA L10</i>									
<i>At all times</i>	<i>75 dBA Lmax</i>									
<p>Odour</p>	<p><i>20.8.2 Note: The discharge of odour to air is controlled by rules in the Hawke’s Bay Regional Air Plan and Proposed Regional Resource Management Plan. Land use zoning and separation distances are the methods employed within the District Plan to deal with odour issues.</i></p> <p><i>20.8.3 Any new dwelling shall be set back 200 metres from any buildings associated with any existing intensive farming activity, oxidation pond, effluent holding pond or waste disposal area.</i></p> <p><i>20.8.4 Any building associated with a new intensive farming activity, oxidation pond, effluent holding pond or waste disposal area shall be set back in accordance with the following separation distances:</i></p> <p><i>Feature Separation Distance (m):</i></p> <ul style="list-style-type: none"> • <i>From a Town Centre or Residential Zone Boundary = 500m</i> • <i>From a Settlement Zone Boundary or any Individual Residence in any other zone = 200m</i> 	<p>It is likely that East Coast Lumber would comply with these standards.</p>								
<p>Glare</p>	<p><i>20.8.5 Light emissions measured from any site shall not exceed a measurement of 10 lux (lumens per square metre) measured at 1.5 metres above ground level at the site boundary.</i></p> <p><i>20.8.6 No building or structure shall be finished with materials that create a glare nuisance to neighbouring properties or road users.</i></p>	<p>It is likely that East Coast Lumber would comply with these standards.</p>								
<p>Privacy, Shading and Visual Amenity</p>	<p><i>20.8.7 All buildings shall meet the following bulk and location requirements:</i></p> <table border="1"> <tr> <td><i>Minimum Front yard</i></td> <td><i>5.0m</i></td> </tr> <tr> <td><i>Minimum Side yards</i></td> <td><i>Nil, except for (1) below</i></td> </tr> <tr> <td><i>Minimum Rear yard</i></td> <td><i>Nil</i></td> </tr> <tr> <td><i>Maximum Building height</i></td> <td><i>15.0m (2)</i></td> </tr> </table> <p><i>(1) Where activities in an Industrial Zone adjoin a Residential Zone, the side yard shall be 1.5 metres.</i></p> <p><i>(2) No part of a building shall exceed a height of 2 metres plus the shortest horizontal distance between that part of the building and the nearest site boundary where this is to a residential property.</i></p>	<i>Minimum Front yard</i>	<i>5.0m</i>	<i>Minimum Side yards</i>	<i>Nil, except for (1) below</i>	<i>Minimum Rear yard</i>	<i>Nil</i>	<i>Maximum Building height</i>	<i>15.0m (2)</i>	<p>It is likely that East Coast Lumber would comply with these standards.</p>
<i>Minimum Front yard</i>	<i>5.0m</i>									
<i>Minimum Side yards</i>	<i>Nil, except for (1) below</i>									
<i>Minimum Rear yard</i>	<i>Nil</i>									
<i>Maximum Building height</i>	<i>15.0m (2)</i>									

	<p><i>20.8.8 Where a non-residential activity is to locate within or adjacent to land zoned 'Residential', or land used principally for residential purposes, screening shall be provided along the boundary to a height of 1.8 metres.</i></p>	
<p>Hazardous Substances</p>	<p><i>20.8.14 The use, storage, disposal or transportation of hazardous substances shall not exceed the Medium Threshold Hazard Factor (refer definitions and Appendix III for examples).</i></p> <p><i>20.8.15 Any activity involving the use, storage, disposal or transportation of hazardous substances on-site, shall ensure that any area or container used is designed, constructed and managed to prevent any leakages or spills.</i></p> <p><i>20.8.16 Any activity involving the use or storage of hazardous substances exceeding the Low Threshold Hazard Factor (excluding all below ground tanks, and the above ground storage of petrol or diesel for the purposes of farming activities where the tank is at least 20 metres away from any natural watercourse or site boundary), shall provide a secondary containment system sealed with impervious materials equalling the maximum volume of the hazardous substance on site.</i></p>	<p>East Coast Lumber store up to 200 litres of Anti Sap Stain Chemical on site, and also have a Diesel tank that has concrete-bunded secondary containment.</p> <p>'Timber treatment plants' are identified as 'High Threshold Hazard Factor' facilities in Appendix III of the District Plan. East Coast does not carry out timber treatment. However, there is a moth-balled timber treatment facility on-site that was used historically by previous owners which is planned for removal. This facility has been investigated by the Regional Council (HBRC), and the current owners are working with HBRC to determine what action may be required to remove this facility.</p> <p>As East Coast Lumber does not carry out 'timber treatment', it would likely comply with Rule 20.8.14 if it were being established in this location under the current District Plan.</p> <p>East Coast Lumber would also likely comply with the requirements of Rules 20.8.15 & 20.8.16 – particularly in terms of provision of a sealed impervious secondary containment system for its diesel tank.</p>
<p>Chapter 24 Access and Parking</p>	<p><i>Access</i></p> <p><i>24.2.1 Where access is to a sealed road, the accessway shall be sealed or paved from the edge of the existing seal of the road pavement to the property boundary, or 5 metres in from the edge of the existing seal, whichever is the closest. This requirement applies to:</i></p> <p><i>i) Arterial and Secondary Arterial Roads; or</i></p> <p><i>ii) Any roads where access is likely to exceed 4 vehicle movements per week (averaged over the period of one calendar year).</i></p> <p><i>24.2.2 Vehicle crossing design shall be provided in accordance with the relevant diagram in Appendix I, except that access shall be designed to accommodate the swept path of the largest vehicle expected (i.e. for left turns, the access must</i></p>	<p>It is likely that East Coast Lumber would comply with these standards.</p>

	<p><i>be designed so that the vehicle does not cross the road centre line).</i></p> <p><i>24.2.3 Where access is to an Arterial or Secondary Arterial Road, sufficient manoeuvring space shall be provided on-site, adequate to enable vehicles to enter and exit the site in a forward direction.</i></p> <p><i>Parking</i></p> <p><i>24.2.5 The number of parking spaces to be provided on-site in association with an activity shall be in accordance with Table 2 below.</i></p> <p><i>Processing and storage facilities - 1 space per 200m² gross floor area, plus 1 space for heavy vehicles.</i></p>	
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If East Coast Lumber was to newly establish in the same location under the rules of the operative District Plan, the land use would require a resource consent as a Discretionary Activity for failing to meet one or more of the performance standards and terms for activities in the Industrial Zone (notably, the noise standards).

However, as East Coast Lumber was lawfully established prior to the operative District Plan, and has not been discontinued on the site for a continuous period of more than 12 months, and the effects have remained the same or similar in character, intensity and scale, the operation can essentially rely on existing use rights pursuant to section 10 of the Resource Management Act 1991.

It is noted however, that noise is also regulated by section 16 of the Resource Management Act 1991. Under section 16, East Coast Lumber has a general duty to avoid unreasonable noise – *‘Every occupier of land... shall adopt the best practicable option to ensure that the emission of noise from that land...does not exceed a reasonable level’*. Enforcement of this specifically excludes noise from trains or vehicles on roads, and only relates to noise heard from a place other than where the noise is made.

7.1.2 Compliance with the Hawke’s Bay Regional Resource Management Plan (August 2006)

The following table provides an assessment of East Coast Lumber activities in terms of compliance with the provisions of the current operative Hawke’s Bay Regional Resource Management Plan.

The following is an assessment of the activity against the applicable rules, and any relevant standards and conditions for permitted activities, in the current Regional Plan⁴:

Hawke’s Bay Regional Resource Management Plan		
Discharges to Air		
<p>Rule 29</p> <p>Minor discharges from industrial & trade premises</p>	<p><i>The discharge of contaminants into air from any industrial or trade premises that is not specifically regulated by any other rule within this Plan, including:</i></p> <ul style="list-style-type: none"> • <i>discharges of heat to air</i> • <i>discharges of dust arising from the loading, unloading, and conveyance of goods and materials (including aggregates).</i> <p>is a Permitted Activity subject to various specific conditions, standards and terms.</p> <p>Conditions of particular relevance include:</p> <p>a. <i>The opacity of any discharge of smoke when measured at the point of discharge shall not exceed 20%, except that a discharge in excess of this shall be permitted for a period of not more than two minutes continuously or for an aggregate of four minutes in any 60 minute period.</i></p> <p>d. <i>At any point beyond the boundary of the subject property, or on public land;</i></p> <p style="margin-left: 20px;"><i>i. The discharge shall not result in any noxious or dangerous levels of airborne contaminants;</i></p> <p style="margin-left: 20px;"><i>ii. There shall be no visible discharge of any contaminant, other than smoke from fuel burning equipment or water vapour;</i></p> <p style="margin-left: 20px;"><i>iii. Any discharge of water vapour shall not result in any plume which adversely affects traffic safety, or reduces visibility within a height of 5 metres above ground level, or reduces visibility within recognised flight paths in the vicinity of airports;</i></p> <p style="margin-left: 20px;"><i>iv. The discharge shall not result in any offensive or objectionable odour;</i></p>	<p>Rule 29 of the RRMP is considered to be most applicable to East Coast Lumber’s on-site operations. This rule permits the discharge of dust arising from the loading, unloading, and conveyance of goods and materials (including aggregates) subject to the specified standards. It is likely that East Coast Lumber complies with these requirements most of the time.</p> <p>On dry, windy summer days, it is possible that the discharge of dust criteria would not be met.</p> <p>Appropriate use of the on-site fire engine to regularly water the ground in certain conditions would likely enable compliance to be achieved.</p>

⁴ Note: Existing use rights do not apply to rules in a regional plan.

	<p><i>v. The dust deposition rate resulting from the discharge shall not raise the ambient dust deposition rate by more than 4g/m² per 30 days;</i></p> <p><i>vi. The discharge shall not result in any objectionable deposition of particulate matter on any land or structure.</i></p>	
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As there are no discharges to land or water as a result of the East Coast Lumber operation, dust generation is the only aspect of East Coast Lumber’s activities that is captured by the Hawke’s Bay Regional Resource Management Plan.

Rule 29 (Minor discharges from industrial and trade premises) is the only rule in the RRMP that applies directly to East Coast Lumber activities. It is likely that East Coast Lumber complies with these conditions the majority of the time. On dry, windy summer days, without some form of dust suppression in place, it is possible that the discharge of dust criteria would not be met (notably, an increase of more than 4g/m² per 30 days above the ambient dust deposition rate (Condition (d)(v)), & objectionable deposition of particulate matter on any land or structure (Condition (d)(vi)). However, regular use of the old fire engine to spray water on the ground in certain conditions and at appropriate times would most likely provide sufficient suppression of dust to achieve compliance.

7.2 Operational Resource Consents

East Coast Lumber does not hold any operational resource consents from either Wairoa District Council or Hawke’s Bay Regional Council, and were unlikely to have required any when the business was initially established in 1973 or when it was extended in the late 1980’s/early 1990’s.

7.3 Summary of Compliance

East Coast Lumber is not required to hold any land use consents from Wairoa District Council by virtue of existing use rights. These existing use rights apply to the land use itself so long as the operation is not discontinued for a continuous period of 12 months or more, and so long as the effects of the use remain the same or similar in character, intensity and scale.

However, East Coast Lumber does carry out activities that can generate dust, which is captured by Rule 29 in the Hawke’s Bay Regional Resource Management Plan. Existing use rights do not apply to regional rules.

All in all, East Coast Lumber achieves general compliance with relevant District and Regional planning requirements – albeit that there are likely climatic conditions that may generate dust, potentially breaching discharge to air standards in the Regional Plan. There appear to be adequate measures in place to respond to and address potential breaches, including the use of an old fire engine to spray water on the ground for dust suppression.

8 Conclusions & Recommendations

From a review of East Coast Lumber activities against the relevant District and Regional Rules, and observation of activities on the site, the following identifies potential opportunities for improvements in overall environmental performance:

- 1) **Noise** - Although noise measurements have not been taken at or around this site as part of this scoping exercise, the qualified opinion of the Wairoa District Council's Environmental Health Officer is that there are likely incidences when the East Coast Lumber site is not able to comply with noise limits in the District Plan, particularly on its boundary with residential-zoned properties to the north. Although the noise limits in the District Plan cannot be applied given East Coast Lumber's existing use rights, there is an overall responsibility to avoid unreasonable noise, and it is important to ensure that due consideration is given to the nearby residential activity. The Noise limits imposed by the District Plan provide a basis from which to monitor the 'reasonableness' of noise levels.
- 2) **Privacy, Shading and Visual Amenity** – there are a number of performance standards relating to privacy, shading and visual amenity. Although East Coast Lumber are complying with these standards, on-going consideration of potential improvements to address any impacts on neighbouring residents is appropriate.
- 3) **Discharge of Dust** – the Hawke's Bay Regional Resource Management Plan permits the discharge of dust arising from the loading, unloading, and conveyance of goods and materials (including aggregates) subject to certain standards being met (dust deposition rates etc). It is unlikely that the discharge of dust criteria can be met on all occasions, although East Coast Lumber has instigated a number of measures (including on-site dust suppression methods) to address this. These measures need to be an on-going commitment, and again, this is an area that East Coast Lumber should continue to look for further ways to improve performance where practical.
- 4) **Former Hazardous Substances On Site** – Removal of the moth-balled timber treatment facility on the East Coast Lumber site is planned. This is appropriate, and needs to be done in line with Hawke's Bay Regional Council requirements.

Overall it is recommended that East Coast Lumber be encouraged and supported to:

- 1) Develop an Environmental Management Plan to include; on-going management of various aspects of the operation including dust suppression and noise reduction.
- 2) Progress the planned removal of the moth-balled timber treatment facility on-site, in a manner agreed with Hawke's Bay Regional Council.
- 3) Consider additional landscaping improvements along the boundary with Ormond Road (additional buffer planting) to better manage the impact of the yard on the visual amenity of adjoining residential dwellings.
- 4) Participate in any community advisory group that may be established to facilitate positive relationship building between local businesses and the residents of North Clyde.

Environmental Scoping Study

Wairoa Timber Processors Limited

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1 Summary

The purpose of this scoping report is to describe the current situation with regard to the environmental effects of the Wairoa Timber Processors Limited. This includes the identification of the resource consents currently held by Wairoa Timber Processors, the level of compliance with those consents based on monitoring data, and any other effects on the North Clyde environment that may be occurring as a result of activities on-site and if these are being adequately addressed. This scoping report will then inform the wider North Clyde Strategy that is being prepared concurrently.

From the information available at the time of preparing this report it has been identified that the activities at Wairoa Timber Processors Limited are currently complying in most part with the Resource Management Act 1991 and the relevant district and regional plans.

Key recommendations for Wairoa Timber Processors are:

- 1) To maintain reasonable operating hours to ensure noise emanating from the site is reasonable, and that operations staff remain mindful of the amenity of adjoining residents.
- 2) To maintain active management of the operation (the boiler, in particular) and continuing to look for further ways to minimise the potential for offensive smoke, dust emissions and windblown sawdust incidents to arise.
- 3) To address the current 'non-compliance' with the conditions of Discharge Consent (DPO60565W) by either installing the wetland as per the original consent application, or amending the size in conjunction with Wairoa District Council, or applying to Hawke's Bay Regional Council to have the consent conditions changed.
- 4) To participate in any community advisory group that may be established to facilitate positive relationship building between local businesses and the residents of North Clyde.

2 Scoping Report Methodology

This scoping report has been developed using information obtained from a site visit held on the 29th January 2013 accompanied by the Operations Manager – Mike Pollock, data sourced from both Wairoa District Council and Hawke's Bay Regional Council, a broad desktop assessment, and input from Wairoa District Council's Environmental Health Officer.

It is important to note that although this report has sought to provide an accurate representation of the operation's activities, it is not a comprehensive environmental impact assessment.

3 Site Description

3.1 Business Details

Wairoa Timber Processors Limited is a kiln drying facility, and is located on Crarer Street in North Clyde. Wairoa Timber Processors has been in operation since 2006, following the granting of land use consent from Wairoa District Council and an air discharge consent from Hawke's Bay Regional Council.

The operation was initially set up as a partnership between East Coast Lumber and Clyde Lumber, but is now solely owned as a sister company of East Coast Lumber. The operation is currently managed by Mike Pollock (Business Manager), who manages both the Wairoa Timber Processors and East Coast Lumber sites.

The operation takes green sawn radiata lumber from the East Coast Lumber site. Approximately 4 - 5 (approximately 15 tonne) truck units per day are used to transport the lumber to the Wairoa Timber Processors site. Half of the final product is then transported back to the East Coast Lumber site for re-sorting and distributing – the other half goes directly from Wairoa Timber Processors site to the market.

The 3 kilns on-site are heated by high pressure hot water generated by a single intermediate-sized wood fired boiler (supplemented with coal as necessary).

Approximately 25 full time equivalents and 5 contractors are employed by Wairoa Timber Processors Limited and East Coast Lumber combined (staff work across the two businesses).

3.2 Site Details

Physical address: 2 – 14 Crarer Street, Wairoa

Site area: 2.7614 ha

Legal description: Section 1 Survey Office Plan 10205

Vacated old sports clubrooms are located towards the southern boundary of the property (new clubrooms were established elsewhere in Wairoa as part of the establishment of Wairoa Timber Processors on this site).

3.3 Applicable District and Regional Plans

The following section outlines the applicable district and regional plans and the specific sections of each plan that apply to the Wairoa Timber Processors site. A detailed assessment of the Wairoa Timber Processors site against the relevant sections of each plan are discussed further in section 7 below.

3.3.1 Wairoa District Plan

The Wairoa Timber Processors yard is located in the Industrial Zone in the Wairoa District Plan, bounded to the east by Rural-zoned land and Residential-zoned land across the road to the north – see planning map Figure 1 below.

The objectives and policies of the Industrial Zone aim to provide for the establishment of industry in this area, whilst avoiding, remedying or mitigating adverse effects on the environment and on the amenity values of surrounding areas (particularly where sites adjoin the Residential Zone).

The District Plan provides for any activity to locate in the Industrial Zone provided it can meet the Industrial Zone performance standards for permitted activities.

Permitted activity performance standards in the Industrial Zone include noise limits, odour & glare standards, building setbacks, parking and loading requirements, signage limits, hazardous substance thresholds, building freeboard requirements in flood prone areas, and earthworks limits.

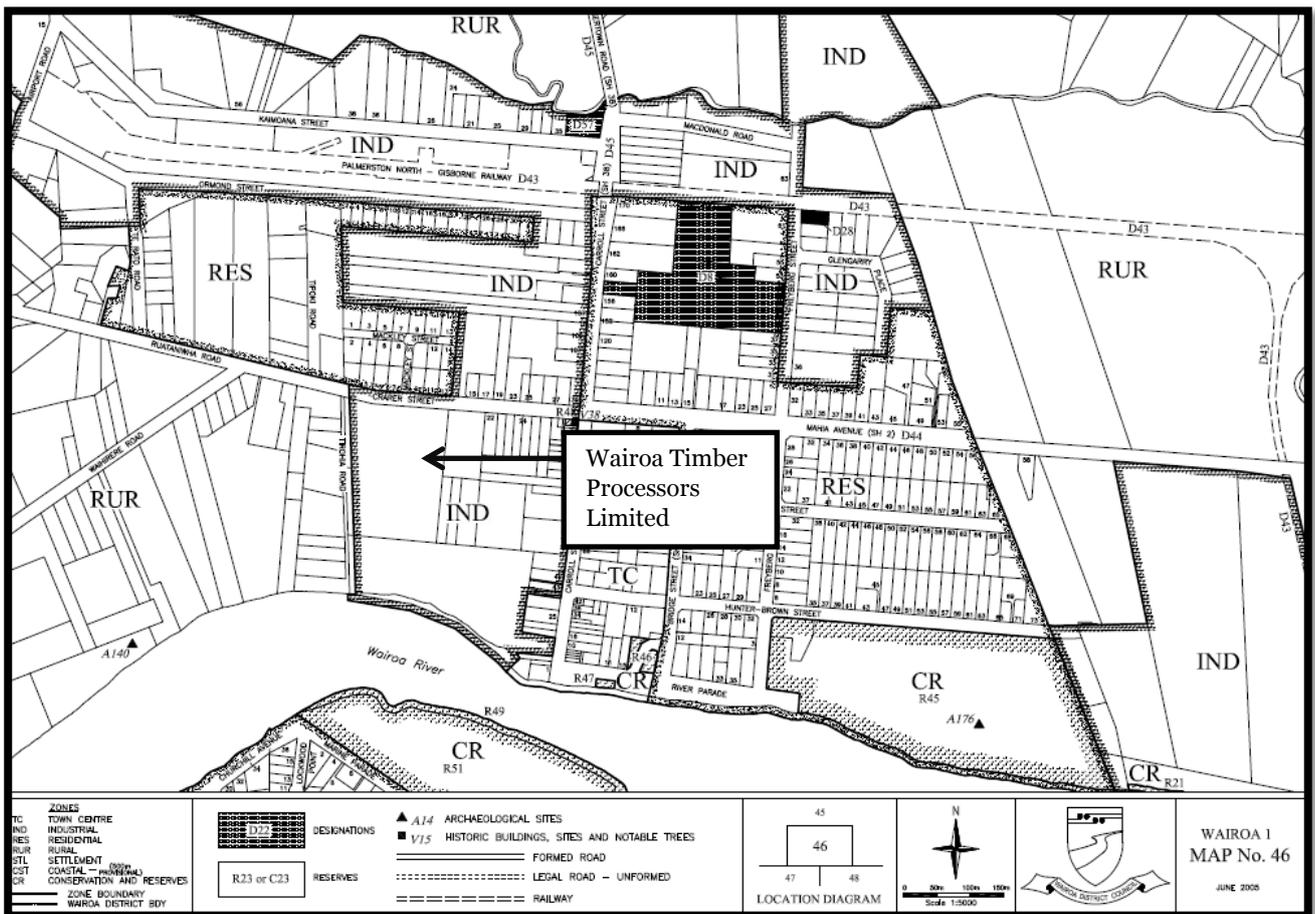


Figure 1 – location of Wairoa Timber Processors Limited on Wairoa District Council Planning Map

3.3.2 Hawke’s Bay Regional Resource Management Plan (RRMP)

The Hawke’s Bay Regional Resource Management Plan applies to the Wairoa Timber Processors Limited site. This Plan addresses matters such as odour, dust, and discharges to land and water and the way in which Wairoa Timber Processors Limited need to manage their site in relation to these matters.

Rules 28 and 29 of the RRMP are considered to be most applicable rules relating to discharges to air from industrial and trade premises. This activity was deemed to be a discretionary activity under the RRMP and Wairoa Timber Processors Limited obtained the appropriate resource consent in order to ‘discharge products of combustion into the atmosphere from a 2.7 and a 5 megawatt boiler fuelled by wood waste and coal’¹. Refer to Appendix 2 for a copy of the regional resource consent documentation, and section 7.1.2 of this report for further discussion.

¹ Note: as the facility only receives lumber from East Coast Lumber (and not Clyde Lumber as well, as originally planned), only one boiler has been commissioned. In addition, only 3 kilns have been commissioned instead of the planned 10 kilns originally consented.

4 Current Activities/Operations On-Site

4.1 Site Plan & Operation



Figure 2: Location of Wairoa Timber Processors site

As can be seen from Figures 2 & 3, there is one main building located centrally on the site. This building is the main 'Drying' area where green sawn radiata lumber is kiln dried .

There are 3 kilns which are heated by high pressure hot water generated by a single intermediate-sized wood fired boiler (supplemented with coal as necessary).

Green sawdust trucked to the mill from East Coast Lumber (supplemented as necessary with Waikato coal) are used to fuel the boiler. Wood shavings/ dust are stored in dedicated fuel bins with the fuel feedstock automatically conveyed to the boiler firebox in the correct proportions on demand.

No milling of timber is carried out on site. Milled timber is brought to Wairoa Timber Processors from the East Coast Lumber site on Carroll Street, by approximately 4-5 truck units (approximately 15 tonne) per day.

To the north of the main building is a timber storage area. From discussion with the Business Manager, the timber does not remain on site for any length of time. On most occasions the timber is stock piled for up to a week and transported off site upon completion of drying.

Large earth bunds are located to the north and west of the site. These large earth bunds have been developed for two reasons; to provide a means to reduce noise created by the on-going operation of the plant, particularly activities associated with the operation of trucks within the yard and; as a means to screen the industrial activities occurring on the site from neighbouring residences.

Wairoa Timber Processors: Environmental Scoping Report



Photograph 1: View of bunded area to the west of the site



Photograph 2: View of one of the 'drying' kilns

The site has one access (entry/ exit) point to Crarer Street which is considered to be a Collector Route according to (Appendix II Roading Hierarchy) of the Wairoa District Plan. From this access point timber transport trucks are able to manoeuvre around the front of the property to load/ unload timber.

The majority of the site is currently grassed with the main yard area gravelled. As the facility only serves the East Coast Lumber operation, approximately only one third of the original site development proposed has eventuated. According to the Business Manager 'the Boilers and Kilns operate 24 hours a day, 7 days per week, and the moving plant can operate from 6am till 5pm but more often starting at 6.30am'.



Figure 3: Site Plan

4.2 Site Servicing

Wairoa Timber Processors are connected to town water supply and town sewer. The site is not connected to town stormwater at present, but there is a requirement to connect when directed by Wairoa District Council as part of the Council's on-going stormwater upgrading proposed for the area in the future. Stormwater from the hardstand areas and buildings currently discharges to the town sewer.

5 Environmental Effects Occurring/Observed

5.1 Environmental Effects

On the 29th January 2013 a site visit was undertaken to understand the nature of the Wairoa Timber Processors Limited operation. A discussion was held with the Business Manager, Mike Pollock at that time. From the site visit and discussions with Mr Pollock, the following environmental effects were identified/ observed.

5.1.1 Discharge to Air

5.1.1.1 Smoke

The drying operation involves the operation of a single wood fired boiler and three kilns, which discharge to air via chimney stacks.

The products of combustion from the boiler include small concentrations of carbon dioxide, carbon monoxide, oxides of nitrogen, some organic compounds, some smoke, water vapour and some particulate matter (wood ash, and partially burnt fuel (char and smoke)). Under normal operations the concentration of particulate matter discharged from the boiler stacks is less than 250mg/Sm³ adjusted to 12% carbon dioxide by volume when the boiler is operating at maximum load.

Under normal operations the discharge of smoke is minimal and the discharge has a low rate of odour emission (that is, it is not expected to cause odour nuisance to neighbours).

5.1.1.2 Dust

Despite being a predominantly gravelled/ grassed yard, dust does circulate around the yard during the dry summer months. This is an issue for Wairoa Timber Processors Limited, particularly on windy days. A number of mitigation measures have been instigated to address the issue of dust. These are discussed further in section 6.1.1.2 of this report.

Windblown sawdust is a minor issue for the Wairoa Timber Processors site. Sawdust stored on the site is generally not stored for long. Sawdust delivered to the site is dumped into a large storage bin or onto a purpose-built concrete pad (connected to the storage bin), then pushed straight into the fuel bins that feed the boiler. Sawdust is effectively contained so that it does not get blown around and does not get left in a pile to sit outside.

5.1.2 Traffic

The nature of this business means that there are truck movements into, around and out of the yard on a frequent basis. The trucks entering the site are generally smaller trucks that are used to transport the timber material to the site upon completion of the milling operation at East Coast Lumber just down the road – these truck movements number approximately 4-5 trucks to and from the site each day.

5.1.3 Visual Impact

From a site observation it appears that the visual impact of the activity from the Crarer Street entranceway, is relatively low. The trucks access the yard from one entry point with earth bunds along the remainder of the site boundary along this road.

Similarly, the earth bund along the western boundary screen the operation from residences on Tirohia Lane.

5.1.4 Wastewater/ Stormwater Discharge

The majority of the yard comprises of permeable surface, therefore much of the site's stormwater permeates into the ground. Currently stormwater from the hardstand areas and buildings on-site is discharged into the Council sewer system. Two settling tanks with pumps operate between Wairoa Timber Processors and the sewer – these can be shut off in a major flood event, and water kept in the tanks until conditions improve.

5.1.5 Noise/ Vibration

Noise/ vibration is inevitable in a yard such as this one, particularly given the trucks entering and exiting the site on a regular basis. The trucks braking to enter the site, their manoeuvres whilst entering, turning and exiting the yard all generate noise/ vibration.

The movement of timber to and from the trucks into the kiln operation, and also from loading of sawdust into the fuel storage bins etc, also causes noise/ vibration effects. However, for the most part, noise emissions are contained within the site by the presence of significant earth bunds along the western and northern boundaries of the site, protecting residential properties nearby.

Previous issues with noise experienced by residents in the early morning and late at night from loader movements have been addressed through the installation of an additional fuel cell.

5.1.6 Hazardous Substances

Wairoa Timber Processors has no hazardous substances held on site.

5.2 Complaints History/Experience

From a review of the Wairoa District Council complaints records, there have been sixteen(16) complaints recorded in the last 5 years – the majority (9) of these were recorded during 2010 and related to noise from loaders or other plant operations at the site occurring particularly early or late in the day (considered to be outside reasonable operating hours). Notably, noise from this site has not generated any formal complaints since November 2010.

More recent complaints were for offensive smoke discharge – 2 complaints on 23 December 2011, and 1 complaint on 11 December 2012 which was subsequently referred to Hawke's Bay Regional Council.

From a review of Hawke's Bay Regional Council's complaints register there have been two complaints recorded in the last 5 years – in June 2010 and December 2012. The complaints received were in relation to smoke discharges. Issues relating to smoke discharge were generally tracked to specific management and plant malfunction incidents.

From a discussion with the Business Manager, Mike Pollock, there have been comments to him in the past, mainly in response to smoke emissions emanating from the site. There have been incidences where black smoke in the vicinity of the Wairoa Timber Processors site has been attributed to their operation – some of these which were considered by Wairoa Timber Processors to be more related to corresponding instances of burning wet sawdust at the nearby Clyde Lumber site which smouldered for days and also caused thick black smoke. There is a general acceptance however that black smoke is known to have been emitted on occasion when the boilers have become blocked.

6 Environmental Initiatives

6.1.1 Air Discharge

6.1.1.1 Smoke

Incidents of black smoke emissions from the plant have been largely attributed to malfunction in the boiler operation. Plant operations are monitored through the use of a computer program linked to smart phones. The program alerts operations staff immediately, of any plant malfunctions occurring on-site, and allows the boiler to be stopped remotely if necessary – staff can then get in and fix the problem quickly – anytime, day or night.

This has been in place for a couple of years but was originally only provided to the processing manager. In response to incidents in the last couple of years, all 3 operations staff now have this technology, ensuring that malfunctions are able to be responded to even more quickly. Operations staff are all Wairoa-based and live close by, and can respond in a very short space of time. The Business Manager believes this system has significantly improved the ability to respond and address plant malfunctions in a timely manner, and the incidents of offensive smoke are expected to be significantly reduced, if not eliminated altogether.

6.1.1.2 Dust

The earth bund provides some ability to contain dust within the site. Wairoa Timber Processors can also access the old fire truck from the East Coast Lumber site as a mitigation measure enabling water to be sprayed on the ground as a means of suppressing dust, if required.

Windblown sawdust potential is largely mitigated through containment in storage bins which then feed directly into fuel feed bins.

6.1.2 Stormwater

In the event of storm events, the plant has the ability to shut down their pipes connecting to the sewer (utilising inline storage tanks) to ensure that they do not contribute to overloading the system. The facility has activated this measure on occasion, voluntarily.

6.1.3 Visual Amenity

In order to mitigate visual amenity effects, a large earth bund has been constructed along the northern and western extent of the Wairoa Timber Processors site. The bund on the northern boundary has now been fully planted, which goes some way towards reducing the overall visual effect of the site for neighbouring residents. The bund on the western boundary is largely vegetated and further screening is provided by existing trees maturing along the boundary. In time, once there is good plant establishment along the Crarer Street frontage, visual impact is expected to become even further reduced.

6.1.4 Noise

Issues around noise from moving machinery in the early morning or late at night have been largely addressed. Originally the site only had one fuel cell, but a second fuel cell was constructed in recent times. Now both fuel cells can be fully loaded up by 5pm at night with enough to fuel the boiler right through the night, removing the need to run moving machinery outside normal working hours to re-fill the fuel cell and keep the kiln operating 24 hours a day.

The earth bunding discussed above also contributes to attenuating noise emanating from the site for neighbouring residential properties.

6.1.5 Community Engagement

The resource consent process for the 'Dry' timber kiln involved a significant level of community consultation.

Business Owner/ Manager, Mike Pollock, has indicated an interest in participating in a community advisory group to better facilitate regular on-going positive communication between local businesses and the residents of North Clyde, recognising that all parties have a legitimate role to play in the future of North Clyde and Wairoa in general.

7 Current Planning Status

7.1 District & Regional Plan Compliance

The two relevant planning documents that apply to the Wairoa Timber Processors site and operations are:

- the Wairoa District Plan (June 2005), administered by Wairoa District Council;
- the Hawke's Bay Regional Resource Management Plan (August 2006), administered by Hawke's Bay Regional Council.

7.1.1 Compliance with the Wairoa District Plan (June 2005)

Wairoa Timber Processors was established on this site under the provisions of the current Wairoa District Plan. Therefore, it was assessed against the provisions of that Plan, and found not to require land use consent from the Wairoa District Council other than for earthworks associated with Stage 1 site development works. The operation of the 'Dry' kiln on this site is, of itself, a permitted activity in the Wairoa District Plan.

In terms of noise, in the qualified opinion of Wairoa District Council's Environmental Health Officer, noise emanating from the Wairoa Timber Processors site likely complies with the relevant limits in the Wairoa District Plan in the most part. It is noted however, that whilst the site likely complies, noise is also regulated by section 16 of the Resource Management Act 1991. Under section 16, Wairoa Timber Processors has a general duty to avoid unreasonable noise – *'Every occupier of land... shall adopt the best practicable option to ensure that the emission of noise from that land...does not exceed a reasonable level'*. Enforcement of this specifically excludes noise from trains or vehicles on roads, and only relates to noise heard from a place other than where the noise is made.

7.1.2 Compliance with the Hawke’s Bay Regional Resource Management Plan (August 2006)

The following table provides an assessment of Wairoa Timber Processors activities in terms of compliance with the provisions of the current operative Hawke’s Bay Regional Resource Management Plan.

The following is an assessment of the activity against the applicable rules, and any relevant standards and conditions for permitted activities, in the current Regional Plan²:

Hawke’s Bay Regional Resource Management Plan		
Discharges to Air		
<p>Rule 28</p> <p>Miscellaneous Industrial & trade premises</p>	<p><i>The discharge of contaminants into air from any industrial or trade premises arising from any of the following activities, that is not specifically regulated by any other rule within this Plan:</i></p> <ul style="list-style-type: none"> • <i>combustion of coal, light fuel oil, heavy fuel oil or untreated wood with a maximum heat output that exceeds 100 kW</i> <p>is a Discretionary Activity.</p>	<p>Wairoa Timber Processors carry out activities that are caught by Rule 28, and hold a current resource consent ‘to discharge products of combustion into the atmosphere from one 2.7 and one 5 megawatt boiler fuelled by wood waste and coal’.</p>
<p>Rule 29</p> <p>Minor discharges from industrial & trade premises</p>	<p><i>The discharge of contaminants into air from any industrial or trade premises that is not specifically regulated by any other rule within this Plan, including:</i></p> <ul style="list-style-type: none"> • <i>discharges of heat to air</i> • <i>discharges of dust arising from the loading, unloading, and conveyance of goods and materials (including aggregates).</i> <p>is a Permitted Activity subject to various specific conditions, standards and terms.</p> <p>Conditions of particular relevance include:</p> <p>a. <i>The opacity of any discharge of smoke when measured at the point of discharge shall not exceed 20%, except that a discharge in excess of this shall be permitted for a period of not more than two minutes continuously or for an aggregate of four minutes in any 60 min period.</i></p> <p>d. <i>At any point beyond the boundary of the subject property, or on public land;</i></p> <p><i>i. The discharge shall not result in any noxious or dangerous levels of airborne contaminants;</i></p> <p><i>ii. There shall be no visible discharge of any contaminant, other than smoke from fuel burning equipment or water vapour;</i></p> <p><i>iii. Any discharge of water vapour shall not result in any plume which adversely affects traffic safety, or reduces visibility within a height of 5 metres above ground level, or reduces visibility within recognised flight paths in the vicinity of airports;</i></p>	<p>It is likely that Wairoa Timber Processors complies with these requirements most of the time.</p> <p>On dry, windy summer days, it is possible that the discharge of dust criteria would not be met.</p> <p>The presence of the earth bund as a means of containing dust, and the ability to deploy the old fire truck from the East Coast Lumber site to spray water on the ground to suppress dust when necessary, likely mitigates dust emissions to within dust criteria.</p>

² Note: Existing use rights do not apply to rules in a regional plan.

Wairoa Timber Processors: Environmental Scoping Report

	<p><i>iv. The discharge shall not result in any offensive or objectionable odour;</i></p> <p><i>v. The dust deposition rate resulting from the discharge shall not raise the ambient dust deposition rate by more than 4g/m² per 30 days;</i></p> <p><i>vi. The discharge shall not result in any objectionable deposition of particulate matter on any land or structure.</i></p>	
Discharges to Water		
<p>Rule 47</p> <p>Discharges to surface water</p>	<p><i>The discharge of contaminants into surface water, pursuant to section 15(1)(a) RMA, except as expressly regulated by other rules in this Plan.</i></p> <p>is a Permitted Activity subject to various specific conditions, standards and terms.</p>	<p>Wairoa Timber Processors hold a resource consent as a discretionary activity <i>‘to divert and discharge stormwater from an industrial and trade premise of 2.7 hectares, that includes a timber drying plant.</i></p> <p>This consent reflected the original proposal to discharge stormwater from the site into a purpose-built man-made wetland area. However, as the operation is substantially less than first anticipated, and site coverage is only a third of what was initially proposed, this consent has not been activated. Stormwater from hardstand areas and buildings on-site currently discharges to the town sewer.</p>

Wairoa Timber Processors carry out various activities that are captured by rules in the Hawke’s Bay Regional Resource Management Plan, leading to a requirement for resource consents to address those aspects of their operations. Wairoa Timber Processors has all the necessary resource consents in this regard.

7.2 Operational Resource Consents

Wairoa Timber Processors has several operational resource consents, each of which have a number of conditions attached.

Wairoa District Council – Wairoa District Plan

- **Land Use Consent** – Consent No. RM060086 – to undertake earthworks associated with site development works relating to stage 1 of the development of the Dry mill.
- **Land Use Consent** – Consent No. RM070022/ASW – ‘to erect a fence for noise attenuation’. This activity was subsequently confirmed as a Permitted Activity.

The fence was never constructed, as the earth bund was progressed and the fence deemed no longer necessary. This was confirmed with the issuing of the Code of Compliance Certificate for the construction of the earth bund (BY 070100) – a note was added to the building consent file at the time, confirming the District Planner’s acceptance that a fence was no longer required.

Hawkes Bay Regional Council – Hawke’s Bay Regional Resource Management Plan

- **Discharge Permit** – Consent No. DP100552A – *‘to discharge products of combustion into the atmosphere from one 2.7 and one 5 megawatt boiler fuelled by wood waste and coal’.* This consent has been granted for a period expiring on 31 May 2031.
- **Discharge Permit** – Consent No. DP060565W – *‘to divert and discharge stormwater from an industrial and trade premise of 2.7 hectares’.* This consent is granted for a period expiring on 31 May 2013. This consent has not been activated...refer to comments above in section 7.1.2.

7.2.1 Conditions of Consent

Land Use Consent (RM060086): to undertake earthworks associated with site development works relating to stage 1 of the development of the Dry mill.

The above resource consent was granted by Wairoa District Council as a discretionary activity for preparation of the site for the initial development of the ‘Dry’ timber mill and for the establishment of environmental mitigation measures, particularly a perimeter earth bund. [conditions applying to this consent???

Discharge Permit (DP100552A): to discharge products of combustion into the atmosphere from one 2.7 and one 5 megawatt boiler fuelled by wood waste and coal.

The above resource consent imposes a range of conditions on the Wairoa Timber Processors operation, and a number of monitoring requirements. The most notable of these are:

- 3) *The Discharge shall only be combustion products from boilers fired by wood and supplementary coal, having a combined gross output of not more than 6.4 megawatts, and associated fuel handling products.*
- 4) a) *The discharge into air from the boilers shall occur via two individual chimney stacks at least 18 metres in height above ground level.*
- 4) b) *The discharges shall be directed vertically into air and shall not be impeded by any obstruction above the stack that decreases the vertical efflux velocity below that which would occur in the absence of such an obstruction.*

- 5) Wood burned in the boilers shall be untreated or contaminated with any chemicals.
- 6) The combined coal burning rate shall not exceed 360 kilograms per hour and 15 percent of the boiler fuel load.
- 7) The sulphur content of coal burned in the boilers shall not exceed 0.25 percent by weight.
- 9) The opacity of emissions from the boiler stacks shall not be darker than Ringelmann Shade 1 as described in New Zealand Standard 5201:1973 (except in special cases as specified in the consent conditions).
- 11) The concentration of particulate matter less than 10 microns (PM10) in combustion gas discharged from the boiler emission stacks, measured in accordance with Condition 13 (Condition 13 specifies methods for measurement and sampling), and averaged over each emission test, shall not exceed 150 milligrams per cubic metre adjusted to 0 degree Celcius, 101.3 kilopascals, and 8.5 percent oxygen on a dry gas basis.
- 12) The combined mass emission rate of PM10 from all boilers, measured in accordance with Condition 13, shall not exceed 1 kilogram per hour.
- 14) There shall be no discharge of odour or particulate matter as a result of the exercise of this permit that is noxious, dangerous, offensive or objectionable to the extent that it causes an adverse effect beyond the boundary of the property in the opinion of an authorised enforcement officer of the Consent Authority.

Also of note, the consent conditions state that this permit shall not commence until Discharge Permit DP060564A has been surrendered or expires and that a management plan (containing specific requirements as stipulated in the consent conditions) for the operation and maintenance of the boilers needs to be provided to the Consent Authority within 3 months of the date of commencement of this consent. The conditions of consent also require annual maintenance of the boilers.

A record of complaints relating to odour, smoke or particulate matter caused by the boiler discharge is also required to be maintained³.

Discharge Permit (DP060565W): to divert and discharge stormwater from an industrial and trade premise of 2.7 hectares, that includes a timber drying plant.

The above resource consent imposes a range of conditions on the Wairoa Timber Processors operation, and a number of monitoring requirements. The most notable of these are:

- 1) All operations are to be undertaken in accordance with the stormwater treatment design Plan 1 & Plan 2 as submitted with the application.
- 2) All works and structures relating to this resource consent shall be designed and constructed to conform to the best engineering practices and at all times maintained to a safe and serviceable standard.
- 3) All first flush stormwater (one third of the 2 year annual return interval) from the non roofed hard paved areas on the site shall be collected and treated via a wetland prior to discharge to the Wairoa River.
- 4) The wetland built in accordance with Condition 3, shall be lined with clay, and designed to achieve a 75% reduction in total suspended solids within the site stormwater, prior to discharge offsite.

³ Wairoa Timber Processors have a register for complaints – to-date there is very little contained in the register, other than complaints referred to Wairoa Timber Processors from the Councils.

- 5) All site stormwater shall be discharged into the existing west boundary drain at a maximum rate of 1 litre per second for events with a return period of 2 years or less, and 3 litres/ second with a return period between 2 – 10 years.
- 6) The stormwater outlet drain shall be designed to prevent erosion and, or scour around the outlet.
- 7) No other waste associated with the timber processing operation shall be discharged into the stormwater system.
- 8) An emergency shutoff valve shall be available at the outlet drain capable of preventing stormwater from being discharged off the site.
- 9) A sign shall stay erected and at all times maintained adjacent to the shutoff valve required by conditions of this consent, and shall provide clear instructions on the use of the shutoff valve should a spill occur on the industrial site.

7.2.2 Consent Compliance History

Hawke's Bay Regional Council regularly monitors Wairoa Timber Processors for compliance with the conditions of its resource consents.

On the 9th October 2012, a monitoring inspection was undertaken at the Wairoa Timber Processors property in relation to Discharge Permit (DP100552A): *'to discharge products of combustion into the atmosphere from one 2.7 and one 5 megawatt boiler fuelled by wood waste and coal'*. The operation was found to be fully compliant with the consent conditions in respect of its discharges to air from the kiln drying process.

On the 6th April 2011 a monitoring inspection was undertaken at the Wairoa Timber Processors property in relation to Discharge Permit (DPO60565W): *'to divert and discharge stormwater from an industrial and trade premise of 2.7 hectares, that includes a timber drying plant'*.

During this monitoring inspection a 'Significant Non Compliance' was recorded as follows, *'The significant non-compliance identified in this report relates to the wetland not being constructed. It is important that the consent holder have discussions with Wairoa District Council over the use of their sewer line for stormwater discharges. Secondly, either install the wetland as per the application for this consent, or amend the size in conjunction with WDC, or apply to have the consent conditions changed'*.

The monitoring inspection also noted that all other aspects of that consent are currently compliant and of particular note, *'all hardseal stormwater discharges are collected in a sump and then pumped to the Wairoa District Council Tradewaste line'* and *'The pump is used as a 'shut-off valve'*.

As discussed above, this consent has not been fully activated as stormwater is still being discharged to the town sewer. Furthermore, the Business Manager has indicated that it is unlikely that the wetland aspect of the consent will ever be activated in the future, as site coverage (hardstand) is only a third of the original proposal. The original site was going to have 10 kilns and 6 boilers and occupy more than half the site, however because of what has happened to Clyde Lumber and timber processing in general, only 3 kilns and 1 boiler have eventuated. The existing site footprint is what will remain indefinitely, and stormwater runoff is correspondingly less than originally anticipated. Wairoa Timber Processors consider on-site discharge and wetland treatment of stormwater is not necessary given the scale of development that has eventuated.

Wairoa District Council issued a Code of Compliance Certificate for building work associated with the facility in November 2012 (BY 070111). The certificate was issued on the proviso that:

- 1) The existing stormwater has been allowed to drain into the existing sewer system as a temporary measure, and
- 2) The owner(s) or subsequent owners of the land will redirect the existing stormwater system at their cost and connect into the newly constructed stormwater system as directed by WDC Engineering Department.

This provides some legitimacy to the existing discharge of stormwater to the town sewer, but also of the expectation of connection to a newly constructed stormwater system in the future.

Irrespective of this, the issue of 'non-compliance' does however need to be properly addressed with Hawke's Bay Regional Council, and the consent either surrendered, or conditions relating to the wetland aspect of the proposal deleted via a variation to the consent.

7.3 Summary of Compliance

Wairoa Timber Processors holds a resource consent for earthworks associated with Stage 1 site development works, but the 'Dry' kiln operation itself is a permitted activity in terms of land use.

However, Wairoa Timber Processors carries out activities that are captured by rules in the Hawke's Bay Regional Resource Management Plan. Existing use rights do not apply to regional rules. Wairoa Timber Processors holds all necessary resource consents for those aspects of its operations (as originally proposed) from Hawke's Bay Regional Council. These consents have numerous conditions attached to them, and the Regional Council monitors compliance with those conditions on a regular basis.

In terms of its resource consent for discharges to air (the most relevant consent in terms of effects on neighbouring residential amenity), Wairoa Timber Processors has made improvements to address plant malfunction and has been deemed by the Regional Council to be fully compliant with the conditions of its consent. It is recognised that there are outstanding issues for other consents it holds in relation to stormwater discharges – this is a matter of on-going non-compliance that is understood to be in the process of being addressed.

All in all, Wairoa Timber Processors achieve general compliance with relevant District and Regional planning requirements in terms of day-to-day operations – albeit that there have been occasional incidents that have involved the breaching of regional consent conditions. There now appears to be adequate measures in place to respond to and address such breaches, as and when they occur, including a formal 'Management Plan' for the management and operation of the boilers, as required by condition 8 in Discharge Permit (DP100552A), and the use of smart phone technology to alert operations staff of any system malfunctions.

The most pressing matter is the requirement under Discharge Permit (DP060565W), for the construction of a *'wetland built in accordance with Condition 3, shall be lined with clay, and designed to achieve a 75% reduction in total suspended solids within the site stormwater, prior to discharge offsite'*. For various reasons, the construction of the wetland is no longer considered necessary and is not proposed to take place. As outlined in the Hawke's Bay Regional Council's monitoring report however, *'it is important that the consent holder...either install the wetland as per the application for this consent, or amend the size in conjunction with WDC, or apply to have the consent conditions changed'*.

8 Conclusions & Recommendations

From a review of Wairoa Timber Processors' activities, and observation of activities on the site (alongside current consents), the following identifies areas of non-compliance with consent conditions that require addressing, and also potential opportunities for improvements in overall environmental performance generally:

- 1) **Noise** – noise complaints recorded in relation to this site have primarily related to site activities occurring outside of normal operating hours. The installation of a second fuel cell has largely removed the need to operate outside normal working hours. Wairoa Timber Processors need to ensure that they continue to operate within reasonable hours of operation.
- 2) **Discharge to Air** – Wairoa Timber Processors holds a discharge to air consent from the Hawke's Bay Regional Council. Although in most part, Wairoa Timber Processors is meeting their requirements under this consent, there have been complaints received in relation to the occasional discharge of offensive smoke. It is understood that plant operations are managed more effectively now, with the use of smart phone technology and distributing this technology to all 3 operations staff. It is important however to continue to comply with consent conditions and manage the operation in a manner that minimises incidents and enables speedy response to plant malfunctions.
- 3) **Stormwater Controls/ Construction of Wetland** – Discharge Consent (DPO60565W) requires the construction of a *'wetland built in accordance with Condition 3 (of that Permit), shall be lined with clay, and designed to achieve a 75% reduction in total suspended solids within the site stormwater, prior to discharge offsite'*. For various reasons, it is understood that the construction of the wetland is no longer considered necessary and is not proposed to take place. As outlined in the Hawke's Bay Regional Council's monitoring report however, *'it is important that the consent holder...either install the wetland as per the application for this consent, or amend the size in conjunction with WDC, or apply to have the consent conditions changed'*. It would be advisable for Wairoa Timber Processors to address this matter directly.

Overall it is recommended that Wairoa Timber Processors Limited be encouraged and supported to:

- 1) Maintain reasonable operating hours to ensure noise emanating from the site is reasonable, and that operations staff remain mindful of the amenity of adjoining residents.
- 2) Maintain active management of the operation (the boiler, in particular) and continue to look for further ways to minimise the potential for offensive smoke, dust emissions and windblown sawdust incidents to arise.
- 3) Address the current 'non-compliance' with the conditions of Discharge Consent (DPO60565W) by either installing the wetland as per the original consent application, or amending the size in conjunction with Wairoa District Council, or applying to Hawke's Bay Regional Council to have the consent conditions changed.
- 4) Participate in any community advisory group that may be established to facilitate positive relationship building between local businesses and the residents of North Clyde.

Environmental Scoping Study Drager C L & Sons Ltd Transport

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Appendix 1 - Certificate of Title

1 Summary

The purpose of this scoping report is to describe the current situation with regard to the environmental effects of the Drager C L Sons Ltd Transport (Drager Transport) activity. This includes the identification of any consenting requirements under the Resource Management Act 1991 and the relevant local plans operating under the Act, and any effects on the North Clyde environment that may be occurring as a result of activities on-site and if these are being adequately addressed. This scoping report will then inform the wider North Clyde Strategy that is being prepared concurrently.

From the information available at the time of preparing this report it has been identified that the activities at Drager Transport Ltd are currently complying in most part with the Resource Management Act 1991 and the relevant district and regional plans.

Key recommendations for Drager Transport are:

- 1) To develop an Environmental Management Plan to include; management of various aspects of the operation including dust suppression, noise reduction and hazardous substances management.
- 2) To consider additional landscaping improvements along the boundaries (additional fencing/buffer planting) to better screen the yard from adjoining residential dwellings.
- 3) To participate in any community advisory group that may be established to facilitate positive relationship building between local businesses and the residents of North Clyde.

2 Scoping Report Methodology

This scoping report has been developed using information obtained from a site visit held on the 29th January 2013 accompanied by the Business Manager – Trevor Drager, data sourced from both Wairoa District Council and Hawke’s Bay Regional Council, a broad desktop assessment, and input from Wairoa District Council’s Environmental Health Officer.

It is important to note that although this report has sought to provide an accurate representation of the operation’s activities, it is not a comprehensive environmental impact assessment.

3 Site Description

3.1 Business Details

Drager Transport is a family owned and operated transport and logistics business that has been operating in Wairoa since the 1950’s from this site. The operation is currently managed by Trevor Drager (Business Manager).

The site is a pick-up/ drop off point for a range of line haul trucks between Napier and Gisborne. The trucks predominantly drop goods off to the Drager Transport site and the trade is then re-distributed locally by Drager Transport. Drager Transport is essentially a distribution centre for Wairoa.

The Drager Transport yard is located in Carroll Street in North Clyde, in an area that has a long history of mixed use dominated by medium-scale industries and commercial operations, interspersed with small pockets of residential housing. This area is within close proximity to all Wairoa town-based businesses. For these reasons Trevor Drager considers the yard to be situated in an appropriate and logical location.

The goods that are transported to and from the Drager Transport site vary in terms of type of product and when they are delivered. The trucks can be as large as 20 metres in length. New Zealand Post for example use the services of Drager Transport five days a weeks and, on occasion, are required to be operating vehicles in the middle of the night. The site also acts as a holding point for a number of stock trucks each day (3 – 6 stock trucks per day).

'Farmers Transport' is also a tenant on the Drager Transport site and has been in operation at this site for approximately 5 years. Farmers Transport supply fertiliser and other rural products to farmers in the region.

Overall, the yard sees approximately 20 trucks entering and exiting the site per day.

3 - 4 staff are employed by Drager Transport and a similar number of staff are employed by Farmers Transport.

Trevor Drager advises that the business is in fact a considerably smaller operation now than it used to be, with fewer truck movements through the yard than during its heyday in the 1990's.

3.2 Site Details

Physical address: 145 Carroll St, Wairoa

Site area: 0.6132 ha

Legal description: Lot 3 DP 18324

3.3 Applicable District and Regional Plans

The following section outlines the applicable district and regional plans and the specific sections of each plan that apply to the Drager Transport site. A detailed assessment of the Drager Transport site against the relevant sections of each plan are discussed further in section 7 below.

3.3.1 Wairoa District Plan

The Drager Transport yard is located in the Industrial Zone in the Wairoa District Plan, and is surrounded entirely by industrial-zoned properties – see planning map Figure 1 below.

The objectives and policies of the Industrial Zone aim to provide for the establishment of industry in this area, whilst avoiding, remedying or mitigating adverse effects on the environment and on the amenity values of surrounding areas (particularly where sites adjoin the Residential Zone).

The District Plan provides for any activity to locate in the Industrial Zone provided it can meet the Industrial Zone performance standards for permitted activities.

Permitted activity performance standards in the Industrial Zone include noise limits, odour & glare standards, building setbacks, parking and loading requirements, signage limits, hazardous substance thresholds, building freeboard requirements in flood prone areas, and earthworks limits.

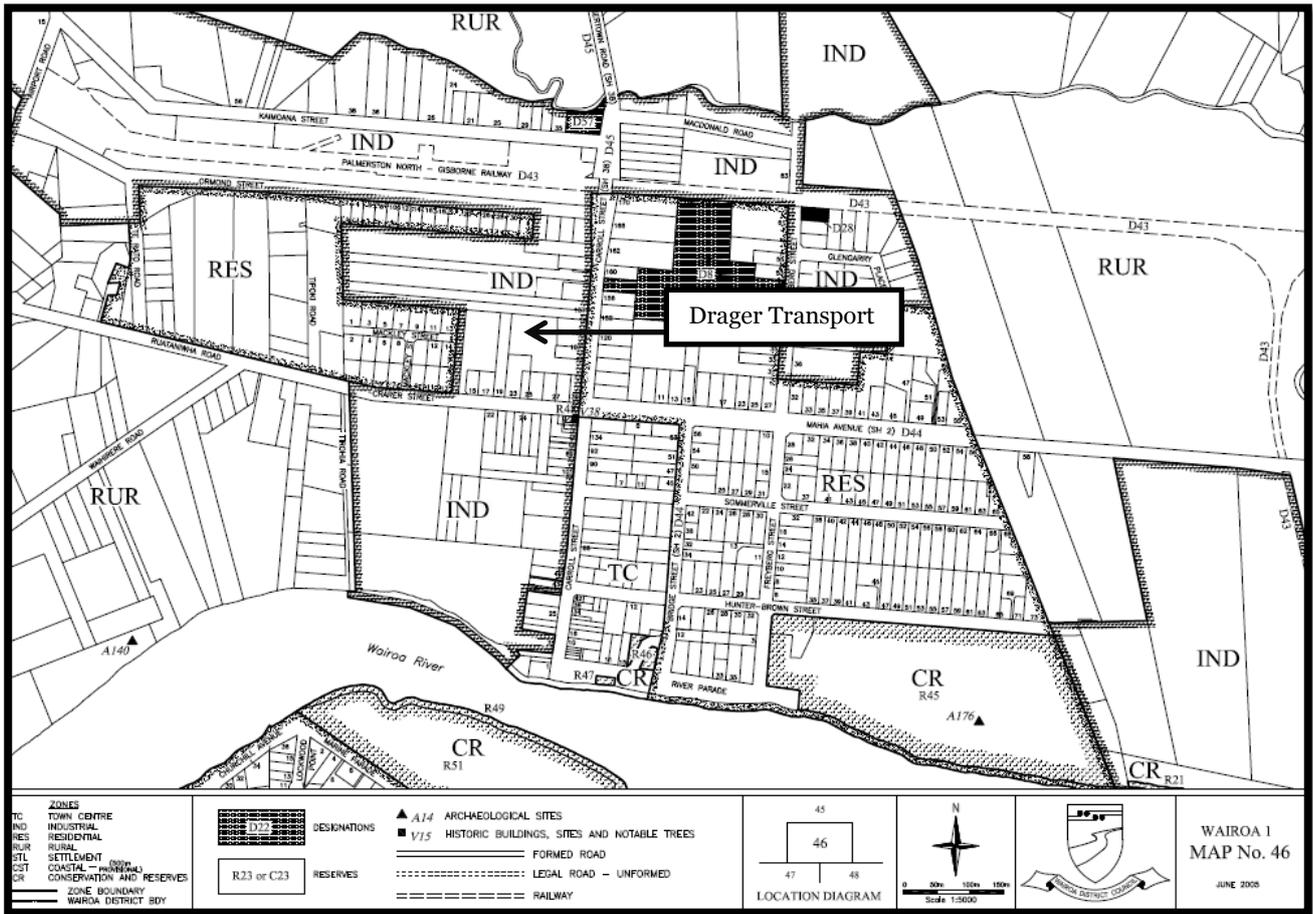


Figure 1 – location of Drager Transport on Wairoa District Council Planning Map

3.3.2 Hawke’s Bay Regional Resource Management Plan (RRMP)

The Hawke’s Bay Regional Resource Management Plan applies to the Drager Transport site. This Plan addresses matters such as odour, dust, and discharges to land and water and the way in which Drager Transport need to manage their site in relation to these matters.

Rule 29 of the RRMP is considered to be most applicable and permits the discharge of dust arising from the loading, unloading, and conveyance of goods and materials (including aggregates) subject to meeting certain standards. Consideration of this section of the RRMP is discussed further in section 7.1.2 below.

4 Current Activities/Operations On-Site

4.1 Site Plan



Figure 2: Drager Transport Site

As can be seen from the Figures 2 & 3, there are a number of large buildings located on the site. These range from an office block to the east of the site (road frontage), to a work area and storage facility towards the middle and rear areas of the yard.

The site provides a wash down area for stock trucks. This is located to the rear of the site adjacent to the Farmers Transport building. Washdown runoff material goes into containment on-site then eventually into the town sewer connection.

The majority of the yard comprises an unsealed permeable gravel surface. It has one access (entry/exit) point to Carroll Street. Goods vehicles then manoeuvre around the rear of the property to load/ unload goods, where there is a larger open area for this purpose.

As is noted on the Certificate of Title shown as appendix 1, the site also has a number of 'interests' being:

- A right to convey water (as per easement certificate 442319.3 – 5.12.1984)
- A right to drain sewage over part of the property (as per easement certificate 442319.3 – 5.12.1984)
- A right (in gross) to drain sewage over part in favour of the Wairoa Borough Council (created by Transfer 442319.4 – 5).

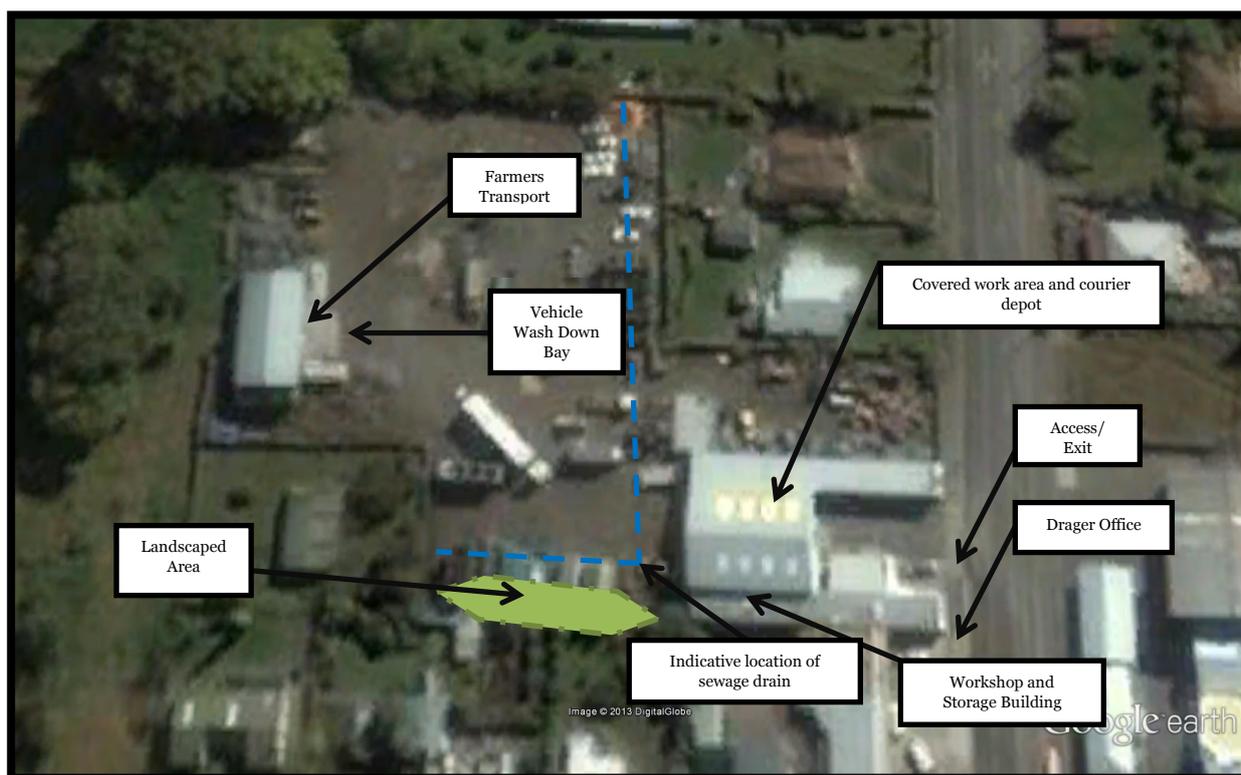


Figure 3: Site Plan

4.2 Movement of Goods and Services

There are a wide range of materials being transported to and from the yard on a regular basis. From discussion with the Business Manager, the goods do not remain on site for any length of time. On most occasions they are distributed almost as soon as they are delivered to the yard.

Occasionally stock trucks may be sitting in the yard in between haul movements, although this occurs infrequently (according to Trevor Drager).

This would indicate that any odour or other discharge from goods is unlikely to occur on this site, except the occasional effluent odour from stock trucks when they are waiting in the yard.

4.3 Site Servicing

The site is connected to the town supply for water and sewerage.

5 Environmental Effects Occurring/Observed

5.1 Environmental Effects

On the 29th January 2013 a site visit was undertaken to understand the nature of the Drager Transport operation. A discussion was held with the Business Manager, Trevor Drager at that time. From the site visit and discussions with Trevor, the following environmental effects were observed/recorded.

5.1.1 Noise/ Vibration

Noise/ vibration is inevitable in a yard such as this one, particularly given the large trucks entering and exiting the site on a regular basis. The trucks braking to enter the site, their manoeuvres whilst entering, turning and exiting the yard all generate noise/ vibration.

Trevor also commented that in some instances the aluminium floors of stock trucks create noise/ vibration and that the stock crates sometimes rattle when there are significant winds through the yard.

Although generally the hours of operation at the yard are 9:00am – 5:00pm six days per week, the nature of the business means that the yard needs to be accessible 24 hours a day. In turn this means that noise/ vibration can be generated at all hours. For example, NZ Post access the yard between 3am and 4am on occasion when they distribute the mail for Wairoa. Stock trucks transport stock throughout the day, some arriving at the Drager Transport yard later in the evening and sometimes on Sundays.

5.1.2 Dust

Despite being a predominantly gravelled yard, dust during the dry summer months (October is the worst) is an issue for Drager Transport, particularly when there are significant winds through the yard.

Drager Transport does have a sprinkler system however this cannot operate when there is freight in the yard. Drager Transport acknowledge that concreting the yard would alleviate the issue but the cost of this is prohibitive.

5.1.3 Traffic

The nature of this business means that there will be truck movements into, around and out of the yard on a frequent basis. The trucks vary in size however can be up to 20 metres in length.

5.1.4 Visual Impact

From a site observation it appears that the visual impact of the activity from the Carroll Street entranceway, is relatively low. The trucks access the yard from a narrow accessway and buildings on either side restrict visibility from the street.

From general observations the buildings appear to be well maintained. The following photographs give a general impression of the site's visual amenity.



Photograph 1: View from entrance to Drager Transport



Photograph 1: View from driveway across yard to Farmers Transport Building

There are residential dwellings along the southern and eastern boundaries of the yard. There are 1.8m high corrugated iron fences positioned along much of the boundaries of the site to screen it from adjacent properties. There is no fencing along the far western boundary.

There is no landscaping evident within the Drager site, although adjoining residential properties to the south appear to have planted along the boundary within their own properties in places – perhaps in an attempt to further screen the Drager operations.

On occasion large stacks are stored on site such as ammonia cylinders which are 2.5 metres in length, or Glyphosphate being held for large farm operations. Very rarely are these large items held on site for more than a few days before being delivered.

5.1.5 Wastewater/ Stormwater Discharge

The site provides for a wash down area for stock trucks. This is located adjacent to the Farmers Transport building (in the north western part of the site) as shown on Figure 3. This material goes into a containment facility then eventually into the town sewer connection.

The majority of the yard comprises of permeable surface, therefore any stormwater permeates through the surface and eventually makes its way through the natural runoff patterns.

5.1.6 Hazardous Substances

A considerable range of hazardous materials are transported to and from the site on a regular basis. This is expected given the nature of the business being a distribution facility. Hazardous materials that could be present on site at any one time range from fly spray to cattle drench, ammonia, glyphosphate and paint, to ammunition. Respective Dangerous Goods Declarations are signed upon receipt and delivery of the goods where required.

NOTE: the transportation of dangerous goods is controlled by the NZ Transport Agency:

<http://www.nzta.govt.nz/resources/factsheets/64/transporting-dangerous-goods-introduction.html>

Currently there are two procedures in place at Drager Transport in the event of an accidental spill:

- 1) For major incidents, call Emergency Services – 111
- 2) For minor spills, the producer will be called immediately to ensure there is a clear understanding of the product being dealt with. Remediation of spills will be undertaken in accordance with the producer's specifications for this product.

5.2 Complaints History/Experience

From a discussion with the Business Manager, there have been no direct complaints received about activities on the Drager Transport yard site that he is aware of.

In November 2011 however, Wairoa District Council received a report of complaints regarding industrial operations in North Clyde from a resident's group. This report included issues relating to the Drager Transport site, being:

- Hours of operation (all hours of the day and night);
- Visual amenity from trucks and storage of items right on the boundary; and
- Impact on residential amenity from traffic/ dust/ noise/ vibration.

From a review of Hawke's Bay Regional Council's complaints register, there have been no complaints received in the last 5 years regarding this site.

6 Environmental Initiatives

6.1.1 Noise Suppression

In response to the issue of noise at this site Drager Transport do take some proactive steps to contain noise where possible through:

1. Duty of care to control excessive noise levels around the yard such as careful lowering/ lifting of goods from trucks.
2. Fencing of the site to date has been a joint effort by both Drager Transport and the neighbouring properties.

NOTE: Neighbouring properties have undertaken buffer planting along some lengths of the Drager property boundary, particularly along the southern boundary length. This planting has been initiated and undertaken by the neighbouring property.

6.1.2 Dust Suppression

In order to alleviate the issue of dust, Drager Transport have a sprinkler system that can be used on the yard during periods of dry weather to suppress dust. The success of this dust suppression initiative is limited however, as the sprinkler cannot be used while goods are being stored on site for distribution.

6.1.3 Wash Down Bay Treatment Facility

Although no plans of the Wash Down Facility were available at the time of preparing this Environmental Scoping Report, Trevor Drager described the facility as follows. The wash down facility is designed for trucks to be able to pull up to the concrete pad immediately above the drainage grill. The truck is then washed down using a mains pressure hose (gravity fed system) with waste water draining into a double chamber drainage system.

According to Trevor Drager this Wash Down Facility is industry approved to the extent that it is able to be utilised in the event of a 'foot and mouth' outbreak should this occur. The facility is often used by the Ministry for Primary Industries for quarantine training.

7 Current Planning Status

7.1 District & Regional Plan Compliance

The two relevant planning documents that apply to the Drager Transport site and operations are:

- the Wairoa District Plan (June 2005), administered by Wairoa District Council;
- the Hawke's Bay Regional Resource Management Plan (August 2006), administered by Hawke's Bay Regional Council.

7.1.1 Compliance with the Wairoa District Plan (June 2005)

The following table provides an assessment of the Drager Transport land use activity in terms of compliance with the provisions of the current operative Wairoa District Plan.

The following is an assessment of the activity against the standards and conditions for permitted activities that would be relevant to the establishment of Drager Transport if it were being newly established in its current location under the current District Plan rules¹:

Wairoa District Plan														
Chapter 20 – Industrial Zone														
“Rule 20.7.1 – Permitted Activities														
Any activity that complies with all the standards and conditions for permitted activities.”														
Section 20.8.1 – Noise	<p>20.8.1 All activities shall be designed and conducted to ensure that the following noise limits are not exceeded:</p> <table border="1"> <tr> <td><i>A. At or within the notional boundary of any dwelling or place of assembly in zones other than the Industrial Zone: 7am to 10pm</i></td> <td><i>50 dBA L10</i></td> </tr> <tr> <td><i>10pm to 7am</i></td> <td><i>40 dBA L10</i></td> </tr> <tr> <td><i>On any day between 10pm – 7am</i></td> <td><i>65 dBA Lmax</i></td> </tr> </table> <p>and/or</p> <table border="1"> <tr> <td><i>B. At or within the boundary of any property other than the property from which the noise is being emitted: 7am to 10pm</i></td> <td><i>65 dBA L10</i></td> </tr> <tr> <td><i>10pm to 7am</i></td> <td><i>55 dBA L10</i></td> </tr> <tr> <td><i>At all times</i></td> <td><i>75 dBA Lmax</i></td> </tr> </table>	<i>A. At or within the notional boundary of any dwelling or place of assembly in zones other than the Industrial Zone: 7am to 10pm</i>	<i>50 dBA L10</i>	<i>10pm to 7am</i>	<i>40 dBA L10</i>	<i>On any day between 10pm – 7am</i>	<i>65 dBA Lmax</i>	<i>B. At or within the boundary of any property other than the property from which the noise is being emitted: 7am to 10pm</i>	<i>65 dBA L10</i>	<i>10pm to 7am</i>	<i>55 dBA L10</i>	<i>At all times</i>	<i>75 dBA Lmax</i>	<p>The locational circumstances of the Drager Transport yard (surrounding properties also zoned ‘Industrial’) would invoke the noise limits contained in Table B.</p> <p>These limits are significantly higher than for residential environments, reflecting lower amenity expectations within an Industrial Zone.</p> <p>In the qualified opinion of Wairoa District Council’s Environmental Health Officer, noise emanating from the Drager Transport yard would largely comply with these noise limits, except for short periods of time.</p> <p>Drager Transport would therefore likely comply with these standards if it were being established in this location under the current District Plan.</p>
<i>A. At or within the notional boundary of any dwelling or place of assembly in zones other than the Industrial Zone: 7am to 10pm</i>	<i>50 dBA L10</i>													
<i>10pm to 7am</i>	<i>40 dBA L10</i>													
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<i>10pm to 7am</i>	<i>55 dBA L10</i>													
<i>At all times</i>	<i>75 dBA Lmax</i>													
Odour	<p>20.8.2 Note: The discharge of odour to air is controlled by rules in the Hawke’s Bay Regional Air Plan and Proposed Regional Resource Management Plan. Land use zoning and separation distances are the methods employed within the District Plan to deal with odour issues.</p> <p>20.8.3 Any new dwelling shall be set back 200 metres from any buildings associated with any existing intensive farming activity, oxidation pond, effluent holding pond or waste disposal area.</p>	<p>It is likely that Drager Transport would comply with these standards.</p>												

¹ Note, section 10 of the Resource Management Act 1991 provides for certain existing use rights for land use. Under this section, essentially a land use may continue in a manner that contravenes a rule in a district plan or proposed district plan if:

- the use was lawfully established before the rule became operative or the proposed plan was notified,
- the effects of the use are the same or similar in character, intensity and scale, and
- activities have not been discontinued on the site for a continuous period of more than 12 months.

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	<p>20.8.4 Any building associated with a new intensive farming activity, oxidation pond, effluent holding pond or waste disposal area shall be set back in accordance with the following separation distances:</p> <p>Feature Separation Distance (m):</p> <ul style="list-style-type: none"> From a Town Centre or Residential Zone Boundary = 500m From a Settlement Zone Boundary or any Individual Residence in any other zone = 200m 									
Glare	<p>20.8.5 Light emissions measured from any site shall not exceed a measurement of 10 lux (lumens per square metre) measured at 1.5 metres above ground level at the site boundary.</p> <p>20.8.6 No building or structure shall be finished with materials that create a glare nuisance to neighbouring properties or road users.</p>	It is likely that Drager Transport would comply with these standards.								
Privacy, Shading and Visual Amenity	<p>20.8.7 All buildings shall meet the following bulk and location requirements:</p> <table border="1" data-bbox="352 925 1031 1133"> <tr> <td>Minimum Front yard</td> <td>5.0m</td> </tr> <tr> <td>Minimum Side yards</td> <td>Nil, except for (1) below</td> </tr> <tr> <td>Minimum Rear yard</td> <td>Nil</td> </tr> <tr> <td>Maximum Building height</td> <td>15.0m (2)</td> </tr> </table> <p>(1) Where activities in an Industrial Zone adjoin a Residential Zone, the side yard shall be 1.5 metres.</p> <p>(2) No part of a building shall exceed a height of 2 metres plus the shortest horizontal distance between that part of the building and the nearest site boundary where this is to a residential property.</p> <p>20.8.8 Where a non-residential activity is to locate within or adjacent to land zoned 'Residential', or land used principally for residential purposes, screening shall be provided along the boundary to a height of 1.8 metres.</p>	Minimum Front yard	5.0m	Minimum Side yards	Nil, except for (1) below	Minimum Rear yard	Nil	Maximum Building height	15.0m (2)	It is likely that Drager Transport would comply with these standards.
Minimum Front yard	5.0m									
Minimum Side yards	Nil, except for (1) below									
Minimum Rear yard	Nil									
Maximum Building height	15.0m (2)									
Hazardous Substances	<p>20.8.14 The use, storage, disposal or transportation of hazardous substances shall not exceed the Medium Threshold Hazard Factor (refer definitions and Appendix III for examples).</p> <p>20.8.15 Any activity involving the use, storage, disposal or transportation of hazardous substances on-site, shall ensure that any area or container used is designed, constructed and managed to prevent any leakages or spills.</p> <p>20.8.16 Any activity involving the use or storage of hazardous substances exceeding the Low Threshold Hazard Factor (excluding all below ground tanks, and the above ground storage of petrol or diesel for the purposes of farming activities where the tank is at least 20 metres away from any natural watercourse or site</p>	<p>Drager Transport, being a distribution facility, is required to hold various goods on site for a short period of time, including those that are deemed to be hazardous substances. It is noted that storage is very short term, as goods are generally distributed that same day.</p> <p><i>'The storage and retail sale of agricultural chemicals and fuels direct to primary production users (including stock and station agents premises' and 'Bulk storage of fertiliser in the Industrial Zone'</i></p>								

	<p><i>boundary), shall provide a secondary containment system sealed with impervious materials equalling the maximum volume of the hazardous substance on site.</i></p>	<p>are identified as 'Medium Threshold Hazard Factor' facilities in Appendix III of the District Plan. As these do not <u>exceed</u> the 'medium' threshold, the establishment of Drager Transport would likely comply with Rule 20.8.14 if it were being established in this location under the current District Plan.</p> <p>If established under the current District Plan, Drager Transport would likely not comply with the requirements of Rules 20.8.15 & 20.8.16 – particularly in terms of provision of a sealed impervious secondary containment system.</p>
<p>Chapter 24 Access and Parking</p>	<p><i>Access</i></p> <p><i>24.2.1 Where access is to a sealed road, the accessway shall be sealed or paved from the edge of the existing seal of the road pavement to the property boundary, or 5 metres in from the edge of the existing seal, whichever is the closest. This requirement applies to:</i></p> <p><i>i) Arterial and Secondary Arterial Roads; or</i></p> <p><i>ii) Any roads where access is likely to exceed 4 vehicle movements per week (averaged over the period of one calendar year).</i></p> <p><i>24.2.2 Vehicle crossing design shall be provided in accordance with the relevant diagram in Appendix I, except that access shall be designed to accommodate the swept path of the largest vehicle expected (i.e. for left turns, the access must be designed so that the vehicle does not cross the road centre line).</i></p> <p><i>24.2.3 Where access is to an Arterial or Secondary Arterial Road, sufficient manoeuvring space shall be provided on-site, adequate to enable vehicles to enter and exit the site in a forward direction.</i></p> <p><i>Parking</i></p> <p><i>24.2.5 The number of parking spaces to be provided on-site in association with an activity shall be in accordance with Table 2 below.</i></p> <p><i>Contractor's/tradesperson's depots and workshops - 1 space per 25m² gross floor area.</i></p>	<p>It is likely that Drager Transport would comply with these standards.</p>

If Drager Transport was to newly establish in the same location under the rules of the operative District Plan, the land use would require a resource consent as a Discretionary Activity for failing to meet one or more of the performance standards and terms for activities in the Industrial Zone (notably, the hazardous substances spills and secondary containment requirements).

However, as Drager Transport was lawfully established prior to the operative District Plan, and has not been discontinued on the site for a continuous period of more than 12 months, and the effects have remained the same or similar in character, intensity and scale, the operation can essentially rely on existing use rights pursuant to section 10 of the Resource Management Act 1991.

It is noted however, that noise is also regulated by section 16 of the Resource Management Act 1991. Under section 16, AFFCO Wairoa has a general duty to avoid unreasonable noise – *‘Every occupier of land... shall adopt the best practicable option to ensure that the emission of noise from that land...does not exceed a reasonable level’*. Enforcement of this specifically excludes noise from trains or vehicles on roads, and only relates to noise heard from a place other than where the noise is made.

It is also noted that the transport and storage of hazardous substances is also regulated by other legislation, including licence endorsement requirements for vehicles and HASNO Act regulations.

7.1.2 Compliance with the Hawke’s Bay Regional Resource Management Plan (August 2006)

The following provides an assessment of Drager Transport activities in terms of compliance with the provisions of the current operative Hawke’s Bay Regional Resource Management Plan.

The following table is an assessment of the activity against the applicable rules, and any relevant standards and conditions for permitted activities, in the current Regional Plan²:

Hawke’s Bay Regional Resource Management Plan		
Discharges to Air		
<p>Rule 29</p> <p>Minor discharges from industrial & trade premises</p>	<p><i>The discharge of contaminants into air from any industrial or trade premises that is not specifically regulated by any other rule within this Plan, including:</i></p> <ul style="list-style-type: none"> • <i>discharges of heat to air</i> • <i>discharges of dust arising from the loading, unloading, and conveyance of goods and materials (including aggregates).</i> <p>is a Permitted Activity subject to various specific conditions, standards and terms.</p> <p>Conditions of particular relevance include:</p> <p>a. <i>The opacity of any discharge of smoke when measured at the point of discharge shall not exceed 20%, except that a discharge in excess of this shall be permitted for a period of not more than two minutes continuously or for an aggregate of four minutes in any 60 minute period.</i></p> <p>d. <i>At any point beyond the boundary of the subject property, or on public land;</i></p> <p style="padding-left: 20px;"><i>i. The discharge shall not result in any noxious or dangerous levels of airborne contaminants;</i></p>	<p>Rule 29 of the RRMP is considered to be most applicable to Drager Transport’s on-site operations. This rule permits the discharge of dust arising from the loading, unloading, and conveyance of goods and materials (including aggregates) subject to the specified standards.</p> <p>It is likely that Drager Transport complies with these requirements most of the time. On dry, windy summer days, it is possible that the discharge of dust criteria would not be met.</p> <p>Drager Transport’s on-site sprinkler system to suppress dust should be assisting in this regard, although may be limited in its success by the inability to operate sprinklers when there is potential to damage product stored in the yard.</p>

² Note: Existing use rights do not apply to rules in a regional plan.

	<p><i>ii. There shall be no visible discharge of any contaminant, other than smoke from fuel burning equipment or water vapour;</i></p> <p><i>iii. Any discharge of water vapour shall not result in any plume which adversely affects traffic safety, or reduces visibility within a height of 5 metres above ground level, or reduces visibility within recognised flight paths in the vicinity of airports;</i></p> <p><i>iv. The discharge shall not result in any offensive or objectionable odour;</i></p> <p><i>v. The dust deposition rate resulting from the discharge shall not raise the ambient dust deposition rate by more than 4g/m² per 30 days;</i></p> <p><i>vi. The discharge shall not result in any objectionable deposition of particulate matter on any land or structure.</i></p>	
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Dust generation is the only aspect of Drager Transport’s activities that is captured by the Hawke’s Bay Regional Resource Management Plan.

Rule 29 (Minor discharges from industrial and trade premises) is the only rule in the RRMP that applies directly to Drager Transport activities. It is likely that Drager Transport complies with these conditions the majority of the time. However, on dry, windy summer days, it is possible that the discharge of dust criteria would not be met (notably, an increase of more than 4g/m² per 30 days above the ambient dust deposition rate (Condition (d)(v)), & objectionable deposition of particulate matter on any land or structure (Condition (d)(vi)).

Site specific monitoring would be the only way of deducing whether Drager Transport meets the requirements in Rule 29 or not, and this would be very difficult.

7.2 Operational Resource Consents

Drager Transport does not hold any operational resource consents, and were unlikely to have required any when the business was initially established.

7.3 Summary of Compliance

Drager Transport is not required to hold any land use consents from Wairoa District Council by virtue of existing use rights. These existing use rights apply to the land use itself so long as the operation is not discontinued for a continuous period of 12 months or more, and so long as the effects of the use remain the same or similar in character, intensity and scale.

However, Drager Transport does carry out activities that can generate dust, which is captured by Rule 29 in the Hawke’s Bay Regional Resource Management Plan. Existing use rights do not apply to regional rules.

All in all, Drager Transport achieve general compliance with relevant District and Regional planning requirements – albeit that there are likely climatic conditions that may generate dust, breaching discharge to air standards in the Regional Plan. There appear to be adequate measures in place to respond to and address such breaches, as and when they occur, including the ability to activate their on-site sprinkler system for dust suppression.

8 Conclusions & Recommendations

From a review of the Drager Transport activities against the relevant District and Regional Rules, and observation of activities on the site, the following identifies potential opportunities for improvements in overall environmental performance:

- 1) **Noise** - Although noise measurements have not been taken at or around this site as part of this scoping exercise, the qualified opinion of the Wairoa District Council's Environmental Health Officer is that there are likely to be occasional incidences when the Drager Transport site is not able to comply with noise limits in the District Plan. Although the noise limits in the District Plan cannot be applied given Drager Transport's existing use rights, there is an overall responsibility to avoid unreasonable noise, and it is important to ensure that due consideration is given to nearby residential activity. The Noise limits imposed by the District Plan provide a basis from which to monitor and assign 'reasonable' noise levels. This is an area that Drager Transport should continue to look for ways to improve its performance.
- 2) **Hazardous Substances** – Although the hazardous substances rules in the District Plan cannot be applied given Drager Transport's existing use rights, there is an overall responsibility to ensure that storage of hazardous substances on-site is safe and carried out in such a way as to prevent leakages and spills, and to have appropriate measures in place to respond to accidental spills. In most cases, it is anticipated that the regulations applying to the transport of hazardous substances are being followed by Drager Transport, and that the company has appropriate protocols in relation to responding to spills and leakages. The operation could benefit from a formal written protocol for attending to spills and leakages of hazardous substances and to ensuring appropriate containment can be achieved.
- 3) **Discharge of Dust** – the Hawke's Bay Regional Resource Management Plan permits the discharge of dust arising from the loading, unloading, and conveyance of goods and materials (including aggregates) subject to certain standards being met (dust deposition rates etc). It is not clear whether the discharge of dust criteria can be met on all occasions, although Drager Transport does operate some on-site dust suppression methods in place. This is an area that Drager Transport should continue to look for ways to improve.
- 4) **Privacy, Shading and Visual Amenity** – there are a number of performance standards relating to privacy, shading and visual amenity. Although in most part it appears that Drager Transport is complying with these standards, on-going consideration of potential improvements to address any impacts on neighbouring residents is appropriate.

Overall it is recommended that Drager Transport be encouraged and supported to:

- 1) Develop an Environmental Management Plan to include management of various aspects of the operation including dust suppression, noise reduction and hazardous substances management.
- 2) Consider additional landscaping improvements along the boundaries (additional fencing/buffer planting) to better screen the yard from adjoining residential dwellings.
- 3) Participate in any community advisory group that may be established to facilitate positive relationship building between local businesses and the residents of North Clyde.