



Resource Consent

RESOURCE MANAGEMENT ACT 1991

Consent No. WGN120142 [33406] Change of conditions 1 and 12

Category: Discharge permit

Pursuant to sections 104B, 105, 107, 108 and 127, and subject to all the relevant provisions of the Resource Management Act 1991 and any regulations made thereunder, a consent in respect of a natural resource is hereby granted to:

Name

Address

Duration of consent

Purpose for which right is granted

Location

Legal description of land

Conditions

Hutt City Council, City Infrastructure

Private Bag 31912, Lower Hutt 5040

Commences: 1 February 2013

Expires: 1 February 2018

To temporarily discharge treated wastewater to the Waiwhetu Stream during and/or immediately after heavy rain events when flows exceed the capacity of the main outfall pipeline and the storm tank system is fully utilised.

The true left bank of the Waiwhetu Stream at the western end of Gough Street,

Seaview at or about map reference NZTM 1759407.5433210

N/A

1-27 as attached

For and on behalf of WELLINGTON REGIONAL COUNCIL

Manager, Environmental Regulation

Summary of your rights and responsibilities

(Not part of the resource consent)

This resource consent gives you the right to use a public resource (e.g. water, air, the coastal marine area) in the manner specified in the consent.

You may exercise the resource consent as you see fit provided that you comply with all the conditions of your resource consent and all other laws of the land.

If you wish to change the way you operate under this resource consent or if you wish to change or cancel any consent conditions, please contact the Wellington Regional Council (hereafter referred to as Greater Wellington) prior to making the changes. You may need a formal change to your resource consent conditions.

You may transfer your coastal, discharge, or water permit to any other person. If you sell your operation please contact Greater Wellington and we will arrange the transfer. The service is free of charge.

If your resource consent application contained inaccurate or misleading information, Greater Wellington may cancel or alter the resource consent.

Your resource consent does not:

- provide any warranty of any structure or process;
- provide any guarantee that the resource will be available at all times;
- provide any right of access through or over public or private land;
- negate the need for any approvals necessary under other legislation.

You as the holder(s) of this resource consent and your agents (including contractors and employees), are jointly and severally liable for compliance with the conditions of this consent. It is important that anyone operating on your behalf fully understands and complies with the conditions of the resource consent.

You are required to pay any relevant charges that are associated with the processing and monitoring of your consent under section 36 of the Resource Management Act 1991. Charges may be reviewed every year. If you would like a copy of our current Resource Management Charging Policy please ask us.

You have the right to object to the decision on your consent and/or any additional charges (over and above fixed charges) under section 357A and 357B of the Resource Management Act 1991. Such an objection should be made in writing, setting out the reasons, and be received by us within 15 working days of any decision on your consent and/or additional charges being notified to you.

You are required to allow Greater Wellington Enforcement Officers access to your site and operation at any reasonable time so that we can inspect your operation and confirm that it is complying with your resource consent.

Your resource consent will lapse if you do not give effect to it within five years of the date it was granted (unless otherwise specified in the resource consent conditions). If you wish to apply for an extension of this lapse date please contact Greater Wellington before the lapse date.

If you stop using your resource consent for a continuous five-year period, Greater Wellington may cancel your resource consent. We will advise you in advance if we propose to cancel your consent. You have the right to object to your consent being cancelled.

This consent is issued without prejudice to any claim that is lodged with the Waitangi Tribunal in relation to the customary ownership of natural resources, whether it be a claim that is awaiting hearing or awaiting settlement by the Crown.

Conditions to Resource Consent WGN120142 [33406]

General conditions

- 11. The consent holder shall operate the proposed discharge in general accordance with the consent application and associated documents lodged with the Wellington Regional Council on 8 December 2011 and further information received on:
 - 12 January 2012 (addendum letter including Form 9)
 - 2 March 2012 (further information on treated wastewater discharge quality, frequency of discharges and AEE)
 - 7 May 2012 (response to issues raised at pre-hearing meeting 1 including timeframes for future investigations and AEE)
 - 25 June 2012 (response to issues raised at pre-hearing meeting 2 including further detail on future investigations)
 - 27 July 2012 (further information on predicted effects of wastewater discharges), and
 - 22 August 2012 (investigations timetable)
 - 20 March 2015 (s127 change of conditions application)
 - 25 May 2015 (adjustments to s127 application)

In the event of any inconsistencies between the application and further information provided by the applicant, the most recent information applies. In the event of any inconsistencies between information provided by the applicant and conditions of the consent, the conditions apply.

Note 1: Any change from the location, design concepts and/or operation from those outlined above, may require a change in consent conditions pursuant to section 127 of the Resource Management Act 1991.

Operational conditions

- The consent holder shall ensure that only secondary treated and UV disinfected wastewater is discharged to the Waiwhetu Stream via the Seaview wastewater treatment plant outfall (at approximate map reference NZTM: 1759405.5433209) when flows exceed the capacity of the main outfall pipeline (1520 L/s) and the storm tank is fully utilised.
- 3. The consent holder shall provide a copy of this consent certificate to all contractors undertaking repair work or carrying out monitoring required by this consent, prior to repairs or monitoring commencing.

Note: It is recommended that contractors be verbally briefed on the requirements of the conditions of this consent prior to commencing any repair work or monitoring.

Notification conditions

4. The consent holder shall establish a consultation group by **1 March 2013** or within a longer timeframe approved by the Manager, Environmental Regulation, Wellington Regional Council. As a minimum the group shall be made up of those individuals/community groups that submitted on this consent who wish to participate and interested persons put forward by those submitters who wish to participate.

The function of the consultation group is to provide:

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¹ Condition changed under section 127 of the Resource Management Act 1991, granted 11 June 2015.

- Comment on the Public Notification Strategy required by condition 5 of this consent
- Comment on the Overflow Contingency Plan required by condition 22 of this consent
- Comment on the option assessment report required by condition 26 of this consent directly to Wellington Regional Council, and
- Be a line of communication between the consent holder, the submitters and the wider community for the duration of the consent

The consent holder shall notify the Manager, Environmental Regulation, Wellington Regional Council of the establishment of the consultation group by 1 March 2013.

Note 1: The consultation group is considered "established" when the consent holder has collated contact details for all submitters/interested persons joining the group, and the group has been provided with a plan of how the consultation process will be facilitated.

Note 2: The consultation group is not a decision making group, but is a forum for the dissemination of information from the consent holder and provides and opportunity for the group to comment on consent compliance and the development of specific plans.

Note 3: The consultation group is expected to provide comments to the consent holder within two weeks of being sent information/plans to review.

Note 4: The need for and the frequency of the meetings shall be determined by the consultation group following the receipt of the reports/plans received in accordance with this condition.

- 5. The consent holder shall develop a Public Notification Strategy in consultation with Regional Public Health and the consultation group required by condition 4 of this consent. The Strategy shall include but not be limited to:
 - Methods for warning the general public, and targeted groups within the community of the risks associated with water contact recreational activities and seafood (including shellfish) gathering during the discharges, and
 - Notification requirements following water quality monitoring

The Strategy shall be submitted to the Manager, Environmental Regulation, Wellington Regional Council for approval by **1 May 2013**, or within a longer timeframe approved by the Manager, Environmental Regulation, Wellington Regional Council. The consent holder shall operate in accordance with the Public Notification Strategy at all times.

Note: The Public Notification Strategy document can be combined with the Main Outfall Pipeline Contingency Plan.

- 6. Within 8 hours of any discharge commencing, the consent holder shall notify the Manager, Environmental Regulation, Wellington Regional Council at notifications@gw.govt.nz and Regional Public Health at healthprotection@huttvalleydhb.org.nz of the following:
 - Location of the discharge
 - Consent reference WGN120142 [31523]
 - Start date and time of the discharge
 - Cause of the discharge, and
 - Name and phone number of a contact person for further information
- 7. Within two working days of the discharge stopping, the consent holder shall submit details of each discharge event in a suitable electronic format to Manager, Environmental Regulation, Wellington Regional Council at notifications@gw.govt.nz and Regional Public Health at healthprotection@huttvalleydhb.org.nz.

Details shall include but not be limited to:

- Consent reference WGN120142 [31523]
- Cause of the discharge

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- Location of the discharge
- Start date and time of the discharge
- End date and time of the discharge
- Maximum flow (L/s) of the discharge
- Mean flow (L/s) of the discharge
- Daily volume (m³) of the discharge
- Contact person for further information regarding the discharge
- Continuous flow records (m³/s) during the discharge period as measured by the consent holder-as required by condition 10
- Rainfall in the catchment during the discharge period (mm) (if available)

Note: Local rainfall data (Hutt at Birch Lane monitoring site) can be downloaded from the Greater Wellington website http://graphs.gw.govt.nz/rainfall-2/

8. On the day of the commencement of the discharge the consent holder shall ensure that lockable folding signs are installed and maintained at the locations listed below to indicate a health warning and advise that the immediate area has been recently polluted by treated wastewater. The signs shall remain in place for a minimum of 48hours after the cessation of the discharge. The content, location and duration of the signage shall be to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

Note 1: A draft version of the notification sign shall be submitted to the Manager, Environmental Regulation, Wellington Regional Council for approval prior to being installed.

Sign locations:

- Seaview Road bridge (at the walkway entrance at or about map reference NZTM: 1759639.5433386, and
- Port Road bridge (approximately 40m south of the bridge or about map reference 1759327.5433073)

Note 2: the Port Road bridge sign is to be relocated from its current location beside the bridge to a parking area approximately 40m south of the bridge.

Monitoring conditions

9. The consent holder shall monitor the flow rate, duration and total volume of all overflows discharged from the treatment plant into the Waiwhetu Stream and shall report the results to Wellington Regional Council in accordance with condition 25 of this consent, or upon request.

The flow monitoring devices shall be capable of measuring wastewater flows of magnitudes up to and beyond peak instantaneous flow rates, and calibrated and maintained to ensure that the measurement error is no more than +/- 10%.

10. The consent holder shall install, commission and operate a flow sensor as close as practicable to the discharge point in the Waiwhetu Stream by **1** August 2013 to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council that is capable of continuously monitoring and logging flow in the stream during a discharge event.

Note: It is recommended that the design, specification and operation of the flow sensor are discussed with Greater Wellington Flood Protection and Environmental Monitoring and Investigation Departments prior to installation.

- 11. The consent holder shall take a grab sample of treated wastewater as it leaves the treatment plant prior to entering the overflow pipe each day that a discharge occurs for more than one hour. The samples shall be analysed for parameters specified in condition 14.
- 12². Each day a discharge occurs and one day after the cease of a discharge the consent holder shall take representative grab samples of Waiwhetu Stream water at two levels in the water column, namely 0-5

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² Condition changed under section 127 of the Resource Management Act 1991, granted 10 June 2015.

centimetres and 15 centimetres below the surface. The samples shall be collected from the true left bank of the Waiwhetu Stream at locations specified in Table 1.1:

Table 1.1 Water quality monitoring locations

Site	NZTM	
Inches Calabata and Calabata an	Easting	Northing
Immediately upstream of the Port Road Bridge	1759345	5433136
Adjacent to the Waiwhetu Pa site and downstream of the public walkway	1759539	5433352
Immediately downstream of the Bell Road Bridge	1760431	5433523

The consent holder shall record the date, time (NZ standard time), weather (in particular wind direction and strength) and tidal conditions (low/medium/high and ebb/flood tide) at the stream mouth when the samples are taken. Where practicable, the sampling should be undertaken at least three hours after any ebb tide starts.

The samples shall be analysed for parameters specified in condition 14.

Note: This condition does not apply to overflows with a duration of less than one hour.

All sampling techniques employed in respect of the conditions of this consent shall be carried out to the 13. satisfaction of the Manager, Environment Regulation, Wellington Regional Council and undertaken by suitably trained and experienced persons. All water analyses undertaken in connection with this consent shall be performed by an International Accreditation New Zealand (IANZ) registered laboratory or otherwise as specifically approved by the Manager, Environmental Regulation, Wellington Regional Council.

Note: The consent holder shall consider the New Zealand Municipal Wastewater Monitoring Guidelines (2002) when preparing for the monitoring programme required by this consent and include any additional monitoring recommended in these guidelines.

- The samples collected in accordance with conditions 11 and 12 shall be analysed for: 14.
 - Faecal coliforms (cfu/100 mL)
 - Carbonaceous biochemical oxygen demand (cBOD₅) (g/m³)
 - Escherichia coli (no./100mL)
 - Enterococci (no./100mL)
 - Dissolved reactive phosphorus (g/m³)
 - Ammoniacal nitrogen (g/m³) Nitrate nitrogen (g/m3), and

 - Nitrite nitrogen (g/m³)

In addition, on each sampling occasion at the three locations along the Waiwhetu Stream as described in condition 12 the consent holder shall ensure the following in-situ measurements are recorded:

- Water temperature
- pН
- Salinity, and
- Dissolved oxygen.

An assessment of the above results shall be provided in the annual report required by condition 25. Copies of the water quality monitoring results shall be provided in both electronic and hardcopy format to the Manager, Environmental Regulation, Wellington Regional Council upon request.

The discharge shall not result in any of the following effects on the water of the Waiwhetu Stream beyond the 15.a) reasonable mixing zone boundary defined as 100m downstream of the Waiwhetu Stream outfall (i.e. immediately upstream of Port Road Bridge) and 100m upstream the Waiwhetu Stream outfall (i.e. adjacent to Lot 2 DP 421395):

- 1) The production of any conspicuous oil or grease or grease films, scums or foams or floatable or suspended materials, or
- 2) Any conspicuous change in colour or clarity
- 3) Any emission of objectionable odour, or
- 4) Any significant adverse effects on aquatic life
- b) During each sampling event required by condition 12, the consent holder shall take photographs of the point of discharge and immediate receiving waters around the point of discharge to show the presence of any of effects (1-4) listed in condition 15 (a) and any obvious undesirable biological growths or visible die-offs.

The consent holder shall forward to the Manager, Environmental Regulation, Wellington Regional Council a copy of the photographs in the annual report required by condition 25 of this consent or upon request.

Complaints register

- 16. The consent holder shall keep a record of any complaints received. The record shall contain the following details, where practicable:
 - Name and address of complainant (if provided)
 - Identification of the nature of the complaint
 - Date and time of the complaint and of the alleged event
 - Weather conditions at the time of the alleged event, and
 - Any measures taken to address the cause of the complaint

The consent holder shall notify the Manager, Environmental Regulation, Wellington Regional Council of any complaints relating to the exercise of this consent, within 24 hours of being received by the consent holder or the next working day.

Notification can be sent to the Manager, Environmental Regulation, Wellington Regional Council at notifications@gw.govt.nz. Please include the consent reference WGN120142 [31523] and the name and phone number of a contact person responsible for the discharge. The consent holder shall forward to the Manager, Environmental Regulation, Wellington Regional Council a copy of the complaints record, in the annual report required by condition 25 of this consent.

Tangata whenua values monitoring conditions

- 17. The consent holder shall engage a suitable person to assist them with the development of the Tangata Whenua Values Monitoring Plan (TWVMP) and the consultation with lwi, and monitoring. The scale of the plan shall reflect the scale and nature of the discharges authorised by this consent (i.e. water body scale) and shall be in accordance with the Tangata Whenua Values Monitoring Scope developed by Wellington Regional Council.
- 18. The consent holder shall submit a TWVMP to the Manager, Environmental Regulation, Wellington Regional Council by **1 February 2014**, or within a longer timeframe approved by the Manager, Environmental Regulation, Wellington Regional Council.

The TWVMP shall include, but not be limited to, the following:

- Identify the cultural health indicators to be monitored
- Identify any sites of significance (e.g. Marae, Urupa, traditional kai gathering sites etc) and monitoring to be undertaken at these sites
- A map of all monitoring sites, and sites of significance
- The monitoring methodology
- The frequency of monitoring
- Timeframe for undertaking the baseline monitoring, and
- Any other relevant information

The TWVMP shall be developed in general accordance with the Ministry for the Environment's 'Cultural Health Index for Streams and Waterways, 2006' or any other guideline, as appropriate.

The TWVMP shall be to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

A copy of the TWVMP shall be provided to Te Runanganui o Taranaki Whanui ki te Upoko o te Ika Maui, Port Nicholson Block Settlement Trust and the Wellington Regional Council.

- 19. Upon notification from the Manager, Environmental Regulation, Wellington Regional Council that the most recent TWVMP is acceptable, the consent holder shall implement the plan.
- 20. The results of the monitoring required by the TWVMP, shall be reported to the Manager, Environmental Regulation, Wellington Regional Council, on an annual basis, by **1 August**, once the TWVMP has been approved. The assessment of the monitoring results shall be undertaken by a suitably qualified person that is to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

The TWVM report shall include, but not be limited to, the following:

- The results of all monitoring undertaken under the TWVMP
- A discussion of the likely impact the discharges are having/had on the cultural values of the waterbody including cumulative effects, if possible
- A comparison of the results with any previous monitoring undertaken in accordance with the TWVMP
- Any recommendations for changes to the TWVMP (e.g. indicator species, monitoring sites), and why
- Any recommendations for mitigation and minimising the impact of the discharges on cultural values of the waterbody, if possible
- Copies of any comments on the monitoring results that have been received from the organisations included in condition 18, and
- Any other relevant information

The report shall be to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

A copy of the TWVM report shall be provided to Te Runanganui o Taranaki Whanui ki te Upoko o te Ika Maui, Port Nicholson Block Settlement Trust and the Wellington Regional Council.

21. Upon review of the TWVM report, the consent holder can update the TWVMP or the Manager, Environmental Regulation, Wellington Regional Council, can request the TWVMP be updated to include any changes or additions considered necessary to provide an adequate understanding of the effects of the discharge.

Any amended TWVMP shall be submitted to and be to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

Overflow contingency plan

- 22. The consent holder shall prepare an Overflow Contingency Plan (OCP) which outlines procedures that will be adopted during an overflow discharge event. The OCP shall be prepared in consultation with the Regional Public Health and the consultation group required by condition 4 of this consent and submitted to the Manager, Environmental Regulation, Wellington Regional Council for approval by 1 May 2013 of the commencement of this consent, or within a longer timeframe approved by the Manager, Environmental Regulation, Wellington Regional Council . The OCP shall include the following:
 - Procedures the consent holder will adopt during and following an overflow event to ensure that the potential adverse effects of the discharge are minimised as much as practicable
 - Procedures for the notification (including signage) of any overflows
 - Procedures for recording and reporting the flow rate, duration, total volume of each overflow event and water quality monitoring as required by conditions 9 and 12
 - Procedures to ensure that the conditions of this consent are complied with at all times during and following an overflow event

The consent holder shall operate the discharge in accordance with this OCP at all times. The OCP shall be to the satisfaction the Manager, Environmental Regulation, Wellington Regional Council.

Note: the Overflow Contingency Plan document can be combined with the Public Notification Strategy.

Investigations

- 23. The consent holder shall investigate and implement ways and means of reducing stormwater infiltration and inflow (I&I) into the sewerage system with the aim of minimising overflow discharges. Investigations shall include but not be limited to:
 - CCTV and pressure testing monitoring to identify faulty mains requiring replacement, and
 - Flow monitoring and system assessment to identify the sources of inflow and infiltration, system
 performance and options to reduce the infiltration and inflow

The investigations and works undertaken to reduce I&I shall be reported on in the annual report required by condition 25.

24. Within **six months** of the granting of this consent the consent holder shall commence a detailed investigation into options that reduce the frequency of overflows, and/or reduce any adverse effect of the overflow discharges on the receiving environment. These investigations shall continue for the duration of the consent and be completed by **1 August 2017**.

Investigations shall include but not be limited to:

- Increasing storage capacity at Seaview Wastewater Treatment Plant to retain a higher proportion of flows in excess of the main outfall pipeline capacity
- Alternative discharge options to the Waiwhetu Stream outfall as outlined in MWH report following the prehearing meeting on 14 May 2012 (dated June2012)
- Constructing a new pumped overflow extended 4500m off Barnes Street into Wellington harbour
- Upgrades to the treatment plant to provide biological nutrient removal, specifically to reduce ammoniacal nitrogen concentrations in the discharge, and
- Background contaminant levels in the Waiwhetu Stream water, and
- A comprehensive assessment of environmental effects for proposed upgrade options including plume dispersion studies for the current and any proposed disposal location(s). Plume dispersion studies shall include computer modelling and be validated by field data (e.g. using drogues, dyes, meters). The assessment shall consider biodiversity, values and usage within the plume area

Findings from the investigations above shall be reported in the reports required by conditions 25 and 26.

Annual reporting

- 25. The consent holder shall prepare and submit a comprehensive annual report to the Manager, Environmental Regulation, Wellington Regional Council, Regional Public Health and members of the consultation group as required by condition 4 of this consent by 1 August each year (covering the year 1 July to 30 June). The annual report shall include as a minimum:
 - A summary of overflow events (including dates, volume discharged, duration and cause)
 - A summary of consultation group involvement
 - The flow monitoring results (carried out under conditions 9 and 10 of this consent)
 - The treated wastewater and water quality monitoring results (carried out under conditions 11 and 12 of this consent)
 - A critical evaluation by an appropriately qualified and experienced scientist of the previous years monitoring results, in particular the environmental effects of each overflow discharge event. This evaluation shall utilise the treated wastewater and stream water quality and flow monitoring data for each overflow event comparing the data against relevant environmental guidelines
 - Photographs from the visual inspections undertaken under condition 15(b) of this consent

- Complaints record as required by condition 16
- Summary of I&I investigations, and works undertaken to reduce I&I into the sewerage network as required by condition 23
- Summary of investigations undertaken, a list of investigations scheduled for the upcoming year (required by condition 24), and timeframes for implementation of any upgrades and/or consent applications, and
- Any other matters the consent holder considers relevant

The report shall be to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

Options assessment report

The consent holder shall submit an options assessment report to the Manager, Environmental Regulation Wellington Regional Council and the consultation group as required by condition 4 of this consent by 1 August 2017. The report shall comprehensively describe the investigations undertaken as required by condition 24, potential upgrade options and a preferred option (including timeframes for implementation) that reduces the frequency overflows, and/or reduces any adverse effects of the overflow discharges on the receiving environment.

The assessment report details and level of analysis shall be to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

Note 1: It is intended that this report will present detail on the options assessment to the Wellington Regional Council and the consultation group prior to lodging a new application for resource consent for the activity. There is no approval process associated with the submission of the options report. Any decisions on future discharges will be made during the subsequent resource consent process.

Note 2: The consultation group may provide feedback on the options assessment report directly to the Manager, Environmental Regulation, Wellington Regional Council.

Review condition

- 27. The Wellington Regional Council may review any or all conditions of this consent by giving notice of its intention to do so pursuant to section 128 of the Resource Management Act 1991, at any time within three months of the 30 June each year for the duration of this consent, for the purpose of:
 - a) To review the adequacy of any report and/or monitoring requirements, and if necessary, amend these requirements outlined in this consent
 - b) To deal with any adverse effects on the environment that may arise from the exercise of this consent; and which are appropriate to deal with at a later stage, and
 - To enable consistency with any relevant Regional Plans or any National Environmental Standards or Regulations

The review of conditions shall allow for the deletion or amendment of conditions of this consent; and the addition of such new conditions as are shown to be necessary to avoid, remedy or mitigate any significant adverse effects on the environment.

General notes:

- a) A resource management charge, set in accordance with section 36(2) of the Resource Management Act 1991 shall be paid to the Wellington Regional Council for the carrying out of its functions in relation to the administration, monitoring, and supervision of resource consents and for the carrying out of its functions under section 35 (duty to gather information, monitor, and keep records) of the Act.
- b) The Wellington Regional Council shall be entitled to recover from the consent holder the costs of any review, calculated in accordance with and limited to the Council's scale of charges in force and applicable at that time pursuant to section 36 of the Resource Management Act 1991.

Note: Additional resource consents from your local council may be required to undertake this proposal. We advise you to contact the Hutt City Council prior to commencing works.