



Resource Consent

RESOURCE MANAGEMENT ACT 1991

**Consent No. WGN120142 [33407]
Change of conditions 1 and 4**

**Category: Discharge permit and
Coastal 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	Hutt City Council, City Infrastructure	
Address	Private Bag 31912, Lower Hutt 5040	
Duration of consent	Commences: 1 February 2013	Expires: 25 August 2031
Purpose for which right is granted	<p>To temporarily discharge treated wastewater to the coastal marine area, and onto land where it may enter streams or the coastal marine area from:</p> <ul style="list-style-type: none"> • Planned repairs • Unplanned repairs • Leaks associated with temporary repairs, and • Minor leaks <p>in relation to the main outfall pipeline from Seaview Wastewater Treatment Plant to Pencarrow Head.</p>	
Location	Main outfall pipeline located from Seaview Wastewater Treatment Plant to Bluff Point between approximate map references NZTM 1759804.5433065 and 1754999.5420657.	
Legal description of land	N/A	
Conditions	1-31 as attached	

For and on behalf of
WELLINGTON REGIONAL COUNCIL

Mrsbate
.....
Manager, Environmental Regulation

Date: *11 / 6 / 2013*
.....

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 [33407]

Definitions

- Planned repairs – are pipeline repairs carried out between 5 May and 5 July each year
- Unplanned repairs – are pipeline repairs that cannot be deferred to the planned repair period the following year due to the extent of the discharge and/or its associated effects
- Temporary repairs – are repairs that will significantly reduce a leak on the pipeline but after these repairs have been carried out there may be an ongoing minor leak until a permanent repair is made the following year within the planned repair period. The purpose of temporary repairs is to avoid the more disruptive process of draining the pipeline to undertake a permanent repair outside the planned repair period. Temporary repairs are to be undertaken where the ongoing leak is not likely to have any adverse effect on recreational use or shellfish gathering activities
- Minor leaks – are small leaks resulting in damp ground, a small puddle adjacent to the pipeline or low rate discharge to a nearby stormwater drain or stream. Minor leaks exclude direct discharges to the waters of the Wellington Harbour
- Commencement of a discharge – is the first day a scour valve is used to drain treated wastewater from the main outfall pipeline to undertake repair work. Typically, discharges associated with planned and unplanned repairs will take less than three consecutive days. However if stormwater/groundwater seeps into the pipe via open manholes or pressure lids while a repair is undertaken the scour valve will need to be reopened to drain the pipeline. The subsequent discharge during the same repair 'event' is not considered a separate discharge event

General condition

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.

General operational conditions

2. The consent holder shall ensure that only secondary treated and UV disinfected wastewater is discharged from the main outfall pipeline from repairs and leaks authorised under this consent.
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 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.

Planned/unplanned repair operational conditions

- 4². The consent holder shall ensure that discharges associated with planned and unplanned repairs authorised by this consent do not exceed three days per repair event **from any single location and up to seven days in total**.

5. The consent holder shall ensure planned repair work is undertaken between 5 May and 5 July each year to avoid discharges to the coastal marine area during open scallop season.

Note: At the time the consent was granted the open scallop season was 15 July to 14 February. The above planned repair timeframe ensures a 10 day depuration period for shellfish.

6. The consent holder shall ensure that steps such as the excavation of trenches beneath the scour valves are taken to minimise ponding beneath scour valves and to ensure that so far as practicable treated wastewater drains freely to the Wellington Harbour.

Note: Consent WGN120142 [31740] authorises temporary channels to be excavated to create a preferential flow path from the scour valve to the sea.

Temporary repair operational conditions

7. The consent holder shall ensure that leaks associated with temporary repairs and minor leaks are permanently repaired within 12 months of being identified, and within a planned repair period defined in condition 5.
8. If the Manager, Environmental Regulation, Wellington Regional Council determines that a minor leak or leak associated with a temporary repair is having a significant adverse effect; the consent holder shall undertake a permanent repair within 14 days, or a longer timeframe in agreement with the Manager, Environmental Regulation, Wellington Regional Council.

Pipeline upgrade

9. A new pipeline connection between the Seaview to Eastbourne section of the main outfall pipeline to allow a portable pump to drain the pipeline back to scour valve 2 shall be constructed and commissioned by **30 June 2013**.

Note: This upgrade is to reduce the need to drain the pipeline to the urban area of the Eastern Bays (via scour valves 3 to 9) and also significantly decrease the time to drain pipeline for repairs in that section by at least 24 hours.

General notification condition

10. 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.

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

The function of the consultation group is to provide:

- Comment on the Public Notification Strategy required by condition 11 of this consent
- Comment on the Overflow Contingency Plan required by condition 29 of this consent
- 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 an 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.

11. The consent holder shall develop a Public Notification Strategy in consultation with Regional Public Health and the consultation group required by condition 10 of this consent. The Strategy shall include but not be limited to:

- The notification requirements for each type of discharge i.e. discharges associated with planned, unplanned, temporary repairs and minor leaks
- Criteria to determine whether a notification sign is required (e.g. for minor leaks)
- 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.

Planned/unplanned repair notification conditions

12. The consent holder shall notify the Manager, Environmental Regulation, Wellington Regional Council at notifications@gw.govt.nz and rec-wq@gw.govt.nz and Regional Public Health at healthprotection@huttvalleydwb.org.nz 48 hours in advance (where practicable) of any planned/unplanned repair work commencing, or no later than eight hours after commencement of a discharge associated with unplanned repairs. Notification is to include:

- The consent reference WGN120142 [31524]
- A name and phone number of a contact person for further information

13. On the day of the commencement of the discharge the consent holder shall ensure that notification signs are installed and maintained as close as practicable to the scour valve discharge location to indicate a health warning and advise that the immediate area has been recently polluted by treated wastewater. The signs shall

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remain in place for a minimum of 10 days 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: A draft version of the notification sign shall be submitted to the Manager, Environmental Regulation, Wellington Regional Council for approval prior to being installed.

14. The consent holder shall notify the Manager, Environmental Regulation, Wellington Regional Council at notifications@gw.govt.nz of the number of the scour valve(s) (i.e. scour valve 1-15) used to drain the pipeline and provide a description of the immediate receiving environment (e.g. discharge direct to water or across foreshore) within 24 hours of the discharge commencing.

Temporary repair/minor leak notification conditions

15. The consent holder shall notify the Manager, Environmental Regulation, Wellington Regional Council at notifications@gw.govt.nz and rec-wq@gw.govt.nz and Regional Public Health at healthprotection@huttvalleydwb.org.nz within 8 hours of a leak being identified. Notification is to include the consent reference WGN120142 [31524] location of the leak (NZTM coordinates) and a name and phone number of a contact person for further information.

Repair plan for temporary repairs/minor leaks

16. A site specific Repair Plan shall be submitted to the Manager, Environmental Regulation, Wellington Regional Council within 7 days of a leak being identified and shall include but not be limited to the following information:
- Map reference (NZTM coordinates) of the pipeline leak
 - Photograph showing the pipeline leak and associated discharge
 - Estimated flow rate of the discharge (L/s)
 - Confirmation on whether a temporary repair is to be made
 - Discharge duration estimate (i.e. number of days/months until the pipeline is repaired permanently)
 - Mitigation measures to reduce potential risk to public health (e.g. bunding, signage)

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

Monitoring conditions

- 17.a) Discharges associated with planned or unplanned repairs shall not result in any of the following effects on the water of the Wellington Harbour beyond 30m radius of each scour valve:
- 1) The production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials; or
 - 2) Any conspicuous change in colour or clarity; or
 - 3) Any emission of objectionable odour; or
 - 4) Any significant adverse effects on aquatic life
- b) During a scour valve discharge, the consent holder shall take photographs of a scour valve and immediate receiving waters around the point of discharge to show the presence of effects (1-4) listed in condition 17 (a) and any obvious undesirable biological growths or visible die-offs.

The consent holder shall identify and take photographs of a control site for comparison. This control site shall be at least 100m from any stormwater or stream outfall.

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 30 of this consent.

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18. Pipeline leaks associated with a temporary repair and/or minor leaks that enter any water shall not result in any of the following effects on the waters of the Wellington Harbour beyond a 10m radius of each discharge point:
- The production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials, or
 - Any conspicuous change in colour or clarity, or
 - Any emission of objectionable odour, or
 - Any significant adverse effects on aquatic life

19. During the summer bathing season (1 November to 30 April inclusive) the consent holder shall collect daily water samples 30m either side of a scour valve discharging to the sea. Samples shall continue to be collected for two days following the cease of the discharge or to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

Samples shall be collected at 0-5 centimetres and 15 centimetres below the surface of the water. The samples shall be analysed for faecal coliform and enterococci bacteria.

The consent holder shall record the date, time (NZ standard time), weather (in particular wind direction and strength), tidal conditions (low/medium/high) and location the samples are taken.

Note: This monitoring is required to allow actions to be taken during the summer bathing season if the results don't meet Microbiological Water Quality Guidelines for Marine and Freshwater Recreational Areas (June 2003), including the possible requirement to close beaches. Note that no single water sample should contain greater than 140 enterococci/100 mL to meet these water quality guidelines.

20. The results of the sampling undertaken in accordance with condition 19 shall be shall be emailed to the Manager, Environmental Regulation, Wellington Regional Council at notifications@gw.govt.nz and rec-wq@gw.govt.nz, and Regional Public Health at healthprotection@huttvalleydhb.org.nz and **within 36 hours** of the sample being taken to allow action to be taken if necessary.

Note: The laboratory can email the results directly to Greater Wellington and Regional Public Health.

21. All sampling techniques employed in respect of the conditions of this consent shall be carried out to the satisfaction of the Manager, Environment Regulation, Wellington Regional Council and undertaken by a 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.

Complaints register

22. 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 and tidal 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 [31524] 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 30 of this consent.

Tangata Whenua Values Monitoring

23. 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 Iwi, and monitoring. The scale of the plan shall reflect the scale and nature of the discharges authorised by this consent (i.e. waterbody scale) and shall be in accordance with the Tangata Whenua Values Monitoring Scope developed by Wellington Regional Council.
24. 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
- 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.

25. Upon notification from the Manager, Environmental Regulation, Wellington Regional Council that the most recent TWVMP is acceptable, the consent holder shall implement the plan.
26. 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 24, and
- Any other relevant information

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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.

27. 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.

Investigations

28. The consent holder shall investigate options to reduce the frequency of pipeline leaks, and/or reduce any adverse effect of the pipeline leak discharge on the receiving environment. These investigations shall continue for the duration of the consent or a shorter timeframe to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

Investigations shall include but not be limited to:

- A structural condition assessment of the integrity of the pre-stressing wires of the pipe sections of the main outfall pipeline
- Full or part replacement of the main outfall pipeline as described in MWH report following the pre-hearing meeting on 14 May 2012 (dated June 2012)
- Upgrades to the treatment plant to provide biological nutrient removal, specifically to reduce ammoniacal nitrogen concentrations in the discharge

Findings from the investigations above shall be reported in the reports required by condition 30.

Main outfall pipeline contingency plan

29. The consent holder shall update the Main Outfall Pipeline Contingency Plan (MOPCP) to outline procedures that will be adopted when a leak is discovered and pipeline is under repair. The MOPCP shall be prepared in consultation with the Regional Public Health and the consultation group required by condition 10 of this consent, and 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 MOPCP shall include but not be limited to:

- Procedures the consent holder will adopt following the identification of a leak to ensure that the potential adverse effects of the discharge are minimised as much as practicable
- Procedures for water quality monitoring and reporting (required by condition 19)
- Procedures for the notification (including signage) of any discharges
- Procedures for operating the portable pump to drain the pipeline back to scour valve 2 (required by condition 9)

The consent holder shall operate the discharge in accordance with this MOPCP at all times.

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

Annual reporting

30. The consent holder shall prepare and submit a comprehensive annual report to the Manager, Environmental Regulation, Wellington Regional Council and Regional Public Health and members of the consultation group as required by condition 10 of this consent **by 1 August each year** (covering the year 1 July to 30 June). The annual report shall include as a minimum:

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- A detailed summary of repairs undertaken on the pipeline in the last twelve months (i.e. planned and unplanned repair work) including detail on the length and location of repairs and any associated monitoring
- Repair work planned for the upcoming year
- The condition of temporary repairs made on the pipeline and programme for permanent repair
- A critical evaluation by an appropriately qualified and experienced scientist of the previous years monitoring results, in particular the environmental effects of each discharge event. This evaluation shall utilise the treated wastewater and water quality data, comparing the data against relevant environmental guidelines
- Summary of consultation group involvement
- Photographs of scour valves (required by condition 17 (b)) accompanied by field observations or comments as appropriate
- The complaints record (required by condition 22)
- Summary of investigations undertaken, a list of investigations scheduled for the upcoming year (required by condition 28), 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.

Review condition

31. 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
 - c) 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.