

Te Puke WWTP - Questions for the S42A Author

RM19-0204 - water

Condition	Question	Comment
5.4		The applicant has requested this condition to be deleted. I have also been contacted by Annaka Davis of the DHB regarding this condition. The DHB do want to be notified of any untreated sewage discharges (conditions 5.2 & 5.3), but they need to make the determination if a public health risk exists, so Annaka either wants the condition removed or reworded. Based on this discussion, I have suggested an alternative wording for consideration.
6.4	Would it be clearer to refer “Prior to receiving any wastewater from the Rangiora ...”	Agreed & amended
6.5		New condition proposed by the applicant.
7.1		Amended to only be a maximum of 9000m ³ – the 4000m ³ limitation was not what is applied for and will limit future growth – my error.
7.2		Discharge rate changed to 106l/s. I back calculated the maximum discharge rate of 9000m ³ /day and reached a value of 104l/s. However the applicant has requested that the maximum discharge rate be 106l/s as this is in the current operating procedure which the operators are used to. At this stage the upper limit of 9000m ³ will not be reached, so the applicant has requested that the 106l/s remain as a consent condition and this can be reduced in the future if volumes near the maximum. I have agreed and amended the discharge rate.
8.1		8.1 (2) Discussions with Mr Suren regarding conditions 9.9 identified that a significant adverse effect had not been defined in this condition and could be debatable and unenforceable as a significant effect is not defined in the Regional Natural Resources Plan. The NPS-FW does define the minimum MCI score as 80 and Horizons Regional Council has defined a reduction of 20% in the Quantitative MCI as significant. I have recommended that these limits are included in this condition and the applicant has agreed. 8.1(4) Error corrected
8.4		The applicant has requested that the nitrogen discharge limit changes six years from the date the consent is granted instead of placing a fixed date, six years

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		from now in the conditions. This is to allow for any delays or changes that may come about through the consent process (e.g. appeals). I have changed the recommended conditions accordingly and included the annual median mass load recommended by Dr Chen.
8.5		Clarification of the median timeframe calculation
8.6		Inclusion of Dr Chen's recommended annual median mass load
9.2		Deleted on request from WBOPDC as this degree of accuracy cannot be attained
9.3	Should the third line refer to " the UV monitoring device's specifications."?	Agreed & amended
Insert new 9.4		Split out E-coli as this is a grab sample, not a composite sample
9.5		Applicant has requested that the instream monitoring be undertaken on a monthly basis. I agree that this is reasonable and will provide a reasonable data set over time.
9.8 & 9.9		The applicant has reworded condition 9.9 to reflect the recommendations of Ms Fiona Davies, regarding the appropriate methodology for a non-wadeable stream. I have discussed this with Mr Suren (BOPRC ecologist) who does not totally agree that standard monitoring techniques cannot be used as the monitoring can be done in those sections that are wadeable close to the stream bank. Nevertheless, he does agree that an Ecological Monitoring Plan, that identifies the monitoring methodology and monitoring points should be provided and certified by council. I have therefore accepted the revised wording proffered by the applicant.
9.10		Include condition 8.1 in the requirement for remedial actions
9.11(4)		The Medical Officer of Health has requested that public health effects are included in the investigation - the applicant has agreed
9.14 and 9.15 Now 9.15 & 9.16	What is the purpose of these conditions given the applicant's intent to decommission the wetland?	To continue the monitoring currently undertaken for the next 5 -6 years while the wetland is still in use, prior to the construction and use of the rock chamber. Wording amended by the applicant
9.17		New condition –sampling no longer required after wetland is decommissioned
10.3(a)	What is the intent of the word "design"?	I have removed this
10.3(c)4	Are the cross-references correct? If they are what is the intent of the condition?	Deleted

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11.1	Would it be more consistent to refer to "... the UV monitoring device ..." consistently throughout?	Yes - changed
11.2	What is intended by the word "Equipment"?	Associated equipment used as part of the management of the plant, such as alarms, but this could be seen as just being part of the Plant -removed
12.3	Is the signage intended to be upstream or downstream of the discharge?	Both – I have made this clearer in the condition
12.4	What do the words "... where microbial levels warrant additional warnings" mean in practice?	Where a public health risk is identified in 5.4 – I have re-worded this to be more clear
14.1 1 st & 3 rd & 4 th bullets	To whom is the Kaitiaki Group reporting back to?	The Kaitiaki Group is not reporting back – The applicant reports to the Kaitiaki Group These conditions (14.1 – 14.7) is proposed on an Augier basis
14.1 2 nd bullet	Is it appropriate to have the Kaitiaki Group commission monitoring or should that be the role of the consent holder? What heritage, economic and recreational aspects are being referred to here?	Changed to "consent holder". The applicant has requested that I add this explanation : Iwi/Hapu have strong ancestral links to the Waiari Stream and statutory claim status, and adopt a holistic approach to such 'taonga'; hence the Kaitiaki Group may wish the consent holder to commission monitoring of related aspects including recreation downstream, or eel farm initiatives with an economic focus, or other heritage links of interest to tangata whenua
14.1 6 th bullet	What exactly is envisaged by this wide-ranging function and what would be the outcome of any recommendations?	These conditions (14.1) echo what is in place for the Kaitiaki Advisory Group under the Waiari Water Take consent. The applicant wishes that these conditions remain as the Kaitiaki Group is likely to be the same for both consents (no need to duplicate). The wording has been slightly amended to relate to this consent and the applicant has agreed to the wording changes as proposed. The applicant has requested that I add this explanation : Iwi/Hapu have recognised statutory claim status for the Waiari Stream, and want the opportunity to be involved in the management of things that impact on their relationship with their ancestral lands and water and other taonga; as well as to fulfill their kaitiakitanga role in relation to the Wairai Stream.
14.1 7 th bullet	What would be the basis of the assessment of these effects and what outcome is envisaged?	The applicant has provided the following explanation : The mauri and mauriora of the Waiari Stream is a significant cultural matter for Tangata Whenua, and they wish to have opportunity to undertake cultural

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		monitoring. This provides for various cultural monitoring techniques/mechanisms to be assessed by the Kaitiaki Group; and developed to address the best way forward for cultural monitoring at Te Puke WWTP. A ‘mauri model’ approach is currently being developed for the Waiari Water Take, in liaison with Dr Kepa Morgan. This would also provide opportunity to consider the Wai Ora Wai Maori app suggested by many of the submitters. Note this has also been referred to as the Tapuika Iwi Hapu Waiari Assessment tool.
14.1 8 th bullet	Should this be confined to the effects of the WWTP discharge?	<i>New wording proposed: To discuss any other relevant matters relating to the discharge that may be agreed by the Kaitiaki Group. Applicant agrees</i>
14.3	Is it appropriate to enable the Group to “require” meetings?	The consent holder convenes the meetings. Applicant agrees
14.5	Do the regional plans enable a financial contribution condition such as this or would it need to be offered by the applicant on an <i>Augier</i> basis?	Regional plans do not enable a financial contribution condition – this is being offered by the applicant on an Augier basis.
14.6 1 st bullet	What is Te Ohu Waiora and what is its relevance to this discharge consent?	Deleted – Accidental inclusion from a template
14.6 2 nd bullet	Are the words in brackets part of the condition?	Deleted - Applicant agrees
14.6 3 rd & 4 th bullets	What is the basis and intent of these conditions?	Deleted- Applicant agrees
14.8	Would it be more appropriate to refer to a majority of the Group?	Yes
15.4	Would it be appropriate to refer consistently to “the Chief Executive of the Regional Council or delegate” throughout?	I have consistently referred to the Regional Council and removed “Chief Ex.....”
15.5 & 15.6	What is Te Maru o Kaituna and why is it included here?	Te Maru O Kaituna is the River Authority, a co-governance partnership mandated to restore, protect and enhance the Kaituna River. It comprises members of the BOPRC, WBOPDC and iwi. The applicant has included <i>Augier</i> conditions relating to reporting on performance to Te Maru o Kaituna as the Waiari River flows into the Kaituna and is therefore relevant to this co-governance group
15.7	Wouldn’t the load to the Stream and the Estuary be the same?	No, the load to the estuary may be less due to dilution in the Kaituna River or more if the load in the Kaituna is higher than the Waiari. Overall it should be less in the Estuary as only a portion of the Kaituna River flows have been re-diverted

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		to the Estuary
15.7 5 th bullet	What is the intent of this condition? Is this the role of the consent holder (who must comply with their discharge standards) or more properly the role of BOPRC?	Deleted. Agree – this is a BOPRC function and if relevant national legislation changes significantly the consent should be reviewed.
15.7 6 th bullet	What is the intent of the condition and how would it be implemented? Can one summarise potential adverse effects?	Deleted, bullets 2 & 3 adequately provide the information and assessment required
15.8	What tangata whenua are referred to here other than those already represented on the Kaitiaki Group?	Tangata whenua is used to refer to iwi. I have reworded this to be more specific: “...Consent Holder shall invite the members of these groups to meet...”
15.9	What merit is there in annual reporting given the detailed reporting set out in 16.4?	Agree - Deleted
16.1	Is this a vires condition? How will compliance with a directive for “positive commitment” be monitored by BOPRC?	Agreed. Only first sentence retained
16.2	Do the regional plans enable a financial contribution condition such as this or would it need to be offered by the applicant on an <i>Augier</i> basis? What tangata whenua are referred to here other than those already represented on the Kaitiaki Group? Is it appropriate to have the WWAG appoint people or should that be the role of the consent holder?	No the regional plans do not enable this. WBOPDC have offered this on an <i>Augier</i> basis. The Kaitiaki Group are proposed to be a few selected representatives of the relevant iwi, whereas WBOPDC plan for the WWAG group to include a wider group of iwi and community representatives Probably not, I have reduced this to “invite” The applicant has agreed to the rewording of this condition, including bullet 5.
16.3 2 nd bullet	Who determines what is “necessary”?	I meant “as required”, but feel it best to remove this completely
16.3 3 rd bullet	What does this condition mean?	This condition is proposed on an <i>Augier</i> basis and the applicant has offered the following explanation: WBOPDC is committed to pursuing the alternatives investigation, and to finding an agreed way forward, and to recommending that the preferred option identified and agreed to by the WWAG, be approved in a full council meeting with a commitment to this being included within the Long Term Plan to secure adequate funding. Given that this alternatives investigation still has much work to be undertaken, and that the outcome is uncertain, and that it is difficult to guarantee a full council meeting will support a preferred option, and pursue

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		<p>funding through the LTP process, it is, therefore, appropriate to use the wording, “Use best endeavours to finding an agreed way forward and seeking agreement with the group on its advice to Council”. To strengthen the WWAG position in pursuing a preferred option (once confirmed), condition 17.3 specifically provides a trigger for the review of these consent conditions after receiving the final report under condition 16 to determine how best to proceed with any preferred alternative disposal option.</p> <p>The proposed condition is just outlining the scope of the WWAG and I realise that it is not an enforceable condition and may be better as an advice note. The applicant has mentioned that the iwi wish to see a commitment to the alternatives, and therefore has offered the formation of the WWAG and the associated suite of conditions on an Augier basis. I have discussed this with the applicant and WBOPDC do not mind if this is moved to the Advice notes.</p>
16.4		<p>The applicant has requested a change in the dates as the proposed dates are more realistic – i.e. that stage 3 is completed by 2029. I have accepted this change.</p> <p>The applicant has provided the following explanation of the expected timeline after 2029 for your information:</p> <ol style="list-style-type: none"> 1. Further, after Stage 3, the consenting period for any preferred disposal option selected will likely take a few more years; i.e. this should not be underestimated. Summary timeline, based on a single site / option being selected by WBOPDC: <ol style="list-style-type: none"> a. Completion of Stage 3 = 2029, b. Land procurement, 3-5 years = 2034, c. Consent application and consenting process, 5-7 years = 2041, d. Design and tender, 1 year = 2042 e. Construction and operational commissioning, 2 years = 2044
17.2	What are “emerging contaminants”?	Drugs and hormones excreted. There is a large list of potential compounds that is

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		constantly changing and that could create contaminant issues in the future, therefore I have proposed a review conditions should issues or more scientific evidence arise in the future.
Advice note 5		Clarifies median calculation

RM19-0204 –air The applicant has agreed to all changes to the Air Discharge Consent.

Condition	Question
6.1	Is the cross-reference to 5.3 correct? No, it should be 6.3
6.1(2)	This refers to BPO in 6.4 but 6.4 does not mention BPO? Have included a reference to BPO in 6.4
6.3(1)	Is it <i>vires</i> to refer to off-site activities in a consent that relates to a specific WWTP location? Removed
7.1	The applicant has requested that the requirement to log complaints excludes complaints from within the buffer zone. The reason is that it is anticipated that the area be developed to include cycle ways which will allow persons to come into close proximity to the WWTP. I agree that this zone is meant as a buffer i.e. a designated non-compliance area, similar to a mixing zone and complaints from within this zone should not require remedial action.

RM19-0204 - stream bed The applicant has agreed to all changes to the Disturbance of the Riparian Wetland Consent.

Condition	Question
6.7	The applicant has offered an additional condition to include the recommendations proffered in Fiona Davies evidence regarding the re-direction of the southern drain, so that it soaks to ground rather than entering the stream directly.
7.1-7.3	The applicant has offered additional conditions related to riparian planting in the conditions for the discharge. I consider that these conditions relate to the disturbance of the wetland governed by Rule WL R9 and therefore need to be placed in this consent. I have accepted these conditions, but have changed 7.1 and 7.3 to include a planting plan to make the condition enforceable. I have also deleted part of 7.3 as proffered as reinstatement of the planting is covered by condition 8.4.
7.2 (now 8.2)	What Site Operation and Maintenance Plan is being referred to here? Deleted
7.4 (now 8.4)	What is the merit of this condition, given the wetland is artificial and is to be decommissioned? What adverse effects are being addressed? I have included the word “riparian” to clearly distinguish that this consent only refers to the natural riparian wetland on the banks of the Waiari and not the constructed wetland which is to be decommissioned