

Resource Consent **RESOURCE MANAGEMENT ACT 1991**

Consent No. WGN080003 [35047] Category: Coastal permit
Change of conditions 1, 7 and 10, and cancellation of conditions 4 and 15

Pursuant to sections 104B, 105, 107, 108, 119 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	Wellington City Council	
Address	PO Box 2199, Wellington 6140	
Duration of consent	Effective: 11 May 2009	Expires: 11 May 2034
Purpose for which right is granted	To occasionally discharge up to 4500 litres per second of mixed disinfected secondary treated and milli-screened wastewater to the coastal marine area via an existing submarine outfall during and/or immediately after heavy rainfall, when the quantity of wastewater arriving at the Moa Point Wastewater Treatment Plant exceeds 3000 litres per second.	
Location	at or about map reference NZMS 260:	
Legal description of land		
Conditions	1-22 as attached	

For and on behalf of
 WELLINGTON REGIONAL COUNCIL



.....
 Team Leader, Environmental Regulation

13 December 2017
 Date:

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 Greater Wellington Regional Council (GWRC) 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 GWRC and we will arrange the transfer for you (at no cost) once you've completed a 'Transfer of Permit' form including the signatures of the old and new owners.

If your resource consent application contained inaccurate or misleading information, GWRC 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 GWRC 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 GWRC before the lapse date.

If you stop using your resource consent for a continuous five-year period, GWRC 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

WGN080003 [35047]

Activity

11. The location and nature of the discharge shall be in accordance with the consent application and its associated plans and documents lodged with the Wellington Regional Council on 2 July 2007, and additional information received on 26 October 2007, the change of conditions application lodged with Wellington Regional Council on 11 January 2013 and further information received on 7 February 2013, and the change of conditions application lodged with Wellington Regional Council on 12 October 2017.

Note: Any change from the location, design concepts and parameters, implementation and/or operation may require a new resource consent or a change of consent conditions pursuant to section 127 of the Resource Management Act 1991.

Note: Where there may be contradiction or inconsistencies between the application and further information provided by the applicant, the most recent information applies. In addition, where there may be inconsistencies between information provided by the applicant and conditions of the consent, the conditions apply.

2. This permit shall only be exercised when the wastewater inflow to the treatment plant **exceeds 3000 litres per second (l/s)**.
3. The **discharge point** shall be from the existing submarine pipeline outfall, between approximate map references NZMS 260:R27;2660742.5982398 and NZMS 260: R27;2660710.5982311.
- 4². Condition cancelled

Notification

5. Should a bypass discharge occur, the permit holder shall notify the Manager, Environmental Regulation and the Pollution Control Team, Wellington Regional Council and the Medical Officer of Health of this fact as soon as practicable and at least within 12 hours of the discharge occurring.

Note: Notification should occur immediately when the plant is staffed.

6. The permit holder shall **notify interested parties** of a bypass discharge as soon as practicable and at least within 12 hours of the discharge occurring. The identification of interested parties and the method by which they are to be notified shall be determined in consultation with the Manager, Environmental Regulation, Wellington Regional Council within three months of the date of commencement of this permit.

Signage

- 7³. The permit holder shall, as soon as practicable and during normal working hours after becoming aware of a bypass discharge, place and maintain appropriate signs at **Dorrie Leslie Park, Tarakena Bay** and at **Lyll Bay** advising of the discharge. The wording of the signs shall be determined after consultation with Regional Public Health and shall be to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council. The signs shall remain in place until **at least 48 hours** after the bypass discharge has ceased.

The information on the sign shall include, but not be limited to, the location and nature of the discharge and the potential risk to public health from bathing or collecting shellfish in the vicinity of the discharge.

¹ Condition changed under section 127 of the Act, granted 13 December 2017

² Condition cancelled under section 127 of the Act, granted 13 December 2017

³ Condition changed under section 127 of the Act, granted 13 December 2017



Monitoring and reporting requirements

8. The permit holder shall monitor and record the **flow rate, total volume** and duration of any bypass discharge from the Moa Point Wastewater Treatment Plant to the long outfall, and calculate and record a **dilution ratio** (secondary treated: screened effluent) for each bypass event based on average rates of flow during that event. The results of this monitoring shall be forwarded to the Manager, Environmental Regulation, Wellington Regional Council, within 10 working days of the bypass discharge occurring.
9. The permit holder shall maintain an **incident log** containing the details of each bypass discharge and make it available to the public or the Manager, Environmental Regulation, Wellington Regional Council, upon request.
- 10⁴. During a bypass discharge (if during normal working hours) and on days one, two and three after the discharge, the permit holder shall take a **grab sample** of coastal water at each of the following locations, providing safe access is available:
 - Dorrie Leslie Park at boat ramp
 - Hue Te Taka Peninsula;
 - Tarakena Bay Beach at boat ramp
 - Tarakena Bay Beach, Western side
 - Hue te Taka Peninsula, Western side;
 - Moa Point Road, opposite number 49
 - Lyall Bay Beach, Eastern side
 - Dorrie Leslie Park, South side of boat ramp
 - Dorrie Leslie Park, West of boat ramp
 - Peninsula at Queens Drive and The Esplanade
 - Houghton Bay, Western side
 - Marine Centre, Island Bay, Eastern side
 - Island Bay, Western side

Each sample shall be analysed for faecal coliforms and enterococci.

The permit holder shall identify and record the location of the sampling points (including map references) and supply this information to the Manager, Environmental Regulation, Wellington Regional Council, within three months of the commencement of this permit.

The details of the monitoring programme, as outlined in the Overflow Contingency Plan (required under condition 12 of this permit), shall be to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

Note: These sample locations have been selected to act as audit sites to determine if the results obtained from the modelling undertaken in regards to public health risks from bypass discharges are substantiated by sample results.

11. All sampling required by the conditions of this permit shall be carried out to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council and shall be conducted by a suitably trained person.

All analyses undertaken in connection with this consent shall be undertaken by an independent registered laboratory accredited to International Accreditation New Zealand (IANZ) or otherwise as specifically approved by the Wellington Regional Council.

⁴ Condition changed under section 127 of the Act, granted 13 December 2017



Overflow Contingency Plan

12. The permit holder shall review and update the current **Overflow Contingency Plan** for the Moa Point wastewater treatment plant (dated December 2004) to ensure that it is consistent with all of the conditions of this permit. The plan shall be revised in consultation with Regional Public Health. The updated plan shall be submitted to the Manager, Environmental Regulation, Wellington Regional Council for approval within six months of the date of commencement of this permit.

The permit holder shall operate in accordance with this plan once it has been approved by the Wellington Regional Council.

Inflow and Infiltration

13. The annual report required by condition 19 of this permit shall detail what steps have been taken in the reporting year and what steps are proposed to be undertaken in the future to reduce infiltration and stormwater ingress into the Wellington City sewerage network.

This information shall include, but not be limited to, the following information:

- a) Details on the adoption of a policy to identify, and to repair or replace, defective private sewer drains in the Wellington City catchment. If such a policy is adopted, detail on its implementation made within the previous year
- b) Details of additional works that have been undertaken and what these works are expected to achieve;
- c) An indication of when any ongoing works will be completed;
- d) Details of any investigations undertaken with regard to inflow and infiltration in the Wellington City catchment; and
- e) Details of any works or investigations planned for the next financial year.

Inlet pump station improvements

- 14⁵. Condition cancelled

Treatment of bypass discharges

- 15⁶. Condition cancelled

Monitoring of bypass discharge

16. The permit holder shall provide suitable wastewater sampling locations for monitoring the quality of:
- a) the bypass flows; and
 - b) secondary treated wastewater (i.e. both wastewater streams prior to mixing) during bypass discharges.

The permit holder shall obtain grab samples of both wastewater streams within the first two hours of a bypass discharge occurring during normal working hours or as soon as practicable for those events occurring outside normal working hours. These samples shall be analysed for:

- cBOD5
- suspended solids
- faecal coliform
- pH
- ammoniacal nitrogen

⁵ Condition cancelled under section 127 of the Act, granted 13 March 2013

⁶ Condition cancelled under section 127 of the Act, granted 13 December 2017



- oil and grease

and on at least one bypass event each year these samples shall also be analysed for the following indicator contaminants:

- Total cadmium
- Total chromium
- Total copper
- Total lead
- Total nickel
- Total zinc

The wastewater quality results, together with the results of wastewater flow monitoring shall be used to calculate, by mass balance, the quality of the wastewater discharge after both wastewater streams have mixed. The mass balance calculation for a contaminant (a) is:

$$C_{mixed(a)} = (C_{tr(a)} * Q_{tr} + C_{by(a)} * Q_{by}) / Q_{mixed}$$

Where:

C is contaminant concentration

Q is the flow rate (litres/sec)

tr subscript relates to parameter of the secondary treated wastewater stream

by subscript relates to parameter of the bypassed wastewater stream


mixed subscript relates to parameter of the mixed secondary treated and bypassed wastewater streams

The calculated mixed wastewater discharge quality results shall be reported to the Manager, Environmental Regulation, Wellington Regional Council, within 10 working days of the overflow event occurring.

17. The permit holder shall obtain grab samples of bypass flows and secondary treated wastewater during bypass discharges (i.e., at the locations required by condition 16) within the first two hours of a bypass discharge occurring during normal working hours until 7 bypass events have been sampled. The permit holder will use best endeavours to obtain these samples in the first five years of the permit. These samples shall be analysed for:

- Total cadmium
- Total chromium
- Total copper
- Total lead
- Total mercury
- Total nickel
- Total zinc
- Total arsenic
- Total phenol
- Volatile organic compounds
- Semi-volatile organic compounds
- Organochlorine pesticides

The wastewater quality results, together with the results of wastewater flow monitoring shall be used to calculate, by mass balance, the quality of the wastewater discharge after both wastewater streams have mixed. The calculated mixed wastewater monitoring results shall be forwarded to the Manager, Environmental Regulation, Wellington Regional Council, as soon as they are available.



Complaints

18. The permit holder shall keep a record of any complaints that are received. The record shall contain the following details, where practicable:
- a) Name and address of the complainant;
 - b) Identification of the nature of the complaint;
 - c) Date and time of the complaint and of the alleged event;
 - d) Weather conditions at the time of the complaint; and
 - e) Any measures taken to address the cause of the complaint.

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

The permit holder shall forward to the Manager, Environmental Regulation, Wellington Regional Council a copy of any complaints recorded annually.

Reporting

19. The permit holder shall provide to the Manager, Environmental Regulation, Wellington Regional Council an **Annual Assessment and Analysis Report** for the period 1 July to 30 June, by 31 July each year summarising compliance with the conditions of this permit. This report shall include, but not be limited to the following:
- a) A summary of all monitoring undertaken in accordance with the conditions of this permit and a critical analysis of the information in terms of compliance and adverse environmental effects;
 - b) A comparison of data with previously collected data in order to identify any emerging trends;
 - c) Comments on compliance with the conditions of this permit;
 - d) Any reasons for non-compliance or difficulties in achieving compliance with the conditions of this permit;
 - e) Any measures that have been undertaken to improve the environmental performance of the wastewater treatment and disposal system;
 - f) A copy of any complaints recorded (in accordance with condition 18 of this permit) during the year; and
 - g) Any other issues considered important by the permit holder.

A copy of the report shall be provided to Community Liaison Group, Te Atiawa, Te Runanganui O Taranaki Whanui ki te Upoko o te Ika a Maui, Ngati Toa Rangatira and the Wellington Tenth Trust, if requested.

Review conditions

20. Wellington Regional Council may review any or all conditions of this permit by giving notice of its intention to do so pursuant to section 128 of the Resource Management Act 1991, within six months of the fifth, tenth, fifteenth and twentieth anniversary of the commencement of this permit and within six months of the receipt of the report required by condition 22, for any of the following reasons:
- a) To review the adequacy of, and if necessary amend the monitoring requirements outlined in this permit;



b) To deal with any adverse effects on the environment that may arise from the exercise of this permit and which are appropriate to deal with at a later stage including any adverse effects which may arise if any of the following trigger levels from the indicator contaminants set out below are exceeded:

- Total cadmium 0.08g/m³
- Total chromium 0.48g/m³
- Total copper 0.14g/m³
- Total lead 0.48g/m³
- Total nickel 0.77g/m³
- Total zinc 1.65g/m³

For the avoidance of doubt the exceedance of these trigger levels do not of themselves demonstrate adverse effects.

c) To require the implementation of Best Practicable Options, including new treatment technology, to avoid, remedy or mitigate any adverse effect on the environment arising from the discharge.

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

[Advice note:

In deciding whether to initiate a review and when undertaking a review the frequency and duration of bypass events will be taken into consideration.]

21. The Wellington Regional Council shall be entitled to recover from the permit 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.

Monitoring and technology review report

22. Within six months of the 9th and 19th anniversaries of the commencement of this permit, the permit holder shall provide to the Manager, Environmental Regulation, Wellington Regional Council a Monitoring and Technology Review Report. The assessment required by the report shall be undertaken by a suitably qualified and experienced New Zealand specialist or specialists in wastewater treatment and disposal.

The report shall be to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council and also be supplied to the Media Officer of Health, Community Liaison Group, Te Atiawa, Te Runanganui O Taranaki Whanui ki te Upoko o te Ika a Maui, Ngati Toa Rangatira and the Wellington Tenth Trust.

The scope of the assessment should address, but not necessarily be limited to, the following:

- a) An assessment of compliance/consistency with any relevant national, or regional water quality policies, standards or guidelines in effect at the time.
- b) A summary of any residual actual or potential effects of the discharge, irrespective of whether those effects are in accordance with the conditions of this permit.
- c) An outline of technological changes and advances in relation to wastewater management, treatment, disposal and beneficial use technologies, which may be available to address any residual adverse effects.
- d) An assessment of whether any such options or combination of options represent the Best Practicable Option to minimise the effects of the discharge and whether the permit holder intends to incorporate such changes.

[Advice notes:

- This Monitoring and Technology Review Report can be included in the Monitoring and Technology Review Report for the continuous discharge consent.
- This report will provide an opportunity to review the suitability of the monitoring regime with respect to:
 - Endocrine disrupting chemicals.
 - Pharmaceuticals.



- Persistent organic pollutants.

Noting that when this permit was recommended there were no or limited national standards or guidelines regarding the above and therefore if in the future such national standards or guidelines exist they shall be addressed in this Monitoring and Technology Review Report.]



13 December 2017