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## Resource Management Act 1991

### Resource Consent

**Consent No. WGN980083 [33805]  
Cancellation of Condition 16  
Change to Conditions 6A and 15**

**Category: Restricted Coastal Activity**

Pursuant to sections 105 and 108, 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:

<b>Name</b>	Porirua City Council	
<b>Address</b>	P O Box 50218, Porirua	
<b>Term of Consent</b>	Effective: 6 July 2000	Expires: 6 July 2020
<b>Purpose for Which Right is Granted</b>	To discharge treated effluent from the Porirua City Council's Waste Water Treatment Plant.	
<b>Location</b>	At Rukutane Point through an existing outfall at or about map reference NZMS 260:R27;320.097	
<b>Legal Description of Land</b>	-	
<b>Volume/Quantity/Rate</b>	Average discharge flow of 24,000 cubic metres per day and a peak discharge of 92,800 cubic metres per day.	
<b>Conditions</b>	1-25 as attached	

For and on behalf of  
WELLINGTON REGIONAL COUNCIL

  
.....  
Manager, Consents Management

Date: 16 / 7 / 2015

# 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.

Provided that you comply with all the conditions of your resource consent and all other laws of the land, you may exercise the resource consent how you see fit.

If you wish to change the way you operate under this resource consent or if you wish to alter or delete any consent conditions please contact the Wellington Regional Council prior to making the changes. You may need a formal variation to your resource consent conditions.

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

If your resource consent application contained inaccurate or misleading information the Wellington Regional Council may ask the Environment Court to 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's 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 consent. The Wellington Regional Council fixes these charges, under section 36 of the Resource Management Act 1991. The Act allows you to comment on any proposed charges *prior to them being fixed*. Charges are usually fixed every three years. If you would like a copy of our current Resource Management Charging Policy please feel free to contact us.

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

Your resource consent will lapse if you do not exercise it within two years of the date it was granted (unless otherwise specified in the resource consent conditions). If this lapsing is going to be a problem please contact the Wellington Regional Council before the lapse date.

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

## Conditions to Resource Consent WGN980083 [24384]

- (1) This consent is subject to all relevant provisions of the Resource Management Act 1991, its amendments and any regulations made thereunder. It is the obligation of the consent holder to comply with all the statutory requirements relating to the exercise thereof.
- (2) The consent holder shall keep all such records as may be reasonably required by the Wellington Regional Council and shall, if so requested, supply this information to the Wellington Regional Council.
- (3) This consent is subject to the Wellington Regional Council or its servants, or its agents, being permitted access at all reasonable times for the purpose of carrying out inspections, measurements and the taking of samples. If such access is denied after the Wellington Regional Council has submitted a request in writing for access then these consents shall terminate.
- (4) The design and maintenance of any works relating to the exercise of the consent must be to a standard adequate to meet the conditions of the consent.
- (5) An annual charge, set in accordance with section 36(2) of the Resource Management Act 1991, shall be paid to the Wellington Regional Council for carrying out its functions under section 35 (duty to gather information, monitor and keep records) of the Resource Management Act 1991.
- (6A)<sup>1</sup> The Wellington Regional Council may review any or all conditions hereof by giving notice of its intention to do so pursuant to section 128 of the Resource Management Act 1991, within 6 months of the anniversary of the date of commencement of the permit in the years 2001, 2003, 2005, 2007, 2009, 2011, 2013, 2015 and 2016 for any of the following reasons:
  - (a) To review the adequacy of the monitoring requirements, so as to incorporate into this permit any modifications to the monitoring that may be necessary to deal with any adverse effects on the environment arising from the management or operation of the plant.
  - (b) To alter monitoring requirements in light of the results obtained from any previous monitoring.
- (6B) The Wellington Regional Council may review condition (11) pursuant to section 128 of the Resource Management Act 1991 at any time during the years 2005, 2007, 2009, 2011, 2013 and 2015 to review the effluent standard conditions to deal with:
  - (a) any contamination (beyond the 200m mixing zone) by concentrations of micro-organisms and/or toxic substances of seafood so as to render them unfit for human consumption; and
  - (b) any contamination (beyond the 200m mixing zone) so as to render the waters unfit for bathing or other recreational purposes.and which it is appropriate to deal with at a later stage.
- (7) The permit holder may apply, at any time, pursuant to section 127 of the Resource Management Act 1991, for the change or cancellation of any permit condition, other than the condition relating to the term of this permit.
- (8) All methods and procedures for monitoring shall be to the satisfaction of the Manager, Consents Management, Wellington Regional Council.
- (9) The permit holder shall provide to the satisfaction of the Manager, Consents Management, Wellington

<sup>1</sup> Condition 6A changed under s127 RMA on 16 December 2015

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Regional Council, an appropriate place to sample the treatment plant effluent as or after that effluent leaves the treatment plant but prior to its discharge through the Rukutane Point outfall.

(10) Before 1 October 2003, the permit holder shall sample the treated effluent at the sample point required by condition 9 and the following effluent standards shall apply:

(a) Based on daily 24 hour flow proportioned composite sampling, with a running geometric mean and 90 percentile calculated each day using 90 consecutive daily test results, the effluent shall meet the following standard:

(i) Biochemical Oxygen Demand: Geometric mean of 90 day consecutive BOD<sub>5</sub> values shall not exceed 30g/m<sup>3</sup> and no more than 10% of 90 consecutive daily values shall exceed 75g/m<sup>3</sup>.

(ii) Suspended Solids: Geometric mean of 90 consecutive daily suspended solids values shall not exceed 30g/m<sup>3</sup> and no more than 10% of 90 consecutive daily values shall exceed 75g/m<sup>3</sup>.

(b) Based on no fewer than one flow proportioned 24 hour composite sample collected on a normal Monday to Friday working day on a quarterly basis, concentrations of metals and other specified compounds shall not exceed the following limits:

Arsenic	0.5 g/m <sup>3</sup>
Cadmium as the element	0.05 g/m <sup>3</sup>
Chromium	0.2 g/m <sup>3</sup>
Copper as the element	0.8 g/m <sup>3</sup>
Nickel as the element	0.05 g/m <sup>3</sup>
Lead as the element	0.5 g/m <sup>3</sup>
Zinc as the element	2.0 g/m <sup>3</sup>
Mercury as the element	0.002 g/m <sup>3</sup>
Phenol	0.2 g/m <sup>3</sup>
Cyanide as CN	0.1 g/m <sup>3</sup>
Chlorinated hydrocarbons	0.01 g/m <sup>3</sup>

(11) After 1 October 2003, the permit holder shall sample the treated effluent at the sample point required by condition 9 and the following effluent standards shall apply:

(a) Based on daily 24 hour flow proportioned composite sampling, with a running geometric mean and 90 percentile calculated each day using 90 consecutive daily test results, the effluent shall meet the following standard:

(i) Biochemical Oxygen Demand : Geometric mean of 90 day consecutive BOD<sub>5</sub> values shall not exceed 30g/m<sup>3</sup> and no more than 10% of 90 consecutive daily values shall exceed 75g/m<sup>3</sup>.

(ii) Suspended Solids : Geometric mean of 90 consecutive daily suspended solids values shall not exceed 30g/m<sup>3</sup> and no more than 10% of 90 consecutive daily values shall exceed 75g/m<sup>3</sup>.

(b) Based on no fewer than 20 representative grab samples per month, (such samples shall be taken from the date of commencement of this permit, on separate days per month between the hours of 9am and 5pm), the effluent shall not exceed the following standard:

(i) Faecal Coliform Bacteria: Geometric mean of 1000 per 100 millilitres and no more than 10% of monthly samples shall exceed 2,000 per 100 millilitres.

(c) Based on no fewer than one flow proportioned 24 hour composite sample collected on a normal Monday to Friday working day on a quarterly basis, concentrations of metals and other specified compounds shall not exceed the following limits:

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Arsenic	0.5 g/m <sup>3</sup>
Cadmium as the element	0.05 g/m <sup>3</sup>
Chromium	0.2 g/m <sup>3</sup>
Copper as the element	0.8 g/m <sup>3</sup>
Nickel as the element	0.05 g/m <sup>3</sup>
Lead as the element	0.5 g/m <sup>3</sup>
Zinc as the element	2.0 g/m <sup>3</sup>
Mercury as the element	0.002 g/m <sup>3</sup>
Phenol	0.2 g/m <sup>3</sup>
Cyanide as CN	0.1 g/m <sup>3</sup>
Chlorinated hydrocarbons	0.01 g/m <sup>3</sup>

- (12) The permit holder shall continuously monitor and record the treatment plant effluent flow. These records shall be supplied to the Manager, Consents Management, Wellington Regional Council, upon request.
- (13) The discharge shall not cause any of the following effects in the receiving waters beyond a 200 metre radius (the mixing zone) of the Rukutane Point outfall:
- The production of any conspicuous oil or grease films, scums or foams, or floatable or suspended material;
  - Any conspicuous change in the colour or visual clarity of water;
  - Any adverse effect on marine aquatic life.

Paragraphs (a) and (b) of this condition shall not apply to discharges during times of plant overflow or plant bypass. Paragraph (b) shall not apply to changes in colour or visual clarity of water which occur as a result of a freshwater lens on the surface of receiving water.

- (14) The permit holder shall monitor the enterococci and faecal coliform contents of the receiving waters at six shoreline locations between Titahi Bay Beach and Te Korohiwa Rocks. The shoreline monitoring locations shall include the following sites:
- at or about 200 metres generally eastwards of the outfall;
  - at or about 200 metres generally southwestwards of the outfall; and
  - Titahi Bay Beach.

In addition the permit holder shall establish a sample control site and measure background enterococci and faecal coliform contents of the coastal waters. All sampling locations shall be to the satisfaction of the Manager, Consents Management, Wellington Regional Council.

- (15)<sup>1</sup> The water at all sampling locations required by condition 14 shall be monitored for enterococci and faecal coliforms ~~at least three monthly, between 1 April and 30 September and monthly between 1 October and 31 March, until such time as any new disinfection plant is commissioned. For the first 12 months after commissioning such monitoring shall be carried out on at least a monthly basis. Thereafter, the monitoring may be at such reduced intensity as determined by the Manager, Consents Management, Wellington Regional Council.~~

In the event of a discharge of partly or untreated sewage effluent due to either plant malfunction, or *plant overflow*, or *plant bypass*, the above said waters shall further be monitored at or about 24 hours, 72 hours, and 144 hours after that discharge commenced.

<sup>1</sup> Condition 15 changed under s127 RMA on 14 June 2005

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For each water sample required by this condition, the permit holder shall make record of the date, time, weather, wind and tidal conditions at its sampling location. These records for each preceding quarter shall be supplied to the Manager, Consents Management, Wellington Regional Council, in the quarterly monitoring report required by condition 17.

*Note : For the purposes of this condition, "plant bypass" refers to discharge of milli-screened only effluent whereas "plant overflow" refers to a discharge when the whole plant including milliscreening is bypassed. Both points of clarification are in accordance with the evidence provided to the Hearing Committee by Mr John Oldfield, the Water and Drainage Asset Manager for Porirua City Council.*

- (16)<sup>2</sup> ~~The permit holder shall monitor faecal coliforms, F specific RNA bacteriophage and trace metals from shellfish samples collected on three occasions throughout the calendar year and during the period March to May at three locations. The sample locations shall be at or about 200 metres west, 650 metres west and 1500 metres west of the outfall. The species of shellfish monitored shall be to the satisfaction of the Manager, Consents Management, Wellington Regional Council.~~
- (17) The permit holder shall produce a quarterly monitoring report and shall forward the report to the Manager, Consents Management, Wellington Regional Council within one month of the completion of the quarter. The format of the report shall be to the satisfaction of the Manager, Consents Management, Wellington Regional Council, and shall include details of all monitoring required by conditions 10, 11, 15 and 16 for the preceding quarter. A copy of the report is also to be forwarded to the Titahi Bay Residents and Ratepayers Assn Inc and Regional Public Health.
- (18) Notwithstanding any enforcement action Wellington Regional Council may choose to take, should the criteria set out in conditions 10 or 11 be exceeded or breached, or the effects in condition 13 (a) – (c) be caused by the discharge, the permit holder shall undertake the following:
- (a) Immediately notify the Manager, Consents Management, Wellington Regional Council.
  - (b) Immediately investigate the reason why the criteria was exceeded.
  - (c) Immediately identify and undertake whatever appropriate remedial action to the satisfaction of the Manager, Consents Management, Wellington Regional Council, to mitigate the effects.
  - (d) Forward within five working days to the Manager, Consents Management, Wellington Regional Council, a report on the steps taken to ensure that the criteria are not breached in the future.
- (19) Within two months of the date of commencement of this permit, the permit holder shall place and maintain appropriate signs on the shore in the vicinity of the outfall to the satisfaction of the Manager, Consents Management, Wellington Regional Council. The signs shall:
- (a) provide clear identification of the location and nature of the discharge and the risk to public health from bathing and the collection and consumption of shellfish in the vicinity of the discharge;
  - (b) be visible to the public visiting the area;
  - (c) conform generally to the wording contained in the Response Manual for Sewage discharges prepared by the Public Health Service, Wellington Region.
- (20) Within two months of the date of commencement of this permit, the permit holder shall prepare a Contingency Plan for re-establishing biological activity in the plant in the event of plant malfunction. The plan shall include detailed description of the steps and procedures to be taken to ensure the biological reactor resumes operation in the event of a plant malfunction and the discharge of untreated or partially treated effluent.

<sup>2</sup> Condition 16 cancelled under s127 RMA on 14 June 2005

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- (21) In the event of a plant malfunction or the discharge of untreated or partially treated effluent, the permit holder shall:
- Immediately notify both the Manager, Consents Management, Wellington Regional Council, and the Public Health Service.
  - If required by the Manager, Consents Management, Wellington Regional Council, provide within 48 hours a written report to the Manager, detailing manner and cause of the malfunction and the nature of the released effluent, and the steps taken (and being taken if appropriate) to remedy and control that discharge, and to prevent any such releases of untreated or partially treated effluent.
- (22) Within 6 months of the date of commencement of this permit, the permit holder shall develop an adequate risk communication strategy to notify potentially affected persons of the existence and potential health effects of the discharge. The strategy shall involve the identification of key community groups (e.g., recreational groups using Titahi Bay for water-related activities and groups using the coastline in the vicinity of the outfall for food gathering) and the provision of risk information to those groups on a regular basis. The risk communication strategy will be developed in consultation with the Public Health Service and shall be to the satisfaction of the Manager, Consents Management, Wellington Regional Council, and shall be adhered to by the permit holder.
- (23) The permit holder shall take all reasonable steps to investigate and implement ways and means of minimising infiltration and stormwater ingress into the sewerage system and provide the Manager, Consents Management, Wellington Regional Council with an annual progress report.
- (24) Within nine months of commencement of the permit, the permit holder shall establish a community liaison group. That community liaison group should include representatives of the Titahi Bay Residents and Ratepayers Progressive Assn Inc, Regional Public Health, the community as determined by the risk communication strategy, and the permit holder. Nothing in this condition shall be interpreted as requiring any member of the community liaison group to attend any or all of the group's meetings. The permit holder shall report in writing to the Manager, Consents Management, Wellington Regional Council, annually as to the consultation activities undertaken. A copy of the report shall be forwarded by the permit holder to each member of the community liaison group.
- (25) This permit shall expire 20 years after its date of commencement.

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