Tuesday, 6 June 2023

He hui e whakahaeretia nei e Te Kaunihera ā-Rohe o Heretaunga

Administered by HDC - I whakahaeretia e te Kaunihera ā-Rohe o Heretaunga

HDC : Tangata Whenua Wastewater Joint Committee Meeting

Kaupapataka

Agenda

Te Rā Hui: Meeting date:	**Tuesday, 6 June 2023**
Te Wā: Time:	**1.00pm**
Te Wāhi: Venue:	**Council Chamber** **Ground Floor** **Civic Administration Building** **Lyndon Road East** **Hastings**
Te Hoapā: Contact:	**Democracy and Governance Services** **P: 06 871 5000 | E:** democracy@hdc.govt.nz
Te Āpiha Matua: Responsible Officer:	**3 Waters Manager - Steve Cave**

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Hastings District Council : Tangata Whenua Wastewater Joint Committee - Terms of Reference

This Joint Committee is established between Hastings District Council and representation of Tangata Whenua.

Fields of Activity

To be actively involved in developing and monitoring Council's;

- Wastewater treatment and disposal system policies.
- Receiving, reviewing and recommending action on reports concerning the operation and performance of the Council's wastewater disposal system.
- Ocean discharge including alternative treatment and disposal options.
- Provision of advice in regard to the Trends, Technology, Discharge, Environmental and Monitoring Nine Yearly Review, in accordance with the Resource Management Act 1991 and Policies, Plans and Standards under the Act.
- To recognise and respect the role of Tangata Whenua as Kaitiaki, and, to satisfy their cultural concerns.
- To receive, review and recommend action on wastewater reports.
- To recommend the commissioning of reports and future Council actions on wastewater issues including;
- Options for further treatments.
- Options for methods of disposal.
- Monitoring effects on the environment.
- To co-ordinate and oversee education of the community on wastewater issues.

Membership (10 Members)

- Chair appointed annually by the Joint Committee from its members. The Chair position is to alternate annually between the Council and Tangata Whenua representatives.
- 5 Councillors and one Councillor Member (Alternate).
- 5 Tangata Whenua representatives, appointed by Council.

Quorum – 6 members including not less than 3 Councillor representatives

DELEGATED POWERS

Recommendation to the Performance & Monitoring Committee on matters within the Fields of Activity.

The Chair shall not have a casting vote.

Tuesday, 6 June 2023

Te Hui o Te Kaunihera ā-Rohe o Heretaunga

Hastings District Council

HDC : Tangata Whenua Wastewater Joint Committee Meeting

Kaupapataka

Agenda

	Heamana **(Chair)** **(Deputy Chair)**
Ngā Mema o te Komiti Committee Members:	*Ngā KaiKaunihera* **Councillors**: Ana Apatu, Henry Heke, Kellie Jessup, Simon Nixon and Kevin Watkins and Renata Nepe (Alternate) **Tangata Whenua members** (up to 5 members - currently one vacancy) Evelyn Ratima, Beverley Te Huia, Marei Apatu and Darlene Carroll
Tokamatua: Quorum:	6 – including not less than 3 Councillors
Apiha Matua Officer Responsible:	3 Waters Manager – Steve Cave
Te Rōpū Manapori me te Kāwanatanga Democracy & Governance Services:	Lynne Cox (Ext 5632)

Te Rārangi Take

Order of Business

Apologies – *Ngā Whakapāhatanga*

1.0 At the close of the agenda no apologies had been received.

At the close of the agenda no requests for leave of absence had been received.

2.0 Conflict of Interest – *He Ngākau Kōnatunatu*

Members need to be vigilant to stand aside from decision-making when a conflict arises between their role as a Member of the Council and any private or other external interest they might have. This note is provided as a reminder to Members to scan the agenda and assess their own private interests and identify where they may have a pecuniary or other conflict of interest, or where there may be perceptions of conflict of interest.

If a Member feels they do have a conflict of interest, they should publicly declare that at the start of the relevant item of business and withdraw from participating in the meeting. If a Member thinks they may have a conflict of interest, they can seek advice from the General Counsel or the Manager: Democracy and Governance (preferably before the meeting).

It is noted that while Members can seek advice and discuss these matters, the final decision as to whether a conflict exists rests with the member.

3.0 Confirmation of Minutes – *Te Whakamana i Ngā Miniti*

There are no minutes to confirm.

Te Rārangi Take

Report to HDC : Tangata Whenua Wastewater Joint Committee

Nā: From:	**Steve Cave, 3 Waters Manager**
Te Take: Subject:	**Election of Chair and Deputy Chair to HDC : Tangata Whenua Wastewater Joint Committee**

1.0 Purpose and summary - *Te Kaupapa Me Te Whakarāpopototanga*

1.1 The purpose of this report is for the HDC : Tangata Whenua Wastewater Joint Committee (Joint Committee) to elect the Chair and Deputy Chair of the Joint Committee for 2023. The Joint Committee's Terms of Reference requires that the Chair position be appointed annually by the Joint Committee to alternate between the Council and Tangata Whenua members. This year the Chair to be elected should be chosen from the Hastings District Council membership.

2.0 Background – *Te Horopaki*

2.1 The Joint Committee was established as a result of a judicial direction by the Environment Court, further to proceedings by the New Zealand Māori Council: Heretaunga Māori Executive and Ahuriri Māori Executive.

2.2 The Terms of Reference for the HDC : Tangata Whenua Wastewater Joint Committee provide that the Chair shall be elected annually and alternate between the Hastings District Council and Tangata Whenua members.

2.3 The last election for a Chair was in February 2021 at which time Marei Apatu was elected to the position. After the triennial elections in October 2022, Council appointed Marei Apatu as interim Chair, with permanent appointments being made at the Joint Committees first meeting in 2023. It is therefore appropriate that a Councillor now be elected to the position for 2023.

2.4 In accordance with the Terms of Reference, the Deputy Chair will be elected from the Tangata Whenua members of the Joint Committee.

OPTIONS IN THE CASE OF AN ELECTION

2.5 The Local Government Act 2002 provides that where an election is necessary in respect of the election of the Chair of a Committee one of two systems may be used, either system A or system B. If only one person is nominated of course no election will be necessary, and this section can be ignored.

2.6 System A provides that a person is elected or appointed if he or she receives the votes of a majority of the members of the local authority present and voting where:

(i) there is a first round of voting for all candidates; and

(ii) if no candidate is successful in getting a majority in that round there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and

(iii) if no candidate is successful in the second round there is a third, and if necessary subsequent round of voting in the previous round is excluded; and

(iv) in any round of voting if 2 or more candidates tie for the lowest number of votes, the person excluded from the next round is resolved by lot.

2.7 System B provides that a person is elected or appointed if he or she receives more votes than any other candidate where:

(i) there is only 1 round of voting; and

(ii) if 2 or more candidates tie for the most votes, the tie is resolved by lot.

System A provides greater scope for members to express their preferences and is the one preferred by the Council.

3.0 Recommendations - *Ngā Tūtohunga*

A) That the HDC : Tangata Whenua Wastewater Joint Committee Meeting receive the report titled Election of Chair and Deputy Chair to HDC : Tangata Whenua Wastewater Joint Committee dated 6 June 2023.

B) That Councillor ..... be appointed as Chair of the HDC : Tangata Whenua Wastewater Joint Committee, effective from the 6 June 2023 meeting.

C) That Tangata Whenua member ..... be appointed as Deputy Chair of the HDC : Tangata Whenua Wastewater Joint Committee, effective from the 6 June 2023 meeting.

Attachments:

There are no attachments for this report.

Te Rārangi Take

Report to HDC : Tangata Whenua Wastewater Joint Committee

Nā: From:	**David Mackenzie, Wastewater Manager**
Te Take: Subject:	**Nine Year Review Report**

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

1.1 The purpose of this report is to;

- Present the draft scope of the *Trends, Technology, Discharge, Environmental and Monitoring Review Report* (Nine Year Review Report) required by condition 27 of the wastewater discharge consent CD130214W to the HDC : Tangata Whenua Wastewater Joint Committee.
- Present the approach to review the *Nine Year Review Report* to the HDC : Tangata Whenua Wastewater Joint Committee, which includes undertaking an Independent Peer Review of the *Nine Year Review Report* on behalf of the HDC : Tangata Whenua Wastewater Joint Committee to ensure the report meets all the requirements of the consent and the report scope.
- Present the approach to undertake a Cultural Review (including a cultural impact assessment) as part of the *Nine Year Review Report* project with the outcomes to be incorporated into *Nine Year Review Report* once the Cultural Review has been completed.

1.2 The draft scope of the *Nine Year Review Report* has been prepared as a result of ongoing workshops with the HDC : Tangata Whenua Wastewater Joint Committee and the need to comply with the consent requirements of conditions 27a-27j of the wastewater discharge consent CD130214W under the Resource Management Act 1991.

- Condition 27 requires a *Trends, Technology, Discharge, Environmental and Monitoring Review Report* (Nine Year Review Report) on the 9th, 18th and 27th year anniversaries. Conditions 27a-27j states what is required to be included in the report as a minimum.

- Condition 29 outlines the functions of the HDC : Tangata Whenua Wastewater Joint Committee, which include providing to the consent holder any further suggested input in respect to the scope of the *Nine Year Review Report* and that they advise on the *Nine Year Review Report* before it is finalised and submitted.

1.3 Due to the impacts of Cyclone Gabrielle, progress on the *Nine Year Review Report* has been delayed. The biggest impact has been on the community engagement work required of condition 27j of the wastewater discharge consent CD130214W. As a result of this, Hawke's Bay Regional Council has approved an extension of time to 31st December 2023 to complete the *Nine Year Review Report* as per the requirements of condition 27 of the wastewater discharge consent CD130214W.

2.0 Recommendations - *Ngā Tūtohunga*

A) That the HDC : Tangata Whenua Wastewater Joint Committee receive the report titled Nine Year Review Report dated 6 June 2023.

B) That the HDC : Tangata Whenua Wastewater Joint Committee:

i. Approve the draft scope for the Nine Year Review Report.

ii. Approve the Independent Peer Review of the Nine Year Review Report.

iii. Approve the proposed approach to undertake the Cultural Review.

3.0 Background – *Te Horopaki*

Wastewater Discharge Consent CD130214W

3.1 In June 2014 Hastings District Council (HDC) was granted a 35-year long-term consent for the discharge of treated Domestic and Non-Separable Industry (DNSI) wastewater and treated Separated Industrial wastewater from the East Clive Wastewater Treatment Plant (WWTP), through the long ocean outfall into Hawke Bay (wastewater discharge consent CD130214W). The consent expires on 31 May 2049.

3.2 Condition 27 of the consent CD130214W requires a Trends, Technology, Discharge, Environmental and Monitoring Review Report (*Nine Year Review Report*) on the 9th, 18th and 27th year anniversaries. Conditions 27a-j states what is required to be included in the report as a minimum (see attached consent). Condition 27, the requirement for the consent holder to undertake a thorough review every nine years, was one of the reasons on which a 35-year consent duration could be justified. It is important that at this interval the consent holder reviews the performance of the WWTP, and also undertakes community consultation to ensure that they are comfortable with the continuation of the current level of treatment, or whether there is a desire to increase the level of treatment that the East Clive WWTP provides.

3.3 Condition 29 of the consent CD130214W requires that HDC establishes, and retains the HDC : Tangata Whenua Wastewater Joint Committee, as a committee of the Hastings District Council under Clause 31, Schedule 7, Local Government Act 2002, a Council Committee, half of the members of which shall be Tangata Whenua representatives, whose functions include but are not limited to the receiving, reviewing and recommending action on reports such as the Annual Wastewater Compliance Report, involvement in the Nine Yearly Consent Review and more. This consent condition ensures the ongoing engagement of the consent holder with tangata whenua over matters relating to the East Clive WWTP.

Scope of the Nine Year Review Report

3.4 To meet the requirements of condition 29, in particular 29e, several workshops were held with the HDC : Tangata Whenua Wastewater Joint Committee and key representatives facilitate input into the scope of the *Nine Year Review Report* and build on the requirements of condition 27 of the consent CD130214W which states what is required to be included in the report as a minimum.

- 1st Workshop with the HDC: Tangata Whenua Wastewater Joint Committee – 11th July 2022
- 2nd Workshop with Tangata Whenua Representatives from the HDC : Tangata Whenua Wastewater Joint Committee – 17th August 2022
- 3rd Workshop with the HDC : Tangata Whenua Wastewater Joint Committee – 12th September 2022

3.5 The outcome of the workshops with the HDC : Tangata Whenua Wastewater Joint Committee was the finalisation of the *Nine Year Review Report* scope.

Independent Peer Review

3.6 In order to facilitate the review of the *Nine Year Review Report* and meet the requirements of condition 29, in particular condition 29f, council officers are proposing that the report undergoes an Independent Peer Review prior to submission to the Hawke's Bay Regional Council. Peer reviewing the *Nine Year Review Report* provides an additional layer of transparency to the report and confidence that the data is being thoroughly assessed and any unusual trends identified. It will also give the HDC : Tangata Whenua Wastewater Joint Committee confidence that the report meets all the requirements of the consent and the report scope. It is important to note that the HDC: Tangata Whenua Wastewater Joint Committee will still have the opportunity to provide feedback as part of the review of the report. It is anticipated that the peer reviewer will present back to the HDC : Tangata Whenua Wastewater Joint Committee and council officers on their review summary as part of the peer review process.

Cultural Review

3.7 During the various workshops with the HDC : Tangata Whenua Wastewater Joint Committee it was identified that the *Nine Year Review Report* needed to incorporate a Cultural Review to better understand the effects on the cultural values associated with the treatment wastewater at the East Clive WWTP and the discharge treated wastewater to Hawke Bay over the past nine years. It is important to note that Tangata Whenua were a key driver for the change of domestic wastewater treatment in Hastings and these changes were predominantly brought about to address cultural concerns. To address the cultural concerns of Tangata Whenua a significant upgrade of the East Clive WWTP was implemented which resulted in the construction of the Biological Trickling Filters and separation of the Domestic and Non-Separable Industry (DNSI) wastewater treatment process and treated Separated Industrial wastewater treatment process prior to the discharge to Hawke Bay.

3.8 It is proposed that the HDC : Tangata Whenua Wastewater Joint Committee provide input into the scope of the Cultural Review and that the HDC : Tangata Whenua Wastewater Joint Committee also advises on the Cultural Review before it is finalised and incorporated into the *Nine Year Review Report,* in-line with the requirements conditions 29e and 29f of the consent CD130214W.

3.9 Due to the time requirements of condition 27 of the consent CD130214W, it is unlikely that the Cultural Review will be able to be incorporated into the *Nine Year Review Report* prior to the submission to Hawke's Bay Regional Council. Council officers still recommend that the Cultural Review be incorporated into the *Nine Year Review Report* to ensure there is synthesis and integration between the technical and cultural aspects of wastewater treatment and wastewater discharge in Hastings.

Community Engagement

3.10 Condition 27j of the consent requires community consultation to ascertain the community's views of the effects of the current treatment process at the East Clive WWTP and the discharge of treated wastewater in Hawke Bay. Council officers are currently drafting a community consultation strategy that will be brought to this HDC : Tangata Whenua Wastewater Joint Committee to approve. Community consultation is programmed for November 2023 to tie in with the annual public open day at the East Clive WWTP.

4.0 Next steps – *Te Anga Whakamua*

4.1 Finalise the *Nine Year Review Report*

4.2 Undertake the Independent Peer Review of the *Nine Year Review Report*

4.3 Submit the *Nine Year Review Report* to HBRC *(noting that the Cultural Review will follow and be incorporated into a revised version of the Nine Year Review Report)*

Attachments:

1⇩	DRAFT Nine Year Review Scope	CG-16-18-0017
2⇩	Wastewater Discharge Consent CD130214W - East Clive WWTP	WAT-5-09-1-23-359

Summary of Considerations - *He Whakarāpopoto Whakaarohanga*

Fit with purpose of Local Government - *E noho hāngai pū ai ki te Rangatōpū-ā-Rohe*

The Council is required to give effect to the purpose of local government as set out in section 10 of the Local Government Act 2002. That purpose is to enable democratic local decision-making and action by (and on behalf of) communities, and to promote the social, economic, environmental, and cultural wellbeing of communities in the present and for the future.

Link to the Council's Community Outcomes – *Ngā Hononga ki Ngā Putanga ā-Hapori*

The purpose of the Nine Year Review Report is relevant to the provision of good quality wastewater infrastructure that is efficient, effective and appropriate which relates to the ongoing consideration of the environmental, cultural, and economic wellbeing of communities in the present and future.

Māori Impact Statement - *Te Tauākī Kaupapa Māori*

A requirement of the wastewater discharge consent (Condition 29) is that HDC establishes, and retains the HDC : Tangata Whenua Wastewater Joint Committee, as a committee of the Hastings District Council under Clause 31, Schedule 7, Local Government Act 2002, a Council Committee, half of the members of which shall be Tangata Whenua representatives, whose functions include but are not limited to the receiving, reviewing and recommending action on reports such as the Annual Wastewater Compliance Report, involvement in the Nine Yearly Consent Review and more.

Sustainability - *Te Toitūtanga*

The scope of the Nine Year Review Report identifies sustainability and resilience as key items to be addressed in the final report.

Financial considerations - *Ngā Whakaarohanga Ahumoni*

Budget was allocated in the LTP for this project.

Significance and Engagement - *Te Hiranga me te Tūhonotanga*

This decision has been assessed under the Council's Significance and Engagement Policy as being of not of significance.

Consultation – internal and/or external - *Whakawhiti Whakaaro-ā-roto / ā-waho*

Next stages require consultation on the draft community engagement strategy.

Risks

Opportunity: The Nine Year Review Report can establish the future pathway for wastewater treatment in Hastings and give surety to both Council and Tangata Whenua through the 3 Waters Reform and beyond.

REWARD – *Te Utu*	RISK – *Te Tūraru*
Tangata Whenua relationships are maintained through their involvement and direction in regard to wastewater treatment and disposal initiatives that deliver improved health, environmental and cultural outcomes.	The HDC : Tangata Whenua Wastewater Joint Committee is not provided the opportunity to have input into the scope of the Report and are unable to influence and direct Māori aspirations in respect of the treatment and disposal of the district's wastewater.

Rural Community Board – *Te Poari Tuawhenua-ā-Hapori*

N/A

Hastings WWTP – Final Scope with Joint Committee Input for preparing the Trends, Technology, Discharge, Environmental and Monitoring Nine Yearly Review ('Review Report')

Final Issue: 14 October 2022

- **Prepared by Stantec NZ and Reviewed by Hastings District Council.**
- **Endorsement of the Cultural and Technical Matters developed, discussed and presented at Joint Committees and Workshops held on 11 July, 17 August, 12 September and 5 December 2022.**
- **Stage 1 completed and includes 'additional' outputs to allow for further Joint Committee Workshops to deliver upon.**
- **Scope and Task inclusions provided by the Joint Committee are noted in red.**

Task ID	Sub-task	Further details (where required)	Indicative Timeframe
Stage 1		**Scoping & Methodology**	
1.1	Develop Project Description Summary (PDS) for approval by HDC	Developed by Stantec on behalf of HDC, using HDC's PDS template. Approved Scope / PDS (this document)	29 October 2021
1.2	Meetings with HDC to discuss proposed scope and methodology	1 x 1 hour virtual meeting or in person	Prior to 19 November 2021
1.3	Meeting with Joint Committee to present the proposed scope and provide opportunity for comment	1 x 2 hour hui in person Recorded feedback from Joint Committee as noted in Council Minutes	Held on 11 July and 17 August 2022, Joint Committee set for 12 Sept 2022
1.4	Amend scope according to feedback (including any additional topics/scope items requested by HDC and/or Joint Committee, not already specified in the consent), and finalise with agreement from HDC	Note that the introduction to Consent Condition 27 states: *"The review report shall address as a minimum, **but not be limited to**, the following matters for the nine year period since the last review…"* This allows for additional matters that HDC and/or the Joint Committee wish to include in the review. Final scope document approved by HDC	Stantec to submit scope for HDC approval after Meeting with senior HDC staff Complete (approved by HDC) by ~ 7 October 2022
1.5	Meeting with Senior HDC Staff to discuss programme and review scope.	Identify any additional information needs or matters that may be included in the review. This may be included in the 'Request For information'. Recorded meeting notes and outcomes	11 July and 17 August 2022
		1. Initial discussion with Joint Committee Chair, Marei Apatu and HDC Senior Officers with assistance from Stantec Advisors. The purpose of this 'start-up' hui with the Joint Committee Chair is to: (a) Introduce and provide background to the inaugural Nine Yearly Review Report, provide an initial draft scope (as set out under condition 27), and to seek views on how to gauge programme progress and 'check in's' over the life of the project, aligned with tikanga Māori. (b) Stress the importance of full and thorough input from the Joint Committee into the Review Report project. 2. HDC to provide the Joint Committee with an overview of the draft scope of condition 27 and its input to the Review Report (as set out as a preliminary work breakdown within the draft project definition sheet). This was completed at the 11 July and 17 August meetings. along with links to key reference material. A key objective of the 11 July and 17 August meetings is to meet condition 29(e)[1] in advance of work being commenced on any one of the condition 27 sub-conditions, set out as Tasks 2.3 to 2.12 below. 3. Within 8 weeks of providing the draft scope and reference material to the Joint Committee, HDC shall: (a) Make the appropriate arrangements and confirm the agenda and participants to attend the facilitated workshop (11 July and 17 August 2022). (b) Hold a facilitated workshop with the Joint Committee seeking their input into the draft scope. At that workshop HDC will elaborate on scope items and if relevant show examples of similar Review Reports. A key objective of the workshop will be to draw out wastewater themes (in addition to the condition 27 sub conditions) and scope definition items to 'inform' the overall draft scope and possible additional topics, for example the six principles of Te Mana o Te Wai, to be included within the Review Report.[2] (c) Present an indicative programme at the workshop. 4. HDC to revise the scope in terms of outputs from the Joint Committee workshop and circulate the revised scope to the Joint Committee, seeking their endorsement (on 12 September 2022). 5. On obtaining endorsement from the Joint Committee and HDC, proceed with the detailed Review Report, currently scheduled as Tasks 2.3 to 2.13, and additional tasks under 2.15 to 2.17, as set out below.	From July to September 2022

[1] Joint Committee role: Condition 29 (e) *'not less than three months, before each of the Trends, Technology, Discharge, Environmental and Monitoring Nine Yearly Review, as required in accordance with condition 27 is commenced by the Consent Holder, providing to the Consent Holder any further suggested input in respect to the scope of the review.'*

[2] Includes but not limited to matters under Condition 29 (a) to (j) and the consideration of Best Practicable Option (BPO) as defined in the RMA.

STAGE 2		Conduct the Review	Deliverable	Indicative Timeframe
2.1	Request for Information (RFI) for supporting information	1. Prepare a list of required records / reports to inform the review. *Note: Many of the references are included in Reference Material Column of Stantec's "Review Scope, Programme and Resource Table" Issue 1, 17 March 2021.* 2. Indicate any items which the consultant does not already have access to (for HDC or HBRC to provide). 3. RFI will require all requested information to be provided within one month of its communication to HDC, to avoid any delays to project delivery. 4. It is assumed that HDC will be able to provide the requested information in a suitable format wherever possible, and that the information will have been subject to quality checks. This assumption has been applied by Stantec in developing their fee proposal.	1-2 page 'Request For information' (RFI) in Word document (emailed to HDC)	HDC respond to RFI by end of November 2022
2.2	Collate supporting information	Selected types of supporting information will need to be collated into a more accessible format (to save time and reduce the chance of human error). Likely to include: 1. Compiling a spreadsheet-based summary of findings from annual compliance reports for each discharge permit (9 reports) 2. Compiling a summary of activities / interventions completed by HDC during the 9-year review period including maintenance, surveys, modelling, investigations, upgrades, trade waste investigations, etc. 3. Compile any required geospatial information (accessed either through Intramaps or ArcGIS Online) in coordination with HDC GIS Team 4. Transcribing any information recorded via scanned files/photographs into editable digital form (e.g. scanned PDF to Word format) where required. 5. Document management – compiling all information provided into a single location (indexed) which is easily accessible for various specialists within the project team.	Summary spreadsheets Document library (shared via OneDrive or similar with HDC)	Q4 2022 *(followed by second high level check/update in Q4 2022, to inform activities in Q4 2022 – Q2 2023)*
2.3	Condition 27(a) – population and land use changes Comparisons of population and industrial changes and possible trends as compared to the Heretaunga Plains Urban Development Strategy (2010) (HPUDS), and then latest reports on the Hastings Urban Development Strategy and the Hastings Industrial Strategy;	1. Review latest reports prepared in relation to Heretaunga Plains Urban Development Strategy (HPUDS) and Hastings Industrial Strategy to extract: a. Latest projections (2020 onwards) for population growth out to June 2049 at minimum b. Potential changes in type/extent of industrial and commercial land use, which may correspond to changes in the characteristics (including quality and quantity) of trade waste discharges to HDC's wastewater network between 2021 and 2050 2. Compare the information obtained from HPUDS-related reports (described above) and relevant projections presented in the original 2013 consent application. Provide commentary on any observed similarities/differences and the implications of these. 3. Examine plan change for medium density housing (~ September 2022) and the potential extent of any population growth.	Summary tables, graphs and commentary for inclusion in review report	Q4 2023
2.4	Condition 27(b) – wastewater flows and loads assessment Volumes, flows and loads profile and changes assessed against future projections and wastewater projections as set out in section 4.3 of the Hastings Wastewater Resource Consents Project: Assessment of Effects on the Environment and Resource Consent Applications copy dated June 2013;	1. Project wastewater flows and loads to the Hastings WWTP using output from Task 2.3 above and Task 2.5 below, until at least June 2049 (end of 35 year current consent duration). 2. Compare the new projections with those detailed in Section 4.3 of the original (2013) AEE, in tabular form. Write commentary regarding key trends in flows and loads (since 2013, and forward to 2049) for the review report. Include comment on findings related to changes in trade waste profiles.	Summary tables and commentary for inclusion in review report	Q3 2022 – Q4 2022
2.5	Condition 27(c) – trade waste profile Trade waste profiles, trends and any significant changes in the Consent Holder's trade waste management practices and the trade waste contaminant profile;	1. Assess significant trends in trade waste discharges and industry on site pre-treatment/cleaner protection methods and (any) significant changes in industry types discharging to HDC's wastewater network. 2. Comment on effectiveness and implementation of HDC's Consolidated Bylaw 2021 Chapter 7 – Water Services including compliance of individual trade waste dischargers with their consent requirements, since the Bylaw became operational. Also include relevant commentary on compliance / effectiveness of immediately past Bylaw. 3. Identify (from a trade waste discharge consenting perspective) any changes needed to the Consolidated Bylaw 2021 or the implementation of that Bylaw 4. Investigate whether HDC has completed any monitoring of Emerging Organic Contaminants (EOCs) within the wastewater network and/or receiving environments to date. If so, compile data and comment on any key trends (e.g. primary contaminants of concern; sources and management of discharges; treatment efficiency in Biological Trickling Filter (BTF) domestic and non-separable wastewater streams, and in separated industrial stream). 5. Identify whether there are any additional/newly discovered EOCs which are considered likely to be present in trade waste discharges and/or domestic wastewater (to the Hastings network). Provide summary of chemical characteristics, persistence through treatment, potential to cause damage to WWTP and associated infrastructure, and any potential effects on the receiving environment and/or threats to health and safety of Council WW operators	Summary tables and commentary for inclusion in review report	Q4 2022 – Q1 2023

		and the general public. If threats are identified, provide commentary on potential options for future risk management to be considered by HDC. 6. Consider any new national regulations or guidelines (refer Condition 27 (d)) relating to specific EOCs. 7. Comment on the trade waste agreements (trade waste approvals) with individual trade waster dischargers that expire shortly, in sync with this 9 Year Review, to enable changes required from the Review to be implemented. 8. Comment on the 'dynamic adaptive pathway approach' in similar resource consents with 'trigger levels' initiating certain actions and responses. 9. Comment on the 'high risk' trade waste dischargers potential to meet more stringent requirements under the HDC trade waste bylaw. 10. Comment on what monitoring is undertaken on industrial sites discharging trade water to the separate trade waste system, to ensure that human waste is not present within trade waste. 11. Comment of whether current treatment of trade waste is 'fit for purpose'? and how the treatment of trade waste aligns with cultural understanding and acceptance. Assistance will be needed from the HDC/Joint Committee on what will be determined as "fit for purpose". 12. Comment on trade waste constituents, with a particular focus on mortuary waste. 13. Comment on the domestic waste stream and its treatment and how it is kept separate, as far as practicable, from trade waste.		
2.6	Condition 27(d) – regulatory review Any new changes to environmental guidelines and / or standards applicable to the discharge of treated wastewater into Hawke Bay;	1. Review the Regional Policy Statement and Regional Coastal Plan for (any) changed Policies, Rules contaminant levels etc and comment on the significance of (any) such changes from those planning instruments that were then operative and used in the preparation of the 2013 AEE and support documents. Such comment to include any/possible implications of changes and new requirements on the current consent conditions. 2. Revisit the planning instruments and national guidelines traversed in the 2013 AEE and Support Documents and review in respect to subsequent (post-2013) changes that may have implications on the current consent conditions, the operation of the treatment plant and discharge, trade waste management or other key aspects of HDC's wastewater management in respect to the treated wastewater discharge into Hawke Bay. 3. Assess if any new national, regional or district planning instruments or national guidelines contain information that is applicable to the discharge of treated wastewater discharge into Hawke Bay. If so, suggest procedures and/or possible change and/or new consent conditions that would accommodate such matters. The proposed (but currently only hold) National Environmental Standard on Wastewater Discharges and Overflows would be a key new planning instrument. There have also been previous proposals for a National Policy Statement on Marine Waters. Once passed into legislation, the Natural and Built Environments Act would also be relevant, along with associated pending new legislation such as the proposed Strategic Planning Act and proposed Climate Change Adaptation Act. 4. Incorporate 'Three Water' reform terminology along with other changes such as Te Mana o Te Wai, and acknowledge and appropriately reference these terms/concepts within the review report.	Summary tables and commentary for inclusion in review report	Q4 2022 – Q1 2023 *Final check Q2 2023, in case any new instruments become operative immediately prior to review completion*
2.7	Condition 27(e) – asset management Changes in asset management and operational matters that may have relevance to the on-going operation and development of the Consent Holder's Wastewater Scheme from the perspective of the treated wastewater discharge, water conservation and efficient energy management;	1. Assess significant changes in asset management and operation matters since the AEE was prepared in 2013 and comment on the reasons for such changes and the benefits resulting. Benchmark against key information in Sections 4.5, 4.6 and 4.7 of AEE, current Asset Management Plan and other relevant HDC Wastewater Policy and Procedure documentation. Present in tabular format if appropriate. Input from HDC is of key importance in determining and reporting on these. 2. Summarise current and proposed on-going operation and developments associated with HDC's Wastewater scheme that are or will have an impact on the domestic treatment plant, separate industrial (trade waste) system and the discharges as they relate to the consents. Include collection network matters such as I&I management and network overflows. 3. Review HDC's approach to water conservation and demand management for domestic business and trade waste customers and comment on the effectiveness of this in terms of wastewater volumes generated. 4. Review key energy management aspects (refer Section 4.5.7 of AEE) taking into account the Part 2 requirements (Section 7(ba) and 7 (i)-(j)) of the RMA. 5. Review new and proposed legislation and guidelines etc in terms of greenhouse gas emissions and low carbon economy factors as they relate to the wastewater system (overlap with sub-condition (d) above). Include assessment of RMA Amendment (pending 31 December 2021) on the "effects of the climate change". 6. Scope a potential approach for undertaking a "Carbon Footprint" assessment of the treatment plant and discharge, for the consideration of (and discussion with) HDC. This approach shall be scoped in accordance with latest guidance from Water New Zealand. 7. Assess and comment on climate change and sea level rise and their potential impacts upon the current Scheme now and into the future through a dynamic adaptive pathway approach. Maximise use of existing reports/analysis where possible.	Commentary for inclusion in review report	Q4 2022 – Q1 2023

		8. Comment on the ongoing journey over the next 9 years (if anything), 18 years, and as noted above address, if relevant through a dynamic adaptive pathway approach 9. Assess and comment on the need for National guidance in relation to building redundancy and/or maintenance into wastewater systems and provide comment on how this Scheme will operate over the following 18 years, and further until the consent expires in 2049, and further in terms of infrastructure security.		
2.8	Condition 27(f) – wastewater treatment technology and review of alternatives Changes in wastewater treatment technologies that may be relevant to the Hastings Wastewater Scheme for either the domestic and non-separable waste stream and /or the industrial waste stream;	1. Revisit the alternatives identified in AEE Section 6 and the "Alternatives Assessment" Support Document 7, (MWH 2012) and identify relevance of changes in treatment technology that may <u>now</u> be relevant in terms of scheme operation, improving discharge quality in terms of the effects on the marine receiving environments and the achieving of compliance with the consents. 2. Consider additional and new alternatives to those previously considered (that may <u>now be relevant)</u> and assess the relevance of these to matters set out in (i) directly above. The analysis shall traverse treatment technologies for both domestic and industrial wastewater streams and include trade waste on-site cleaner technologies. 3. Consistent with Task 2.10 below consider also technologies that include resource recovery and beneficial reuse that encompass elements of a "circular economy" approach, that may now be relevant. 4. Present findings in tabular format, including a summary description of each technology, reasons why such a technology is (possibly/probably) relevant, and examples of reference projects in NZ. Use of existing material such as the tables within Support Document for the WWTP consent application and other information will be maximised where possible. As per note above, any costs given will be developed using appropriate industry indexing percentage updates.	Summary tables and commentary for inclusion in review report Short report detailing alternatives review, to be appended to the review report	Q4 2022 – Q1 2023
2.9	Condition 27(g) – recreation survey The results of a recreational usage survey undertaken during the nine year period, which is comparable to the survey undertaken between the summers of 2011 and 2013 (See Advice Note 4), and comparison of those results with previous surveys;	A separate agreement for this task has been signed and this workstream has commenced. At a high-level the key tasks are: 1. Digitise previous recreational surveys to allow for better information integration, analysis and reporting 2. Conduct field work during Summer 2021/22, Winter 2022 and Summer 2022/23, as per Advice Note 4. 3. Survey Commercial Fishing Companiesas to any known and documented impacts from the discharge on commercial fishing takes 4. Analysis and Draft Report 5. Finalise Coastal Recreational and Commercial Fishing Survey Report 6. Summary of findings for inclusion in Review Report and Survey report to be appended to Review Report 7. Comparative Study to be included in Review Report	Summary of findings for inclusion in review report Survey report to be appended to review report	Scoping Q4 2021 Commence surveys Q1 2022 Completion Q2 2023
2.10	Condition 27(h) – options assessment Options for treated wastewater disposal / discharge and beneficial reuses that may be appropriate to the Wastewater Scheme;	1. Traverse a range of beneficial reuse options as may be appropriate to the Wastewater Scheme, including related wastewater reuse, energy abstraction/generation, biosolids (if produced from an additional treatment technology, nutrient recovery, screenings, and assess at a reasonable high level the appropriateness for the Wastewater Scheme. Cross reference to Task 2.8 above relating to possibly relevant additional/changed technologies 2. Encompass into the assessment the principles of a "circular economy" as applied to wastewater treatment and wastewater system management	Commentary for inclusion in review report	Q1 2023
2.11	Condition 27(i) – effects assessment Effects of the treated wastewater discharge into Hawke Bay as evident from the resource consent monitoring;	1. For each of the monitored (in accordance with the consent conditions) parameters assess the effects and against: a. Previous annual monitoring results and effects comments (from 1 July 2013 to 31 Mar 2023) b. Use the 2013 AEE especially Section 8 (as a baseline comparison) c. Any significant and relevant new changes to environmental guidelines/standards etc as per Task 2.6 above	Commentary for inclusion in review report	Q3 2022 – Q2 2023
2.12	Condition 27(j) – community engagement Details of consultation undertaken with the community to ascertain their views of the effects of the current wastewater discharge (see Advice Note 5).	1. Working alongside the Joint Committee/HDC, devise and undertake a consultation strategy that provides the community and key stakeholders with opportunities for their views to made. Consider targeted consultation events, community meeting(s) website comments, FAQ's etc 2. Review the eight annual open day records as per annual reporting condition 24 (j) summarising any trends in comments received 3. Compare outcomes of (1) and (2) above 4. Linkage with Condition 29 (g) in terms of the Hastings District Council – Tangata Whenua Wastewater Joint Committee (Joint Committee) and recognising the role of tangata whenua as kaitiaki / seeking to satisfy the concerns of mana whenua 5. Assess all above information and determine, since the consent issue date of 25 June 2014 (in accordance with Advice Note 5): a. Common themes b. Matters that have arisen and been actioned in respect to consultation matters raised c. Recent new matters d. Cross reference to other Tasks where output overlaps	To be agreed with HDC	Scoping Q1 2022 Completion Q2 2023

2.13	Condition 27 Final Paragraph Objectives and Opportunities for Best Practicable Option (BPO) Consideration of this existing Resource Consents Project objectives, opportunities for improvement and Best Practicable Option (BPO) in terms of the interpretation of this term in the Resource Management Act 1991.	1. Assess both the original project objectives (as set out in 2018 AEE) and any opportunities identified in Tasks 2.3 through 2.12 above in terms of BPO Definition (from the RMA). Note: The RMA (Part 1) definition is as follows: *in relation to a discharge of a contaminant or an emission of noise, means the best method for preventing or minimising the adverse effects on the environment having regard, among other things, to—* *(a) the nature of the discharge or emission and the sensitivity of the receiving environment to adverse effects; and* *(b) the financial implications, and the effects on the environment, of that option when compared with other options; and* *(c) the current state of technical knowledge and the likelihood that the option can be successfully applied* 2. Examine and comment on what was not included in the consent 9 years ago, because it was too hard to deal with at the time and provide comment on what is now within this Review Report – with respect to meeting Project Objectives and the solution being a BPO.	Commentary for inclusion in review report	Throughout delivery, completed by end of Q2, 2023 (timing is dependent on engagement with Joint Committee, refer to Task 2.14 and 2.15 to 2.17 below)
2.14	Condition 29(e) and (f) – Joint Committee review/inputs Not less than three months before each of the Trends, Technology, Discharge, Environmental and Monitoring Nine Yearly Review as required in accordance with Condition 27 is commenced by the Consent Holder, providing to the Consent Holder any further suggested input in respect to the scope of the review; Advising the Consent Holder on the Condition 27 Trends, Technology, Discharge, Environmental and Monitoring Nine Yearly Review before it is finalised and submitted to the Regional Council (Manager Resource Use) (See Advice Note 6); and	1. HDC provide Joint Committee with an overview the Draft Scope of Condition 27 Review Report, along with links to key reference materials (as noted above). This to be provided as per Condition 29(e) in advance of work being commenced on any one of the Condition 27 Sub-Conditions (Tasks 2.3 – 2.12) 2. Within 8 weeks of providing the draft scope and reference material to the Joint Committee, HDC shall hold a workshop with the Joint Committee seeking input on the draft scope. At that workshop HDC will elaborate on scope items and may show or refer to examples of similar Review Reports 3. HDC revise the scope in terms of output from the Joint Committee workshop and resubmit the revised scope to the Joint Committee, seeking endorsement 4. On obtaining endorsement from the Joint Committee and HDC approval, proceed with the detailed Review Tasks 2.3 – 2.13 and 2.15 to 2.17.	Sub-tasks 1 to 4 completed as part of Stage 1.	
		5. HDC report back to the Joint Committee at monthly intervals (TBC) (and tie in with Annual Joint Committee meeting) on progress with the tasks and seek comment and input on outputs at that time 6. Nine Yearly Draft Review Report to be reviewed by Tangata Whenua members of the Joint Committee to ensure it reflects mātauranga Māori. 7. Final Draft Review Report is submitted to Joint Committee for any further comment. 8. HDC modify the Final Draft Review Report (if required) incorporating the Joint Committee's further comment. If needed resubmit the Final Draft to the Joint Committee. 9. HDC confirm no further Joint Committee comment and the Review Report is submitted to the HBRC	Draft copies of review report	**Submission of Final Review Report to HBRC no later than 30 June 2023, now by end 2023 as agreed by HBRC**
2.15	**Joint Committee Scope – matters raised**	**Joint Committee Scope Inclusion – Co-Design and Co-Governance and Collaboration (11 July, 17 August and 12 September 2022)**		
	CULTURAL INCLUSION AND MONITORING • Tikanga is about keeping things simple and practical • The current consent is underpinned by Mātauranga Māori • 3W reform is also bringing new terminology along with other changes (Te Mana o Te Wai) • Cultural origin component to the consent has merit • The role of Kaitiaki is important • Best practice changes – what is best practice today? • Timeframe to submit report to HBRC is tight (June 2023) – can we do everything in the timeframe? • Need to give consideration to climate change, sea level rise – can the treatment plant survive? How long can the treatment plant survive • What was not included in the consent 9 years ago because it was too hard to deal with at the time? • What is the ongoing journey over the next 9 years, 18 years?	1. Nine Yearly Draft Review Report to be reviewed by Tangata Whenua members of the Joint Committee to ensure it reflects mātauranga Māori. 2. Incorporate 'Three Water' reform terminology along with other changes such as Te Mana o Te Wai, are acknowledged and appropriately referenced within the review report. 3. Acknowledge the cultural origin component to the consent, (refer to Consent Application "Assessment of Effects on the Environment" Document June 2013 - Support Document 12 as a starting point), and the Joint Committees' Kaitiaki role as set out under Condition 27. 4. Review and comment on best practice – present and emerging or future practices (Also refer Tasks 2.8, 2.10 and 2.13). 5. Assess and comment on climate change and sea level rise and their potential impacts upon the current Scheme now and into the future through a dynamic adaptive pathway approach. 6. Examine and comment on what was not included in the consent 9 years ago, because it was too hard to deal with at the time and provide comment on what is now within this Review Report 7. Comment on the ongoing journey over the next 9 years (if anything), 18 years, and as noted above address, if relevant through a dynamic adaptive pathway approach 8. Comment on the mahi that may continue past the June 2023 Review Report lodgment date of the Review Report, and how ongoing involvement may be provided within a 'road map' approach. 9. Comment on the inclusion, of relevant monitoring cultural indicators that should be undertaken and implemented. Consider MfE Cultural Health Index (CHI) approach.	Commentary for inclusion in review report	Completion Q2 2023

	• Need to meet consent requirements and submit report to HBRC June 2023. We don't just want this to be a tick box exercise	10. Provide comment on the Ministry for the Environment (MfE) Cultural Health Index (CHI)[3] and how it may be used, where relevant and applicable as 'measured' against a holistic and Te Ao Māori 'lens'. For example, coastal protection, mussel monitoring and shellfish restoration.		
	• This mahi can continue past that June 2023 date required by the consent • Monitoring cultural indicators should be undertake and implemented • The MfE Cultural Health Index (CHI) could be used but entirely applicable. Needs a holistic lens, a Te Ao Māori stance • Napier City Council have implemented a cultural monitoring programme for Awatoto – potential to adapt/modify for the treatment plant	11. Examine the Napier City Council implemented cultural monitoring programme for Awatoto treated wastewater discharge and provide comment on its potential to be adapted or modified for the Hastings WWTP and its discharge.		
2.16	**TECHNICAL MATTERS** • Monitoring starts from the point of discharge rather than looking at the whole system • NZ is in need of National guidance in relation to the building redundancy/maintenance into the system and plan how the system will operate in the following 18 years • Majority of Trade waste agreements (trade waste approvals) with individual trade waster dischargers are due to expire shortly, in sync with this 9 Year Review to enable changes required from the Review to implemented • 'High risk' trade waste dischargers should need to meet more stringent requirements • A key measure of success prior to the construction of the treatment plant was the removal of kūparu, hence the Biological Trickling Filter (BTF) process. Which lead to further refinement of this statement to be transformation of the human waste component to a point where it is acceptable for discharge to the sea • What monitoring is undertaken on the industrial side to ensure that human waste is not present? • Past quarterly reports were informative and highlighted issues with contaminants. Can this be reinvigorated? • Looking at trade waste more in depth was an area of discussion prior to construction of treatment plant, particularly mortuary waste • Can new technology improve treatment, what needs to be improved? • Is current treatment of trade waste fit for purpose? Question around cultural understanding • Domestic living has changed; are we culturally keep pace? • What is domestic waste treatment and how do we ensure it is kept separate?	1. Assess and provide comment that 'monitoring starts from the point of discharge' thus the entire system i.e. the network. 2. Assess and comment on the need for National guidance in relation to building redundancy and/or maintenance into wastewater systems and provide comment on how this Scheme will operate over the following 18 years, and further until the consent expires in 2049, and further in terms of infrastructure security. 3. Comment on the trade waste agreements (trade waste approvals) with individual trade waster dischargers that expire shortly, in sync with this 9 Year Review, to enable changes required from the Review to be implemented. 4. Comment on the 'dynamic adaptive pathway approach' in similar resource consents with 'trigger levels' initiating certain actions and responses. 5. Comment on the 'high risk' trade waste dischargers potential to meet more stringent requirements under the HDC trade waste bylaw. 6. Provide comment on the key measure of success, consent initially for 'significant' removal of kūparu, changed to organic loading on the BTF process, that encompassed the removal of kūparu. 7. Provide additional comment on the further refinement of this statement, *'significant removal of kūparu,'* to be transformation of the human waste component to a point where it is culturally acceptable for discharge to the sea. 8. Comment on what monitoring is undertaken on industrial sites discharging trade water to ensure that human waste is not (as far as practicable) present within trade waste . 9. Summarise past quarterly reports, as part of the review of the Annual Compliance Report, (also refer detailed Tasks 2.2 and 2.11), noting that they were considered to be informative and highlighted issues with contaminants. Provide comment of the need or otherwise to reinvigorate these reports. 10. Comment on trade waste constituents, with a particular focus on mortuary waste. 11. Comment on whether new technology can improve treatment, and if 'yes' what needs to be improved, and why and the 'pro's and con's' of doing so (Also refer Tasks 2.8, 2.10 and 2.13). 12. Comment of whether current treatment of trade waste is 'fit for purpose'? and how the treatment of trade waste aligns with cultural understanding and acceptance. 13. Linking to Task 2.3 - population and land use changes, comment on the change to domestic living and with assistance and guidance from the Joint Committee seek their views on whether those changes are aligned to mātauranga Māori. 14. Comment on the domestic waste stream and its treatment and how it is kept separate, as far as practicable, from trade waste.	Commentary for inclusion in review report	Completion Q2 2023
2.17	**RISK ASSESSMENT AND CONDITIONS** • Need to ensure we have strategic agility through this period of uncertainty (i.e. RMA and 3W Reforms, climate change) - Ties in with Dynamic Adaptive Pathway Approach • Condition 27(h) – how far do we go looking at options of what could be added, retrofitted to the Biological Trickling Filter (BTF) or what more could industry do?	**RISK ASSESSMENT AND CONDITIONS** 1. Assess and comment on the need for strategic agility through this period of uncertainty, including but not limited to, Resource Management Reform, 'Three Water' Reform and climate change. (Also refer Tasks 2.8, 2.10, 2.13 and 2.15) **2.** Linking to Tasks 2.8, 2.10 and 2.13, comment on how far the assessment of options could be added and /or retrofitted to the Biological Trickling Filter (BTF), or what more could industry do. As a starting point refer to Support Documents No. 7 "Alternative Assessment" to the Assessment of Effects on the Environment" Document June 2013.	Commentary for inclusion in review report	Completion Q2 2023

Any changes to these expectations should be approved with a Project Change Notice (PCN).

[3] MFE publications, 'A Cultural Health Index for Streams and Waterways' (June 2003)

Consent No. CD130214W

HAWKE'S BAY
REGIONAL COUNCIL

RESOURCE CONSENT

Coastal Permit

In accordance with the provisions of the Resource Management Act 1991 (RMA) and subject to the attached conditions, Hawke's Bay Regional Council (the Council) grants a resource consent for a discretionary activity to:

Hastings District Council
Private Bag 9002
Hastings 4156

to discharge final combined wastewater (see Advice Note 1) into Hawke Bay at East Clive via the long offshore outfall.

LOCATION

Address of site: 284 Richmond Road, Clive

Legal description: Seabed, adjacent to Sec 3 Blk II Clive SD

Map reference: NZMG: Between approximately 2850993 6173388-2850592 6173222
NZTM: Between approximately 1941039 5611758-1940638 5611592

CONSENT DURATION

This consent is granted for a period expiring on 31 May 2049.

LAPSING OF CONSENT

This consent shall lapse in accordance with section 125 of the RMA on the 31 May 2019, if it is not exercised before that date.

Iain Maxwell
Group Manager
RESOURCE MANAGEMENT GROUP
Under authority delegated by Hawke's Bay Regional Council
25th June 2014

Consent No. CD130214W

CONDITIONS

1. The Consent Holder shall discharge the final combined wastewater as authorised by this Resource Consent generally in accordance with the information supplied with the application. Where a conflict exists between the application and the conditions of this Resource Consent, the conditions shall prevail.

2. The rate of discharge of the final combined wastewater (see Advice Note 1) shall not exceed 2,800 litres per second.

3. The discharge of the final combined wastewater as authorised by this Resource Consent shall be by way of the existing long offshore outfall structure located at the end of Richmond Road, East Clive, and shall take place between approximately 2,450m and 2,750m offshore, being approximately NZMG 2850993 6173388 - 2850592 6173222.

4. The final combined wastewater discharged to Hawke Bay via the long offshore outfall shall pass through an ocean outfall diffuser which has been designed to achieve a minimum average dilution over the boil of not less than 100:1 on slack water.

Wastewater treatment and standards

5. The final combined wastewater discharged shall meet the following requirements:

   a) All separable industrial wastewater shall pass through a milliscreen having a maximum aperture slot width of 1mm.

   b) All domestic and non-separable industrial wastewater shall pass through a 3mm diameter hole size screening device or equivalent, followed by treatment in a biological trickling filter, with an annual average daily loading of carbonaceous biochemical oxygen demand (5 day test) ($cBOD_5$) that shall not exceed 0.4 kg per cubic metre of media, with the treatment plant managed in accordance with best wastewater engineering practice and industry standards, and:

      i) the media in the biological trickling filters shall consist of randomly packed plastic material that provides a specific surface area of not less than $90m^2/m^3$, and

      ii) the wastewater remaining after that treatment, prior to being discharged, shall pass through the Rakahore channel.

6. The final combined wastewater discharged shall meet the following standards:

Analyte	Maximum concentration (g/m^3)	Maximum Loading (kg/day)*
Chromium III	2.74	143
Chromium VI	0.44	22.9
Copper	0.13	6.8
Zinc	1.5	78
Cadmium	0.07	3.6
Mercury	0.01	0.5
Lead	0.44	23
Nickel	0.7	36
Ammonia	91	4738

* The maximum daily loading limit is based on the maximum treated wastewater concentration limits multiplied by the 75%ile wastewater flow rate ($52,070m^3$/day) over 12 months in 1998 (a dry year).

In the event that a limit is exceeded for any analyte, an additional 24 hour flow proportional sample shall be collected and tested for that analyte within 5 working days of receipt of the laboratory result. An investigation shall also be undertaken into the cause of the exceedence, and the findings of the investigation recorded and provided to the Regional Council (Manager Resource Use) within one month of the exceedence occurring.

7. The discharge of the final combined wastewater as authorised by this Resource Consent shall not cause any of the following effects beyond a distance of 750m from the midpoint of the outfall diffuser:

   a) The production of any conspicuous suspended materials; or

   b) Any conspicuous change in the colour or visual clarity;

   and shall not cause any of the following effects beyond a distance of 500m from the midpoint of the outfall diffuser:

   c) The production of any conspicuous oil or grease films, scums or foams, or floatable materials; or

   d) Any emission of objectionable odour; or

   e) Any significant adverse effects on aquatic life, or

   f) A change of the natural temperature of the receiving water by more than 3 degrees Celsius, or

   g) The Dissolved Oxygen concentration to be less than 80% of the saturation concentration, or

   h) Undesirable biological growths.

8. The average concentration of Total Oil and Grease in the final combined wastewater shall not exceed 200g/m^3 over any 24 hour period based on the sampling procedure set out in Conditions 13 and 14.

9. The Consent Holder shall inspect the diffuser at least annually and at intervals not more than 14 months apart, and at any other time as necessary, at which time any ports blocked by mussels or other debris will be cleared. The number of blocked ports shall be recorded and reported in the Annual Monitoring Report required by Condition 24 of this consent.

10. The Consent Holder shall ensure that all components of the wastewater treatment plant and outfall structures (including the diffuser on the long offshore outfall) are maintained in good working order, and in accordance with industry best practice guidelines.

11. The Consent Holder shall ensure that all sampling equipment, including meters and field measurement devices are maintained in good working order by suitably qualified persons in accordance with the manufacturer's instructions and industry best practice guidelines. Records of calibration shall be kept and made available to the Council (Manager Resource Use) upon request.

Monitoring

12. The Consent Holder shall continuously monitor and record the rate of discharge and the daily volume of the final combined wastewater discharged. The flow meters used to record the discharge shall have an accuracy within plus or minus 5%, as per the manufacturer's calibration records.

13. For a period of 12 months, from the date of commencement of this consent, at quarterly intervals, with not less than 2 months between each sample, the Consent Holder shall take two flow proportional samples during each 24 hour period on a minimum of 7 consecutive days. The samples shall be taken from the following waste streams, and analysed for the constituents stated:

    a) The domestic and non-separable industrial wastewater prior to the biological trickling filter treatment. These samples shall be analysed for:

        i) Total suspended solids;

        ii) Total oil and grease; and

        iii) $cBOD_5$.

    b) The domestic and non-separable industrial wastewater immediately after the biological trickling filter treatment. These samples shall be split into 2 separate samples which will be analysed separately. One sample shall be taken during the 21 hours of normal operation. One sample shall be taken during the 3 hours of the biomass flushing cycle. These samples shall be analysed for:

        i) Total suspended solids;

        ii) Total oil and grease; and

        iii) $cBOD_5$.

    c) The final combined wastewater. These samples shall be analysed for the analytes listed, at the detection limit shown, in Schedule 1 (attached) for quarterly and annual sampling.

14. Starting 12 months from the date of commencement of this consent, at quarterly intervals, with not less than 2 months between each sample, the Consent Holder shall take 24 hour flow proportional samples on a minimum of 7 consecutive days of the following waste streams, and analyse them for the constituents stated:

    a) The domestic and non-separable industrial wastewater prior to the biological trickling filter treatment. These samples shall be analysed for:

        i) Total suspended solids;

        ii) Total oil and grease; and

        iii) $cBOD_5$.

    b) The domestic and non-separable industrial wastewater immediately after the biological trickling filter treatment. These samples shall be analysed for:

        i) Total suspended solids;

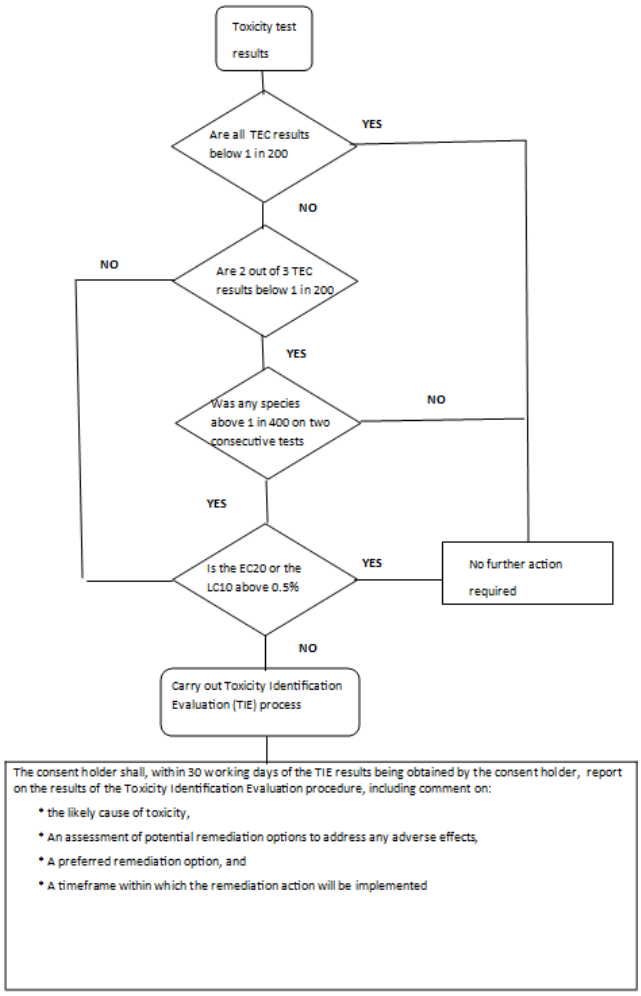
        ii) Total oil and grease; and

        iii) $cBOD_5$.

    c) The final combined wastewater. These samples shall be analysed for the analytes listed, at the detection limit shown, in Schedule 1 (attached) for quarterly and annual sampling.

15. At quarterly intervals, with not less than 2 months between each sample, the Consent Holder shall test the toxicity of the final combined wastewater to at least three species of marine organisms to determine if there is a statistically significant effect. A plan outlining the proposed testing method and the organisms to be tested shall be submitted to the Regional Council (Manager Science) for approval within 2 months of the commencement date of this consent. Changes to the plan (including changes to the organisms tested) can be made but must be submitted to the Regional Council for approval before the proposed changes can be made. The interpretation of results and the actions shall be undertaken using an adaptive management approach as is detailed in the figure below.

Consent No. CD130214W



Advice Note

- Statistically significant effect is determined by the calculation of the Threshold Effect Concentration (TEC) and is the geometric mean of the No Observable Effect concentration (NOEC) and the Lowest Observable Effect Concentration (LOEC).
- EC20% is the effective concentration that causes the stated effect in 20% of the test organisms.
- LC10% is the lethal concentration that kills 10% of the test organisms.
- The TEC shall be expressed in terms of dilution (e.g. 1 in 200).
- The EC20 and LC10 shall be expressed in terms of percentage concentration (e.g. 0.5% equivalent to dilution 1 in 200).
- The decision tree above outlines the interpretation of the analysis and appropriate actions to be taken.

16. At quarterly intervals, with not less than 2 months between each sample, the Consent Holder shall take water quality samples at 10 sites perpendicular to the centre of the diffuser at distances of 100m, 250m, 500m, 750m and 1000m (on each side of the diffuser). These samples will be analysed for faecal coliform and enterococci. Field measurements are to be made of pH, salinity, turbidity, temperature, and dissolved oxygen (%saturation) at each location as well.

17. While samples are being taken in accordance with Condition 16, a GPS drogue shall be placed at the centre of the diffuser to measure the surface currents for at least 30 minutes.

18. The Consent Holder shall undertake surveys designed to show the impact of the discharge on the benthic fauna:

    a) The benthic survey shall include an assessment of marine sediments, benthic ecology, and trace metals in flatfish (comparable to that carried out by Golders Associates in 2012 and 2013) and shall be undertaken in the 8th, 17th and 26th years after the commencement date of this Resource Consent. The final design of each survey shall be submitted to the Regional Council (Manager Science) for approval prior to each survey being undertaken. Flatfish of the same species as those collected at the time of the first benthic survey required by this consent shall also be tested for pathogenic bacteria and parasites (see Advice Note 3).

    The results of all benthic surveys shall be provided to the Regional Council (Manager Resource Use) within 1 month of being received by the Consent Holder.

19. Twice during the year (summer and winter) the Consent Holder shall take seabed sediment grab samples at distances of approximately 250m, 500m and 750m to the north and 250m, 500m and 750m to the south of the midpoint of the outfall diffuser. Those samples shall be analysed for the analytes listed, at the detection limit shown, in Schedule 2.

    In the event that sediment monitoring required by this condition, results in two or more exceedances of ANZECC 2000 (ISQG – Low) sediment guidelines on one occasion of sampling, then an additional benthic survey shall be undertaken within one year of the sediment sampling exceedance(s) occurring. However, no more than one additional survey shall be required by this condition to be undertaken within each 9 year period specified in Condition 18 a).

20. All quality analysis of the wastewater discharged other than field measurements as required by the conditions of this consent shall be undertaken by an independent laboratory accredited to IANZ or other laboratory approved by the Regional Council (Manager Resource Use). Field measurements shall be undertaken in accordance with best industry practice.

21. Within three months of the commencement date of this consent, the Consent Holder shall submit to the Regional Council (Manager Resource Use) a Memorandum of Understanding (MOU) which shall include, but is not limited to the following:

    a) Details of sampling methodologies and procedures to be followed;

    b) Protocols that will be observed;

    c) Details of sampling locations;

    d) Details of when information (including data and sampling results) needs to be provided to the Regional Council, and in what format.

    The MOU shall be prepared in consultation with the Regional Council (Manager Resource Use) and can be varied upon agreement between the two parties. All sampling shall be

undertaken in accordance with the MOU. All records collected in accordance with the conditions of this Resource Consent shall be provided to the Regional Council (Manager Resource Use) at the times and in the formats specified in the MOU. Until the MOU is prepared, records shall be provided to the Regional Council (Manager Resource Use) no more than one month following the end of the month to which they relate, except for the flow data required in accordance with Condition 12 of this consent which shall be provided at quarterly intervals.

Administrative

22. The Consent Holder shall ensure that at all times clear and visible signage is placed on the buoys marking the two ends of the diffuser, incorporating the words "Shellfish unfit for human consumption".

23. The Consent Holder shall appoint a person to be responsible for the day-to-day operation of the treated wastewater disposal system and to act as a contact person for the Regional Council. The name and phone number of this contact person shall be advised to the Regional Council (Manager Resource Use) within 10 working days of the commencement date of this consent and within 10 days of any change.

Reporting

24. Before 1 October each year, the Consent Holder shall provide the Regional Council (Manager Resource Use) with an 'Annual Monitoring Report', covering the preceding 12 month period ending 30 June. The report shall be submitted together with a peer review completed by a suitably qualified and experienced professional expert. This monitoring report shall include, but not be limited to:

    a) A summary of all monitoring undertaken as required by this consent, and may include details of additional monitoring undertaken by the consent holder to better characterize the effects of the discharge on Hawke Bay;

    b) A critical analysis of the results of sampling required by Condition 13, in the Annual Monitoring Report completed the year following the collection of that data.

    c) A critical analysis of the monitoring information in terms of compliance and adverse environmental effects;

    d) An assessment of compliance in relation to the trigger values set out in the table below. Any exceedences of these trigger values shall be clearly identified and reasons for each exceedence (if known) provided. Comment shall also be provided about the significance of the exceedence in terms of effects (if any) on the receiving environment, and any measures that may be appropriate to reduce the concentration of the relevant analyte should that be necessary having regard to any adverse environmental effects. An assessment of trends in the concentrations of these parameters over the previous year, and also over the term of this Resource Consent must also be provided;

Analyte	Trigger Value[2]
$cBOD_5$[1]	48,000 kg/day
Total suspended solids[1]	39,000 kg/day
Total Daily (annual average)	66,000

volume	m^3/day

[1] The annual average mass load is calculated by multiplying the result for each day by the volume each day and then averaging the loads.

[2] The trigger value is calculated as an upper tolerance limit based on annual mean results from 1998 to 2013 inclusive.

e) Comment on any non-compliances and operational problems, and any actions undertaken to address these;

f) Details of any works undertaken or proposed to improve the performance of the treatment system, and the timeframe for completion of any proposed works;

g) Identification and comment on any trends in volumes, flows, toxicity (EC50 or LC50) and contaminant loads over the reporting period, and compared to previous years. This shall include any trends in water quality parameters/wastewater constituents including comment on the potential environmental implications of these trends; and

h) Recommendations regarding alterations or additions to the monitoring programme;

i) Details of any changes to the consent conditions that may be applied for within the next 12 month period;

j) Details of the date of the plant open day, numbers in attendance, and written questions submitted by members of the public, and responses given (except that this subsection cannot be addressed in the first Annual Monitoring Report completed in accordance with the conditions of this consent); and

k) The tabulated results of the laboratory analytical monitoring.

25. Each Annual Monitoring Report shall be made publicly available on the Consent Holder's website within one month of it being lodged with the Regional Council (Manager Resource Use). Notification of the availability of this Report shall also be included in the Consent Holder's next public newspaper general ratepayers' notice and also the next ratepayer newsletter.

26. During the month of November each year, the Consent Holder shall have a public 'open day' at the Wastewater Treatment Plant site, located on Richmond Road. Notification of this open day shall be done via the Consent Holder's website and in a Consent Holders public newspaper general ratepayers' notice at least 10 working days before the open day. The open day shall be attended by Hastings District Council Staff as well as a Regional Council Compliance Officer. The purpose of the open day is to give the community an opportunity to view the treatment plant, and discuss the Annual Monitoring Report. It is also an opportunity for members of the public to submit written questions to which the Consent Holder shall respond in writing within one calendar month.

    Details of the date of the open day, numbers in attendance, written questions submitted and responses given shall be included in the next Annual Monitoring Report, as noted in Condition 24 (j) above.

27. The Consent Holder shall submit to the Regional Council (Manager Resource Use) a Trends, Technology, Discharge, Environmental and Monitoring Review Report not later than the 9th, 18th and 27th year anniversaries of the issue of this discharge permit. Each Review Report shall be made publicly available on the Consent Holder's website within one month of being lodged with the Regional Council. Notification of the availability of this Report shall be included in the

Consent Holder's next public newspaper general ratepayers' notice and also the next ratepayer newsletter.

The Review Report shall address as a minimum, but not be limited to, the following matters for the nine year period since the last review:

a) Comparisons of population and industrial changes and possible trends as compared to the Heretaunga Plains Urban Development Strategy (2010) (HPUDS), and then latest reports on the Hastings Urban Development Strategy and the Hastings Industrial Strategy;

b) Volumes, flows and loads profile and changes assessed against future projections and wastewater projections as set out in section 4.3 of the Hastings Wastewater Resource Consents Project: Assessment of Effects on the Environment and Resource Consent Applications copy dated June 2013;

c) Trade waste profiles, trends and any significant changes in the Consent Holder's trade waste management practices and the trade waste contaminant profile;

d) Any new changes to environmental guidelines and / or standards applicable to the discharge of treated wastewater into Hawke Bay;

e) Changes in asset management and operational matters that may have relevance to the on-going operation and development of the Consent Holder's Wastewater Scheme from the perspective of the treated wastewater discharge, water conservation and efficient energy management;

f) Changes in wastewater treatment technologies that may be relevant to the Hastings Wastewater Scheme for either the domestic and non-separable waste stream and / or the industrial waste stream;

g) The results of a recreational usage survey undertaken during the nine year period, which is comparable to the survey undertaken between the summers of 2011 and 2013 (See Advice Note 4), and comparison of those results with previous surveys;

h) Options for treated wastewater disposal / discharge and beneficial reuses that may be appropriate to the Wastewater Scheme;

i) Effects of the treated wastewater discharge into Hawke Bay as evident from the resource consent monitoring; and

j) Details of consultation undertaken with the community to ascertain their views of the effects of the current wastewater discharge (see Advice Note 5).

Consideration of this existing Resource Consents Project objectives, opportunities for improvement and Best Practicable Option (BPO) in terms of the interpretation of this term in the Resource Management Act 1991.

28. The Consent Holder shall log all complaints received relating to the discharge. The log shall include:

a) The date and time of the complaint;

b) The nature of the complaint;

c) The name, telephone number, and address of the complainant;

d) Weather and sea condition information (including an estimate of wind speed and direction, and description of sea condition);

e) Details of key operating parameters at the time of the complaint; and

f) Any remedial action taken to prevent further incidents.

Complaints shall be reported to the Regional Council (Manager Resource Use) within 24 hours of receipt, and the log of complaints shall be made available to the Regional Council (Manager Resource Use) on request. Any complaints relating to potential adverse health effects associated with exposure to the wastewater discharge shall be notified to the Hawke's Bay District Health Board within 24 hours of receipt also.

29. In accordance with the principles of the Treaty of Waitangi (especially those of partnership and consultation) and recognising the role of Tangata Whenua as kaitiaki, the Consent Holder shall establish, and retain, as a committee of the Hastings District Council under Clause 31, Schedule 7, Local Government Act 2002, a Council Committee, half of the members of which shall be Tangata Whenua representatives the functions of which shall include:

    a) Developing the Hastings District Council's wastewater treatment and disposal system policies;

    b) Receiving, reviewing and recommending action on reports concerning the operation and performance of the Council's wastewater disposal system, treatment plant and ocean discharge;

    c) Receiving, reviewing and recommending from time to time the commissioning of reports and future Hastings District Council actions on wastewater issues including:

        i) Options for further or other treatments;

        ii) Options for alternative methods of disposal; and

        iii) Monitoring effects on the environment;

    d) Co-ordinating and overseeing education of the community including tangata whenua and trade waste dischargers on wastewater issues;

    e) Not less than three months before each of the Trends, Technology, Discharge, Environmental and Monitoring Nine Yearly Review as required in accordance with Condition 27 is commenced by the Consent Holder, providing to the Consent Holder any further suggested input in respect to the scope of the review;

    f) Advising the Consent Holder on the Condition 27 Trends, Technology, Discharge, Environmental and Monitoring Nine Yearly Review before it is finalised and submitted to the Regional Council (Manager Resource Use) (See Advice Note 6); and

    g) Recognising the role of tangata whenua as kaitiaki and the need to recognise and seek to satisfy the cultural concerns of tangata whenua.

30. In the event of the Consent Holder becoming aware of:

    a) unusual or extreme circumstances (not being circumstances such as would provide a defence under sections 341 – 341B, Resource Management Act 1991) that may lead to one or more of the conditions of this Resource Consent being breached, or

    b) circumstances having occurred that have, or could, lead to non-compliance,

    immediate notification of such problems shall be made to the Regional Council (Manager Resource Use). This notification shall include, but not be limited to, provision of the

following information as far as such information is known to the Consent Holder at that time:

i) The extent of non-compliance if it has occurred, including the duration of non-compliance, volume discharged during that period, and the nature and quality of the discharge,

ii) The immediate and further planned measures being undertaken to minimise and mitigate any adverse effects of the non-compliance,

iii) The Consent Holder's assessment of public health risk arising from the event including advice received from the Hawke's Bay District Health Board Chief Executive Officer and Medical Officer of Health, and

iv) Updating the Regional Council (Manager Resource Use) at not greater than 24 hourly intervals of the current situation until the problems are rectified and the Consent Holder is compliant with the Resource Consent conditions.

31. Within one calendar month of any unforeseen event that resulted in non-compliance with the conditions of this Resource Consent, the Consent Holder shall provide a further report to the Regional Council (Manager Resource Use). This report shall include, but not be limited to the provision of any further information on the reasons for the non-compliance and the measures investigated and put in place or to be put in place to avoid or at least minimise the possibility of any similar problems in the future that may cause non-compliance.

32. The Consent Holder shall make available to the Regional Council (Manager Resource Use) upon request records kept in relation to the discharge, and its effects on the environment including sampling, testing, and analysis.

ADVICE NOTES

1. "Final combined wastewater" refers to the separate industrial wastewater stream, which is trade waste (excluding all human excreta) transported through a separate piped network to the East Clive Wastewater Treatment Plant, and the domestic and non-separable industrial wastewater (which has been treated in the biological trickling filter) which are combined immediately prior to discharge via the ocean outfall.

2. It relation to Condition 6, the maximum wastewater concentration limits are based on ANZECC (2000) Aquatic Ecosystem guideline limits multiplied by a factor of 100 (for 100:1 dilution). Concentrations are for the Acid Soluble Fraction.

3. In relation to Condition 18, the Consent Holder shall discuss and agree the design of the flatfish analysis required at the time of the first benthic survey with the Hawke's Bay District Health Board Chief Executive Officer and Medical Officer of Health.

4. The results and methodology used in the Coastal Recreational and Commercial Survey 2013 is detailed in Support Document 9 to the AEE which was lodged with the Regional Council on 1 July 2013.

5. For clarity, it is noted that the consultation required by Condition 27(j) is in addition to consultation that must be undertaken in accordance with other conditions of this Resource Consent, including Condition 29 which relates to the Tangata Whenua committee.

6. The reason for Condition 29(f) is that the Hastings District Council Tangata Whenua Wastewater Joint Committee established in accordance with Condition 30 of Resource Consent CD990260Wd, and Condition 29 of this Resource Consent, and the Hastings District Council requested this linkage between the Trends, Technology, Discharge, Environmental

and Monitoring Nine Yearly Reviews and the activities of a Hastings District Council and Tangata Whenua Committee formed and having the functions in accordance with Condition 29.

Review of Consent Conditions by the Council

The Council may review conditions of this consent pursuant to sections 128, 129, 130, 131 and 132 of the RMA. The actual and reasonable costs of any review undertaken will be charged to the Consent Holder, in accordance with section 36 of the RMA.

Times of service of notice of any review: During the month of May of any year.

Purposes of review:

To deal with any adverse effect on the environment arising from the exercise of this consent, which it is appropriate to deal with at that time or which became evident after the date of issue.

To require the adoption of the best practicable option to remove or reduce any effects on the environment.

To modify any monitoring programme, or to require additional monitoring if there is evidence that current monitoring requirements are inappropriate or inadequate.

Reasons for Decision

The effects of the activity on the environment will not be more than minor. Granting the consent is consistent with the purpose and principles of the RMA and with all relevant plans and policies.

Monitoring Note

Routine monitoring

Routine monitoring inspections will be undertaken by Council officers at a frequency of no more than once every year to check compliance with the conditions of the consent. The costs of **any** routine monitoring will be charged to the consent holder in accordance with the Council's Annual Plan of the time.

Non-routine monitoring

"Non-routine" monitoring will be undertaken if there is cause to consider (e.g. following a complaint from the public, or routine monitoring) that the Consent Holder is in breach of the conditions of this consent. The cost of non-routine monitoring will be charged to the Consent Holder in the event that non-compliance with conditions is determined, or if the Consent Holder is deemed not to be fulfilling the obligations specified in section 17(1) of the RMA shown below.

Section 17(1) of the RMA states:

> *Every person has a duty to avoid, remedy, or mitigate any adverse effect on the environment arising from an activity carried on by or on behalf of the person, whether or not the activity is carried on in accordance with*

a) *any of sections 10, 10A, 10B, and 20A; or*

b) a national environmental standard, a rule, a resource consent, or a designation.

Consent Impact Monitoring

In accordance with section 36 of the RMA (which includes the requirement to consult with the Consent Holder) the Council may levy additional charges for the cost of monitoring the environmental effects of this consent, either in isolation or in combination with other nearby consents. Any such charge would generally be set through the Council's Annual Plan process.

DEBT RECOVERY

It is agreed by the Consent Holder that it is a term of the granting of this Resource Consent that all costs incurred by the Council for, and incidental to, the collection of any debt relating to this Resource Consent, whether as an individual or as a member of a group, and charged under section 36 of the RMA, shall be borne by the Consent Holder as a debt due to the Council, and for that purpose the Council reserves the right to produce this document in support of any claim for recovery.

CONSENT HISTORY

Consent No. (Version)	Date	Event	Relevant Rule Number	Plan
CD130214W	25/06/2014	Consent initially granted	157	Proposed Regional Coastal Environment Plan

Consent No. CD130214W

Schedule 1

Test / Analyte	Quarterly	Annually	Units	Recommended Detection Limit**
pH	X	X		0.1
Conductivity	X	X	mS/m	0.1
Total Oil and Grease	X	X	g/m^3	4
Total Solids		X	g/m^3	10
Total Suspended Solids	X	X	g/m^3	3
Total organic carbon		X	g/m^3	0.5
NH_4-N	X	X	g/m^3	0.01
NO_3-N/NO_2-N		X	g/m^3	0.002
$cBOD_5$	X	X	g/m^3	10
COD		X	g/m^3	6
Zn (acid sol)	X	X	g/m^3	0.001
Sulphide	X	X	g/m^3	0.002
TKN		X	g/m^3	0.1
DRP	X	X	g/m^3	0.004
TP		X	g/m^3	0.004
Total Phenols		X	g/m^3	0.002
Total CN		X	g/m^3	0.001
As (acid sol)	X	X*	g/m^3	0.00005
Cr III (acid sol)	X	X*	g/m^3	0.001
Cr VI	X	X*	g/m^3	0.001
Cu (acid sol)	X	X*	g/m^3	0.0005
Ni (acid sol)	X	X*	g/m^3	0.0005
Pb (acid sol)	X	X*	g/m^3	0.0001
Hg (acid sol)	X	X*	g/m^3	0.00008
VOC (inc BTEX)		X	g/m^3	To trace
SVOC		X	g/m^3	To trace
PCP		X	g/m^3	To trace
ON & OP pesticides		X	g/m^3	To trace

*Both total and dissolved fractions to be tested in annual survey.
** The detection level quoted may not be applicable in all circumstances due to interferences within the sample.

Schedule 2

Test / Analyte	Units	Detection Limit*
Zn (total recoverable)	mg/kg	0.4
As (total recoverable)	mg/kg	0.2
Cd (total recoverable)	mg/kg	0.01
Cr (total recoverable)	mg/kg	0.2
Cu (total recoverable)	mg/kg	0.2
Sn (total recoverable)	mg/kg	0.1
Ni (total recoverable)	mg/kg	0.2
Pb (total recoverable)	mg/kg	0.04
Hg (total recoverable)	mg/kg	0.01

*The detection level quoted may not be applicable in all circumstances due to interferences within the sample.

APPENDIX 1. CONSENT CONDITION ANALYSIS

Condition No.	Reason for Condition
1	The effects of the proposed activity have been assessed based on the information provided by the applicant. It is important that the activity is undertaken as proposed because the effects of the activity may vary if the nature or intensity of the activity changes.
2	Rate of discharge influences the effects the proposed activity may have on the environment
3	The effects of the proposed activity have been assessed based on the environment surrounding the outfall. A discharge in another location may have different effects
4	The effects of the discharge have been assessed on the basis of a 100:1 dilution being achieved. It is important that this level of dilution continues to be achieved. Lower levels of dilution may result in adverse effects on the environment.
5	The effectiveness of BTF plants is closely linked to their loading rate (increased loading rate results in decreased levels of removal/treatment), therefore it is important that a loading rate is specified. The type of media installed in the tanks also has an effect on the quality of effluent produced and has therefore been specified. The Rakahore Channel (previously referred to as the Papatuanuku Channel) addresses tangata whenua concerns with the discharge and it is therefore important that it remains part of the treatment process.
6	The inclusion of end of pipe standards for metals and ammonia should ensure that quality of the wastewater discharged to Hawke Bay provides for 95% species protection (in accordance with ANZECC 2000 guidelines). End of pipe standards allow an easy assessment of the effects of the discharge, because they cannot be influenced by other possible sources of contamination that monitoring in the receiving environment can be.
7	In accordance with section 107, any discharge to the environment cannot result in the effects listed. Including this as a condition of consent ensures that the consent holder is aware of the effects it may not cause after reasonable mixing.
8	The inclusion of a Total Oil and Grease standard should ensure that the quality of the discharge to Hawke Bay is maintained.
9	Regular maintenance of the diffuser will ensure that the dilution rate in Condition 4 continues to be achieved.
10	Ongoing good practice in the operation of the outfall and diffuser will assist in ensuring compliance with the rest of the conditions of this consent.
11	Requiring the consent holder to regularly check and maintain sampling equipment should ensure that sampling results are accurate, and give confidence that the effects of the discharge are being correctly measured.
12	Allows compliance with Condition 2 to be assessed.
13	Allows compliance with Condition 8 to be assessed and also the nature of the discharge compared against the trigger values set out in Condition 24. Also will provide further information about the quality of the discharge during the flushing cycle. This condition was included to address a concern raised by the submitter who initially opposed the applications.
14	Allows compliance with Condition 8 to be assessed and also the nature of the discharge compared against the trigger values set out in Condition 24.
15	High toxicity levels can have an adverse effect on the environment. It is important that toxicity levels are assessed against criteria that will provide a level of protection that is appropriate to the sensitivity of the species found in it. This condition allows greater flexibility than the previous toxicity condition, which reflects the technical nature of toxicity assessments, and the difficulty in collecting meaningful data over a period of time.
16	High concentrations of faecal coliform and enterococci in the receiving environment can have an adverse effect on public health. It is important to sample these regularly to allow any trends in concentration to be identified. Sampling at a distance of 100 and 250 m also

	allows the adequacy of the mixing zone to be assessed and potentially decreased if the effects of the discharge are shown to be limited to a smaller radius around the diffuser.
17	The direction of current at the time of sampling can have an effect on the results of that sampling.
18	Benthic surveys will allow the effect of the discharge, particularly its solids component, to be assessed, and any adverse effect on the environment identified in a timely fashion. The requirement to sample flatfish at the time of the first survey reflected a request made in the HBDHB's submission.
19	Some constituents of wastewater discharges accumulate in sediments. Regular assessment of the concentrations of these constituents is important because they can bio accumulate and adversely affect other species that feed on them. The requirement for an additional benthic survey to be undertaken if two samples (taken during one sampling run) exceed the ANZECC guidelines provide further certainty that any adverse effects of the discharge will be identified in a timely fashion.
20	It is important that the analysis of sampling results is undertaken in accordance with industry best practice and in a manner that allows the results to be assessed with other sampling results. Use of an accredited laboratory and adherence to industry best practice guidelines ensures this.
21	To ensure the sampling results have integrity it is important that sampling methodologies and procedures are agreed and always followed, appropriate protocols are observed and the timing of the provision of information to Council is agreed. It is considered more appropriate to have this information set out in an MOU rather than consent conditions because is important that it can easily be amended to reflect industry best practice.
22	Signs indicate the presence of a potential public health risk as a result of the discharge.
23	It is important that the consent authority knows who the primary contact for the consent is, particularly in emergencies.
24	The requirement for an annual report ensures that the consent holder assesses the performance of the treatment plant over a 12 month period, and its effect on the receiving environment. The annual report also requires trends over time to be assessed, which ensures that the long term effect of the discharge is regularly reviewed, and necessary changes to the operation and/or design of the treatment plant made before the discharge has any adverse effect on the receiving environment. The specification of trigger values for the concentration of $cBOD_5$, TSS and total volume in this condition, and a requirement to assessment performance against these, ensures that the nature of the discharge remains within that which has been assessed, and historically observed to have no more than minor adverse effects on the environment. Increased loads will not necessarily have an adverse effect on the environment, but nominating these trigger values ensures that any higher concentrations are investigated. The requirement to submit a peer review together with the annual monitoring report provides an additional layer of transparency to the assessment of the WWTP's performance, and confidence that monitoring results are being thoroughly assessed, and any unusual trends identified.
25	It is important that the community has regular access to information about the quality and effects of the wastewater discharge. Making the annual monitoring report available is one way of ensuring that the public is regularly informed about the performance of the plant.
26	The facilitation of a public open day at the WWTP each year provides a further oportunity for members of the public to be regualarly updated on its performance, and also have an opportunity to ask questions of Council staff involved with it. This condition was developed to address a concern raised by one submitter about the lack of any regular formal engagement with the wider community.
27	The requirement for the consent holder to undertake a through review every nine years was one of the reasons on which a 35 year consent duration could be justified. It is important that at this interval the consent holder reviews the performance of the WWTP, and also engages with the community, and the Tangata Whenua Joint Committee to ensure that they are comfortable with the continuation of the current level of treatment, or

	whether there is a desire to increase the level of treatment that the plant provides. There are a number of other matters that the consent holder must assess also. The nine yearly review must also be made available to the public.
28	The consent holder needs to record and take action to address any complaints made by the public about the activity. This is a useful resource at the time of consent replacement also, as it helps gain an understanding of the effect of the activity on adjoining properties.
29	The applicant requested the inclusion of this particular consent condition as it had been discussed and agreed with the Tanagata Whenua Wastewater Joint Committee which as set up in accordance with the conditions of the previous consent. The condition ensures the ongoing engagement of the consent holder with tangata whenua over matters relating to the WWTP.
30	Discharge of an unusual nature have the potential to have adverse effects on both the enviornment and human health. It is therefore important that the Regional Council is aware of these as soon as possible, so that appropriate measures can be taken to ensure the protection of public health in the first instance.
31	It is important that the reason for any discharges of an unusual nature are identified so that hopefully they can be avoided in the future.
32	As the consent authority it is important that the Regional Council has the ability to obtain all relevant information from the consent holder relaing to this discharge, and its potential effects on the environment.