




Resource Consent

RESOURCE MANAGEMENT ACT 1991

Summary of decision – s127 variation

Consent No.	WGN060283	
Consent ID(s)	[37892] (new) [35255] (old) Discharge permit	
Name	Wellington City Council	
Address	PO Box 2199, Wellington 6140	
Duration of consent	Original date granted: 28 July 2010	Variation effective 1 April 2022
	Expires: 28 July 2035	
Purpose for which consent(s) is granted	To continuously discharge disinfected secondary (fully treated) effluent to the Wellington South Coast coastal marine area (Cook Strait in the vicinity of the Karori Stream Mouth) via an existing outfall.	
Location	Cook Strait in the vicinity of the Karori Stream Mouth at or about map reference NZMS 260: R27; 504.836	
Legal description of land	Coastal marine area	
Conditions	See below	

Decision recommended by:	Josh Knowles	Resource Advisor, Environmental Regulation	
Decision peer reviewed by:	Kirsty van Reenen	Resource Management Consultant for Environmental Regulation	
Decision approved by:	Jude Chittock	Team Leader, Environmental Regulation	

Processing timeframes:

Application lodged:	13/10/21	Application officially received:	13/10/21
Application stopped:	19/11/21	Application started:	15/02/22
Applicant to be notified of decision by:	04/04/22	Applicant notified of decision on:	01/04/22
Time taken to process application:	56 working days (s37 extension)		


The applicant provided written agreement ([060283-8-44](#)) on 30 March 2022 for an extension of timeframes under s37(1) to process the application. The extension is for 39 working days under sections s37A(5) of the Act.

The reason for the extension is:

- To agree on final revised conditions.

In making this decision Wellington Regional Council has given consideration to the following issues, as required by section 37A(1) of the Act:

- The interests of any person who the Council considers may be directly affected by the extension;
- The interests of the community in achieving adequate assessment of the effects of the proposal; and
- The Wellington Regional Council's duty under section 21 of the Act to avoid unreasonable delay.

Decision approved by:	Jude Chittock	Team Leader, Environmental Regulation	
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Conditions to Resource Consent WGN060283 [37892]

Activity

- 1.¹²³ The location and nature of the discharge shall be in accordance with the consent application and its associated plans and documents lodged with the Wellington Regional Council on 30 March 2006, and additional information received on:
 - 29 June 2006
 - 5 December 2014, 15 January 2015 and 12 August 2015 (change of consent conditions application)
 - 2 February 2018 (change of conditions application)
 - 13 October 2021 (change of conditions application) and 16 March 2022 (email from applicant confirming agreement to alternative wording)

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

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

2. The rate of discharge shall not exceed 200 litres per second (L/s) or 17, 280 cubic metres per day (m³/day).
3. The discharge point shall be from the existing outfall, at or about NZMS 260: R27; 504.836.

Guide to Western Wastewater Treatment Plant

4. Within six months of the commencement of this permit, the permit holder shall provide to the Manager, Environmental Regulation, Wellington Regional Council the following information:

a **brief description** of the treatment and disposal system, including a **site map** indicating the locations of all waste streams entering the treatment system, treatment device(s), points of discharge, monitoring sites and spill response equipment.

Community Liaison Group (CLG)

5. The permit holder shall establish a community liaison group (CLG) which shall act as a forum for consultation and liaison with the community and be used as a vehicle to provide information regarding the Western Wastewater Treatment Plant. The permit holder shall invite persons with an interest in participating in the CLG from the following groups:
 - representatives of local Tangata Whenua;
 - neighbouring and downstream landowners;

¹ Condition changed under s127 Resource Management Act, granted 2 September 2015

² Condition changed under s127 of the Resource Management Act, granted 6 June 2018

³ Condition changed under s127 of the Resource management Act 1991, granted 01 April 2022

- residents of South Karori Road;
- a representative from the Makara-Ohariu Community Board;
- a representative of the West Wellington Environmental Protection Society Inc;
- a representative of the permit holder; and
- a representative of the plant operator.

The permit holder may invite any other parties to attend.

A meeting of the CLG shall be held at least once every calendar year. Minutes of any CLG meetings held shall be forwarded to the Manager, Environmental Regulation, Wellington Regional Council and the permit holder shall report in writing to the Manager, Environmental Regulation, Wellington Regional Council, by 31 July each year on any consultation and activities undertaken with regard to the CLG. A copy of this report shall be forwarded to the CLG members.

Note: The permit holder shall not be in breach of this condition if, after taking all reasonable measures, and its best endeavours, it has not been possible to gain the requisite participation.

Treated Wastewater Monitoring

6. The permit holder shall continuously monitor and record the flow rate and volume of treated wastewater entering the outfall pipeline and the flow rate and volume of the wastewater discharged to the South Coast to the satisfaction of the Wellington Regional Council. A summary of the records listing the daily discharge volumes and the minimum, average and maximum monthly volumes shall be forwarded to the Manager, Environmental Regulation, Wellington Regional Council at quarterly intervals in accordance with condition (19) of this permit.
7. The permit holder shall provide a suitable wastewater sampling location for the effluent quality monitoring required by conditions (9a), (9b) and (9c) of this permit. The sampling station shall be located after the UV disinfection bank but prior to entry into the main outfall pipe.
8. All sampling techniques employed in respect of the conditions of this permit shall be acceptable to the Wellington Regional Council. All analyses undertaken in connection with this consent shall be performed by an International Accreditation New Zealand (IANZ) registered laboratory or otherwise as specifically approved by the Wellington Regional Council.

Effluent Quality

- 9.⁴
 - a) The permit holder shall, take daily 24-hour flow-proportioned composite sample of the treated wastewater discharged from the treatment plant to the South Coast. This sample shall be analysed for total suspended solids and 5-day biochemical oxygen demand (BOD5).
 - b) The permit holder shall daily between the hours of 9:00 am and 5:00 pm, obtain a representative grab sample of the treated wastewater discharged from the treatment plant to the South Coast. This sample shall be analysed for faecal coliforms.
 - c) The results of monitoring undertaken in accordance with conditions (9)(a) and (9)(b) of this permit shall be forwarded to the Manager, Environmental Regulation, Wellington Regional Council on a quarterly basis, in accordance with condition (19) of this permit.

⁴ Condition changed under s127 of the Resource management Act 1991, granted 01 April 2022

10.⁵⁶ The wastewater discharged from the Western Wastewater Treatment Plan to the South Coast shall comply with the following effluent quality criteria:

(i) BOD5

The geometric mean of any 90 consecutive daily sample results shall not exceed 20 g/m³, and no more than 18 sample results in any 90-day period (or 15 consecutive sample results in any 90-day period) shall exceed 50 g/m³.

(ii) Suspended solids

The geometric mean of any 90 consecutive daily sample results shall not exceed 30 g/m³ and no more than 18 sample results in any 90-day period (or 15 consecutive sample results in any 90-day period) shall exceed 80 g/m³.

(iii) Faecal Coliforms

The geometric mean of any 90 consecutive daily sample results shall not exceed 200 colony forming units per 100 ml and no more than 18 sample results in any 90-day period (or 15 consecutive sample results in any 90-day period) shall exceed 2,000 colony forming units per 100ml.

Compliance with the effluent quality criteria shall be determined from the results of wastewater monitoring undertaken in accordance with conditions (9) (a) and (9) (b) of this permit.

11.⁷ The permit holder shall report to the Manager, Environmental Regulation, Wellington Regional Council, immediately in the event that any 90 consecutive daily sample results, 18 sample results in any 90-day period or 15 consecutive sample results in any 90-day period exceed the values stipulated in condition 10 of this permit. Such a report shall include the likely reason for exceedance, and measures to be undertaken by the permit holder to remedy the situation. The permit holder shall also immediately notify the Medical Officer of Health of any such event.

12. In the event of a treatment failure that would result in a deterioration of effluent quality, and that would potentially cause a breach of conditions (13) or (14) of this permit, the permit holder shall advise the Manager, Environmental Regulation, Wellington Regional Council, as soon as is practicable.

If condition (14) is likely to be breached then the permit holder shall also advise the Medical Officer of Health.

Mixing Zone

13. The discharge shall not result in any of the following effects beyond a 50 metre radius of the discharge point:

- a) The production of any conspicuous oil or grease films, scums or foams suspended material;
- b) Any conspicuous change in colour or visual clarity;
- c) Any emission of objectionable odour; or

⁵ Condition changed under s127 of the Resource Management Act 1991, granted 2 September 2015

⁶ Condition changed under s127 of the Resource management Act 1991, granted 01 April 2022

⁷ Condition changed under s127 of the Resource management Act 1991, granted 01 April 2022

- d) Any significant adverse effect on aquatic life.
14. The discharge shall not result in any of the following effects beyond a 100 metre radius of the discharge point:
- a) The rendering of seafood's inedible by virtue of concentration of toxic substances; or
 - b) The rendering of seafood's inedible by virtue of concentration of micro-organisms.

Receiving Water Monitoring

15. The permit holder shall make a qualitative assessment (visual and olfactory) of the receiving waters beyond the mixing zone at least once each month to assess compliance with condition (13) of this permit, and make the results available to the Manager, Environmental Regulation, Wellington Regional Council, at three monthly intervals (in accordance with the requirements of condition (19) of this permit) or on request.
16. The permit holder shall collect representative coastal water samples from knee deep water at the following locations, once each month for five months through November to March inclusive (the bathing season) each year, for the duration of this permit:
- a) 100m SE of the outfall (map reference NZMS 260: R27; 504.835)
 - b) 200m SE of the outfall (map reference NZMS 260: R27; 504.834)
 - c) The Karori Stream, above the tidal influence
 - d) 100m NW of the mouth of the Karori Stream

Sampling shall be undertaken during dry, settled weather where practicable. Each of the water samples shall be analysed for faecal coliform and enterococci bacteria (cfu/100mL). The time of the sample collection, together with the weather and tidal conditions, observations of the sea state, stream colour and location of stream mouth (if at all) shall be recorded and reported with the analytical results.

Water samples taken during the months of January to March inclusive, shall also be analysed for the following parameters:

Ammoniacal nitrogen	g/m ³
Nitrite nitrogen	g/m ³
Nitrate nitrogen	g/m ³
Dissolved reactive phosphorus	g/m ³

The permit holder shall provide the results to the Manager, Environmental Regulation, Regional Council, by 30 April each year (as part of the quarterly report required by condition (19) of this permit), or on request.

17. The permit holder shall ensure that a survey is undertaken of marine intertidal and subtidal communities using a comparable methodology and at approximately the sampling locations described in the 2005 Cawthron Institute Report No. 1095 *A survey of effluent dilution/dispersion and subtidal marine ecology around the Karori West short ocean outfall* within 6 months of the 9th and 19th anniversaries of the commencement of this permit.

These surveys shall be undertaken by a *suitably* qualified and experienced coastal ecologist. The results of these studies shall be forwarded to the Manager, Environmental Regulation, Wellington Regional Council within three months of the surveys being undertaken.

Signage

18. Within three months of the commencement of this permit, the permit holder shall place and maintain appropriate signage on the shoreline approximately 200 metres to the southeast of the point of discharge and approximately 200m to the north, upstream of the Karori Stream mouth, containing wording that has been approved by the Manager, Environmental Regulation, Wellington Regional Council. The permit holder shall consult with Regional Public Health (RPH) regarding the wording of the signs prior to submitting them for approval to Wellington Regional Council.

The signage shall:

- a) provide clear identification of the location and nature of the discharge;
- b) provide information regarding the potential risk to public health from bathing or collecting shellfish for human consumption in the vicinity of the discharge;
- c) provide a 24-hour contact phone number; and
- d) be visible to the public visiting the area and legible from a distance of 50 metres without unnecessarily detracting from the visual amenity of the area.

Written confirmation of the signage placement accompanied by photographs of the signage shall be provided to the Manager, Environmental Regulation, Greater Wellington Regional Council within four months of the commencement of this permit.

Note: At the time of granting this consent, there is an existing sign in place to the outfall which has been approved by RPH. This condition ensures that a further sign to the south east is erected. If it is identical to the existing sign plus the 24 hour contact phone number, there is no requirement to obtain further agreement from Greater Wellington Regional Council and consult with RPH. However if signage changes in the future the permit holder will need to obtain approval from the Greater Wellington Regional Council and consult with RPH.

Reporting

19. A **quarterly monitoring report** for each three-month period ending 31 March, 30 June, 30 September and 31 December shall be provided to the Manager, Environmental Regulation, Wellington Regional Council within 30 days of the end of each three month period.

The quarterly report shall include, but not be limited to, the following:

The results of all monitoring undertaken, as required by conditions (6), (9)(a), (9)(b) and (25) of this permit. These results shall be provided in an electronic format and a hard-copy format; an assessment of compliance with conditions (6), (9)(a), (9)(b) and (15) of this permit; and reasons for any non-compliance and subsequent actions undertaken to remedy any non-compliance.

20. The permit holder shall provide to the Manager, Environmental Regulation, Wellington Regional Council an **annual monitoring report** for the period 1 July-30 June, by 31 July each year summarising compliance with the conditions of this permit. This report shall include, but not be limited to the following:

- a) a summary of all monitoring undertaken in accordance with the conditions of this permit and a critical analysis of the information in terms of compliance and adverse environmental effects;
 - b) a comparison of data with previously collected data in order to identify any emerging trends;
 - c) comments on compliance with the conditions of this permit;
 - d) any reasons for non-compliance or difficulties in achieving compliance with the conditions of this permit;
 - e) any measures that have been undertaken, to improve the environmental performance of the wastewater treatment and disposal system; and
 - f) any other issues considered important by the permit holder.
21. All monitoring and reporting undertaken in accordance with the conditions of this permit shall be to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

Main outfall pipeline

22.⁸ The permit holder shall prepare a **management and monitoring plan** for the outfall pipeline within three months of the commencement of this permit. This plan shall include, but not be limited to, the following elements:

- a) the procedures for pipeline inspections (including frequency, personnel, access arrangements, vegetation clearance, methodology);
- b) the procedures to be used for identifying faults in the pipeline (such as indicators that the pipeline or part of the pipeline may require repair or replacement);
- c) the procedures to be followed when undertaking repair or replacement works on the pipeline; and
- d) a requirement to undertake an annual review of the condition of the pipeline.

The management and monitoring plan shall specify an approach and the factors to be taken into account in this review (such as how the information will be reviewed in the context of the permit holder's asset management procedures, taking into account matters such as location of faults, nature of faults, condition of the pipeline, and expenditure); and

- e) procedures for notifying the landowners and Wellington Regional Council of leaks and the nature and timing of repair works.

The permit holder shall submit the plan to the Manager, Environmental Regulation, Wellington Regional Council for approval within three months of the commencement of this permit for the purposes of ensuring that it contains the information required by this condition, and that it includes the following commitments:

- f) inspections will be undertaken at least every 3 months; and
- g) any leaks detected will be repaired as soon as practicable.

⁸ Condition changed under s127 of the Resource Management Act 1991, granted 6 June 2018

The management and monitoring plan shall be implemented as soon as it has been approved by the Manager, Environmental Regulation, Wellington Regional Council.

Following its approval, the management and monitoring plan is to be reviewed and updated at any time, but at least once every five years by the permit holder, to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council. The review of the management and monitoring plan must include, but not be limited to, a review of all previous maintenance records to identify any trends in pipe failure type, frequency, severity and location and whether any changes need to be made to the management and monitoring plan based on this review.

Where the annual review undertaken in accordance with 22(d) above identifies the need for replacement or significant repair of the pipeline or part of the pipeline then, within 6 months of that identification being made, the consent holder shall submit an action plan to the Manager, Environmental Regulation, Wellington Regional Council outlining the actions to be undertaken and a timeframe in which those actions will occur.

Note: Requirements for the 2019 annual pipeline conditions assessment are outlined in condition 23b.

23. The permit holder shall submit an **annual report** for the main outfall pipeline, which addresses activities undertaken during the previous year, to the Manager, Environmental Regulation, Wellington Regional Council and members of the CLG, by 31 July each year.

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

- a) details of the location, extent and duration of any leakage or faults, and the timing, nature and success of remedial action taken to remedy the leaks or faults;
- b) details of any other works (including any repairs and replacements) undertaken during the past year; and
- c) any work planned in the next 12 months to repair or replace the pipeline.

- 23a.⁹ The consent holder shall prepare a report detailing whether the southern beach crossing of the main outfall pipeline is adequately protected and, if it is not adequately protected, what protection will be implemented. The report shall be submitted to the Manager, Environmental Regulation, Wellington Regional Council for approval by 31 July 2019. The report shall include, but not be limited to:

- A summary of the assessment undertaken to determine the adequacy of the existing pipeline protection at the southern beach crossing;
- Details of the section or sections of the main outfall pipeline, if any, which are at risk of damage from vehicle crossings at the beach;
- Details of options available to protect the main outfall pipeline from damage from vehicle crossings at the beach, if this is shown to be required;
- Details of the preferred option for protecting the main outfall pipeline at this location including why this option was chosen if this is shown to be required;
- A detailed timeline for the implementation of the preferred option, if this is shown to be required;
- Details of any maintenance required to ensure the main outfall pipeline is protected in this area and any updates required to the Management and Monitoring Plan, if this is shown to be required.

⁹ Condition added under s127 of the Resource Management Act 1991, granted 6 June 2018

If this is shown to be required, the measures to protect the main outfall pipeline from damage from vehicle crossings at the beach shall be implemented in accordance with the timeline set out in the report and maintained to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

Note: Any measures to protect the main outfall pipeline at the beach may require separate resource consents from Wellington Regional Council and/or Wellington City Council.

2019 pipeline condition assessment and action plan

23b.¹⁰ The consent holder shall engage a suitably qualified and experienced practitioner to: (i) undertake the following assessments as part of the 2019 annual review of the condition of the pipeline required under condition 22 (d); (ii) prepare a report on the results of the assessments; (iii) prepare an action plan; (iv) update the Management and Monitoring Plan; and (v) submit these to the Manager, Environmental Regulation, Wellington Regional Council for approval by 31 July 2019.

The purpose of this condition is to:

- Identify where replacement or repair of the pipeline is necessary;
- Establish an action plan including timeframes to undertake any necessary replacement or repair work;
- Update the Management and Monitoring Plan to ensure discharges from the main outfall pipeline to the Karori Stream are minimised.

The condition assessments shall include:

- An analysis of effluent chemical composition;
- Residual load bearing capacity testing of exhumed pipe sections;
- A structural assessment to determine pipe minimum allowable sound cross section for a range of structural load scenarios to inform assessment of structural risk failure;
- Detailed examination of the external surfaces of samples (undertaken to inform June 2017 GHD report) to clarify the mechanisms of deterioration and their effects on residual structural capacity;
- Corrosion rate measurements on de-passivated steel reinforcement of exhumed and in-situ pipe sections;
- Obtain samples from the Cook Strait end of the pipeline to assess chloride-induced corrosion risk.

The reports shall include, but not be limited to:

- The results of the condition assessments outlined above;
- An assessment of the results with respect to pipe integrity and replacement and repairs to the pipeline are necessary;
- An assessment of whether the rate of internal degradation of the pipeline as a result of effluent alkalinity needs to be reduced to prevent discharges from the main outfall pipeline to the Karori Stream, and a proposal to implement any required changes;
- An action plan which sets out how any necessary pipeline replacement and/or repairs will be undertaken and by when;
- An updated Management and Monitoring Plan in accordance with condition 22;

The conditions assessments, report, action plan and updated Management and Monitoring Plan shall be to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

¹⁰ Condition added under s127 of the Resource Management Act 1991, granted 6 June 2018

Replacement and repairs to the main outfall pipeline shall be undertaken by the consent holder in accordance with the approved action plan and to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.

24. [Deleted]¹¹
25. The permit holder shall collect representative water samples from the Karori Stream at the following locations, once every fortnight for the duration of this permit:
- a) Karori Stream at Friend Street (map reference NZMS 260: R27; 554.901)
 - b) Karori Stream at Campbell Street (map reference NZMS 260: R27; 554.900)
 - c) Karori Stream at South Karori Road (map reference NZMS 260: R27; 540.880)
 - d) Karori Stream approximately 100 metres upstream of the Western Treatment Plant (map reference NZMS 260: R27; 523.872)
 - e) Karori Stream 100 metres approximately downstream of the Western Treatment Plant (map reference NZMS 260: R27; 523.871)

The water samples shall be analysed for faecal coliforms (cfu/100mL). The time of the sample collection, together with the weather conditions shall be recorded and reported with the analytical results.

The permit holder shall provide the results of this monitoring to the Manager, Environmental Regulation, Wellington Regional Council, quarterly, in accordance with the requirements of condition (19) of this permit, or on request.

26. [deleted]¹²

Review conditions

- 27.¹³ Within six months of the 9th and 19th anniversaries of the commencement of this permit, the permit holder shall provide to the Manager, Environmental Regulation, Wellington Regional Council, a **Monitoring and Technology Review Report**. The assessment required by the report shall be undertaken by a suitably qualified and experienced New Zealand specialist or specialists in wastewater treatment and disposal. The report and particularly the assessment in clause (g) below shall be undertaken in consultation with representatives of local Tangata Whenua and the Community Liaison Group. Consultation with local Tangata Whenua and the Community Liaison Group must include inviting these groups to participate in a Best Practicable Option assessment workshop.

The report shall be to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council and shall detail:

- the assessment required in clauses a) to h) below;
- the consultation undertaken with the community and local Tangata Whenua;
- the outcomes of the Best Practicable Option workshop with local Tangata Whenua and the Community Liaison Group, whether full agreement was reached at the workshop or where full

¹¹ Condition deleted under s127 of the Resource Management Act 1991, granted 6 June 2018

¹² Condition 26 as originally proposed, was deleted in Coastal permit (No. SAR-05-01-01-07 A) for the continuous discharge of disinfected secondary (fully treated) effluent to the Wellington South Coast coastal marine area, granted by the Minister of Conservation on 28 July 2010. The decision of the Environment Court dated 28 June 2010 (Decision [2010] NZEnvC 220 ENV-2007-WLG-000011, 14 & 15), states the reason as due to the proposed condition requiring the permit holder to provide the Regional Council with a list of all known sewer pipeline faults by 31 December 2007, and this date has passed and the information supplied, therefore the condition is no longer required.

¹³ Condition changed under s127 of the Resource Management Act 1991, granted 6 June 2018

agreement was not reached the nature of the disagreements and the reasons why the permit holder does not accept the views of other parties regarding the Best Practicable Option

- the option that the permit holder considers to be the Best Practicable Option; and
- a plan which sets out the actions that are proposed to be undertaken to implement the Best Practicable Option (s), including actions relating to the resource consents for overflow discharges to Karori Stream WGN060283 [35674] and [35675] and maintenance of the main outfall pipeline WGN160340 [34178] and [34179], and when these actions will be undertaken.

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

- a) Ongoing compliance with the requirements of this permit particularly in relation to any reported non-compliance with consent conditions;
- b) An assessment of compliance/consistency with any relevant national, or regional water quality policies, standards or guidelines in effect at the time;
- c) An assessment of the results of the permit holder's monitoring undertaken in accordance with this permit including the adequacy and scope of such monitoring;
- d) A summary of any improvements made to the reticulation, treatment or disposal system since the granting of this permit;
- e) An assessment of any actual or potential effects of the discharges from the WWTP to the coastal marine area and Karori Stream, including leaks from the main outfall pipeline, irrespective of whether those effects are in accordance with the conditions of this permit;
- f) An outline of technological changes and advances in relation to the wider Karori wastewater network¹⁴, including inflow and infiltration management, wastewater management, treatment, disposal and beneficial use technologies, which may be available to address any residual adverse effects identified in accordance with clause (e); and the potential for reducing or eliminating these effects; and
- g) An assessment of whether any such options or combination of options represent the Best Practicable Option, as defined in the Resource Management Act, to avoid, remedy or further mitigate the effects of the discharges.
- h) An assessment of each option against the provisions of the relevant planning documents (including the NZ Coastal Policy Statement, the National Policy Statement for Freshwater Management, the Regional Policy Statement and any operative and proposed regional plans).

Note: It is not intended that separate reports be produced in relation to this condition under resource consents WGN060283 [35255], [25227], [35674] and [35675], but that one report shall encompass all the discharge permits. In respect of condition 27(b) this shall include an assessment of any relevant standards or guidelines with respect to endocrine disrupting chemicals, pharmaceuticals and persistent organic pollutants

27a.¹⁵ The permit holder shall commence implementation of the action plan, prepared as part of the Monitoring and Technology Review Report, by 1 July 2020.

¹⁴ For the purposes of this condition, the wider Karori wastewater network means the system of pipes and pump stations upstream of the WWTP, the WWTP itself and the outfall pipelines from the WWTP.

¹⁵ Condition added under s127 of the Resource Management Act 1991, granted 6 June 2018

28. Wellington Regional Council may review any or all conditions of this permit by giving notice of its intention to do so pursuant to section 128 of the Resource Management Act 1991, within six months of the fifth, tenth, and fifteenth anniversary of the commencement of this permit, or within six months of the receipt of the reports required by conditions (24) or (28) of this permit, for any of the following reasons:

- a) To review the adequacy of, and if necessary amend the monitoring requirements outlined in this permit;
- b) To address any adverse effects on the environment arising from the exercise of this permit;
- c) To require implementation of Best Practicable Option, including new treatment technology where appropriate, to avoid, remedy or mitigate any significant adverse effect on the environment arising from the discharge, or
- d) To address any adverse effects identified in the reports required by conditions 23 and 27.

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

29. The Wellington Regional Council shall be entitled to recover from the permit holder the costs of any review, calculated in accordance with and limited to the Council's scale of charges in-force and applicable at that time pursuant to section 36 of the Resource Management Act 1991.

Reasons for decision report

1. Background and proposal

The Wellington City Council commissioned its Western Wastewater Treatment Plant (WWTP) in 1998. The WWTP provides secondary biological treatment with ultraviolet disinfection for wastewater collected within the City's western suburb of Karori. There is very little industrial activity which contributes to the wastewater to be treated. The plant is located in South Karori Road and the treated wastewater is conveyed via a 6.2km outfall pipeline to an ocean outfall on Wellington's south coast.

Currently effluent quality compliance for the continuous wastewater discharge is managed by conditions 9, 10, and 11 of WGN060283 [35255].

- The existing condition 9 requires that a representative 24-hour flow-proportioned composite sample and a representative grab sample of the treated wastewater discharged from the treatment plant are collected on at least 20 occasions per month and provided to the manager Environmental Regulation, Wellington Regional Council on a quarterly basis.
- Condition 10 sets BOD⁵, suspended solids and faecal coliform limits for the geometric mean and allows 2 out of 20 daily samples per month (i.e., 10%) to breach the relevant contaminant concentration compliance limits. This effectively makes this a 90th percentile standard of the first 20 sample results taken each calendar month.
- Condition 11 requires the consent holder to report to the Manager Environmental Regulation, Wellington Regional Council if the limits in condition 10 are breached.

Note: Please refer to the full wording of the existing conditions in section 4.1 below.

Under section 127(1) of the Resource Management Act (1991), Wellington Water Limited (the Applicant) has applied to change the effluent quality conditions 9, 10, and 11 of WGN060283 [35255].

This s127 application proposes to change the Western WWTP's current effluent monitoring requirements from a fixed calendar period, to a 90-day rolling period. This proposed s127 amendment is sought to provide regional consistency as well as simplified monitoring and reporting for effluent discharges. The changes initially sought by the Applicant would:

- Change condition 9 from requiring representative 24-hour flow-proportioned composite samples and representative grab samples be **collected on at least 20 occasions per calendar month** to requiring **daily**

24-hour flow-proportioned composite samples and representative grab samples be taken.

- Change the current monitoring requirements from the fixed calendar period (the first 20 samples of a calendar month), to a 90-day rolling **geometric mean limit and 80th percentile limit**.
- Change condition 11 to reflect the change in how compliance with the limits in condition 10 is determined.

2. Consultation

Iwi authority	Comments
Port Nicholson Block Settlement Trust	The application was circulated to Port Nicholson Block Settlement Trust in accordance with the agreement between the iwi and GWRC. No comments were provided from Ngāti Toa.
Ngāti Toa Rangatira	The application was circulated to Ngati Toa in accordance with the agreement between the iwi and GWRC. No comments were provided from Ngāti Toa.
Other parties or persons	Comments
Juliet Milne, Resource Management Scientist for NIWA	I consulted Ms Milne on the water quality impacts of this change to the continuous discharge effluent quality conditions. Ms Milne’s comments are included in section 4 below.
Regional Public Health	On 10 November 2021 I consulted Regional Public Health on this consent application. No comments have been received from regional public health.
Wellington City Council	Wellington City Council is the consent holder of WGN060283, own the land on which the wastewater treatment plant operates, and jointly own Wellington Water Limited who are responsible for the management of the Western Wastewater Treatment Plant. Siobhan Procter Chief Infrastructure Officer at Wellington City Council provided her written approval of the proposed change of conditions on 23 March 2022.

3. Notification decision

A decision was made to process the application on a non-notified basis on 17 March 2022. Further information on the notification decision is provided in document #[060283-8-40](#).

4. Environmental effects

The applicant provided an Assessment of Environmental Effects (AEE) with the application.

This section provides an assessment of the effects of the proposed activity on the environment. Information has been drawn from the application provided by the applicant and other information sourced during the processing of the application.

A full assessment of environmental effects was made during the consenting process for WGN060283. Therefore, this assessment focusses on the potential environmental effects of changing effluent quality monitoring conditions.

The environmental effects of the proposed s127 variation relate to the water quality impacts within the receiving environment.

4.1 Water Quality

The proposal will change the way the effluent quality sampling is carried out and the way that the results are used for measuring compliance. There will be no change to the numeric contaminant concentration limits of the criteria, only the number of samples on which compliance is assessed and how compliance is assessed. Similarly, there will be no change to how the WWTP is operated, therefore the change is largely administrative in nature.

However, the proposed change to the compliance monitoring conditions creates a potential for an increased proportion of daily samples with elevated contaminant concentrations to be discharged without breaching the conditions of the consent.

The existing Condition 10 allows 2 out of 20 daily samples per month (i.e., 10%) to breach the relevant compliance limits. This effectively makes Condition 10 a 90th percentile standard. The Applicant proposed that 18 (20% of) sample results per 90 days of daily sampling should be able to breach relevant compliance limits.

The proposed 80 percentile limit proposed by the Applicant could potentially allow for an increased proportion of daily samples with elevated contaminant concentrations to be discharged without breaching the conditions of the consent.

However, the Applicant sets out that under the existing compliance monitoring the 30 or 31 samples are taken each month. Therefore, currently the relevant contaminant compliance limits do not apply for the last 10 (or 11) samples taken each month. Therefore, the current compliance monitoring effectively permits up to 12 exceedances in each 30-day period (40%), or 36 permitted exceedances per 90-day period.

Juliet Milne, Resource Management Scientist for NIWA reviewed this for me and commented that she considers the sought change is administration-oriented and not intended to allow for a decrease in effluent quality. However, the Applicant's proposed 80th percentile approach would allow for up to 16 exceedances of the relevant compliance limits in a rolling 90-day period. And that there is potential for all those exceedances to occur in a consecutive 16-day period (e.g., as potentially might arise if there was a prolonged WWTP malfunction). Under such a scenario, the Applicant would still comply with the consent but a lower quality effluent would be discharging to the South Coast for a prolonged period and potentially with a greater risk of adverse effects on the receiving waters.

An alternative was proposed by Ms Milne to allow for the change to the 80 percentile limit as sought by the Applicant, but to prevent a continuous discharge of elevated contaminant concentrations for longer than is allowed under the existing conditions. The alternative is a further amendment to Condition 10 to include a limit of no more than 15 consecutive samples in any 90-day period can exceed the relevant numerical compliance limits.

Wellington Water Limited agreed to this proposed change. The proposed amended wording is as follows:

Additions are in **bold** and deletions ~~striketrough~~

Condition Number:	Condition:
Existing Condition 1	<p>The location and nature of the discharge shall be in accordance with the consent application and its associated plans and documents lodged with the Wellington Regional Council on 30 March 2006, and additional information received on:</p> <ul style="list-style-type: none"> • 29 June 2006 • 5 December 2014, 15 January 2015 and 12 August 2015 (change of consent conditions application) • 2 February 2018 (change of conditions application) <p>Where there may be contradictions or inconsistencies between the application and further information provided by the applicant, the most recent information applies. In addition, where there may be inconsistencies between information provided by the applicant and conditions of the permit, the conditions apply.</p> <p><i>Note: Any change from the location, design concepts and parameters, implementation and/or operation may require a new resource consent or a change of consent conditions pursuant to section 127 of the Resource Management Act 1991.</i></p>

<p>New Condition 1</p>	<p>The location and nature of the discharge shall be in accordance with the consent application and its associated plans and documents lodged with the Wellington Regional Council on 30 March 2006, and additional information received on:</p> <ul style="list-style-type: none"> • 29 June 2006 • 5 December 2014, 15 January 2015 and 12 August 2015 (change of consent conditions application) • 2 February 2018 (change of conditions application) • 13 October 2021 (change of conditions application) and 16 March 2022 (email from applicant confirming agreement to alternative wording) <p>Where there may be contradictions or inconsistencies between the application and further information provided by the applicant, the most recent information applies. In addition, where there may be inconsistencies between information provided by the applicant and conditions of the permit, the conditions apply.</p> <p><i>Note: Any change from the location, design concepts and parameters, implementation and/or operation may require a new resource consent or a change of consent conditions pursuant to section 127 of the Resource Management Act 1991.</i></p>
<p>Existing Condition 9</p>	<p>a) The permit holder shall, on at least 20 occasions per calendar month, obtain a representative 24-hour flow-proportioned composite sample of the treated wastewater discharged from the treatment plant to the South Coast. This sample shall be analysed for total suspended solids and 5-day biochemical oxygen demand (BOD5).</p> <p>b) The permit holder shall at on at least 20 occasions each calendar month, on separate days between the hours of 9:00 am and 5:00 pm, obtain a representative grab sample of the treated wastewater discharged from the treatment plant to the South Coast. This sample shall be analysed for faecal coliforms.</p> <p>c) The results of monitoring undertaken in accordance with conditions (9)(a) and (9)(b) of this permit shall be forwarded to the Manager, Environmental Regulation, Wellington Regional Council on a quarterly basis, in accordance with condition (19) of this permit.</p>
<p>New Condition 9</p>	<p>a) The permit holder shall, on at least 20 occasions per calendar month, obtain a representative take daily 24-hour flow-proportioned composite sample of the treated wastewater discharged from the treatment plant to the South Coast. This sample shall be analysed for total suspended solids and 5-day biochemical oxygen demand (BOD5).</p> <p>b) The permit holder shall at on at least 20 occasions each calendar month, on separate days daily, between the hours of 9:00 am and 5:00 pm, obtain a representative grab sample of the treated</p>

	<p>wastewater discharged from the treatment plant to the South Coast. This sample shall be analysed for faecal coliforms.</p> <p>c) The results of monitoring undertaken in accordance with conditions (9)(a) and (9)(b) of this permit shall be forwarded to the Manager, Environmental Regulation, Wellington Regional Council on a quarterly basis, in accordance with condition (19) of this permit.</p>
Existing condition 10	<p>The wastewater discharged from the Western Wastewater Treatment Plan to the South Coast shall comply with the following effluent quality criteria:</p> <p>(i) <i>BOD5</i></p> <p>The geometric mean of the first 20 sampling results taken in any calendar month shall not exceed 20 g/m³ and no more than two of those first 20 sample results shall exceed 50 g/m³.</p> <p>(ii) <i>Suspended solids</i></p> <p>The geometric mean of the first 20 sampling results taken in any calendar month shall not exceed 30 g/m³ and no more than two of those first 20 sample results shall exceed 80 g/m³.</p> <p>(iii) <i>Faecal Coliforms</i></p> <p>The geometric mean of the first 20 sampling results taken in any calendar month shall not exceed 200 colony forming units per 100 ml and no more than two of those first 20 sample results shall exceed 2,000 colony forming units per 100ml.</p> <p>Compliance with the effluent quality criteria shall be determined from the results of wastewater monitoring undertaken in accordance with conditions (9) (a) and (9) (b) of this permit.</p> <p><i>Note: Where the consent holder takes more than 20 samples during any calendar month, the geometric mean calculated for condition 10 must only be of the first 20 consecutive samples. All samples after the 20th sample in any calendar month shall be disregarded for the geometric mean calculation. All sample results are to be provided to Wellington Regional Council in the quarterly report required by condition 19.</i></p>
New condition 10	<p>The wastewater discharged from the Western Wastewater Treatment Plan to the South Coast shall comply with the following effluent quality criteria:</p> <p>(i) BOD5</p> <p>The geometric mean of any 90 consecutive daily sample results shall not exceed 20 g/m³, and no more than 18 sample results in any 90-day period (or 15 consecutive sample results in any 90-day period) shall exceed 50 g/m³.</p> <p>The geometric mean of the first 20 sampling results taken in any calendar month shall not exceed 20 g/m³ and no more than two of those first 20 sample results shall exceed 50 g/m³.</p> <p>(ii) Suspended solids</p>

	<p>The geometric mean of any 90 consecutive daily sample results shall not exceed 30 g/m³ and no more than 18 sample results in any 90-day period (or 15 consecutive sample results in any 90-day period) shall exceed 80 g/m³.</p> <p>The geometric mean of the first 20 sampling results taken in any calendar month shall not exceed 30 g/m³ and no more than two of those first 20 sample results shall exceed 80 g/m³.</p> <p>(iii) Faecal Coliforms</p> <p>The geometric mean of any 90 consecutive daily sample results shall not exceed 200 colony forming units per 100 ml and no more than 18 sample results in any 90-day period (or 15 consecutive sample results in any 90-day period) shall exceed 2,000 colony forming units per 100ml.</p> <p>The geometric mean of the first 20 sampling results taken in any calendar month shall not exceed 200 colony forming units per 100 ml and no more than two of those first 20 sample results shall exceed 2,000 colony forming units per 100ml.</p> <p>Compliance with the effluent quality criteria shall be determined from the results of wastewater monitoring undertaken in accordance with conditions (9) (a) and (9) (b) of this permit.</p> <p><i>Note: Where the consent holder takes more than 20 samples during any calendar month, the geometric mean calculated for condition 10 must only be of the first 20 consecutive samples. All samples after the 20th sample in any calendar month shall be disregarded for the geometric mean calculation. All sample results are to be provided to Wellington Regional Council in the quarterly report required by condition 19.</i></p>
Existing condition 11	<p>The permit holder shall report to the Manager, Environmental Regulation, Wellington Regional Council, immediately in the event that a geometric mean and/or 95 percentile effluent quality value calculated at the end of each calendar month exceeds the criteria stipulated in condition 10 of this permit. Such a report shall include the likely reason for exceedance, and measures to be undertaken by the permit holder to remedy the situation. The permit holder shall also immediately notify the Medical Officer of Health of any such event.</p>
New condition 11	<p>The permit holder shall report to the Manager, Environmental Regulation, Wellington Regional Council, immediately in the event that any 90 consecutive daily sample results, 18 sample results in any 90-day period or 15 consecutive sample results in any 90-day period exceed the values geometric mean and/or 95 percentile effluent quality value calculated at the end of each calendar month exceeds the criteria stipulated in condition 10 of this permit. Such a report shall include the likely reason for exceedance, and measures to be undertaken by the permit holder to remedy the situation. The permit holder shall also immediately notify the Medical Officer of Health of any such event.</p>

4.2 Summary of effects

Given the assessment above, it is considered that the effects of the proposed change of conditions are, or will likely be no more than minor.

5. Statutory assessment

5.1 Part 2

Part 2 of the Act outlines the purposes and principles of the Act. Section 5 defines its purpose as the promotion of the sustainable management of natural and physical resources. Sections 6, 7 and 8 of Part 2 define the matters a consent authority shall consider when achieving this purpose.

I am satisfied that the granting of the application is consistent with the purpose and principles in Part 2 of the Act.

5.2 Matters to be considered – Section 104-108AA

The original decision provided a detailed assessment of the activity against Section 104-108AA of the Act. I have assessed the change of conditions application against that assessment and consider that the proposed change is consistent with that assessment.

Since the original decision, the Proposed Natural Resources Plan (decisions version) was publicly notified on 31 July 2019.

The technical reviewer is comfortable that the final agreed wording will not result in a worse quality discharge (and therefore adverse effects) (as set out in the assessment of environmental effects above). Therefore, I am satisfied that the change of conditions application is consistent with the relevant objectives and policies of the operative regional plans and in the Proposed Natural Resources Plan (decisions version).

Additionally, since the original decision, the Essential Freshwater rules and regulations have come into effect including the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 and the National Policy Statement for Freshwater Management 2020. Both of which came into effect on 03 August 2020.

I am satisfied that the change of conditions application is consistent with the relevant objectives and policies in the National Policy Statement for Freshwater Management (2020). There are no additional or new matters that need to be considered.

5.3 Weighting of the Proposed Natural Resources Plan

As the conclusion reached under the operative Regional Plans assessment is consistent with that reached under the Proposed Natural Resources Plan there is no need to undertake a weighting exercise between the two Plans.

6. Duration of consent

Under section 127(1)(b) of the Act, no consent holder may apply for a change of the consent duration and so the consent expiry date will remain 28 July 2035 as consented under WGN060283.

7. Monitoring

This S127 process does not alter the compliance monitoring program for this consent.