

## Decision on notification of a resource consent application under the Resource Management Act 1991

**Applicant:** Watercare Services Ltd

**Site address:** Central Interceptor Catchment, western Auckland Isthmus

**Proposal:** Watercare is seeking resource consent to authorise ongoing and future wastewater network discharges from the Central Interceptor catchment.

This application is for both the local network and regional or trunk network.

### Resource consents:

#### Regional consents

##### Auckland Council Regional Plan: Air, Land and Water

- Application for discharge consents from a wastewater network and combined wastewater and stormwater network. This is a restricted discretionary activity under Rule 5.5.11.

##### Auckland Council Regional Plan: Coastal

- Application for discharge consents from a wastewater network and combined wastewater and stormwater network. This is a restricted discretionary activity under Rule 5.5.11.

##### Proposed Auckland Unitary Plan

- Discharge consents from a wastewater network and a combined wastewater and stormwater network. These consents are a restricted discretionary activity under Part 3 Chapter 14 Rule H.4.6.1.

The proposal has been assessed overall as a restricted discretionary activity.

## Notification Decision

Having read the application, supporting documents, specialist comments, all reports, recommendations on the application and the decision in relation to the Greater Auckland Wastewater Network Consent - R/REG/2013/3743 and R/REG/2013/3755 (to the extent it is relevant to this proposal), the panel is satisfied that they have sufficient information to consider the matters required by the Resource Management Act 1991 (the RMA) to make a decision.

Under section 95A this application shall not be publicly notified for the reasons set out below:

1. Section 5.5.11A of the ALWP states:

*“Applications for restricted discretionary activities shall be considered without public notification or the need to serve notice of the application on affected persons in accordance with Schedule 95A(3) and 95B(2) of the RMA, unless specifically requested by the applicant or required by a rule or national environmental standards. However the application may be publicly notified if in the opinion of the Auckland Council there are special circumstances justifying public notification in accordance with section 95A(4) of the RMA.”*

2. There are no rules or national environmental standards which would require notification or limited notification of this application.
3. We were the independent commissioners who considered notification issues associated with the Greater Auckland Wastewater Network Consent and determined that the application was appropriately dealt with on a non-notified basis. While the geographic coverage of the Greater Auckland Network Consent is different to this proposal, the same principles and issues relating to that application and consent apply.

In summary, we found that for the Greater Auckland Wastewater Network Consent:

- (a) The presumption of the ALWP was that the application should be dealt with on a non-notified basis.
- (b) The consent was to legitimise existing discharges and set in place a programme to reduce the frequency and volume of wastewater discharges. In the circumstance where an existing situation was being significantly enhanced, then this in itself did not trigger issues of

special circumstance. We were of the view that it was preferable to bring the network under an integrated regulatory framework which reinforced an improvement programme. These matters were fully understood and could appropriately be dealt with by the Council and that there was no need to obtain additional information or different perspectives through the notification process.

The same principles as set out above apply to this application, but are even more pronounced as the Central Interceptor will achieve an approximate 80% reduction in the volume of wastewater discharges to the environment. The number of outfalls that are regularly triggered is predicted to reduce significantly in an average year of rainfall.

- (c) We also turned our mind to the critical issue of the impact of wastewater discharges on tangata whenua values. We reached the view that non-notification was appropriate due to:
- the non-notification presumption within the plan,
  - the level of engagement and ongoing consultation with iwi,
  - critically the conditions of consent around iwi consultation and review clauses of the consent, and
  - given the above any adverse effects would be addressed accordingly

The same reasons are applicable in this case.

4. Furthermore, the applicant has proposed, and we accept, the same consent conditions regarding iwi engagement and consultation and the same review clauses, albeit that the primary review of the Best Practicable Option for the Central Interceptor catchment does not trigger until after the Central Interceptor has been built and a clear understanding of its operation identified.
5. In addition to the factors above, it is also noteworthy that the primary works package for the Central Interceptor was fully publicly notified. We accept that this has triggered five appeals. The current appeals give the appellants the appropriate vehicle to challenge Watercare's assessment of alternatives and the specific issues of concern to the appellants including the physical works issues and construction effects.
6. Given the above, the facts of this case and for the reasons set out in this decision, we do not find that there reasons or special circumstances warranting notification or limited notification.
7. With respect to the adverse effects on the environment we find that they will be no more than minor. In particular:
  - (i) This application is for a restricted discretionary application, with the Auckland Council Air, Land, Water Plan (ALWP) under Rule 5.5.11

and 5.5.11A and Proposed Auckland Unitary Plan (PAUP) under Chapter G Rule 2.2.4. having a presumption of non-notification.

- (ii) There are already substantial wastewater overflow discharges occurring across the Central Interceptor catchment area that are affecting the streams in, and harbours bordering, this catchment. The granting of this consent will enable works to be undertaken that substantially improve the environmental wellbeing of the streams and harbours by reducing the volume of wastewater overflows by around 80%.
  - (iii) There is no additional information or technical understanding which notification or limited notification would highlight that would impact the assessment of this application.
  - (iv) Important matters of interest to tangata whenua can appropriately be addressed and dealt with through conditions offered by the applicant (and accepted by us) and
  - (v) The reasons given in R/REG/2013/3743 and R/REG/2013/3755 under the headings Public Notification and Special Circumstance ( paras 20 -39).
8. There is no district or regional rule or national environment standard that requires public notification and the applicant has not requested it.
9. There are no other reasons, including special circumstances, to warrant notification.

Under section 95B this application shall not be limited notified because:

- 1. There are no adversely affected persons because of the reasons set out above and the effects on any person would be less than minor.
- 2. There are presently no protected customary rights groups or marine title groups in the region affected by this proposal, and
- 3. The reasons given in R/REG/2013/3743 and R/REG/2013/3755 under the heading Limited Notification (paras 40 - 47) also applies to this application.

Accordingly, this application shall proceed on a **NON-NOTIFIED** basis.

**Duty Commissioners**

Date 31<sup>st</sup> August 2014

**Greg Hill (Chair) and**

**William Kapea**



**Decision on a resource consent  
application under section 88 of the  
Resource Management Act 1991**



**Section 133A Amended Version 12 September  
2014**

Having read the application, supporting documents, specialist comments, all reports, recommendations on the application and the decision in relation to the Greater Auckland Wastewater Network Consent - R/REG/2013/3743 and R/REG/2013/3755 (to the extent it is relevant to this proposal), the panel is satisfied that they have sufficient information to consider the matters required by the Resource Management Act 1991 (the RMA) to make a decision.

Under sections 104, 104C, 105, 107, and Part 2, these resource consents are **GRANTED**.

The reasons for this are:

- (i) The granting of this consent will provide an integrated comprehensive management approach for the wastewater component of the combined network within the Central Interceptor catchments.
- (ii) The Best Practicable Option process initiated by the legacy councils and completed by Watercare demonstrates that the Central Interceptor as proposed is the best practical option for dealing with wastewater from the combined network in the western portion of the Auckland Isthmus.
- (iii) The granting of this consent will bring all the current wastewater overflow discharges under a comprehensive regulatory consent framework which will enable better management and ongoing enhancement of the network.

- (iv) The granting of this consent, works associated with it and the commissioning of the Central Interceptor will result in a significant reduction of wastewater overflow discharges into the environment, along with reducing the frequency in which this is currently occurring.
- (v) In dry and wet weather events, the number of outfalls identified is expected to reduce significantly based on current modelling.
- (vi) The commissioning of the Central Interceptor provides an opportunity to capture the “first flush” stormwater runoff contaminants which currently discharge directly into the receiving environment. It also provides a number of options to capture and remove these contaminants at source, inline or at end of pipe.
- (vii) This consent will accommodate the Point Chevalier separation works resulting in a healthier recreational amenity and coastal marine environment.
- (viii) This consent will result in demonstrably reduced adverse effects on the environment including recreational, amenity, social and cultural values, to the extent that it meets the provisions of part 2 of the Resource Management Act and sections 105 and 107 of the Act.
- (ix) This consent will significantly assist in restoring the mauri around Motu Manawa Marine Reserve, Meola Reef and the upper Waitemata harbour in general.
- (x) This consent includes a range of operational and procedural commitments (as conditions of consent) by Watercare which will ensure the successful operation of the network and the appropriate response to any issues or problems that occur within the network.
- (xi) The conditions of consent ensure the adequate and appropriate management of the effects of any overflow discharge.
- (xii) The conditions of consent set in place an appropriate level of ongoing engagement and consultation with iwi.
- (xiii) The conditions of consent set in place an appropriate ongoing engagement and consultation with other operators and key stakeholders.
- (xiv) The review clause provides a medium to long term safety valve should there be any major new and different advances in wastewater technology or should unexpected and significant information come to hand over the life of this consent. This gives the opportunity for a full review of discharges from the network.

- (xv) For all of the reasons set out above, those in the officer's recommendation report and in the application documents and given the condition of consent, the consent is consistent with the relevant regional plans, the New Zealand Coastal Policy Statement and the Hauraki Gulf Marine Park Act. Consenting to this proposal also meets the purpose of the Resource Management Act as set out in sections 5 to 8 of that Act. This is because the proposal will enable the better management of Auckland's growth, the more efficient management of the wastewater network while over time significantly reducing the adverse effects relating to the discharge of wastewater.

## Conditions

Under section 108, this consent is [or] these consents are subject to the following conditions:

### **Central Interceptor Catchment Network** **Comprehensive Wastewater Network Discharge Permit**

<b>Applicant</b>	Watercare Services Limited
<b>Permit Number</b>	R/REG/2013/3763 (overflows to land and water) R/REG/2013/3764 (overflows to the coastal marine area)
<b>Site Address</b>	This consent covers existing and future discharges from the wastewater network in the Central Interceptor Catchment, as shown in Attachment 1.
<b>Proposal</b>	<p>This consent authorises the discharge of wastewater from the Consent Holder's existing and identified future public wastewater network servicing the Central Interceptor Catchment to land, freshwater and coastal receiving environments in accordance with section 15(1)(a) and (b) of the Resource Management Act 1991, during times of dry and wet weather flow, that may occur as a result of network blockages and failures; network damage by third parties; failure at pump stations or storage facilities; and capacity constraints.</p> <p>This consent also authorises any wastewater discharges authorised under other resource consents obtained in the future by the Consent Holder or third parties, once transferred to the Consent Holder for inclusion as part of this comprehensive consent.</p> <p>This consent is for the Consent Holder's <i>Existing Network</i> and</p>



*Future Network* as specified in the Site Location, within the Auckland metropolitan area.

**Duration of Consent:** This consent shall expire on 5 June 2049.

### Site Access

1. The Consent Holder shall ensure that access to relevant parts of the *Network* is available at all reasonable times to the Auckland Council or its agents for the purpose of carrying out inspections, surveys, investigations, tests, measurements and to take samples.

### Documentation

2. Subject to such amendments as may be required by the conditions of this consent, the consent shall be exercised in general accordance with the following documents:
  - a. **Attachment 1:** Map of the Network in the Central Interceptor Catchment, current in August 2014
  - b. **Attachment 2:** Schedule of Engineered Overflow Points in the Existing Central Interceptor Catchment\_Network, current in February 2014
  - c. **Attachment 3:** Best Practicable Option (BPO) Methodology
  - d. **Attachment 4:** Methodology for Prioritising Catchments and Wastewater Network Improvement Works
  - e. **Attachment 5:** Methodology for the Assessment of Effects of Wet Weather Wastewater Overflows
  - f. **Attachment 6:** Matters to be addressed in the Wastewater Network Strategy
  - g. **Attachment 7:** Operation and Maintenance Procedures for the Conventional (Gravity) Wastewater Network
  - h. **Attachment 8:** The Wastewater Overflow Regional Response Manual
  - i. **Attachment 9:** Template for the Annual Network Performance Report
  - j. **Attachment 10:** Definitions
  - k. **Attachment 11:** Generic Assessment of Ecological and Recreational Effects (NIWA, April 2013)
  - l. A copy of the Greater Auckland Wastewater Network Consent - R/REG/2013/3743 and R/REG/2013/3755.

### Manager's Certification Process

3. The Consent Holder shall obtain *Manager's Certification* for:



- The Wastewater Network Improvement Works Programme set out in the *Wastewater Network Strategy* (condition 13);
  - The *Wastewater Network Strategy* (condition 23);
  - A *New or Replacement Overflow Point* that does not comply with condition 24; and
  - A *New or Replacement Overflow Point* that does not comply with condition 26.
  - The scope and timing of the upgrade works as outlined in condition 55.
4. In seeking the *Manager's* Certification required under condition 23, the Consent Holder shall provide sufficient information to demonstrate that:
- a. the *Wastewater Network Strategy* (including the Wastewater Network Improvement Works Programme) has addressed the matters set out in **Attachment 6**;
  - b. the *Wastewater Network Strategy* (including the Wastewater Network Improvement Works Programme) was developed in accordance with the *Best Practicable Option* (BPO) Methodology set out in **Attachment 3**;
  - c. the *Wastewater Network Strategy* (including the Wastewater Network Improvement Works Programme) was prioritised in accordance with the Methodology for Prioritising Catchments and Wastewater Network Improvement Works set out in **Attachment 4**;
  - d. any assessment of effects and risk necessary to develop the *Wastewater Network Strategy* (including the Wastewater Network Improvement Works Programme) was undertaken in accordance with the Methodology for the Assessment of Effects of Wet Weather Wastewater Overflows set out in **Attachment 5**.
  - e. the *Wastewater Network Strategy* (including the Wastewater Network Improvement Works Programme) accounts for the specified population scenario and planning horizon set out in the previous Wastewater Network Strategy as updated to include the relevant proposed or operative Unitary Plan zoning, densities and population growth trends.
5. In seeking the *Manager's* Certification required under Conditions 24 and 26 the Consent Holder shall provide sufficient information to demonstrate that:
- a. the receiving environment for the discharges has been identified and classified in accordance with the Methodology for the Assessment of Effects of Wet Weather Wastewater Overflows (**Attachment 5**);
  - b. the public health and ecological risk of the discharges has been determined in accordance with the Methodology for the Assessment of Effects of Wet Weather Wastewater Overflows (**Attachment 5**);
  - c. the programme of works specifies the performance standards, scope of the works and other measures that define the *Best Practicable Option*, with the likely timing for implementation of the works.

6. For the purpose of conditions 4 and 5 on request of either the *Manager* or the Consent Holder, the Council may appoint an independent reviewer or planning technician to undertake a planning assessment and recommendation report, and may submit a request and any assessment report to an Independent Commissioner for the decision on the issuance of the *Manager's* Certification.

## CONSULTATION

### General Consultation

7. During the preparation and review of the *Wastewater Network Strategy* (including the Wastewater Improvement Works Programme) that is prepared in accordance with condition 13, the Consent Holder shall *consult* with the parties listed below on the proposed Wastewater Network Improvement Works Programme, the effects of discharges on receiving environments, and how the proposed Wastewater Network Improvement Works are prioritised:
  - a. Auckland Council;
  - b. Local Boards;
  - c. Auckland Regional Public Health Service;
  - d. Other wastewater network utility operators within *Auckland*, where the networks of those operators are directly or indirectly affected, or affect the same receiving environment;
  - e. Stormwater network utility operators within *Auckland*.

The Consent Holder shall report back to those parties listed above who engaged in consultation on the outcomes and final form of the *Wastewater Network Strategy*.

### Iwi Consultation

8. Prior to and during the preparation and review of the *Wastewater Network Strategy*, including the Wastewater Network Improvement Works Programme, the Consent Holder shall:
  - a. Inform iwi authorities with mana whenua interests within *Auckland* of the intention to prepare a *Wastewater Network Strategy* three (3) months prior to commencing the preparation or review, and the timetable and opportunities for these authorities to engage in the preparation of the *Wastewater Network Strategy*.
  - b. Engage and consult with iwi authorities with mana whenua interests within *Auckland* over the draft *Wastewater Network Strategy*, including receiving environment classifications, cultural values and all discharges to land and water.

- c. Report back to iwi authorities with mana whenua interests within *Auckland*, and Auckland Council, on the outcomes and final form of the *Wastewater Network Strategy*.

## DISCHARGE CHARACTERISTICS

9. Prior to completion of the *Central Interceptor works* the Consent Holder shall manage the Central Interceptor Catchment *Network* to minimise wastewater discharges in accordance with conditions 31 to 35.
10. Following the completion of the *Central Interceptor works*, the Consent Holder shall manage the Central Interceptor Catchment *Network* to achieve an 80% reduction in the average annual wastewater overflow volume discharged from the Central Interceptor Catchment *Network* by 2030. Compliance with this condition will be assessed using a hydraulic model of the *Network*, with *Network* performance measured both with and without the *Central Interceptor works* (compared for the 2001 to 2005 rainfall record).
11. The Consent Holder shall manage the Central Interceptor Catchment *Network* so that *Dry Weather Overflows* only occur as a result of network failure including breakages, blockages, third party damage and mechanical or power failure at pump stations or storage facilities.

## WASTEWATER NETWORK PLANNING

### Interim Approach to Wastewater Network Planning

12. Prior to adoption of the first *Wastewater Network Strategy* in 2017, the Consent Holder shall undertake wastewater network planning in accordance with the conditions of this consent and the Central Interceptor Catchment Area Network Discharges - Resource Consent Applications and Assessment of Effects on the Environment, September 2013.

### Wastewater Network Strategy

13. The Consent Holder shall prepare, review and update a *Wastewater Network Strategy* every six years, and implement the Wastewater Network Improvement Works Programme set out in the *Wastewater Network Strategy*.
14. The Consent Holder shall prepare the first *Wastewater Network Strategy* by 30 June 2017.
15. The *Wastewater Network Strategy* shall address the matters set out in **Attachment 6** and conditions 16 to 22.
16. Prior to the 2017 *Wastewater Network Strategy*, the Methodology for the Assessment of Effects of Wet Weather Wastewater Overflows in **Attachment 5** shall be amended to:

- a. Classify the receiving environments in accordance with the description of receiving environments set out in **Attachment 5**.
  - b. Include a Wetland receiving environment type category. This receiving environment type shall be described and assessed using the same principles and approach used for the existing receiving environment types, set out in the Generic Assessment of Ecological and Recreational Effects (NIWA, April 2013) in **Attachment 11**.
  - c. Include an assessment of the potential temporal and spatial cumulative public health and ecological effects of wastewater discharges, using the same principles and approach set out in the Generic Assessment of Ecological and Recreational Effects (NIWA, April 2013) in **Attachment 11**.
17. The *Wastewater Network Strategy* shall:
  - a. Address any changes in discharge characteristics (as set out in updates of Schedule 2); and
  - b. In the case of the 2017 *Wastewater Network Strategy*, address any changes in receiving environment classification, including reclassifying all commonly used beaches where contact recreation (bathing) occurs as a *Class 1 Recreational Receiving Environment*.
18. The preparation of the *Wastewater Network Strategy* shall have particular regard to those *Engineered Overflows Points* that have a very high or high public health or ecological risk profile (as established through applying the Methodology for the Assessment of Effects of Wet Weather Wastewater Overflows in **Attachment 5**).
19. When preparing the *Wastewater Network Strategy*, the Consent Holder shall investigate *Engineered Overflow Points* that are known to discharge more than 12 times per year to determine whether there are any appropriate short-term measures to manage conspicuous oil or grease films, scum or foam, or floatable or suspended materials that may be visible at the point of discharge to the environment, and provide this analysis together with the details and timing of any proposed works with the *Wastewater Network Strategy*.
20. The *Wastewater Network Strategy* population assumptions shall be based on an assessment of future growth taking into account the proposed or operative Unitary Plan zonings, densities and population growth trends.
21. The *Wastewater Network Strategy* shall:
  - a. update the information on discharge frequency, duration and assumed volumes for the *Engineered Overflow Points* in **Attachment 2** so that any BPO assessments that may be necessary are based on the most recent information available;
  - b. comment on the extent to which the Wastewater Network Improvement Works Programme undertaken over the previous six years has resulted in improved compliance with conditions 9 and 10;

- c. comment on the extent to which the Wastewater Network Improvement Works Programme to be undertaken over the next six years is expected to result in compliance with condition 9 and 10.
22. The Wastewater Network Improvement Works Programme set out in the *Wastewater Network Strategy* shall be determined using the Best Practicable Option (BPO) Methodology set out in **Chapter 2 of Attachment 3**, provided that for those parts of the network within the Central Interceptor catchment serviced by the combined network, this clause shall not apply to the 2017 and 2023 Wastewater Network Strategy.
23. The Consent Holder shall provide a copy of the *Wastewater Network Strategy* to the *Manager* and obtain *Manager's* Certification that the Wastewater Network Improvement Works Programme set out in the *Wastewater Network Strategy* has been determined in accordance with the BPO methodology set out in **Chapter 2 of Attachment 3** and following the catchment and wastewater network improvement works prioritisation process set out in **Attachment 4**.

### Existing Network

24. The Consent Holder may discharge from any *Replacement Engineered Overflow Point* within the *Existing Network* provided that the discharge characteristics remain the same or less
25. Where the Consent Holder seeks to undertake works under condition 24, the Consent Holder shall give written notice to the *Manager* as soon as practicable after the *Replacement Engineered Overflow Point* has been commissioned, but prior to the commencement of construction.
26. The Consent Holder may discharge from any *New Engineered Overflow Point* within the *Existing Network* provided that the discharge characteristics under conditions 9 and 10 are satisfied, and the location of the *New Engineered Overflow Point* is not in a *Class 1 Recreational Receiving Environment*.
27. If a *Replacement* or *New Engineered Overflow Point* within the *Existing Network* does not comply with the requirements set out in conditions 24 or 26 respectively, or discharges to a SEA-M1 Area, the Consent Holder shall:
  - a. determine an alternative discharge frequency (ADF) for that *Engineered Overflow Point* using the BPO methodology set out in **Chapter 3 of Attachment 3**; and / or
  - b. determine the location of that *Engineered Overflow Point* using the BPO methodology set out in **Chapter 4 of Attachment 3**.

The work required by the Consent Holder shall depend on whether a new location is proposed, and whether the *Discharge Targets* are met.



28. No discharge is allowed to a *Tangata Whenua Management Area* as identified in the *Regional Plan: Coastal*, or an equivalent area in the Unitary Plan where discharges are a *Prohibited Activity*.
29. Prior to construction of the *Replacement* or *New Engineered Overflow Point*, or concurrent with the lodgment of other necessary resource consent applications, the Consent Holder shall obtain *Manager's Certification* that the determination of the ADF in accordance with condition 27a and/or the determination of the location of the discharge from the *Replacement* or *New Engineered Overflow Point* in accordance with condition 27b was undertaken in accordance with the BPO methodology set out in **Chapters 3 and/or 4 of Attachment 3**.

### **Provisions for Urban Growth and Intensification**

30. Upon request from Auckland Council, the Consent Holder shall review any Wastewater Capacity Assessment prepared by an applicant relating to a proposed subdivision, development or rezoning to determine whether any issues with the capacity of the network or scope of this consent arise.

## **WASTEWATER NETWORK OPERATION**

### **Minimisation of Wastewater Discharges**

31. The Consent Holder shall minimise wastewater discharges from the *Network* through undertaking the following activities:
  - a. Scheduling planned maintenance of *Engineered Overflow Points* for times of expected *Dry Weather Flow*.
  - b. Continuously monitoring, through telemetry, pump stations (*Type 1 Overflow Points*) that have the potential to overflow wastewater to the environment and have a contributing catchment equivalent population of 100 or more persons.
  - c. Inspecting, maintaining and assessing the condition of *Network* assets, specifically pipelines, pipe bridges, siphons, rising mains, overflow structures, storage facilities and pump stations in general accordance with the Operations and Maintenance Procedures for the Conventional (Gravity) Wastewater Network (**Attachment 7**).
  - d. Investigating the cause of *Repeat Dry Weather Overflows* and implementing measures to avoid a re-occurrence of similar *Dry Weather Overflows* in the future.
32. The Consent Holder may review and update the Operations and Maintenance Procedures for the Conventional (Gravity) Wastewater Network (**Attachment 7**) and/or the Wastewater Overflow Regional Response Manual (**Attachment 8**) as required.

33. The Consent Holder shall, on request, provide a copy of the current Operations and Maintenance Procedures for the Conventional (Gravity) Wastewater Network (**Attachment 7**) and/or the Wastewater Overflow Regional Response Manual (**Attachment 8**) to the *Manager*.

### **Minimisation of Effects of Wastewater Discharges**

34. The Consent Holder shall minimise the adverse effects of wastewater discharges from the *Network* by responding to *Wastewater Overflows* in general accordance with the Wastewater Overflow Regional Response Manual provided in **Attachment 8**, and specifically the following requirements:
- a. Appropriately experienced personnel must visit the *Engineered Overflow Point* within 60 minutes of a *Dry Weather Overflow* being reported to the Consent Holder, for 80% of the reported *Dry Weather Overflows*.
  - b. Where numerous *Wet Weather Overflows* and/or numerous *Dry Weather Overflows* occur simultaneously across the *Network*, the visits required under condition 34a shall be prioritised on the basis of the following criteria (in order of importance):
    - i. any public health issues;
    - ii. the scale and significance of environmental effects;
    - iii. the consequences of delay, compared to the consequences of visiting other *Engineered Overflow Points* in the *Network*.
35. Any *Dry Weather Overflow* responded to in accordance with condition 34 shall:
- a. Be contained to prevent wastewater from entering water;
  - b. Where this is not possible, the volume of wastewater entering water shall be minimised to the extent practicable;
  - c. Be cleaned up so that all visible residue is removed;
  - d. Be disinfected to prevent people coming into contact with wastewater or wastewater residue.

### **Discharges to Land**

36. The Consent Holder shall manage any *wastewater overflows* to private property in accordance with the procedures set out in the Wastewater Overflow Regional Response Manual in **Attachment 8**.
37. No *New* or *Replacement Engineered Overflow Point* shall be located on private property without the *Manager* receiving written consent from the property owner that they agree to the location of the *Engineered Overflow Point*.



### Other Operational Measures

38. The Consent Holder shall notify *Reported Wastewater Overflows* to the Auckland Council and the Auckland Regional Public Health Service in accordance with the timeframes set out in clause 8.2.3 of the Wastewater Overflow Regional Response Manual in **Attachment 8**, and shall respond to the incident in accordance with the processes set out in this Manual, including information updates to the Council.
39. The Consent Holder shall maintain records of *Wastewater Overflows* and make them available, on request, to the *Manager*.

### Management of Inflow and Infiltration

40. The Consent Holder shall establish an ongoing programme to investigate the extent of inflow and infiltration within the separated wastewater network, and identify where specific inflow and infiltration remedial works are likely to reduce wastewater overflows.
41. The Consent Holder shall undertake specific inflow and infiltration remedial works identified through the wastewater network inflow and infiltration programme required under condition 40 within two years of the need for the specific remedial works being identified.
42. The Annual Network Performance Report required under condition 50 shall include reporting on the wastewater network inflow and infiltration programme and any specific remedial works.

### Erosion Protection

43. The Consent Holder shall ensure that all *Type 1 Engineered Overflow Points* and their associated structures, where a discharge may cause scouring, incorporate operational erosion control measures.
44. The overflow structures associated with *Type 1 engineered overflow points* shall be inspected in accordance with the procedures set out in the Operation and Maintenance Procedures for the Conventional (Gravity) Wastewater Network (**Attachment 7**).
45. Following the inspection undertaken in accordance with condition 44, the Consent Holder shall undertake any necessary remediation works to ensure bank erosion and bed scour effects from overflows are minimised.
46. The Consent Holder shall make records relating to inspections undertaken in accordance with condition 44 available to the *Manager* upon request.

### MONITORING AND REPORTING

### **Wastewater Network Performance**

47. The Consent Holder shall ensure that the performance of the *Network* is monitored in accordance with condition 31b and provide the relevant records to the *Manager* upon request.
48. The Consent Holder shall give written notice to the *Manager* as soon as practicable after a *New Engineered Overflow Point* has been commissioned, but prior to the commencement of construction.
49. The Consent Holder shall, on an annual basis, update the Schedule of Engineered Overflow Points (**Attachment 2**) to identify the following:
  - a. Any further *Engineered Overflow Points* identified by the Consent Holder within the *Existing Network* not already listed in **Attachment 2**. Once identified, these further *Engineered Overflow Points* become subject to this consent;
  - b. Any *Engineered Overflow Points* that have been *decommissioned* and are no longer subject to this consent and are therefore to be deleted;
  - c. Any *New Engineered Overflow Points* within the *Existing Network* authorised under conditions 24, 26 or 27;
  - d. Any *Engineered Overflow Points* previously authorised by another consent that has been included in this comprehensive discharge permit.
50. The Consent Holder shall provide an Annual Wastewater Network Performance Report to the *Manager* on 30 September of each year. This report shall provide the information specified in the Template for the Annual Network Performance Report (**Attachment 9**), and include the annually updated version of **Attachment 2**.

### **Recreational and Ecological Effects**

51. The Consent Holder shall undertake a targeted monitoring programme with the objective of confirming that the application of the Methodology for the Assessment of Effects of Wet Weather Wastewater Overflows in **Attachment 5** results in an appropriate assessment of recreational, public health and ecological effects.
52. The Consent Holder shall, within 12 months of this consent being granted, provide an outline monitoring plan setting out the scope, methodology, and timing of the proposed targeted monitoring programme to the satisfaction of the *Manager* for approval.
53. On request of either the *Manager* or the Consent Holder, the Council may appoint an independent expert reviewer to undertake an assessment of the appropriateness of the outline monitoring plan.
54. The scope, methodology, and timing shall include:
  - a. A methodology for collecting appropriate data on wastewater overflows,

their characteristics and the changes (if any) caused in identified receiving environments.

- b. A methodology for analysing the data collected to ensure that the results are capable of achieving the targeted monitoring programme's objective.
  - c. A description of how the monitoring design will take account of and integrate data from existing monitoring programmes undertaken by third parties (if any) to support spatial and temporal trend analysis and assessing the influence of other factors (not related to wastewater overflows).
  - d. The expected timeframe over which the monitoring programme will be undertaken to achieve its objective. The generic monitoring programme must be a minimum of three years duration but not exceeding five years duration.
  - e. The exception to the timing required under Condition 54(d) is that for the Central Interceptor catchment, the monitoring programme of selected sites in the relevant streams and at the stream mouth to the harbour shall be undertaken following completion of the Central Interceptor main project works commencing in 2024.
55. The Consent Holder shall undertake a programme of flow monitoring on the separated system on Point Chevalier peninsula to identify the remaining high inflow and infiltration areas, and on the basis of this monitoring, confirm the scope and timing of further separation works. These works shall be subject to the Managers certification under condition 3.
56. Following the conclusion of the targeted monitoring programme required under condition 51, the Methodology for the Assessment of Effects of Wet Weather Wastewater Overflows in **Attachment 5** shall be revised (if necessary) to reflect the increased accuracy derived from the collected and analysed data.
57. The status of the targeted monitoring programme shall be reported in the Annual Network Performance Report required under condition 50.

### Telemetry Monitoring Devices

58. The Consent Holder shall install telemetry devices for *Type 1 Overflow Points* in accordance with condition 31b) to measure occurrence, frequency and duration of overflows by February 2016, to enable the monitoring results to inform the 2017 *Wastewater Network Strategy* and subsequent reviews of the *Wastewater Network Strategy*.

## INFORMATION

### **Provision of Information to the Public**

59. The Consent Holder shall make the following information publicly available and update this information when necessary:
- a. General information on the wastewater network and material about undertaking works in the vicinity of wastewater pipes, to help prevent accidental damage that could result in wastewater discharges.
  - b. Information about wastewater and stormwater drainage, and the need and reasons for ensuring that service connections on properties drain into the appropriate system, including advice for property owners on how this can be achieved.
  - c. General information for private property owners who believe they may have cross connections about how they can test for this and rectify it.
  - d. Information about the general function and operation of the wastewater network, including information about the nature of wet weather wastewater overflows and information directed at raising awareness about the potential effects on the receiving environment.
  - e. Information about the location of *Engineered Overflow Points* that are known to discharge at high volume more than 12 times per year, and the risk of contact recreation at these locations following periods of heavy rain.
60. The Annual Network Performance Report required under condition 50 shall include an overview of the information provided, including whether any updates have occurred and how the information was made available.

### **REVIEW**

61. The Auckland Council may review the conditions of this consent pursuant to section 128 of the RMA, by giving notice pursuant to section 129 of the RMA, in the case of the local network five years after commencement of this consent and in the case of the regional network / central interceptor tunnel ten years after the commencement of this consent; and thereafter not more frequently than five years, in order to deal with any significant adverse effect on the environment that may arise from the exercise of the consent and that was not apparent at the time of the granting of the consent, or to enable water quality standards set by a rule in an operative Unitary Plan to be met.

- 62 Auckland Council may, every 12 months after the date of the commencement of this consent, serve notice on the Consent Holder under section 128(1)(a)(i) and/or (iii) of the RMA to review the conditions of this consent, to ensure the conditions of this consent adequately address any adverse effects that are the subject of specific conditions in either a privately held consent within the Existing or Future Network that has been transferred to the Consent Holder, or other resource consents obtained by the Consent Holder that the Consent Holder wishes to include as part of this Comprehensive Wastewater Network Discharge Permit.

## ADMINISTRATIVE CHARGES

- 63 The consent holder shall pay the Council's full and reasonable costs in carrying out its functions in terms of certification and monitoring under this consent. The consent holder shall pay the appropriate Council time charge for professional and management staff involved in exercising the functions under this consent.

## LIST OF ATTACHMENTS

**Attachment 1:** Map of the Network in the Central Interceptor Catchment, current in February 2014

**Attachment 2:** Schedule of Engineered Overflow Points in the Existing Central Interceptor Catchment Network, current in February 2014

**Attachment 3:** Best Practicable Option (BPO) Methodology

**Attachment 4:** Methodology for Prioritising Catchments and Wastewater Network Improvement Works

**Attachment 5:** Methodology for the Assessment of Effects of Wet Weather Wastewater Overflows

**Attachment 6:** Matters to be addressed in the Wastewater Network Strategy

**Attachment 7:** Operation and Maintenance Procedures for the Conventional (Gravity) Wastewater Network

**Attachment 8:** The Wastewater Overflow Regional Response Manual

**Attachment 9:** Template for the Annual Network Performance Report

**Attachment 10:** Definitions

**Attachment 11:** Generic Assessment of Ecological and Recreational Effects (NIWA, April 2013)

Pursuant to section 133A of the Resource Management Act 1991, a minor correction to insert the expiry date for this consent has been made to the above set of conditions and now replaces those granted on 31 August 2014 .

**Duty Commissioners**

Date 12 September 2014

**Greg Hill (Chair) and**

**William Kapea**

