



Coastal Permits – 105288 & 101706/2

CONSENT GRANTED

To

Wanganui District Council

To

Discharge diluted wastewater and stormwater to the Tasman Sea from the existing ocean outfall, South Beach, and to change the conditions of Coastal Permit 101706/1

SUBJECT TO THE ATTACHED CONSENT CONDITIONS

Location

Address for activity:

South Beach, Wanganui

Map reference:

NZMS260 R22: 813-344

NZTopo50 BL32: 713-727

Details of Resource Consent

Granted:

19 September 2011

Expiry:

1 July 2026

Review:

July 2013, 2016, 2018 and 2021



**DECISION ON AN APPLICATION FOR A NOTIFIED
COASTAL PERMIT (DISCHARGE) AND A CHANGE OF CONDITIONS TO
A COASTAL PERMIT (DISCHARGE)
UNDER THE RESOURCE MANAGEMENT ACT 1991**

CONSENT HOLDER

Wanganui District Council
P O Box 637
Wanganui Mail Centre
WANGANUI 4540

DECISION DATE 19 September 2011	FILE REFERENCE 6/2/WDC
CONSENT NUMBER 105288 101706/2	CONSENT TYPE Coastal Permit (Discharge to water) Coastal Permit (Discharge to water)
ADDRESS FOR ACTIVITY 1,800 metres of South Beach, Wanganui	MAP REFERENCE NZMS260 R22:813-344 NZTopo50 BL32:713-727
CONSENT PLANNER Sara Cook	

1. APPLICATION

Coastal Permit – 105288 – Discharge

The applicant, Wanganui District Council (WDC), has applied for a resource consent to discharge diluted wastewater and stormwater to water from the existing ocean outfall at South Beach, when flows at the Beach Road pumping station exceed 1,120 litres per second (1,120 l/sec), at a maximum flow of 1,600 litres per second (1,600 l/sec). The annual frequency of the discharge has been calculated as 0.37%.

The proposed discharge is a result of stormwater inflow and groundwater infiltration resulting in flows through the Beach Road pumping station that exceed the capacity of the pumps to pump it to the Wanganui District Council Wastewater Treatment Plant (WWTP).

The applicant has sought a term of 15 years for this resource consent with an expiry date aligned with the expiry date of Coastal Permit 101706/1 of 30 June 2026.

Further information was requested pursuant to section 92 of the Resource Management Act 1991 on 9 April 2010 and was received on 23 June 2010.

Change of Conditions to Coastal Permit – 101706/2 - Discharge

The applicant, WDC, has applied to change conditions 3, 4 and 8 of Coastal Permit 101706/1. Coastal Permit 101706/1 authorises the discharge of partially treated wastewater, including trade waste and domestic sewage until 30 June 2007, and the discharge of fully treated wastewater, tradewaste and domestic sewage for a term expiring on 30 June 2026, to the Tasman Sea, at the existing ocean outfall, South Beach, Wanganui.

The applicant seeks a change to condition 3, to remove the date distinction (30 June 2010) of changes to screen size which the effluent is passed through. The applicant is seeking to change the requirement of differing screen sizes to be based on flow rates, specifically bypass flows, which are greater than 1,120 l/s.

The applicant seeks to delete condition 4, which requires only treated wastewater to be discharged after 30 June 2010 and is sought as a result of application 105288 (above).

The applicant seeks a change to condition 8, to refer explicitly to the treated wastewater rather than the discharge, not resulting in the production of any conspicuous oil or grease films, scum or foams, or floatable or suspended materials; or any emission of objectionable odour; or any conspicuous change in colour or clarity.

2. THE SITE

The proposed discharge is to the Tasman Sea via the existing ocean outfall, 1,800 metres off South Beach.

The discharge is located within the Seawater Management Zone.

3. PLANNING ASSESSMENT

Coastal Permit – 105288 - Discharge

3.1 Regional Coastal Plan (2002)

The discharge of diluted primary treated (screened) wastewater and stormwater is a Discretionary Activity and a Restricted Coastal Activity under RCP Rule 4 (4.1) as the discharge includes human sewage. The discharge does not breach the standards in RCP Rule 1 or Section 107 of the Resource Management Act.

3.2 Proposed One Plan (2007)

The discharge of diluted primary treated (screened) wastewater and stormwater is a Discretionary Activity and a Restricted Coastal Activity under POP Rule 17-35 as it is a discharge of human sewage that has not passed through soil or a wetland, and is relying on the provisions of section 107(2)(a) of the Resource Management Act.

Change of Conditions to Coastal Permit – 101706/2 – Discharge

Under Section 127(3)(a) of the Resource Management Act, it is stated that all change of condition applications are to be considered as a Discretionary Activity. Therefore, this application to change conditions of Coastal Permit 101706/2 is considered a Discretionary Activity.

3.3 Overall Assessment Based on Regional Plans

The proposal is assessed as a Discretionary Activity and a Restricted Coastal Activity under the Regional Coastal Plan, the Proposed One Plan and Section 127(3)(a) of the Resource Management Act 1991.

4. NOTIFICATION

With regard to notification, section 117(5) of the Resource Management Act 1991 states that *“the consent authority must publicly notify the application”* with regards to restricted coastal activities.

The application was publicly notified in accordance with section 117(5) of the Resource Management Act 1991 (the Act) on 3 July 2010. 21 parties were directly served notice of the resource consent application. At the close of the submission period on 4 August 2010, three submissions had been received. There is one neutral submission and two submissions in opposition.

The following provides a summary of the submissions:

Terry O’Conner

Terry O’Conner opposes the application made by Wanganui District Council.

Terry O’Conner has the following specific concerns with the application:

- i. The consent does not specifically instruct that the Council must take immediate steps to rectify the problems that make this discharge necessary; and
- ii. The Council has a policy of growth for both the city and the industry. As the present waste treatment facility cannot cope with the present discharges the consent needs a restriction on new development until:
 - a. The present problems are fixed; and
 - b. The facilities to treat the wastes of new subdivision/industry/site developments such as AFFCO’s proposed plan to bring eight digesters/hide treatment plants down from Wiri are in place either on the development site or as part of the WWTP.

Terry O’Conner requests the following decision on the application:

- i. Specifically instruct that the Council takes immediate steps to rectify the problems that make this discharge necessary e.g. complete sewage separation and locate sources of runoff that means the WWTP plant and associated pumps cannot cope.
- ii. A restriction is placed on new developments until:
 - a. The present problems are fixed and the WWTP is upgraded to cope with all wastes that need treating;
 - b. The facilities to treat the wastes of new subdivision/industry/site developments such as AFFCO’s proposed plan to bring eight digesters/hide treatment plants down from Wiri are in place either on the development site or as part of the WWTP; and
 - c. No new industries or extension of existing industries that will create an increase in heavy metal pollution are to be allowed until a suitable treatment plant or recovery plant is in operation.

Terry O’Conner does not wish to be heard in support of his submission.

Sustainable Whanganui Trust

Sustainable Whanganui Trust opposes the application made by Wanganui District Council.

Sustainable Whanganui Trust has the following specific concerns with the application:

- i. Concerned to see request for extension to the discharge of partially treated sewage and waste at the South Beach outfall when this application extends well past the date for public separation of stormwater from the sewage system, and the probable maturity of the biological media in the treatment plant.
- ii. Concerned that there seems no limit set on how much and over what time span partial untreated sewage and trade waste can be discharged at South Beach.
- iii. Concerned that this discharge is called partially treated sewage and trade waste when it has only been physically screened and its biological and chemical make up has not actually been altered in any way.
- iv. Concerned about what happens to heavy metals discharged through the South Beach outfall. The whole of Wanganui was a traditional kai moana gathering area and we believe we all should work towards ensuring it is safe to do this again. This is part of the Proposed One Plan. Appalled that even the 'safest' beaches in this area are not yet safe to collect shellfish from.
- v. Concerned there is no guarantee that ensures there will not be discharges of sewage or trade waste into the Whanganui River.
- vi. Questions if there is a need for the Trade Waste Bylaw to have higher standards, whether it needs more teeth or needs to be more strictly enforced?

Sustainable Whanganui Trust requests the following decision on the application:

- i. Opposes the extension for the discharge past 2017. This is two years after the separation process is due to be completed, and this should give adequate time to allow for any problems or non-compliance.
- ii. Would like to see a limit set on the amount of discharge allowed and this amount to decrease to nothing over the next seven years.
- iii. We feel that it is a misnomer to call this discharge treated at all.
- iv. If the applicant is unable to guarantee that no heavy metal comes through its South Beach outfall it should be making industries creating this waste collect it on their site and safely remove it from their waste.
- v. Assurance that no waste or trade discharge goes into the Whanganui River.

Sustainable Whanganui Trust wished to be heard in support of their submission. As a result of the pre-hearing meeting and the circulation of draft conditions, Sustainable Whanganui Trust withdrew their wish to be heard in writing on 23 May 2011.

Director-General of Conservation

The Director-General opposes the application made by Wanganui District Council.

The Director-General has the following specific concerns with the application:

- i. The preservation of the natural character of the coastal environment (including the coastal marine area) is described as a matter of national importance in s6(a) of the Resource Management Act 1991. The Wanganui Conservation Management Strategy 1997 elaborates that "*the long term survival of the natural character of the coastal environment depends on the maintenance of species diversity and the*

protection of the life supporting capacity of the sea". The proposed bypass discharge and change of conditions have potential for significant adverse effects on these natural character values.

- ii. Detailed monitoring and review programmes will be essential in order to enable the consenting authority to require changes to the management regime, should significant adverse effects on the marine ecosystem be found to be occurring.
- iii. The proposed monitoring programme should, where possible, differentiate between the effects arising from the three fundamental sources of contaminants in this location which are: the treated wastewater, the Whanganui River and the bypass events.
- iv. By their nature shellfish are particularly sensitive to wastewater contamination and should therefore be closely monitored after each bypass event.
- v. The application predicts that the frequency of bypass events is expected to decrease with ongoing infrastructure improvements. The Department considers that, as this is an important element of the application, any consent approval should reflect this in terms of requiring reporting on continuous improvements, review conditions and the expiry date.

The Director-General requests the following decision on the application:

- i. Condition(s) that require the consent holder to report annually to the consent authority detailing what steps have been taken and what steps are proposed to be taken to reduce infiltration and stormwater ingress into the sewage network;
- ii. Condition(s) that require a review of the consent to be undertaken should the average number of bypass events not show a significant (or steady) decrease within a reasonable timeframe;
- iii. Condition(s) that require monitoring programme(s) to include all reasonable measures to distinguish between the above-mentioned three sources on contamination. For example faecal sterol analysis could help distinguish between animal derived coliforms from the river and human derived coliforms from the wastewater;
- iv. Condition(s) that require appropriate shellfish monitoring to be carried out after each bypass event;
- v. Condition(s) that require (trigger) a review of the conditions of consent should monitoring or new information indicate that significant adverse effects are occurring; and
- vi. Should such conditions not be imposed, the consent should be declined.

The Director-General wished to be heard in support of his submission. As a result of the pre-hearing meeting and the circulation of draft conditions, the Director-General withdrew his wish to be heard in writing on 6 May 2011.

5. PRE HEARING MEETING

A pre-hearing meeting was held on 9 November 2011 at the recommendation of the Manawatu-Wanganui Regional Councils to see if agreement and clarification on the issues raised by submitters could be reached. Ms Clare Barton was appointed to facilitate the meeting. A number of action points were confirmed at the pre-hearing including the circulation of draft conditions.

6. SECTION 104

I have assessed this application with respect to the relevant statutory planning matters under section 104. Only the sections of statutory documents relevant to this application have been assessed in this report.

6.1 Environmental Effects

The Manawatu-Wanganui Regional Council's Environmental Scientist – Water Quality, Logan Brown has reported on these applications.

Schedule AA/AB Assessment

The discharge occurs in the Coastal Marine Area and in the Seawater Management Zone. In the Proposed One Plan (2010) the Seawater Management Zone in the vicinity of the discharge point has been identified for the following social, economic, cultural and environmental values:

- Inanga spawning
- Whitebait migration
- Contact recreation
- Amenity
- Mauri
- Shellfish gathering
- Industrial abstraction
- Capacity to assimilate pollution
- Existing infrastructure

Assessment against the Proposed One Plan 2010 Water Quality Targets

The Seawater Management Zone contains a number of water quality targets. It is acknowledged that due to the discharge point being 1,800 metres offshore, and the calculations undertaken with regards to predicted water quality and effects, it is difficult to assess compliance with a number of these targets. In addition, requiring monitoring of some of these targets would also be difficult due to the location of the discharge point and the reasonable mixing zone.

The relevant water quality targets and an assessment against them are as follows:

- The concentration of dissolved oxygen must exceed 90% of saturation: no assessment or monitoring of this parameter has been undertaken. It would be difficult to impose a condition requiring the consent holder to monitor this due to the discharge occurring offshore and any monitoring site would be after reasonable mixing. While the information on effects on this parameter is not available, the effects of the discharge on dissolved oxygen is considered to be avoided, remedied or mitigated as a result of conditions requiring the reduction in discharge volume and time, the adherence to the majority of the s107 standards, the extensive monitoring programme and the provision for review.
- The annual average algal biomass must not exceed 3 mg/m³ of chlorophyll a: no assessment or monitoring of this parameter has been undertaken. There is a potential for algal biomass to increase due to the WWTP discharge and the bypass discharge containing nutrients. However it would be difficult to differentiate from the consented WWTP discharge and the proposed discharge. The proposed discharge

will not be continuous and therefore will not provide a consistent supply of nutrients for algal growth. On that basis I consider the effects of the discharge on algal growth to be no more than minor.

- The annual average concentration of total phosphorus must not exceed 0.010 g/m³: no assessment or monitoring of this parameter has been undertaken. Due to the discharge occurring out of the same outfall as the WWTP discharge it will be difficult to differentiate between the two sources. The monitoring of total phosphorus has been recommended to enable the monitoring of potential effects. While the information on effects on this parameter is not available, the effects of the discharge on total phosphorus levels (which can cause algal blooms etc.) is considered to be avoided, remedied or mitigated as a result of conditions requiring the reduction in discharge volume and time, the adherence to the majority of the s107 standards, the extensive monitoring programme and the provision for review.
- The annual average concentration of total nitrogen must not exceed 0.060 g/m³: no assessment or monitoring of this parameter has been undertaken. Due to the discharge occurring out of the same outfall as the WWTP discharge it will be difficult to differentiate between the two sources. The monitoring of total nitrogen has been recommended to enable the monitoring of potential effects. While the information on effects on this parameter is not available, the effects of the discharge on total nitrogen levels (which can cause algal blooms etc.) is considered to be avoided, remedied or mitigated as a result of conditions requiring the reduction in discharge volume and time, the adherence to the majority of the s107 standards, the extensive monitoring programme and the provision for review.
- The annual average concentration of ammoniacal nitrogen must not exceed 0.010 g/m³: the predicted level of ammoniacal nitrogen at the end of the zone of initial dilution (ZID -reasonable mixing zone) has been predicted as 0.09 g/m³. While this is above the water quality target, its effects are considered to be no more than minor and avoided, remedied or mitigated, due to evidence provided at the Proposed One Plan hearings by Dr Zeldis, who stated that levels as high as 0.4 g/m³ will still provide protection to marine species. In addition, due to the discharge occurring out of the same outfall as the treated wastewater it will be difficult to differentiate between the two sources. The monitoring of ammoniacal nitrogen has been recommended.
- The concentration of toxicants in the water must not exceed the trigger values for coastal water defined in the 2000 ANZECC guidelines for the level of protection of 99% of species: the data provided by the applicant for the predicted concentration at the end of the Zone of Initial Dilution (ZID) has been provided as total metals. Total metals are not all bioavailable and therefore this represents the absolute worst case scenario (i.e. that all the metal is available to cause effects – which Mr Brown does not consider likely to occur). For chromium and copper, the discharge has the potential to exceed the ANZECC guideline for chromium, and will be close to exceeding for copper if taken as total metals. However, the ANZECC guidelines relate to the dissolved fraction of the metals and it is not considered likely that these guidelines will be exceeded. The monitoring of dissolved chromium and copper has been recommended. With regard to lead, nickel, zinc and mercury, there are no anticipated breaches of the water quality target for these parameters. It is therefore considered that the effects of the proposed discharge from toxicants will be avoided, remedied or mitigated by the proposed consent conditions.
- The visual clarity of the water measured as the horizontal sighting range of a black disc must not be reduced by more than 20%: no assessment or monitoring for this parameter has been undertaken. It would be difficult to impose a condition requiring the consent holder to monitor this due to the discharge occurring offshore and any monitoring site would be after reasonable mixing. The monitoring of visual clarity has been recommended to enable the monitoring of potential effects. While the information on effects on this parameter is not available, the effects of the discharge

on visual clarity levels is considered to be avoided, remedied or mitigated as a result of conditions requiring the reduction in discharge volume and time, the adherence to the majority of the s107 standards, the extensive monitoring programme and the provision for review.

- The concentration of enterococci must not exceed 140 per 100 ml between 1 November to 30 April (inclusive) or the concentration must not exceed 280 per 100 ml between 1 May to 30 October (inclusive): the applicant has provided median and 90th percentile values for enterococci at various points. These do not provide the full picture. However it has been assessed that the effects will be minor as the 90th percentile is below 53 per 100 ml, meaning that 90% are below this level, with the safe swim level being 140 per 100 ml. In addition the applicant has proposed monitoring which is triggered by a bypass event, which will enable differentiation between the WWTP discharge and the bypass events.
- The median concentration of faecal coliforms must not exceed 14 per 100 ml and the 90th percentile must not exceed 43 per 100 ml: monitoring shows that the median concentration of faecal coliforms at the Beach sites varies between 4 to 10 between 2007 and 2009, meaning that the discharge is able to comply with this target at these sites, however the 90th percentile is exceeded at some others. However we are not able to differentiate between the bypass discharge, the WWTP and the Whanganui River. A condition is recommended (and proposed by the applicant) requiring monitoring to be undertaken that will be triggered by a bypass event to enable differentiation between the numerous discharges. The effects of the discharge on faecal coliforms levels is considered to be avoided, remedied or mitigated as a result of conditions requiring the reduction in discharge volume and time, the adherence to the majority of the s107 standards, the extensive monitoring programme and the provision for review.

Effects on contact recreation and shellfish gathering

The application indicates that the proposed discharge may affect the microbiological water quality near the shoreline, potentially affecting the contact recreation and shellfish gathering values of local beaches. It is also noted that the Whanganui River during high flows is also a significant contributor of enterococci counts to the Coastal Marine Area.

Monitoring contained in the application shows that since 2007 (after the wastewater treatment plant started operating) there has been a significant decrease in the faecal coliform count at the four southern monitoring sites from the Wanganui River. In addition there has been a significant decrease in the enterococci count at the South Beach site opposite the marine outfall.

Of the coastal sites monitored, the 90th percentile of the monitoring data all have been below the safe limit for contact recreation (140cfu/100 ml – meaning that swimming is safe), except for the monitoring site in the Whanganui River itself. The Whanganui River monitoring site is now independent of the discharge as no sewage is discharged to the Whanganui River.

Mr Brown assessed the monitoring data for shellfish gathering based on faecal coliforms provided in the application, and came to a different conclusion to that which the applicant provided. Based on the monitoring data from 2007 to 2009 (after upgrades of the wastewater treatment plant) all the sites monitored for the median concentration of faecal coliforms passed the guideline value of 14/100 ml except for the Whanganui River which is independent of the discharge. For the 90th percentile faecal coliform concentration the guideline value (43/100 ml) was exceeded at all sites except for the Castlecliff Beach – Surf Club. It appears that the applicant has used the wrong figures for the median and 90th percentile concentrations and this has painted a picture which more negatively reflects on the

faecal coliform counts in shellfish than is the actual case. The effects of exceeding the 90th percentile concentration are not considered to be significant on shellfish populations in this area. In addition, differentiating between the WWTP discharge, the Whanganui River and the bypass discharge is difficult without further monitoring. A consent condition is recommended requiring the applicant to undertake monitoring of the discharge in certain conditions, and to use specific analysis methods which will assist in differentiating between faecal coliforms sourced from the Whanganui River and those discharged from the outfall.

The applicant proposed a set of conditions to monitor the effects of the bypass discharge on shellfish populations and contact recreation along the Wanganui coast after discussions with the Department of Conservation. Mr Brown has recommended that these conditions be included but the wording needs to be more specific to ensure that the monitoring captures the potential effects of the bypass discharge and not other factors occurring in the environment such as the Whanganui River.

Monitoring

There has been a large amount of monitoring of the composition of the wastewater undertaken at the Beach Road pumping station. The wastewater coming to the pumping station is likely to be diluted due to the stormwater infiltration into the sewage network. Due to the level of uncertainty surrounding the exact nature and quality of the discharge conditions are recommended requiring the consent holder to undertake monitoring of the quality of the bypass discharge. These conditions enable the quality of the bypass to be calculated based on the known wastewater quality and the volume of inflow and infiltration entering the Beach Road pumping station.

Heavy Metals

The applicant has noted that copper may be of concern at the end of the ZID. Mr Brown has recommended that this should also be added to the parameters that need to be monitored in the discharge. This has been discussed above in the assessment against the POP Water Quality Targets.

For the coastal marine area, the Proposed One Plan (2010) uses the ANZECC 95% guidelines as the targets for the water management zone. If monitoring of chromium, sulphides and copper is consistently below (for a continuous year of monitoring) the ANZECC guidelines (95%) then this monitoring can be halted. A consent condition to this effect has been recommended.

Effects from the Application to Change Conditions

The effects from the requested changes to conditions are considered no more than minor, as the changes are to ensure that the bypass discharge will not cause the conditions for the WWTP discharge to be breached – i.e. the two discharges are kept separate from a condition and compliance point of view. The proposed changes ensure the conditions only relate to the WWTP discharge, and therefore the changes are considered to be no more than minor.

Other Matters

A submitter expressed concern that the applicant should be instructed to rectify the situation which is making the bypass discharge necessary. Conditions have been recommended that require the applicant to provide annual reports to the Manawatu-Wanganui Regional Council detailing work that has been undertaken in the previous year and works that are planned in

the coming year to reduce the volume and time of discharge. In addition, a condition requiring the applicant to reduce their discharge volume and time has been recommended.

A submitter expressed concern that the Wanganui Wastewater Treatment Plant (WWTP) does not have the capacity to take additional discharge and therefore restrictions on new development should be put in place. Putting restrictions on development is not a matter that can be considered through this process, however the pre-hearing meeting gave the applicant the opportunity to discuss this matter, and they have confirmed that the WWTP does have capacity to receive additional discharges.

A submitter expressed concern that the discharge was being defined as partially treated wastewater and trade waste when it has only been screened. Advice received from Maree Clark, Manawatu-Wanganui Regional Council's Environmental Scientist – Water is that there are different degrees of treatment. Primary treatment is considered to be screening, while secondary treatment is biological treatment. Therefore this discharge is considered to be primary treated.

Overall Conclusion

The actual and potential environmental effects of this proposal will be avoided, remedied or mitigated provided the mitigation measures incorporated in the recommended conditions are complied with.

7. PLANS AND POLICIES

New Zealand Coastal Policy Statement (NZCPS)

Objective 1 of the NZCPS seeks to safeguard the integrity, form, functioning and resilience of the coastal environment and sustain its ecosystems. The discharge is currently occurring and through the reduction in volume and frequency of discharge as the stormwater system is upgraded will enhance coastal water quality and biological processes.

Objective 2 of the NZCPS seeks to preserve the natural character of the coastal environment and protect natural features and landscape values. The volume and time that the discharge will occur will reduce throughout the term of the consent resulting in an improvement to natural character.

Objective 3 of the NZCPS seeks to take account of the principles of the Treaty of Waitangi, recognise the role of tangata whenua a kaitiaki and provide for tangata whenua involvement in the management of the coastal environment. Local iwi were consulted with prior to lodgement of the application, and no submissions were received from local iwi.

Objective 6 of the NZCPS seeks to enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use and development, while recognising a number of factors. The proposed discharge enables the discharge of stormwater from the Wanganui township, and the continuing separation and improvement to the stormwater system.

Policy 3 of the NZCPS seeks to adopt a precautionary approach towards proposed activities whose effects on the coastal environment are uncertain, unknown, or little understood, but potentially significantly adverse. While there is a certain level of uncertainty around certain parameters of water quality and the potential for surface slicks in certain wind conditions and flow conditions in the Whanganui River, the recommended conditions requires monitoring of the bypass during these scenarios and on a on-going basis. In addition the frequency of the

occurrence of any surface slicks is considered to be very infrequent due to the bypass being predicted to occur during local heavy rainfall which will limit the formation of surface films due to the mechanical disturbance of the sea surface caused by the rain.

Policy 13 of the NZCPS seeks to preserve the natural character of the coastal environment and to protect it from inappropriate subdivision, use and development. The reduced time and volume of the discharge which will result from improvements to the stormwater system will result in an improvement to natural character.

Policy 14 of the NZCPS provides for the promotion of restoration or rehabilitation of the natural character of the coastal environment, including reducing or eliminating discharges of contaminants. The discharge will be reduced in time and volume as result of continuing improvements in the stormwater system.

Policy 21 of the NZCPS states that when the quality of water in the coastal environment has deteriorated so that it is having a significant adverse effect on ecosystems, natural habitats, or water based recreational activities, or is restricting existing uses, such as aquaculture, shellfish gathering, and cultural activities, give priority to improving that quality by a number of stated means. Water quality will be improved due to the continued work to be undertaken on the stormwater system to reduce the time and volume of the discharge.

Policy 23 of the NZCPS details the management of the discharge of contaminants in the coastal environment. This includes having particular regard to a number of matters, Of relevance to this application is consultation with local iwi. The applicant consulted with local iwi prior to lodgement and iwi did not submit on the application, therefore it is considered that local iwi did not have any concerns with the proposed discharge. It is also considered that discharge into the coastal marine area is more preferable than the alternative of discharging in the Whanganui River which holds special meaning for local iwi.

I consider the proposal to not be inconsistent with the relevant Objectives and Policies of the New Zealand Coastal Policy Statement subject to consent conditions.

Regional Policy Statement (RPS) Proposed Regional Policy Statement (POP)

Objective 11 of the Regional Policy Statement seeks “to maintain or enhance surface water quality”. It is implemented by Policies 11.2, 11.5 and 11.6 which seeks to avoid, remedy or mitigate adverse effects of point source discharges. The proposed discharge will maintain current water quality and will gradually improve water quality over time as the discharge volume and time decreases due to improvements to the stormwater system.

Objective 20 of the Regional Policy Statement seeks “to maintain or enhance coastal water quality”. It is implemented by Policies 20.1, 20.2, and 20.4 which seek to promote water quality to be suitable for contact recreation and shellfish gathering within 15 years, and to only enable the discharge of human sewage into coastal water where is better meets the purpose of the Act than disposal to land; there has been consultation with tikanga Maori and due weight given to Sections 6, 7 and 8 of the Act; and there has been consultation with the community generally. Alternatives such as discharge to land have been assessed as cost prohibitive and the other alternative of discharge into the Whanganui River is considered to have greater adverse effects, especially with regard to effects on tangata whenua. With regard to Policy 20.4, it is anticipated, and required through recommended conditions that this discharge reduces in volume and time. Consultation with tikanga Maori occurred through the applicant consulting with local iwi prior to lodgment of these applications, and through the public notification process. Consultation with the community has occurred prior to lodgment and through the notification process.

Objective 21 of the Regional Policy Statement seeks “to protect the ecological, physical, cultural and aesthetic qualities that make up the natural character of the coastal environment”. The reduced time and volume of the discharge resulting from improvements to the stormwater system will result in an improvement to natural character.

I consider the proposal to not be inconsistent with the relevant Objectives and Policies of the Regional Policy Statement subject to consent conditions.

Proposed Regional Policy Statement (POP) 2010

Objective 9-3 of the Proposed Regional Policy Statement seeks to manage water quality in the Coastal Marine Area (CMA) in a manner which has regard to the values in Schedule H so that water quality is maintained where existing water quality is sufficient to support the water management values and water quality is enhanced where existing water quality is not sufficient to support the water management values. The proposed discharge will maintain water quality in the short term and improve water quality through the continued work on the stormwater system which will reduce the volume and time in which the discharge occurs. Therefore, based on Mr Browns assessment and the conditions I consider the proposed discharge to be consistent with Objective 9-3.

Policy 9-5A seeks to ensure that water in the CMA is managed in such a way that has regard to the water quality targets set in Schedule H, and applies Policies 6-3, 6-8 and 6-11 to the CMA as if any reference to water is reference to water in the CMA.

Policies 6-3, 6-4 and 6-5 provide direction on assessment of water quality against Schedule D water quality targets. Policy 6-5 is relevant in this situation, as it states that where there is insufficient data to enable a comparison of the existing water quality with the water quality targets, activities must be managed to maintain or enhance existing water quality and have regard to the likely effects on Schedule AB values. It is unknown whether the existing water quality of the Tasman Sea meets the water quality targets. The discharge will maintain current water quality, and the water quality is predicted to improve through the term of this consent due to a reduction in time and volume of discharge.

Policy 6-8 seeks to manage point source discharges into water through having regard to the strategies set out in Policies 6-3, 6-4 and 6-5 while having regard to effects on Schedule AB values, whether the discharge in combination with other discharges will cause the targets to be breached, the extent to which the activity is consistent with best management practices, the need to allow reasonable time to achieve required improvements to the quality of the discharge, whether the discharge is of a temporary nature or associated with maintenance or upgrade, whether effects can be offset by financial contribution, and whether it is appropriate to adopt the best practicable option. It is noted that there is the need to allow for time for the discharge volume and time of discharge to reduce as a result of continuing stormwater separation and improvements.

Policy 6-11 states that all existing discharges must change to a treatment system that either discharges to land, flows overland, passes through a rock filter, passes through a wetland system or passes through an alternative system by 2020. The proposed discharge is not consistent with this Policy, however the proposed discharge occurs for a short 0.37% of the time, and this will decrease over time as a result of planned stormwater system works and consent conditions. Due to the discharge having to bypass the WWTP and discharge directly to the outfall due to the high volumes of stormwater passing through the system, the above options are not able to be easily implemented. Therefore it is considered acceptable that the proposed discharge is not consistent with this policy.

Policy 11A-6 states that the Regional Council will generally impose review conditions on resource consents. A review condition has been recommended to allow for reviews in 2013, 2016, 2018 and 2021.

I consider the proposal to be consistent with the relevant Objectives and Policies of the Proposed Regional Policy Statement with the exception of Policy 6-11, subject to consent conditions.

Section 105

Having considered alternatives to this discharge, specifically discharge to land or discharge to the Whanganui River, I am satisfied that the proposed discharge method is the most appropriate method of disposal for this contaminant due to the prohibitive costs or increased adverse effects of these alternative options.

Section 107

Section 107 of the RMA addresses restrictions on the granting of certain Discharge Permits and states:

107 Restriction on grant of certain discharge permits

(1) Except as provided in subsection (2), a consent authority shall not grant a discharge permit [or a coastal permit to do something that would otherwise contravene section 15] [or section 15A] allowing—

(a) The discharge of a contaminant or water into water; or

[(b) A discharge of a contaminant onto or into land in circumstances which may result in that contaminant (or any other contaminant emanating as a result of natural processes from that contaminant) entering water; or]

[(ba) The dumping in the coastal marine area from any ship, aircraft, or offshore installation of any waste or other matter that is a contaminant,—]

if, after reasonable mixing, the contaminant or water discharged (either by itself or in combination with the same, similar, or other contaminants or water), is likely to give rise to all or any of the following effects in the receiving waters:

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

(d) Any conspicuous change in the colour or visual clarity:

(e) Any emission of objectionable odour:

(f) The rendering of fresh water unsuitable for consumption by farm animals:

(g) Any significant adverse effects on aquatic life.

[(2) A consent authority may grant a discharge permit or a coastal permit to do something that would otherwise contravene section 15 [[or section 15A]] that may allow any of the effects described in subsection (1) if it is satisfied—

(a) That exceptional circumstances justify the granting of the permit; or

- (b) That the discharge is of a temporary nature; or
- (c) That the discharge is associated with necessary maintenance work—

and that it is consistent with the purpose of this Act to do so.]

[(3) In addition to any other conditions imposed under this Act, a discharge permit or coastal permit may include conditions requiring the holder of the permit to undertake such works in such stages throughout the term of the permit as will ensure that upon the expiry of the permit the holder can meet the requirements of subsection (1) and of any relevant regional rules.]

There is some doubt that the discharge will be able to meet section 107(1)(c) with regard to the production of conspicuous oil or grease films during certain wind and flow conditions in the Whanganui River. The proposed discharge is only anticipated to occur during heavy local rainfall events which will limit the formation of surface films due to the mechanical disturbance of the sea surface caused by the rain.

It is considered that the proposed discharge fulfils the exception criteria in section 107(2)(a) as the situation in which surface slicks may occur is so infrequent it could be considered to be an exceptional circumstance (the discharge is predicted to occur 0.37% of the time, and would need to occur in conjunction with specific meteorological events). Therefore the proposed discharge is consistent with section 107 of the RMA. In addition, conditions requiring the consent holder to undertake works during the term of the consent with the aim of reducing the discharge volume and time have been recommended.

CONSENT DURATION

Policy 11A-5 seeks to align consent durations with common catchment expiry dates except where certain circumstances exist while complying with Policy 34.2 of the Regional Policy Statement. There is no common catchment expiry date set for the Seawater Management Zone. I recommend a term of approximately 15 years with an expiry date of 30 June 2026, to enable the alignment of Coastal Permit 105288 with Coastal Permit 101706/2 which is due to expire on that date.

8. RECOMMENDATION

I recommend that the resource consent application 105288 and change of conditions application for Coastal Permit 101706/1 by Wanganui District Council for Discretionary Activities and Restricted Coastal Activities pursuant to sections 104, 104B, 105, 107, 108, 117 and 127 of the Resource Management Act 1991 to discharge diluted wastewater and stormwater to the Tasman Sea via the existing ocean outfall, South Beach be granted for a term of 15 years expiring on 30 June 2026 for Coastal Permit 105288.

And subject to the following conditions:

Coastal Permit – 105288 – Discharge

1. The location, design, implementation and operation of the discharge shall be in general accordance with the consent application and its associated plans and documents first lodged with Manawatu-Wanganui Regional Council on 31 March 2010, and further information received on:

- a. Flow data, sampling data, raw data, information about ability of system to buffer peak flows, effluent monitoring data, feedback from consultation and area of catchment still to be separated, received via a letter on 23 June 2010.

Where there may be inconsistencies between information provided by the applicant and conditions of the resource consent, the conditions of the resource consent apply.

Advice 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 discharge authorised by this resource consent shall be restricted to the discharge of diluted primary treated (screened) wastewater and stormwater (hereafter referred to as effluent) to the Tasman Sea via the existing ocean outfall, South Beach, Wanganui at approximate map reference NZMS260 R22:813-344 / NZTopo50 BL32 713 727.
3. The maximum discharge of effluent shall not exceed 1,600 litres per second (1,600 L/sec).
4. The discharge of effluent shall only occur when flows at the Beach Road pumping station exceeds 1,120 litres per second (1,120 L/sec).
5. The consent holder shall ensure that the discharge of effluent, after reasonable mixing, shall not give rise to any or all of the following effects:
 - a. a conspicuous change in the colour of the water;
 - b. any emission of objectionable odour;
 - c. the rendering of fresh water unsuitable for shellfish gathering and contact recreation; or
 - d. any significant adverse effect on aquatic ecosystems;at any time in the receiving waters of Tasman Sea.
6. The consent holder shall ensure that the physical public stormwater separation works as described on page 12 of the AEE are completed by **30 June 2016**.
7. The consent holder shall over the term of this consent, reduce
 - a. the percentage of time in which the bypass discharge occurs from the 0.37% annual occurrence existing at the time of granting of this consent, and
 - b. the annual volume of discharge occurring at the time of granting of this consent.

Advice Note: A revised target for the term of this consent will be set in 2014 through the report required under condition 16 and any review or change of conditions provisions as necessary.

Monitoring

8. The consent holder shall record the following:
 - i. Date and time of any occurrence of a discharge authorised by this consent;
 - ii. Number of times the discharge occurs in a year;

- iii. The duration of the discharges;
- iv. Rainfall data for all available rainfall gauged sites in Wanganui City;
- v. Windspeed and direction at South Beach; and
- vi. The flow of the Whanganui River at Te Rewa.

This data shall be provided to the Manawatu-Wanganui Regional Council in the Annual Report required by condition 17.

Advice Note: A year refers to 1 July to 31 June the following year.

9. The consent holder shall collect a 24 hour composite sample from the Beach Road pumping station once a month. Where possible the consent holder shall ensure that a sample is collected on a day when a bypass event has occurred. The samples shall be tested for:

- i. Oil and Grease;
- ii. Total Suspended Solids;
- iii. Total Phosphorus;
- iv. Total Nitrogen;
- v. Ammoniacal Nitrogen;
- vi. Enterococci;
- vii. Faecal Coliforms;
- viii. Dissolved Copper;
- ix. Sulphides; and
- x. Dissolved Chromium.

Advice Note: A composite sample will allow for calculations to be undertaken to determine the concentrations of contaminants in the bypass discharge. The results will be presented in the annual report required by Condition 17. This calculation will be based on known wastewater quality and quantity and the volume of inflow and infiltration entering the Beach Road pumping station.

10. The samples required under condition 9 shall be analysed at an independent laboratory accredited to IANZ and the results forwarded by the consent holder to the Manawatu-Wanganui Regional Council's Environmental Protection Manager no more than **10 working days** following their receipt from the laboratory.
11. If the results of the sampling required under condition 9 show levels of sulphides, copper and chromium less than the 95% ANZECC guidelines consistently for a consecutive one year period, then the monitoring for these two parameters may cease.
12. If monitoring of sulphides, copper and chromium is to cease as per condition 11 of the consent, the consent holder shall provide written notification to the Manawatu-Wanganui Regional Council's Environmental Protection Manager at least **25 working days** prior to cessation.
13. In the event of the discharge occurring for more than two continuous hours, water samples shall be collected within 24 hours of the last bypass flow event. For the purpose of this condition, bypass events on consecutive days shall be considered to be a single event. Monitoring shall only occur if the Whanganui River is below 130 m³/s (median flow at Te Rewa) and any of the following wind conditions occurs in the previous 24 hours:

- i. Low to moderate onshore breezes (0 to 7.9 m/s (0 to 16 knots)); or
- ii. An alternating pattern of land and sea breezes, or
- iii. Southerly winds.

Samples shall be collected from the following sites:

- i. South Beach opposite the outfall (3.3km south of river mouth);
- ii. South Beach 3 as shown on PlanC105288A;
- iii. Whanganui River mouth opposite Tregenna Street.

Advice Note: Sampling of the Whanganui River is to act as a control site for the purpose of determining the source of faecal contamination.

Advice Note: The samples shall be split into two sub-samples. The first sample is to be tested for faecal coliform bacteria and the other retained in the fridge.

14. If any of the samples required under condition 13 show a result of greater than 100 cfu/100ml for faecal coliform concentration, the second sample shall be analysed using PCR techniques to determine the source of the microbial contamination.
15. The consent holder shall undertake bivalve shellfish monitoring within 72 hours of a bypass event which requires water sampling under condition 13. At least 5 shellfish shall be collected in the area within 50 metres of the shore of South Beach between approximate map reference NZMS 260 R22:821-361 and R22:860-315 and analysed for faecal coliform levels in their flesh. The consent holder shall collect river flows for a one week period prior to shellfish monitoring.

Advice Note: If the shellfish monitoring required above lines up with the shellfish monitoring required under condition 17 of Coastal Permit 101706/2, the monitoring required under this condition can be considered to satisfy the requirements under Coastal Permit 101706/2.

Reporting

16. By **1 February 2014**, the consent holder shall provide the Manawatu-Wanganui Regional Council's Environmental Protection Manager with a Stormwater Management Report containing the following:
 - i. Details of what future works are proposed and a timetable for the implementation of those works; and
 - ii. The calculated reductions in percentage of time in which the bypass discharge occurs and what the volume of discharge will be reduced by over the term of the consent.

The Regional Council may obtain an independent peer review of this Report. The Regional Council will charge the consent holder for the actual and reasonable cost of obtaining this peer review. The consent holder shall ensure that they undertake the proposed works and comply with the Management Plan and reductions in percentage of time and volume detailed in this report once it has been certified by the Regional Council.

17. By **1 September** of each year, commencing **September 2012**, the consent holder shall provide the Manawatu-Wanganui Regional Council's Environmental Protection Manager (a copy of the report shall also be sent to the following parties for their

information: Department of Conservation, Terry O’Conner and Sustainable Whanganui Trust) with an annual report for the period ending the previous June. The annual report shall include but is not limited to:

- i. In each year for the first three years of consent:
 - a. provision of the data collected to enable a target to be calculated for the reduction of percentage of time and volume of the bypass occurring and to enable works to be planned to reduce inflow and infiltration to occur; and
 - b. a progress report of any works completed in the previous year.
- ii. In year four of consent:
 - a. confirmation of predicted targets;
 - b. what works are planned for the remaining years of consent to reduce inflow and infiltration; and
 - c. a progress report of any works completed in the previous year.
- iii. In years four to seven of consent:
 - a. a progress report detailing works completed; and
 - b. confirmation of works planned for the following year;
- iv. In year eight of consent:
 - a. an cost/benefit analysis of further improvements that can be made to reduce the percentage of time and volume of the bypass;
 - b. consideration of whether upgrade of the Beach Road pump station is more cost effective than continuation of improvements to the stormwater system with the aim of reducing bypass events;
 - c. a progress report detailing works completed; and
 - d. confirmation of works planned for the following year.
- v. In years eight to 15 of consent:
 - a. a progress report detailing works completed; and
 - b. confirmation of any works planned for the following year.
- vi. For each year of consent, the provision and assessment of the monitoring data required under condition 8;
- vii. For each year of consent, the provision and assessment of the results of the sampling data required under conditions 8, 9 and 13;
- viii. For each year of consent, the shellfish monitoring results;
- ix. For each year of consent, a comment on the extent to which conditions of this permit have been complied with.

Advice Note: Decisions on what works will occur in any year will be made by the Wanganui District Council. The platform for influencing the extent of works to be undertaken is through the Annual Plan process. The consent holder will be required to adhere to conditions of consent, including targets for reduction of bypass events. If works greater than that needed to reach the targets set are requested by the community, the Annual Plan is the process to make these wishes known.

18. The Manawatu-Wanganui Regional Council may, under section 128 of the Act, initiate a review of all conditions of this consent on **July 2013, 2016, 2018 and 2021** for the purpose of reviewing the effectiveness of these conditions in avoiding or mitigating any adverse effects on the environment. The review of conditions shall allow for:
 - a. deletion or amendments to any conditions of this resource consent to ensure adverse effects are appropriately mitigated; or
 - b. addition of new conditions as necessary, to avoid, remedy or mitigate any unforeseen adverse effects on the environment; or

- c. revision of condition 7 as a result of the provision of the report required under condition 16 or to address any difficulty if the targets set are not being met;
- d. revision of condition 15 to eliminate doubling up of shellfish monitoring between this consent and Discharge Permit 101706/2 if the effects from this consent are shown to be minor;
- e. the review of frequency or necessity of monitoring conditions;
- f. if necessary and appropriate, the adoption of the best practicable options to avoid, remedy or mitigate any adverse effects on the environment.

Change of Conditions to Coastal Permit – 101706/2 – Discharge

Coastal Permit 101706/2 to discharge **partially treated** wastewater, including tradewaste and domestic sewage, for a term expiring on **30 June 2007**, and to discharge **fully treated** wastewater, tradewaste and domestic sewage for a term expiry in **30 June 2026**.

Both Permits are subject to the following conditions:

1. The discharges of stormwater and wastewater authorised by these Coastal Permits shall occur via an existing ocean outfall to the Tasman Sea, located 1,800 metres off South Beach, Wanganui (at or about approximate map reference R22:813-344), and shall be undertaken in general accordance with the description and assessment included in the Assessment of Environmental Effects, submitted with the applications, except where otherwise required by conditions of these Permits.
2. The **average** daily volume of the discharge, excluding any stormwater and groundwater infiltration, shall not exceed 30,000 cubic metres with a daily maximum of 40,000 cubic metres.
3. The discharge shall be treated by passage through a milliscreen of not less greater than 3 mm screen size. Instantaneous flows at Beach Road pump station exceeding 1,120 litres per second (1,120 L/s) can be bypassed, but shall be coarse screened via a milliscreen of not less than 3mm mesh size.

Advice Note: Bypass discharges, authorised by Discharge Permit 105288 are only permitted when flows at the Beach Road pumping station exceed 1,120 litres per second (1,120 L/sec).

[Condition amended as per decision 101706/2 dated 19 September 2011]

4.

[Condition deleted as per decision 101706/2 dated 19 September 2011]

5. The Permit Holder shall finalise the details of the Treatment Plant, and the process to be used to treat wastewater as necessary to meet all the conditions of Permit 101706 by **30 November 2004**. Details of the finalised Treatment Plant and the process to be used are to be forwarded to **horizons.mw** Team Leader Compliance by **1 February 2005**.
6. The Permit Holder shall ensure that the physical construction of the Treatment Plant commences no later than **1 April 2006**.
7. The Permit Holder shall ensure the marine outfall continues to provide safe and effective means of wastewater disposal.

A Marine Outfall Management Plan to provide for continued safe and effective means of wastewater disposal from the marine outfall shall be prepared by **30 June 2002** and submitted to **horizons.mw**'s Team Leader Compliance.

The Plan shall include, but not be limited to:

- a. provision for increasing the initial dilution of the discharge to a minimum of 65 times in still water conditions and 260 times in median current conditions, in the immediate marine environment around the outfall by **November 2002** and
- b. details of outfall inspection and maintenance.

Any subsequent changes to the Plan shall be made in consultation with **horizons.mw**'s Team Leader Compliance.

8. The Permit Holder shall, at all times operate and manage the treatment system in a manner that the discharge of treated wastewater, after reasonable mixing, shall not cause:
 - a. the production of any conspicuous oil or grease films, scum or foams, or floatable or suspended materials; or
 - b. any emission of objectionable odour; or
 - c. any conspicuous change in colour or clarity.

For the purposes of this condition, reasonable mixing shall be defined as equivalent to a still water mixing zone that is no more than 240 metres wide and no more than 350 metres long. This zone is calculated on the basis of being 120 metres from any discharge point on the diffuser (noting that the diffuser discharges from points over a 130 metre length). It is noted that the mixing zone is at the surface of the seawater and will move depending on tides and currents.

Advice Note: Bypass discharges, authorised by Discharge Permit 105288 are only permitted when flows at the Beach Road pumping station exceed 1,120 litres per second (1,120 L/sec).

[Condition amended as per decision 101706/2 dated 19 September 2011]

9. The Permit Holder shall, **prior to 30 June 2007**, at all times operate and manage the treatment system in a manner that will minimise any of the following effects which may result from the discharge at any time after reasonable mixing:
 - a. the production of any conspicuous oil or grease films, scum or foams, or floatable or suspended materials; or
 - b. any emission of objectionable odour; or
 - c. any conspicuous change in colour or clarity.

For the purposes of this condition, reasonable mixing shall be defined as a mixing zone extending 750 metres from any discharge point on the existing diffuser, after allowing for the effects of currents and tidal flows.

10. The Permit Holder shall ensure the discharge does not exceed the following standards:

	Prior to 30 June 2007 At least 90% of the time and for no more than 3 consecutive days	After 30 June 2007 At least 95% of the time and for no more than 2 consecutive days (except where noted)
Total Grease	200 g/m ³ , 4,000 kg/day	50 g/m ³
Suspended Solids	600 g/m ³	100 g/m ³
Total Sulphides	6.7 g/m ³ ⁽¹⁾	6.7 g/m ³ ⁽¹⁾
Total Chromium	5.0 g/m ³ ⁽¹⁾	5.0 g/m ³ ⁽¹⁾
Zinc	5.0 g/m ³ ⁽¹⁾	5.0 g/m ³
Nickel	1.5 g/m ³ ⁽¹⁾	1.5 g/m ³ ⁽¹⁾
Copper	0.5 g/m ³ ⁽¹⁾	0.5 g/m ³ ⁽¹⁾
Lead	0.5 g/m ³ ⁽¹⁾	0.5 g/m ³ ⁽¹⁾
Mercury	0.01 g/m ³ ⁽¹⁾	0.01 g/m ³ ⁽¹⁾

Enterococci	Median	4,000 / 100 ml
	Max	12,000 / 100 ml
Faecal Coliforms	Median	10,000 / 100 ml
		90% less than 25,000 / 100 ml

Notes:

⁽¹⁾ Based on a minimum initial dilution of 100 to meet ANZECC Aquatic Ecosystem guideline limits.

11. The Permit Holder shall **for the duration of this permit**, beginning in **February 2002**, take 24 hour composite samples of the treated wastewater and analyse these for total grease and suspended solids. The sampling frequency will be initially three times per week, at least two days apart, but the sampling frequency for total grease and suspended solids may be reduced to once a week following compliance with both the relevant parameter limits listed in Condition 10 above for a 12 month continuous period.

If the limits for total grease or suspended solids listed in Condition 10 are exceeded, the sampling frequency for both parameters shall revert to three times per week until such time as a new 12 month continuous period is achieved.

12. The Permit Holder shall, **after 30 July 2007**, for the duration of this Permit take samples of the treated wastewater and analyse these for enterococci and faecal coliforms. The sampling frequency for enterococci and faecal coliforms may be reduced to once a week following compliance with the both parameter limits listed in Condition 10 above for a 12 month continuous period.

If the limits for enterococci or faecal coliforms exceed the limit listed in Condition 10, the sampling frequency for both parameters shall revert to three times per week until such time as a new 12 month continuous compliance period is achieved.

13. The Permit Holder shall **for the duration of this permit**, beginning in **1 February 2002**, take 24 hour composite samples of the treated wastewater and shall analyse them for total sulphides and for the metals listed in Condition 10 above. The frequency of sampling shall initially be two weekly, but sampling for all the parameters covered by this condition may be reduced to monthly following compliance with all the parameter limits for the metals and total sulphides listed in Condition 10 above for a 12 month continuous period. The frequency of sampling for all metals and total sulphides may be reduced to four monthly following a 24 month continuous compliance period.

If an individual parameter exceeds the limit listed, then sampling for all parameters shall revert to two weekly until such time as a new 12 month continuous compliance period is achieved.

- 13a. The Permit Holder shall report any non-compliance with the conditions on these Permits to Manawatu-Wanganui Regional Council Environmental Protection Manager **within 10 working days** of the non-compliance. That report shall detail the steps that have been taken to remedy the non-compliance, whether further remedial work is necessary and what changes to the monitoring frequencies outlined under Conditions 11, 12 and 13 will occur as outlined under those conditions.
- 13b. The Permit Holder shall notify the Manawatu-Wanganui Regional Council's Environmental Protection Manager in writing, when the monitoring frequency is to be reduced under Conditions 11, 12 and 13, with evidence to show that compliance with the relevant parameter limits listed in Condition 10 have been achieved for 12 continuous months.
- 13c. The Permit Holder shall ensure that the monitoring frequencies over the past year and at present is included in the annual report required under Condition 24.
- 13d. The Permit Holder shall ensure that the TSS data monitored under Condition 13e (below) is included in the annual report required under Condition 24.
- 13e. If the online TSS data is above 100 mg/L, the Permit Holder shall take and analyse a sample of the treated wastewater for total grease and suspended solids, to confirm compliance with Condition 10. If the use of online TSS monitoring stops, then the monitoring required under Condition 11 will revert to three times per week.
- 13f. If the online TSS data is above 100 mg/L, the Permit Holder shall take and analyse a sample of the treated wastewater for enterococci or faecal coliforms, to confirm compliance with Condition 10.
14. **After 30 June 2007** the discharge shall not cause the following standards to be exceeded in the coastal marine area to 500 metres seaward of the line of mean high water springs between the South Mole of the Whanganui River and the mouth of the Whangaehu River:
- a. The median of enterococci samples collected between the period 1 November to 1 May not exceeding 35 enterococci per 100ml. No single sample shall exceed 104 enterococci per 100 ml.
 - b. The median faecal coliform content of bivalve shellfish samples taken over a shellfish gathering season, defined here as the months of September to

February inclusive, not exceeding 14 MPN per 100 ml, and not more than 10 % of the samples shall exceed 43 MPN per 100 ml.

15. The Permit Holder shall, **beginning in July 2007**, collect five samples of marine water on each sampling occasion off South Beach between map references R22: 821-361 and R22: 860-315, including one sample from at least 200 metres offshore. The frequency of sampling and testing of the samples shall be:

<i>Period</i>	<i>Frequency of Sampling</i>	<i>Testing</i>
December, January and February	Weekly	Enterococci and faecal coliforms
November, March, April	Fortnightly	Enterococci and faecal coliforms
May – October	Monthly	Faecal coliforms

16. If the monitoring programme described in Condition 15 results in demonstrated compliance with the limits described in Condition 14 for the period November to April, of each year after June 2007 [or after the first year, the frequency of sampling in that period may be reduced to half of that specified. If compliance is, at any time, not demonstrated, the frequency of sampling shall revert to that specified in Condition 15.
17. The Permit Holder shall **after 30 June 2007** undertake bivalve shellfish monitoring at least three times per year, for each year of the duration of this Permit, in the months September to February inclusive. There shall be at least one month between monitoring runs. At least 20 shellfish shall be collected in the area within 50 metres of the shore off South Beach between approximate map references R22: 821-361 and R22: 860-315 and analysed for faecal coliform levels in their flesh. The Permit Holder shall record river flows and any other issues likely to affect the results, for one week period prior to shellfish monitoring.
18. **After 30 June 2008** the discharge shall not cause seafloor marine communities:
- to be dominated by species tolerant of organically enriched environments; or
 - to be significantly different from seafloor marine communities more than 120 metres from any point on the existing diffuser.

“Significant difference” will be assessed by statistical comparison between MDS ordination plots derived from the sampling in Condition 14 with the MDS ordination plots described in the 1999 NIWA report.

Condition 18 will be satisfied if:

- the ordination plots are significantly different statistically; and
 - that difference can be attributed to the communities sampled from sites 4 and 5 moving closer to unimpacted sites; and
 - the distances between all sites on the resurveyed ordination plot are not significantly different statistically.
19. The Permit Holder shall assess compliance with Condition 18 above by resurveying seafloor communities from sites 4, 5, 6, 8, 10 and 12, using the same sampling methods and data analysis described by NIWA in 1999 (and included as Appendix G in the Assessment of Environmental Effects in the resource consent application) in

each of the years **2011, 2015 (or earlier as necessary) and 2024**. The seafloor survey shall be undertaken as close to February as possible and after seven days of calm weather.

20. If the monitoring programme described in Condition 19 shows compliance with the limits described in Condition 18, the frequency of sampling may be reduced, occurring again only in the year 2024. If compliance is not demonstrated, the frequency of sampling shall remain as specified in Condition 18.
21. The Permit Holder shall prepare and implement a Management Plan for the land it administers, extending from South Mole to Kaitoke Stream by **30 June 2003** and submit the Plan to **horizons.mw**'s Team Leader Compliance.

The purpose of the Plan shall be to preserve and enhance the natural character of the area. Its provisions shall be for, but not limited to, recreational use and taking into account the proposed Wanganui Wastewater Treatment facilities.

The Plan shall contain, but not be limited to, details of appropriate signage, possible walkways, revegetation programmes, amenity development (such as kiosks, toilets, car parks and roading) and interpretative pamphlets.

The Plan's details in respect of signage shall include, but not be limited to, explanations about the natural character of the area, the discharges and its effects. Signage shall be used to give warnings about the potential health risks arising from the discharge of wastewater to the Coastal Marine Area.

The preparation of the Plan by the Permit Holder shall occur in collaboration with invited parties, including but not limited to, tangata whenua, Department of Conservation, **horizons.mw**, Friends of the Shoreline, Taranaki-Wanganui Conservation Board, Forest and Bird and other interested parties, (such as surfers, fishers and four wheel drivers).

22. Until the Management Plan referred to in Condition 21 above is implemented, the Permit Holder shall establish and maintain signs along South Beach between map references R22: 821-361 and R22: 860-315 warning recreational users of the potential health risks arising from the discharge of wastewater to the coastal marine area.

Reporting

23. The Permit Holder shall report any non-compliance with the conditions on these Permits to **horizons.mw** Team Leader Compliance within 10 working days of the non-compliance. That report shall detail the steps that have been taken to remedy the non-compliance, and whether further remedial work is necessary.
24. The Permit Holder shall for each 1 July – 30 June year of these Permits, beginning 1 July 2002 report on compliance with the conditions of these Permits and submit the report to **horizons.mw**'s Team Leader Compliance by 31 August of each year of these Coastal Permits beginning 31 August 2002.

The report shall include, but not be limited to, a summary of the compliance with all conditions of each Permit, a summary of effluent quality monitoring for the year, and a summary of the progress of capital work necessary to meet the conditions of Coastal

Permit 101706. This report may also incorporate the reporting requirements of Condition 10 of Permits 101705 and 101704.

25. A summary of the report referred to in Condition 24 is to be made public. The Permit Holder shall call an annual meeting of interested parties in the Wanganui community to discuss the contents of this report by September each year beginning in September 2002.

1.1.1 Review

26. **horizons.mw** may under Section 128 of the Act initiate a review of the conditions of Permit 101706 in June 2011, 2016 and 2021 to avoid, remedy or mitigate any adverse effects of the environment.

The review of conditions shall be for the purpose of:

- a. reviewing the effectiveness of the standards in Conditions 10 and 14 in meeting environmental outcomes;
- b. reviewing any refinements to, or reduction in, the monitoring programmes specified in Conditions 11 to 13 and 15 to 17 and 19; and
- c. reviewing Condition 14 to ensure consistency with any changes to the standards in RCP Rule 1 of the Regional Coastal Plan.

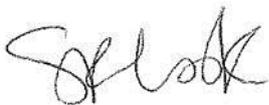
The review of conditions shall allow for:

- a. the deletion or amendment of any of the conditions of this Permit ;and / or
- b. the addition of new conditions as necessary to avoid, remedy or mitigate any adverse effects on the environment, including any unforeseen adverse environmental effects.

If necessary and appropriate the review, as provided for under this condition, may require the Permit Holder to adopt the Best Practicable Option to prevent or minimise significant adverse effects on the environment.

27. Charges, set in accordance with Section 36(1)c of the Resource Management Act 1991, and Section 690 A of the Local Government Act 1974, shall be paid to **horizons.mw** for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Act.

[Note: Section 36(1)c of the Act provides that **horizons.mw** may from time to time fix charges payable by holders of resource consents. The procedure for setting administrative charges is governed by Section 36(2) of the Act and is currently carried out as part of the formulation of **horizons.mw**'s Annual Plan.]



Sara Cook
CONSENTS PLANNER

9. DECISION

Subject to the recommended conditions, resource consent is granted to Wanganui District Council under sections 104, 104B, and 127 of the Resource Management Act 1991 to discharge diluted wastewater and stormwater to the Tasman Sea from the existing ocean outfall, South Beach, and to change the conditions of Coastal Permit 101706/1, for a term of 15 years for Coastal Permit 105288 expiring on 1 July 2026 subject to the consent conditions in section 8, for the following reasons:

- the activity will have minor actual or potential adverse effects on the environment;
- the activity is not contrary to any relevant objectives or policies with the exception of Policy 6-11 of the Proposed One Plan 2010, of which the inconsistency is deemed to be minor due to the difficulty in implementing the options contained in the Policy and the predicted reduction in discharge volume and time; and
- the activity is consistent with the purpose and principles of the Resource Management Act 1991.



Phillip Hindrup
CONSENTS MANAGER (ACTING)



Greg Ryder
**APPOINTEE OF THE MINISTER
OF CONSERVATION**

... September 2011