

## APPENDIX A

### A1 New Resource Consent Decisions

UPA

Ph

RM-025169  
22  
RM-065473

A. RECOMMENDATIONS OF COMMISSIONER PANEL (Restricted Coastal Activities)

1. CONSENT FOR COASTAL PERMIT TO DISCHARGE TREATED WASTEWATER TO TASMAN BAY

THAT, the application as submitted by Duffill Watts Tse on behalf of Nelson City Council to permit the discharge of treated wastewater to Tasman Bay be recommended to the Minister of Conservation for **granting** consent for a discharge of waste water after pre-treatment, in a two stage pond treatment facility, and after 5 years an eventual wetland before discharge to the sea in respect to this application for Restricted Coastal Activity, subject to the following conditions

Date of Commencement

Practical Completion 1<sup>st</sup> July 2008  
Commissioning - January 2008  
PC -

1. The consent shall take effect on the commissioning of the upgraded treatment plant but not later than two years from the date of grant of this consent.

Nature of Works

2. This consent shall be executed in general accordance with the consent application including the assessment of environmental effects lodged by the consent holder in December 2003, subject to amendments required by these conditions.

Date of Expiry of Consent

3. This consent shall expire on 1 December 2024

Iwi Consultation by Consent Holder

4. The consent holder shall consult with tangata whenua iwi so as to consider the conditions of the consent at the expiration of every five years from the date of grant of this consent.

Records to be Kept

5. The consent holder shall maintain a measuring device calibrated to  $\pm 5\%$  accuracy to record the rates of discharge of effluent into the receiving waters. These records are

UPR

*[Signature]*

*[Signature]*

to be supplied to the Divisional Manager Planning and Consents (or equivalent position), Nelson City Council every two months and on request. Calibration checks on the outflow measuring device are to be supplied to the Divisional Manager Planning and Consents (or equivalent position), Nelson City Council at least once per year.

#### Access for Council Staff and Agents

6. This permit is subject to the Nelson City Council as consent authority, or its servant or agents, being permitted access at all reasonable times for the purpose of carrying out inspections, measurements and the taking of samples.

#### Review of Conditions by Consent Authority

7. Nelson City Council, as consent authority, may review any of the conditions of this consent by giving notice of its intention to do so pursuant to Section 128 of the Resource Management Act 1991 at any time during the first 2 years from grant of this consent following the expiration of each 6 month period and during the remaining years of this consent within 6 months of each anniversary of granting the consent, for the purpose of ensuring that the said conditions are appropriate having regard to:
  - a) any adverse effect on the environment arising from the exercise of this consent; or
  - b) any new information or results of monitoring the effluent or receiving environment which suggests an adverse effect on the environment is likely to occur.
  - c) Any developments in "best practical options" as to methods of treatment.

#### Discharge Volumes

8. The maximum flow shall not exceed a daily peak flow of 38,000 m<sup>3</sup>/day in a 2 year rainfall return period and a peak 28 day average flow of 21,000m<sup>3</sup> per day.

#### Mixing Zone

9. The mixing zone, for the purposes of conditions contained in this permit is defined as a rectangular area which extends 250m to the north and south of the outfall diffuser,

parallel to the Boulder Bank, and 100m shoreward and seaward. [See attached diagram.]

A permanent sign shall be erected and maintained, and replaced if removed, at a suitably visible publicly accessible location by the consent holder advising the public not to take shellfish or swim within the mixing zone.

### Effluent Standards

10.1 Subject to condition 10.2 the wastewater discharge measured at the outlet of the maturation pond shall meet the following standards:

- a) The median monthly faecal coliform count over a one year period shall not exceed 10,000 per 100mls CFU, and not more than 1 of 12 monthly samples shall exceed 80,000 per 100mls CFU, as determined by the membrane filtration technique.
- b) The median five day Biological (Biochemical) Oxygen demand (BOD) concentration over a one year period shall not exceed 40g/m<sup>3</sup>, and no more than 8.3% of samples shall exceed 50g/m<sup>3</sup>.
- c) The median Suspended Solids (SS) concentration over a one year period shall not exceed 100g/m<sup>3</sup> and no more than 1 of 12 samples shall exceed 150g/m<sup>3</sup>.
- d) The concentration of the following trace metals or other substances in grams per cubic metre in the effluent discharge shall not exceed the stated values:

Trace-Metal/ Substance	g/m <sup>3</sup>	Trace-Metal/ Substance	g/m <sup>3</sup>	Trace-Metal/ Substance	g/m <sup>3</sup>
Cadmium	0.275	Zinc	0.75	Cyanide	0.2
Copper	0.065	Chromium	1.37	Phenols	20
Nickel	3.5	Lead	0.22	Mercury	0.02

10.2 Once the wetlands have been established condition 10.1 shall alter by deleting the words "at the outlet of the maturation pond" and replacing them with the words "at the outlet of the wetland."

## Monitoring of Effluent

11. All monitoring methods and procedures shall be established in consultation with the Nelson City Council Environmental Monitoring Co-ordinator (or equivalent position).

The frequency and subject of monitoring shall be as follows:

- a) Daily recording of effluent discharge volumes.
- b) Monthly monitoring of effluent for faecal coliforms, BOD and SS.
- c) Annual monitoring of trace metals (see 10(d) above) in sewage sludge and the pond effluent.

## Receiving Environment Standards

12. The discharge shall not cause any of the following effects in the receiving water outside the mixing zone:

- i) The production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials;
- ii) Any emission of objectionable odour;
- iii) Any conspicuous change in the colour or visual clarity.

The discharge shall not cause any significant adverse effect on marine aquatic life beyond the mixing zone.

## Receiving Environment Monitoring

13. At 5 yearly intervals, or at the request of the Divisional Manager Planning and Consents (or equivalent position), Nelson City Council, a qualitative ecological survey at the outfall diffuser shall be carried out by a competent independent environmental research organisation or individual.

If the qualitative survey indicates any significant seabed impacts, then a further detailed quantitative ecological survey shall be carried out at the outfall diffuser, the design of such survey being subject to the satisfaction of the Divisional Manager Planning and Consents, Nelson City Council




Stopped in November 2010. 26  
(Terdin - 1010305)

The applicant shall, at 3 monthly intervals, monitor receiving water for enterococci and e-coli and faecal coliform bacteria at points 250m, 500m, and 1000m from the outfall.

This requirement may lapse two years after commencement of the consent, subject to the agreement of the Divisional Manager Planning and Consents, Nelson City Council if no adverse effects are apparent in the receiving waters.

### Reporting

14. The results of monitoring are to be forwarded to the Divisional Manager Planning and Consents (or equivalent position), Nelson City Council every two months and on request.

The consent holder shall provide the Nelson City Council with an "annual monitoring report" before June 30 of the year following commencement of this consent, and annually thereafter. The monitoring report shall include:

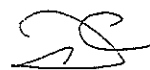
- (a) a summary of analyses and records collected in accordance with the conditions of this consent
- (b) a comment on the extent to which each consent condition has been complied with

### Monitoring Charges

15. The applicant will be required to meet the actual and reasonable costs incurred by the Nelson City Council (as consent authority) as a result of monitoring compliance with the terms of this consent.

### Wetland

16. In completing the design of the wetlands, the consent holder shall liaise with the Nelson Iwi Resource Management Advisory Komiti and the Department of Conservation. Such design shall be provided to the Divisional Manager Planning and Consents (or equivalent position), Nelson City Council, by 1 March 2008 with construction commencing 5 years from the date of commencement of this consent. Construction and commissioning of the wetlands shall be completed in accordance with any such design.



## Contingency Measures

17. In the event of any treatment plant failure that would result in any deterioration in effluent quality which affects the environment or is in breach of any conditions of this permit, the applicant shall advise the Divisional Manager Planning and Consents (or equivalent position), Nelson City Council and the local Medical Officer of Health as soon as practicable, and shall initiate and implement all practicable measures including signage and public notification to warn the public.

Any testing of the coastal waters directly necessitated by a failure of the applicant to meet the conditions of this permit, shall be a financial charge to the applicant.

**Note:** This permit does not authorise the discharge of effluent from any point other than the defined outfall.

The Consent Holder shall advise the Divisional Manager Planning and Consents (or equivalent position), Nelson City Council of any significant changes to the flows, composition or loads of trade waste inputs to the sewerage scheme, including the addition of any contaminant, which is potentially hazardous or toxic, or which may otherwise necessitate a review of consent conditions.

## Lapse of Existing Consent

18. On the date of commencement of this consent the Nelson City Council existing deemed discharge consent 690230 issued by the Nelson Catchment and Regional Water Board in 1969 shall lapse. (nb. Nelson City Council volunteered to accept this condition.)

## 2. CONSENT TO USE, MAINTAIN AND RENEW A PIPELINE AND OUTFALL STRUCTURE, AND TO OCCUPY SEABED

THAT the application as submitted by Duffill Watts Tse, on behalf of Nelson City Council, to use, maintain and renew a pipeline and outfall structure, and to occupy the seabed be recommended to the Minister of Conservation for granting consent subject to the following conditions:

### Date of Commencement

1. Consent shall take effect on the commissioning of the upgraded treatment plant.

### Nature of Works

2. This consent shall be executed in general accordance with the consent application including the assessment of environmental effects lodged by the consent holder in December 2003, subject to amendments required by these conditions.

### Date of Expiry of Consent

3. This consent shall expire on 1 December 2024.

### Iwi Consultation by Consent Holder

4. The consent holder shall consult with tangata whenua iwi so as to consider the conditions of the consent at the expiration of every five years from the date of grant of this consent.

### Review of Conditions by Consent Authority

5. The Nelson City Council, as consent authority, may review any of the conditions of this consent by giving notice of its intention to do so pursuant to Section 128 of the Resource Management Act 1991 at any time during the first 2 years from grant of this consent following the expiration of each 6 month period and during the remaining years of this consent within 6 months of each anniversary of granting the consent, for the purpose of ensuring that the said conditions are appropriate having regard to:



- a) any adverse effect on the environment arising from the exercise of this consent; or
- b) any new information or results of monitoring the effluent or receiving environment which suggests an adverse effect on the environment is likely to occur.

### Monitoring

6. The consent holder shall carry out a visual inspection of the outfall at 5 yearly intervals or at the request of the Divisional Manager Planning and Consents (or equivalent position), Nelson City Council.

### Maintenance of Structure

7. The pipeline and diffuser structure shall be maintained in a state consistent with its purpose, that it is the conveyance of effluent and the maximisation of dilution at the end of the pipe.

### Reporting

8. The results of the inspection referred to in Condition 5 shall be supplied to the Divisional Manager Planning and Consents (or equivalent position), Nelson City Council, within 2 months of completion of the inspection.

- B. **CONSENTS AND CONDITIONS BY COMMISSIONER CROSBY (sitting alone)**
3. **CONSENT TO DEPOSIT IN OR ON THE SEABED SUBSTANCES FROM THE OUTFALL PIPE**

THAT, the application as submitted by Duffill Watts Tse on behalf of Nelson City Council to permit the deposition in or on the seabed, substances from the outfall pipe be **granted**, subject to the following conditions.

#### **Date of Commencement**

1. Consent shall take effect on commissioning of the upgraded treatment plant.

#### **Nature of Works**

2. This consent shall be executed in general accordance with the consent application including the assessment of environmental effects lodged by the consent holder in December 2003, subject to amendments required by these conditions.

#### **Date of Expiry of Consent**

3. This consent shall expire on 1 December 2024.

#### **Iwi Consultation by Consent Holder**

4. The consent holder shall consult with tangata whenua iwi so as to consider the conditions of the consent at the expiration of every five years from the date of grant of this consent.

#### **Review of Conditions by Consent Authority**

5. The Nelson City Council, as consent authority, may review any of the conditions of this consent by giving notice of its intention to do so pursuant to Section 128 of the Resource Management Act 1991 at any time during the first 2 years from grant of this consent following the expiration of each 6 month period and during the remaining years

*WCh* *SD* *Am*

of this consent within 6 months of each anniversary of granting the consent, for the purpose of ensuring that the said conditions are appropriate having regard to:

- a) any adverse effects on the environment arising from the exercise of this consent; or
- b) any new information or results of monitoring the effluent or receiving environment which suggests an adverse effect on the environment is likely to occur.

### Monitoring

6. At 5 yearly intervals, or at the request of the Divisional Manager Planning and Consents (or equivalent position), Nelson City Council, a qualitative ecological survey of the seabed at the outfall diffuser shall be carried out by a competent independent environmental research organisation or individual.

If the qualitative survey indicates any significant seabed impacts, then a further detailed quantitative ecological survey shall be carried out at the outfall diffuser, the design of such survey being subject to the satisfaction of the Divisional Manager Planning and Consents, Nelson City Council.

### Reporting

7. The results of the inspection, together with a summary report shall be supplied to the Divisional Manager Planning and Consents (or equivalent position), Nelson City Council, within 2 months of completion of the inspection.

### 4. **CONSENT TO DISCHARGE WASTEWATER ON TO OR INTO LAND, NAMELY THE EXISTING OXIDATION POND AND PROPOSED WETLANDS AND FLOW BUFFER STORAGE POND**

THAT, the application submitted by Duffill Watts Tse, on behalf of Nelson City Council, to discharge wastewater on to or into land, namely the existing oxidation pond and proposed wetlands and flow buffer storage pond be **granted**, subject to the following conditions:

### Date of Commencement

1. Consent shall take effect on the commissioning of the upgraded treatment plant.

### Nature of Works

2. This consent shall be executed in general accordance with the consent application including the assessment of environmental effects lodged by the consent holder in December 2003, subject to amendments required by these conditions.

### Date of Expiry of Consent

3. This consent shall expire on 1 December 2024

### Iwi Consultation by Consent Holder

4. The consent holder shall consult with tangata whenua iwi so as to consider the conditions of the consent at the expiration of every five years from the date of grant of this consent.

### Review of Conditions by Consent Authority

5. The Nelson City Council, as consent authority, may review any of the conditions of this consent by giving notice of its intention to do so pursuant to Section 128 of the Resource Management Act 1991 at any time during the first 2 years from grant of this consent following the expiration of each 6 month period and during the remaining years of this consent within 6 months of each anniversary of granting the consent, for the purpose of ensuring that the said conditions are appropriate having regard to:
  - a) any adverse effect on the environment arising from the exercise of this consent; or
  - b) any new information or results of monitoring the effluent or receiving environment which suggests an adverse effect on the environment is likely to occur.

### Monitoring

6. The consent holder shall install 2 piezometers, one downstream of the Waste Water Treatment Plant, within 50m of the pond embankments, and the other as a control to be sited upstream of the plant. Sampling shall be carried out on an annual basis by a

*WDR*

*SD*

*WDR*

competent independent environmental research organisation or individual for ground water level and faecal coliforms.

### Reporting

7. The results of the groundwater sampling, together with a summary report shall be supplied to the Divisional Manager Planning and Consents (or equivalent position), Nelson City Council, within 2 months of completion of the analysis.

### 5. CONSENT TO DISCHARGE CONTAMINANTS, NAMELY WASTEWATER TREATMENT PLANT GASES, TO AIR FROM A WASTEWATER TREATMENT PLANT

THAT, the application submitted by Duffill Watts Tse, on behalf of Nelson City Council, to discharge contaminants, namely wastewater treatment plant gases to air from the wastewater treatment plant be granted, subject to the following conditions:

### Date of Commencement

1. Consent shall take effect on commissioning of the upgraded treatment plant.

### Nature of Works

2. This consent shall be executed in general accordance with the consent application including the assessment of environmental effects lodged by the consent holder in December 2003, subject to amendments required by these conditions.

### Date of Expiry of Consent

2. This consent shall expire on 1 December 2024

### Iwi Consultation by Consent Holder

4. The consent holder shall consult with tangata whenua iwi so as to consider the conditions of the consent at the expiration of every five years from the date of grant of this consent.



### Best Practicable Options to be Employed

5. The consent holder shall operate and maintain the Nelson wastewater treatment plant in a manner which employs best practicable options to prevent or minimise the discharge of objectionable or offensive odours.

### Standard to be Upheld at SH6 Odour Boundary

6. There shall be no discharges to air from the Nelson Wastewater Treatment Plant which – in the opinion of an Enforcement Officer engaged by the Nelson City Council to carry out air quality compliance monitoring– are objectionable or offensive at any point on or south of State Highway 6.

### Access for Council Staff and Agents

7. This permit is subject to the Nelson City Council as consent authority, or its servant or agents, being permitted access at all reasonable times for the purpose of carrying out inspections, measurements and the taking of samples.

### Odour Management Plan

8. The consent holder shall prepare, operate and maintain an Odour Management Plan to the satisfaction of the Divisional Manager Planning and Consents, Nelson City Council. The Plan shall detail the methods and operational procedures that the applicant will adopt to ensure that Conditions 4 and 5 of this consent are met at all times.

The Plan shall include, but its consent shall not necessarily be restricted to, the following:

- a) Details of the operating and maintenance regime for the proposed pre-treatment plant (ie the proposed buffer storage, trickling filter, clarifier and sludge dewatering facilities) and the actions that will be taken in the event of objectionable odours being generated from the plant.
- b) Details of oxidation pond management which relate to minimising the potential for odour production from the ponds, and contingency plans for remedying the situation or minimising adverse effects should an odour event occur.
- c) Details of the complaints procedure, record keeping and response procedure.

A draft of the Odour Management Plan shall be subject to independent review at the consent holder's cost before being finalised.

The consent holder shall forward the Odour Management Plan to the Divisional Manager Planning and Consents (or equivalent position) Nelson City Council, for approval, prior to the commissioning of the plant upgrade.

#### **Plant to be Operated/Maintained in accordance with Odour Management Plan**

9. The consent holder shall operate and maintain the Nelson Wastewater Treatment Plant in accordance with the provisions of the approved Odour Management Plan.

#### **Review of Odour Management Plan**

10. If requested by the Divisional Manager Planning and Consents, Nelson City Council, such request to be at no greater frequency than 2 years, the consent holder shall carry out a review of the Odour Management Plan in conjunction with the Divisional Manager and shall make such revisions to the Odour Management Plan that the Divisional Manager reasonably requests.

#### **Maintenance of Record of Complaints**

11. The consent holder shall keep a record of any complaints received alleging adverse effects due to discharges of air from the Nelson wastewater treatment plant.

The complaints record shall (where possible) contain the following:

- Name and address of complainant.
- Date and time of complaint.
- Nature of complaint.
- Weather conditions at time of complaint.
- Description of (any) investigations undertaken in relation to complaint.
- Identification of most likely cause of odour event.
- Actions taken to ameliorate/remedy odour event.

### Notification of Odour Event

12. In the event of any incident leading to an odour event, the consent holder shall advise the Divisional Manager Planning and Consents, Nelson City Council, as soon as practicable after the incident being brought to the attention of the consent holder, or the next working day. This includes any incident that results in complaints.

The consent holder shall forward to the Divisional Manager Planning and Consents, Nelson City Council, within 5 working days of the incident occurring, a written description of the incident, the reasons for it, its consequences (including the nature of any complaints), the measures taken to remedy it or mitigate its effects, and measures taken to prevent a recurrence of the event, including proposed changes (if any) to the Odour Management Plan.

### Request for Change or Cancellation of Consent Conditions by Consent Holder

13. The consent holder may apply, pursuant to Section 127 of the Resource Management Act 1991, to the Nelson City Council (as consent authority) for a change or cancellation of consent conditions, except that the term of the consent cannot be extended by such a change.

### Review of Consent Conditions by Consent Authority

14. The Nelson City Council, as consent authority, may review any or all of the conditions in this consent by giving notice of its intent to do so pursuant to S128 of the Resource Management Act 1991, within 3 months of the first, third, fifth and tenth anniversary of the date of commencement of this consent, for any of the following reasons:
- (a) To deal with any adverse effect of the environment arising from exercise of the consent, including any adverse effects on nearby residents, or
  - (b) To require the consent holder to adopt the best practicable option to remove or reduce any adverse effects on the environment.



6. **CONSENT TO CARRY OUT VEGETATION CLEARANCE, SOIL DISTURBANCE AND EARTHWORKS FOR THE CONSTRUCTION OF THE TREATMENT PLANT UPGRADE WORKS**

THAT, consent to the above application to undertake earthworks, vegetation clearance and soil disturbance, generally in accordance with the Development Concept Plan (Figure 8 – Proposed Upgrade of the Treatment Plant), pursuant to Section 104 of the Resource Management Act 1991, be granted, subject to the following conditions pursuant to Section 108 of the Act:

**General**

- 1.0 The buildings and structures required for the treatment plant upgrade shall be located within the general area as defined in the concept plan figure 8 proposed upgrade (page 27 and 97 in AE report, dated December 2003).

**Date of Expiry of Consent**

- 2.0 This consent shall expire on 1 December 2024.

**Godwit Migration Measures**

- 3.0 In respect of earthworks, vegetation, clearance and land disturbance near the Godwit roosting area the consent holder shall be required to prepare a Bird Disturbance Mitigation Plan in consultation with the Ornithological Society of Nelson and Department of Conservation prior to tendering or contracting any such works with an emphasis to be made in that Plan on seeking to avoid works during spring tide periods and generally to avoid disturbance to Godwit roosting areas.

**Koiwi Mitigation Measures**

- 4.0 Prior to carrying out any excavation the consent holder shall notify the Nelson Iwi Resource Management Advisory Komiti in writing no later than one month prior to such works commencing and by telephone no later than 3 working days prior to the commencement of such excavation works.
- 4.1 The Nelson Iwi Resource Management Advisory Komiti shall be entitled to have an appointed monitoring person present during excavation works to recover forthwith koiwi remains that may be disturbed so as to reduce contractors' down time for that

purpose as much as is reasonable and the cost of such a monitoring person shall be no more than \$40.00 per hour which shall be met by the consent holder.

(Note: The intention of this condition is to enable the recovery of koiwi in a sensitive but timely manner without undue disruption of works, and the condition is only to apply to excavation works, not general earthworks that do not include excavation.)

### Advice Notes

The applicant is advised that, as the requiring authority, Nelson City Council, it should have regard to the following matters:

### Emergency Management

1. An Emergency Management Plan (EMP) should be prepared and submitted to the Divisional Manager, Planning and Consents prior to the commencement of any construction works. Details of the EMP should include but not be limited to the following:
  - Identification and assessment of potential hazards (including natural hazards, fuel spills, and pump failures) and safety risks associated with construction works
  - Nomination of appropriate emergency safeguards to mitigate potential hazards
  - Contact list of response personnel

### Landscape and Planting Maintenance Plan

2. A landscape architect should be engaged who is experienced in coastal planting. The landscape architect should prepare a comprehensive Landscape Plan and colour scheme for the buildings and structures in consultation with the successful tenderer/contractor. The Department of Conservation and Council's Manager Recreation and Community Services should also be consulted in the preparation of the Landscape Plan, and that this Landscape Plan be submitted for the approval of the Divisional Manager, Planning and Consents within 6 months of the successful tender contract being signed to construct the Wastewater Treatment Plant.
3. The Landscape Plan should be implemented within 6 months of the commissioning of the Wastewater Treatment Plant. The landscape architect appointed by the consent

holder under condition 3 should certify that for each stage the works have been implemented in accordance with the approved Landscape Plan.

4. A Maintenance Programme and Schedule should be prepared and submitted to the Divisional Manager Planning and Consents for his approval, in consultation with the Manager, Recreation and Community Services, as part of this Landscape Plan. The Programme and Schedule should also include an indication of how the planting is to be maintained and by whom.
5. The approved Planting Maintenance Programme should be implemented within 6 months of the first plantings and thereafter the plantings should be maintained to the satisfaction of the Divisional Manager Planning and Consents, in consultation with the Manager, Recreation and Community Services, for a period of 5 years. Such maintenance should where necessary include plant replacement.
6. The implementation of the Landscape Plan should be monitored by an appropriately qualified person appointed by the consent holder and approved by the Divisional Manager, Planning and Consents, in consultation with the Manager Recreation and Community Services, on a six monthly basis for 3 years and thereafter 5 yearly to coincide with future reviews. This is to allow a proper assessment of the ecological, visual amenity, and cultural implications of the project. Written assessment reports from the above-appointed person should then be provided to the Divisional Manager, Planning and Consents after each monitoring exercise.

### **Building Design and Colour**

In accordance with the above approved Landscape Plan, all structures should be designed to present a low profile when seen from the State Highway at Wakapuaka. They should be constructed and surfaced with materials that are generally matt finish or low light reflectivity, and in colours sympathetic to and consistent with the naturally occurring colours in this coastal landscape. Where practicable landscape planting and contouring shall be used to further reduce the building's prominence.

### **Parking and Access**

8. All parking spaces, vehicle access and manoeuvring areas to the structures and buildings required from Boulder Bank Drive should be formed, surfaced and drained in accordance with the requirements of Appendix 9 and 10 of the Nelson Resource Management Plan and Nelson City Council Engineering Standards 2003.

UPA SD

## Services

9. All services should be provided in accordance with Nelson City Council Engineering Standards 2003.
10. Any new power lines to the site should be placed underground to the satisfaction of the Divisional Manager Planning and Consents.

## Floor Levels and Structures

11. All floor levels of any buildings should be at levels to the satisfaction of the Divisional Manager Planning and Consents

## Construction and Site Management

12. Construction noise should be measured and assessed in accordance with NZS6803P:1984: *The measurement and assessment of noise from construction, maintenance and demolition work.*
13. No construction should take place in the vicinity of Boulder Bank Drive in the northern corner nearest The Haven during the roosting season (being between September and March) to prevent any disturbance to the Godwits whilst nesting.
14. The construction site should be defined by tape, pegs or other means, and no construction activity, including storage of materials and vehicle movement should occur outside of this defined area and within the area designated in the Proposed Plan as DN7 Treatment Plant. In particular, there should be no construction vehicle access over the adjacent Wakapuaka sandflat area.
15. As far as is practicable, and consistent with public health and safety considerations, public access should be maintained to the public car parking areas at the seaward end of Boulder Bank Drive and adjacent to Snapper Point at all times during construction and subsequently.
16. Any on-site lighting required to be for security purposes should be so designed and located as not to cause any glare that would interfere with the Navigation Safety beacon near the outfall. Such on-site lighting should only be provided for emergency attendance at the plant only, and any sensor-activated security lights should be located so as not to create any glare.

*JPB* *SD*

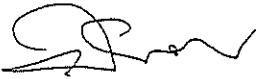
## Transport of Sludge

17. The consent holder should utilise the Best Practicable Option for transporting sludge and grit off the site to minimise odour and prevent any spillage on to public roads.

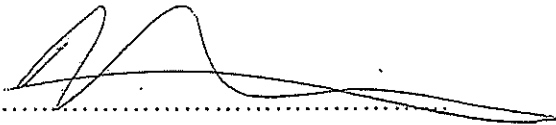
## Traffic Management Plan

18. Prior to the commencement of any construction work, a Traffic Management Plan should be prepared in consultation with Transit New Zealand's agents, Opus International Consultants, to ensure that all effects of construction traffic entering on and exiting from the intersection of State Highway 6 and Boulder Bank (Sewerside) Drive are addressed and mitigated to Transit NZ's reasonable satisfaction. A copy of the Plan should be submitted to the Divisional Manager, Planning and Consents

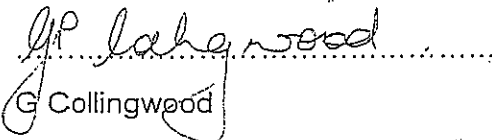
Dated this 21 day of October, 2004



R D Crosby

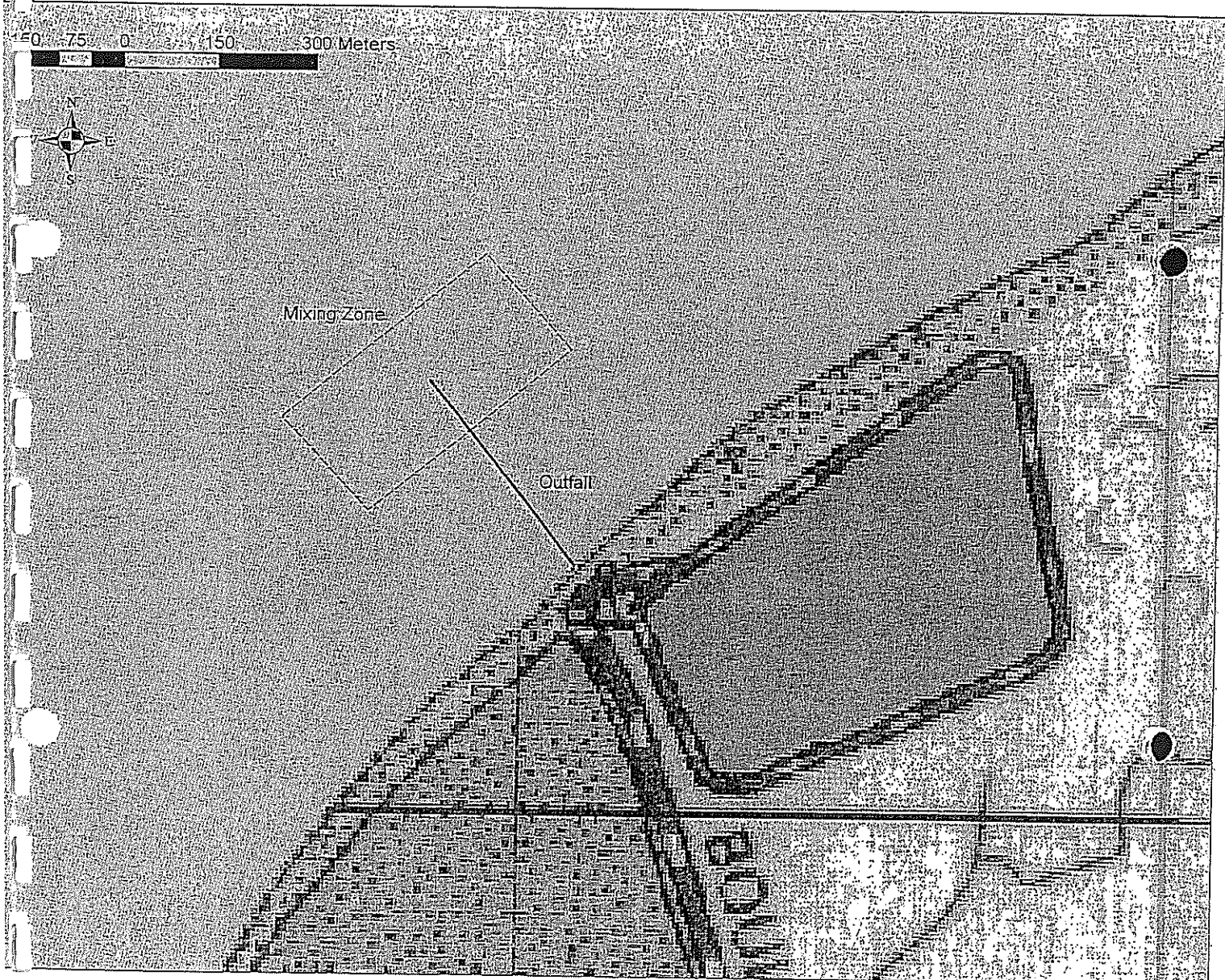


Dr I Stewart



G Collingwood

UPR



SC  
JFB

0872

nm

**APPENDIX A**

**A2** Correction to Decision by Commissioner,  
Letter 8 December 2004

UPH  
M

**NELSON CITY COUNCIL**

PO BOX 645 NELSON 7015 NEW ZEALAND PHONE 03-546 0200 FAX 03-546 0239

8 December 2004

For your info Alec – a copy of this letter has gone out to all interested parties

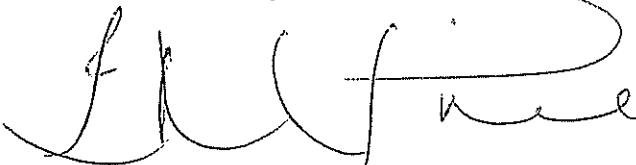
Dear Sir/Madam

**NELSON NORTH TREATMENT PLANT – CORRECTION TO DECISION LETTER**

Following the Commissioner's decision and recommendation of 21 October, it has been drawn to the attention of Commissioner Crosby that there are three errors which should be corrected under the Slips and Omissions procedures. These changes are regarded as being minor.

Please find enclosed the amendments.

Yours faithfully



Trudy Price  
Consent Administrator





RM-065473

FILED  
GCP

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of an application by Nelson City Council for a  
suite of consents in respect of the upgrade of  
the Nelson North Waste Water Treatment PlantAMENDMENT TO DECISION UNDER PART B  
BY COMMISSIONER CROSBY SITTING ALONE

1.0 Since delivering my Decision dated 21 October 2004 it has been drawn to my attention that there are errors in the Decision which require correction. These can be done under the "Slips or Omissions" procedures. They are:

- (i) Page 34 – Condition 8 Line 4 – Delete "Conditions 4 and 5" and replace this with "Conditions 5 and 6".
- (ii) Page 37 – Condition 3 – Remove the comma on the first line after the word "vegetation".
- (ii) Page 40 – Advice Note 13 – Remove Advice Note 13 in its entirety.

By way of explanation it was not intended that this paragraph 13 be included but as it is inconsistent with my earlier comments in para. 16.7 – 16.11 and was inadvertently included when transposing other material.

Dated this 2nd day of November 2004



R D Crosby

UPK

m

## **APPENDIX A**

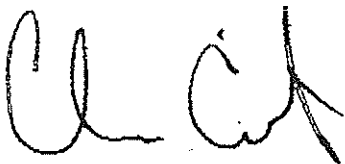
### **A3 Coastal Permit**

*VRG*  
*Mr*

**COASTAL PERMIT**

Pursuant to the provisions of section 119 of the Resource Management Act 1991, I hereby grant Nelson City Council a coastal permit (No. SAR-05-61-01-06) consenting to the continuous discharge not exceeding a daily peak flow of 38,000m<sup>3</sup> and a peak 28 day average flow of 21,000m<sup>3</sup> of treated wastewater per day, to the coastal marine area, via an ocean outfall approximately 350 offshore of the Boulder Bank, Nelson, into Tasman Bay; and to use, maintain and renew a pipeline and outfall structure and its associated occupation of the seabed, generally in accordance with the application and subject to the attached conditions of consent.

Dated at *Wellington* this *24* day of *November* 2004



Hon Chris Carter

Minister of Conservation

*UPR*  
*M*

A. **RECOMMENDATIONS OF COMMISSIONER PANEL (Restricted Coastal Activities)**

1. **CONSENT FOR COASTAL PERMIT TO DISCHARGE TREATED WASTEWATER TO TASMAN BAY**

THAT, the application as submitted by Duffill Watts Tse on behalf of Nelson City Council to permit the discharge of treated wastewater to Tasman Bay be recommended to the Minister of Conservation for **granting** consent for a discharge of waste water after pre-treatment, in a two stage pond treatment facility, and after 5 years an eventual wetland before discharge to the sea in respect to this application for Restricted Coastal Activity, subject to the following conditions

**Date of Commencement**

1. The consent shall take effect on the commissioning of the upgraded treatment plant but not later than two years from the date of grant of this consent.

**Nature of Works**

2. This consent shall be executed in general accordance with the consent application including the assessment of environmental effects lodged by the consent holder in December 2003, subject to amendments required by these conditions.

**Date of Expiry of Consent**

3. This consent shall expire on 1 December 2024

**Iwi Consultation by Consent Holder**

4. The consent holder shall consult with tangata whenua iwi so as to consider the conditions of the consent at the expiration of every five years from the date of grant of this consent.

**Records to be Kept**

5. The consent holder shall maintain a measuring device calibrated to  $\pm 5\%$  accuracy to record the rates of discharge of effluent into the receiving waters. These records are

to be supplied to the Divisional Manager Planning and Consents (or equivalent position), Nelson City Council every two months and on request. Calibration checks on the outflow measuring device are to be supplied to the Divisional Manager Planning and Consents (or equivalent position), Nelson City Council at least once per year.

### Access for Council Staff and Agents

6. This permit is subject to the Nelson City Council as consent authority, or its servant or agents, being permitted access at all reasonable times for the purpose of carrying out inspections, measurements and the taking of samples.

### Review of Conditions by Consent Authority

7. Nelson City Council, as consent authority, may review any of the conditions of this consent by giving notice of its intention to do so pursuant to Section 128 of the Resource Management Act 1991 at any time during the first 2 years from grant of this consent following the expiration of each 6 month period and during the remaining years of this consent within 6 months of each anniversary of granting the consent, for the purpose of ensuring that the said conditions are appropriate having regard to:
- a) any adverse effect on the environment arising from the exercise of this consent; or
  - b) any new information or results of monitoring the effluent or receiving environment which suggests an adverse effect on the environment is likely to occur.
  - c) Any developments in "best practical options" as to methods of treatment.

### Discharge Volumes

8. The maximum flow shall not exceed a daily peak flow of 38,000 m<sup>3</sup>/day in a 2 year rainfall return period and a peak 28 day average flow of 21,000m<sup>3</sup> per day.

### Mixing Zone

9. The mixing zone, for the purposes of conditions contained in this permit is defined as a rectangular area which extends 250m to the north and south of the outfall diffuser,

parallel to the Boulder Bank; and 100m shoreward and seaward. [See attached diagram.]

A permanent sign shall be erected and maintained, and replaced if removed, at a suitably visible publicly accessible location by the consent holder advising the public not to take shellfish or swim within the mixing zone.

### Effluent Standards

10.1 Subject to condition 10.2 the wastewater discharge measured at the outlet of the maturation pond shall meet the following standards:

- a) The median monthly faecal coliform count over a one year period shall not exceed 10,000 per 100mls CFU, and not more than 1 of 12 monthly samples shall exceed 80,000 per 100mls CFU, as determined by the membrane filtration technique.
- b) The median five day Biological (Biochemical) Oxygen demand (BOD) concentration over a one year period shall not exceed 40g/m<sup>3</sup>, and no more than 8.3% of samples shall exceed 50g/m<sup>3</sup>.
- c) The median Suspended Solids (SS) concentration over a one year period shall not exceed 100g/m<sup>3</sup> and no more than 1 of 12 samples shall exceed 150g/m<sup>3</sup>.
- d) The concentration of the following trace metals or other substances in grams per cubic metre in the effluent discharge shall not exceed the stated values:

Trace Metal/ Substance	g/m <sup>3</sup>	Trace Metal/ Substance	g/m <sup>3</sup>	Trace Metal/ Substance	g/m <sup>3</sup>
Cadmium	0.275	Zinc	0.75	Cyanide	0.2
Copper	0.065	Chromium	1.37	Phenols	20
Nickel	3.5	Lead	0.22	Mercury	0.02

- 10.2 Once the wetlands have been established condition 10.1 shall alter by deleting the words "at the outlet of the maturation pond" and replacing them with the words "at the outlet of the wetland."

### Monitoring of Effluent

11. All monitoring methods and procedures shall be established in consultation with the Nelson City Council Environmental Monitoring Co-ordinator (or equivalent position).

The frequency and subject of monitoring shall be as follows:

- a) Daily recording of effluent discharge volumes.
- b) Monthly monitoring of effluent for faecal coliforms, BOD and SS.
- c) Annual monitoring of trace metals (see 10(d) above) in sewage sludge and the pond effluent.

### Receiving Environment Standards

12. The discharge shall not cause any of the following effects in the receiving water outside the mixing zone:

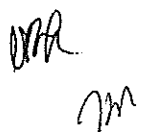
- i) The production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials;
- ii) Any emission of objectionable odour;
- iii) Any conspicuous change in the colour or visual clarity.

The discharge shall not cause any significant adverse effect on marine aquatic life beyond the mixing zone.

### Receiving Environment Monitoring

13. At 5 yearly intervals, or at the request of the Divisional Manager Planning and Consents (or equivalent position), Nelson City Council, a qualitative ecological survey at the outfall diffuser shall be carried out by a competent independent environmental research organisation or individual.

If the qualitative survey indicates any significant seabed impacts, then a further detailed quantitative ecological survey shall be carried out at the outfall diffuser, the design of such survey being subject to the satisfaction of the Divisional Manager Planning and Consents, Nelson City Council



The applicant shall, at 3 monthly intervals, monitor receiving water for enterococci and e-coli and faecal coliform bacteria at points 250m, 500m, and 1000m from the outfall.

This requirement may lapse two years after commencement of the consent, subject to the agreement of the Divisional Manager Planning and Consents; Nelson City Council if no adverse effects are apparent in the receiving waters.

### Reporting

14. The results of monitoring are to be forwarded to the Divisional Manager Planning and Consents (or equivalent position), Nelson City Council every two months and on request.

The consent holder shall provide the Nelson City Council with an "annual monitoring report" before June 30 of the year following commencement of this consent, and annually thereafter. The monitoring report shall include:


- (a) a summary of analyses and records collected in accordance with the conditions of this consent
- (b) a comment on the extent to which each consent condition has been complied with

### Monitoring Charges

15. The applicant will be required to meet the actual and reasonable costs incurred by the Nelson City Council (as consent authority) as a result of monitoring compliance with the terms of this consent.

### Wetland

16. In completing the design of the wetlands, the consent holder shall liaise with the Nelson Iwi Resource Management Advisory Komiti and the Department of Conservation. Such design shall be provided to the Divisional Manager Planning and Consents (or equivalent position), Nelson City Council, by 1 March 2008 with construction commencing 5 years from the date of commencement of this consent. Construction and commissioning of the wetlands shall be completed in accordance with any such design.





### Contingency Measures

17. In the event of any treatment plant failure that would result in any deterioration in effluent quality which affects the environment or is in breach of any conditions of this permit, the applicant shall advise the Divisional Manager Planning and Consents (or equivalent position), Nelson City Council and the local Medical Officer of Health as soon as practicable, and shall initiate and implement all practicable measures including signage and public notification to warn the public.

Any testing of the coastal waters directly necessitated by a failure of the applicant to meet the conditions of this permit, shall be a financial charge to the applicant.

**Note:** This permit does not authorise the discharge of effluent from any point other than the defined outfall.

The Consent Holder shall advise the Divisional Manager Planning and Consents (or equivalent position), Nelson City Council of any significant changes to the flows, composition or loads of trade waste inputs to the sewerage scheme, including the addition of any contaminant, which is potentially hazardous or toxic, or which may otherwise necessitate a review of consent conditions.

### Lapse of Existing Consent

18. On the date of commencement of this consent the Nelson City Council existing deemed discharge consent 690230 issued by the Nelson Catchment and Regional Water Board in 1969 shall lapse. (nb. Nelson City Council volunteered to accept this condition.)

## 2. CONSENT TO USE, MAINTAIN AND RENEW A PIPELINE AND OUTFALL STRUCTURE, AND TO OCCUPY SEABED

THAT the application as submitted by Duffill Watts Tse, on behalf of Nelson City Council, to use, maintain and renew a pipeline and outfall structure, and to occupy the seabed be recommended to the Minister of Conservation for granting consent subject to the following conditions:

### Date of Commencement

1. Consent shall take effect on the commissioning of the upgraded treatment plant.

### Nature of Works

2. This consent shall be executed in general accordance with the consent application including the assessment of environmental effects lodged by the consent holder in December 2003, subject to amendments required by these conditions.

### Date of Expiry of Consent

3. This consent shall expire on 1 December 2024.

### Iwi Consultation by Consent Holder

4. The consent holder shall consult with tangata whenua iwi so as to consider the conditions of the consent at the expiration of every five years from the date of grant of this consent.

### Review of Conditions by Consent Authority

5. The Nelson City Council, as consent authority, may review any of the conditions of this consent by giving notice of its intention to do so pursuant to Section 128 of the Resource Management Act 1991 at any time during the first 2 years from grant of this consent following the expiration of each 6 month period and during the remaining years of this consent within 6 months of each anniversary of granting the consent, for the purpose of ensuring that the said conditions are appropriate having regard to:

- a) any adverse effect on the environment arising from the exercise of this consent; or
- b) any new information or results of monitoring the effluent or receiving environment which suggests an adverse effect on the environment is likely to occur.

### Monitoring

6. The consent holder shall carry out a visual inspection of the outfall at 5 yearly intervals or at the request of the Divisional Manager Planning and Consents (or equivalent position), Nelson City Council.

### Maintenance of Structure

7. The pipeline and diffuser structure shall be maintained in a state consistent with its purpose, that it is the conveyance of effluent and the maximisation of dilution at the end of the pipe.

### Reporting

8. The results of the inspection referred to in Condition 5 shall be supplied to the Divisional Manager Planning and Consents (or equivalent position), Nelson City Council, within 2 months of completion of the inspection.