

MINUTES

TITLE: Environment & Planning Subcommittee
DATE: Monday, 28 November 2005
TIME: 9.30 am
VENUE: Council Chamber, 189 Queen Street, Richmond

PRESENT: Crs E M O'Regan (Chair), R G Kempthorne and P K O'Shea

IN ATTENDANCE: Manager Consents (J Hodson), Consent Planners (M Morris and N Lewis), Development Engineer (D Ley), Administration Officer (B D Moore).

1. CBH LIMITED, MAISEY ROAD, GREENACRES ROAD, REDWOOD VALLEY – APPLICATION No. RM050723 AND RM030632

1.1 Proposal

Application RM030632 Subdivision Variation Application

The applicant sought the following:

1. to vary their subdivision so that Lots 57 and 58 are contained within Lot 57 and there will be no Lot 58;
2. except for the main access road to vest, all the approved access places are to become rights of way;
3. the esplanade strip along Redwood Valley Stream is to be 10 metres on the northern bank and 5 metres on the southern bank;
4. a minor change to Lot 47 boundary to allow frontage to the access road for part of Lot 5 DP 8252;
5. the approved building site within the existing Lot 2 is to be contained within Lot 77 and the Lot 2 is to be held together in common with Lots 45 and 66;
6. Lot 1 is to be subdivided by way of a boundary adjustment and amalgamated with Lot 2 DP 320175 (CT 79823).

RM050727 Discharge Permit for Domestic Wastewater

Consent was sought to discharge up to 90 m³ of tertiary treated domestic wastewater to land by trickle irrigation, at a rate not exceeding 2 millilitres per day.

The site gains access off the Coastal Highway and is located at Maisey Road, Greenacres Road, Redwood Valley on CTs NL84441, 84439, 1D/1219, 95551, 116/69, 10A/1078 and ID79823. The subdivision and landuse consent RM030632 was issued on 21 July 2005. No appeals have been received and so the consent is considered to be in effect.

1.2 Presentation of Applications

Ms C Owen, solicitor of Duncan Cotterill, Counsel for applicant CBH Limited, tabled and read submission on behalf of the applicant. She referred to the situation where the original subdivision application had proceeded without the effluent disposal discharge consent for wastewater and conditions 17 and 18 of consent RM030632 referred to that situation. The applicant had applied to the Council on 25 August 2005 for a discharge consent to operate an onsite wastewater treatment and disposal system.

The evidence referred to the variations to the subdivision consent which the applicant sought and noted that the staff report recommended that the proposed amalgamation of Lot 2 and the alteration of excess places to rights of way be granted. The evidence asked that the application for onsite wastewater treatment and disposal be assessed in accordance with the parts of the proposed Tasman Resource Management Plan which are in force at the time the application is heard rather than any provisions in variations that do not yet have legal effect.

Development Manager for CBH Limited, Mr C Edmonds, tabled and read a statement of evidence and referred to further information including planting recommendations for the wastewater land disposal area from Mr M J Conway. A copy of a report from Cawthron provided the results of water sampling of Redwood Stream on 1 November 2005 which revealed an average concentration of faecal coliforms at 20 times the maximum level allowed for the treated effluent prior to its application to the land.

The applicant volunteered an amended consent condition, that requires the monitoring and avoidance of above ground flows. The evidence said that the effluent treatment volumes will initially be small and grow to full design volumes over 6-10 years. This is an opportunity to fine tune maintenance and management of the scheme's various parts and is a further assurance to Council of the capacity for long term stable performance of consent conditions.

Mr M M Flannery, Civil Engineer of Connell Wagner, tabled and read evidence on the proposed wastewater system and said that UV disinfection will mean that the end quality will be consistent with treated wastewater that is surface sprayed to golf courses and other public areas. Work is currently underway to try to select a preferred treatment plant supplier. It is proposed to discharge the wastewater into a 6.8 hectare area of land which is currently in grass but is being planted with plants with high evapo transpiration rates. He said 2.3 hectare of that land will provide a reserve disposal area, plus further reserve areas on parts of Lots 45 and 66. The high level of treatment will ensure that there are no health risks associated with any seepage from the effluent disposal area.

The evidence said that it is cost prohibitive for an applicant to have to pay for a final design and selection of a wastewater treatment system, before a consent is secured. Mr Flannery referred to the Council Officer's proposed conditions of consent for the discharge permit and suggested that an additional monitoring condition be added.

Mr Flannery suggested that future lighting could be provided adjacent to the proposed rights of way and that the applicant did not favour the use of street lighting.

Resource Management Consultant, Mr M A Lile, tabled and spoke to planning evidence including a range of photographs. He tabled copies of letters dated 1 November and 8 November 2005 addressed to Council Consent Planner N Lewis. The evidence suggested that there was a future opportunity for other Rural 3 property connections to the proposed effluent disposal scheme. He said that the effluent treatment system will operate at a low volume for a long period of time, allowing the management and maintenance regime to "bed in". He said that the applicant had volunteered very high standards of effluent treatment in order to establish a system that is sustainable over a long term.

1.3 Submissions

Mr D Richards, spoke to the submission from D and H Richards and Redwood Valley rural water supply. Mr Richards spoke of his concern about the proposed method of wastewater disposal and said that the subdivision should have a reticulated sewerage system. He said that the subject soil permeability is quite low and that there needs to be considerable over design in order to handle breakdowns or blockages. He said that the applicant company is proposing to make a portion of the over designed system, available for other landowners. He said that the biggest risk is from effluent before it gets into the disposal area. He said that there needs to be more capacity at the first pump station and more than the four hours proposed. Mr Richards was concerned about contamination of the Redwood Valley water supply scheme from the contamination of groundwater and that nitrogen and phosphate are both very soluble elements. He said he was unable to understand how downstream contamination could be eliminated and that there would be too much nitrogen for all year-round application. He said a management system would be needed to monitor the system and potential effects to public health and that there should be some accountability to an independent body and the information passed to Council to be audited very rigidly.

Ms G Mason, a property owner at Greenacres North, also spoke of her concern about the proposed wastewater disposal scheme and advised that she is also involved with the Redwood Water Scheme. She said that the wastewater scheme should be reserved for the use of this subdivision until occupation of the subdivision was complete. She questioned what would happen with the wood lot area that the applicant was proposing to establish to assist effluent takeup. She suggested that a limitation be applied to future harvesting and that the Council should impose a bond.

Mr C Garnett said he lives 5 kilometres away from the subject site and that he was concerned about the potential for further infill subdivision. He expressed concern about the proposed onsite wastewater system and the potential for problems to occur. Mr Garnett spoke of the potential for 150 houses in and around the proposed subdivision and that a reticulated sewer system should be provided. He said that the soil type and low infiltration rates and sloping land of the disposal area made it unsuitable and was concerned about the proximity to the stream. He said that the test pits were done during dry conditions. He agreed with the proposal for an upstream sampling point in Redwood Stream, upstream of the proposed subdivision area. He said that there was a potential for overland flows to run straight into Redwood Stream. Mr Garnett said that the proposed four hour reserve capacity is insufficient. He said that although the applicant proposed to provide reserve areas of land for effluent disposal, as these are not intended to be piped they would be unavailable for immediate use. He said in the winter the subject effluent slopes become frosted and no evaporation is possible.

Mr B W Mosely tabled and read a submission and expressed concern about the lack of specific information and details with the application. He said that there were no guarantees on the successful operation of the disposal system in that examples of the proposed system for effluent disposal, should have been provided by the applicant. Mr Mosely said that a financial penalty should apply for breach of conditions and that the effluent should be reticulated to Bells Island. The submitter claimed that the proposed wastewater disposal area was unsuitable with poor evapo transpiration rates and that the land becomes frozen in winter. He said the wastewater disposal should be restricted to this subdivision and the number of proposed contributors. He was concerned about the potential effects of odour carried by the prevailing wind from the north which could affect the residents to the south of the ridgeline. He said that the proposed effluent processing plant should be moved to the north side of the ridge. Mr Mosely said that the ford at Greenacres Road and the road gets flooded during heavy rain. He referred to a letter provided by Opus International to claim that wastewater systems all smell at some time. He encouraged efforts made to reduce the street lighting. The submitter said that the applicant just giving an assurance of satisfactory operation of the wastewater disposal system is inadequate.

1.4 Staff Report

Consent Planner Discharges, N Lewis, spoke to her report of 16 November 2005 contained within the agenda. She said that any potential connection of adjoining landowners into the proposed effluent disposal system should be considered by way of variation. She noted that the applicant had not presented any specific details on the proposed treatment system and that the proposed wastewater contaminant levels proposed by the applicant are lower than the Council's proposed Variation 46. She supported the applicant's volunteered condition of consent to restrict surface flow.

Ms Lewis said that Council should seek legal advice on how the discharged consent should be held by CBH Limited. She suggested a condition of consent that monitoring frequency should be specified. The staff report suggested that conditions of consent require a bond and that the consent be linked to a specific volume and this subdivision. She acknowledged that the Council's engineering standards only required a four hour storage capacity at the pump stations but she sought that eight hours be required.

Mr C Edmonds said that the applicant volunteered an eight hour storage capacity. Ms Lewis said that the treatment plant should have a 24 hour storage capacity.

1.5 Right of Reply

Cr O'Regan requested that the applicant provide a written right of reply and Ms Owen agreed that this would be provided by Friday, 9 December to Council staff.

The Committee reserved its decision at 6.15 pm.

Moved Crs O'Regan / O'Shea EP05/11/61

THAT the public be excluded from the following part of the proceedings of this meeting namely:

CBH Limited

The general subject of the matter to be considered while the public is excluded, the reason for passing this resolution in relation to the matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

Subject	Reasons	Grounds
CBH Limited	Consideration of a planning application.	A right of appeal lies to the Environment Court against the final decision of Council.

CARRIED

Moved Crs O'Shea / Kempthorne EP05/05/11/62

THAT for the purposes of discussing the application of CBH Limited as an "In Committee" item, the Manager Consents be authorised to be in attendance as advisor.

CARRIED

**Moved Crs O'Shea / Kempthorne
EP05/11/63**

THAT the public meeting be resumed and that the business transacted during the time the public was excluded be adopted and that the following resolutions be confirmed in open meeting.

CARRIED

**2. CBH LIMITED, MAISEY ROAD, GREENACRES ROAD, REDWOOD VALLEY –
APPLICATION No. RM050723 AND RM030632**

**Moved Crs O'/Regan / Kempthorne
EP05/11/64**

DECISION –SUBDIVISION (RM030632) VARIATION:

THAT pursuant to Part II and Sections 104, 104B,104D and 220 and 221 of the Resource Management Act 1991, consent is **GRANTED** to vary the existing consent subject to the following conditions.

The reasons for the decision are given at the end of this document.

CONDITIONS - SUBDIVISION CONSENT VARIATION (RM030632)

Resource Consent be varied in regard to the following conditions:

A. Condition 1 is replaced with the following:

1. The subdivision and development shall be carried out in accordance with the application plan by Aubrey Survey and Land Development Consultancy Job No. R594 dated August 2005 (Attached as Appendix 1).

B. Condition 5 is varied as follows:

- i) Lot 1 hereon be amalgamated with Lot 2 DP 320175 (CT 79823) and one certificate of title issue.
- ii) (unchanged)
- iii) (unchanged)
- iv) Lot 2, 45 and 66 hereon be held together and one certificate of title be issued for the three parcels.

DLR reference 473045.

C. Condition 7 is deleted.

D. Condition 11 is varied to include the following paragraph:

“Where a site has a frontage to both an access road and a right-of-way (that it has access rights to), the vehicle crossing shall be located on to the right-of-way, ensuring that the crossing is as far from the intersection as possible.”

E. Condition 28 is replaced with the following:

“ No dwelling shall be located on Lots 1 and 2.”

DECISION – DISCHARGE DOMESTIC WASTEWATER RM050727:

THAT pursuant to Part II and Sections 104 and 104B of the Resource Management Act 1991, consent is **GRANTED** to CBH Ltd discharge domestic wastewater subject to the following conditions.

The reasons for the decision are given at the end of this document.

CONDITIONS - DISCHARGE DOMESTIC WASTEWATER RM050727:

Site and Discharge Details

- | | |
|----------------------------|--|
| 1. Physical Address: | Greenacres Road, Redwood Valley |
| Legal Description: | Lot 2 DP 6766 (refer Conditions 12 and 17) |
| Valuation Number: | 1938080000 |
| Map Reference of Property: | East 2517536 North 5989725 |
| Receiving Environment: | Land |
| Maximum Discharge Volume: | 90, 000 litres per day |
| Maximum Discharge Rate: | 2 millimetres per day |
| Discharge Characteristics: | Tertiary treated domestic wastewater from residential development authorised by Resource Consent RM030632. |

Discharge Restrictions

2. The maximum daily discharge volume shall not exceed 90, 000 litres.
3. The discharge shall contain only treated domestic wastewater from 61 dwellings authorised by RM030632, no industrial or tradewaste shall be included.
4. The maximum loading rate at which the wastewater is applied to land shall not exceed 2 millimetres per day (2 litres per square metre per day).

Advice Note:

For a daily discharge volume of 90, 000 litres the primary disposal area will need to be at least 4.5 hectares, with an additional 4.5 hectare suitable reserve area.

5. The treated wastewater entering the disposal field, as measured at the sampling point required to be installed by Condition 27, shall comply at all times with the following limits:
 - i) Carbonaceous biochemical oxygen demand (cBOD₅) 10 grams per cubic metre;

- ii) Total suspended solids 10 grams per cubic metre; and
 - iii) Faecal coliforms 100 faecal coliforms per 100 millilitres; and
 - iv) Total nitrogen 25 grams per cubic metre.
6. The discharge shall not cause any of the following effects on the receiving waters (ground or surface waters) beyond the boundary of Lot 2 on which the discharge occurs:
- i) The production of any conspicuous oil or grease film, scums or foams, or floatable or suspended material; or
 - ii) Any conspicuous change in the colour or visual clarity; or
 - iii) Any emission of objectionable odour; or
 - iv) Any significant adverse effects on aquatic life.

Collection, Reticulation, Treatment and Disposal Systems

7. The Consent Holder shall submit a detailed "Wastewater Treatment and Disposal Design Report", prepared by a person who is suitably experienced in designing wastewater treatment and disposal systems, to the Council's Environment & Planning Manager prior to the construction of the collection, treatment or disposal systems. This report shall provide evidence of how design requirements imposed by this consent on the treatment and disposal systems shall be met and shall include, but not be limited to, the following information:
- i) certification that the selected disposal areas are of suitable topography and soil type and are suitable for the loading rates proposed and sufficiently stable for wastewater disposal; and
 - ii) the location and dimensions of disposal areas (including reserve areas), including setbacks from neighbouring properties, watercourses and domestic bores, depth of unsaturated soils beneath dripper lines and avoidance of slopes greater than 15 degrees; and
 - iii) details of how the disposal system will be operated and criteria to be used to determine the timing, period and rate of application. The criteria shall be based on, amongst other things, climatic data, soil moisture status, and groundwater levels within the disposal areas; and
 - iv) details regarding management of vegetation at the disposal area for the duration of consent; and
 - v) the measures proposed to minimise stormwater infiltration and inflow into the disposal field; and
 - vi) the proposed method of wastewater treatment including specific design details and evidence of how the contaminant limits required by Condition 5 will be complied with on a consistent basis; and
 - vii) the location of the wastewater treatment plant.

8. The construction and installation of the wastewater treatment plant and disposal system shall be carried out in accordance with information submitted with the application for resource consent RM050727 and the design report required under Condition 7, and under the supervision of a person who is suitably qualified and experienced in wastewater treatment and disposal systems.

The person supervising the construction and installation of the system shall provide a written certificate or producer statement to the Council's Co-ordinator, Compliance Monitoring prior to the exercise of this resource consent. This certificate or statement shall include sufficient information to enable the Council to determine compliance with Conditions 10-17 (inclusive) and shall also confirm the following:

- i) that the wastewater system (including the collection system, treatment plant and the disposal area) is capable of treating the design flows and that it has been designed generally in accordance with standard engineering practice, AS/NZ Standard 1547:2000 for On-Site Domestic Wastewater Management; and
- ii) that all components of the wastewater system (including the treatment plant and the disposal area) have been inspected and installed in accordance with standard engineering practice, the manufacturer's specifications; and
- iii) that the components used in the facility are in sound condition for continued use for the term of this resource consent, or are listed in the Operations and Management Plan (required by Condition 18) for periodic replacement.

9. The consent holder shall submit a set of final "as-built" plans to the Council's Co-Ordinator Compliance Monitoring which show the siting of all components of the wastewater treatment and disposal system. For the purpose of this condition, the consent holder shall ensure that the "as-built" plans are drawn to scale and provide sufficient detail for a Council monitoring officer to locate all structures identified on the plans.

10. 1. All wastewater shall be treated prior to disposal using a primary treatment process followed by a secondary treatment process (Attached Growth Media, Membrane Bio-Reactor or Sequencing Batch Reactor), and ultra-violet tertiary treatment process (where the treatment process is not a Membrane Bio-Reactor) to ensure the wastewater meets the standards specified in Condition 5.
2. If UV disinfection is required the wastewater shall receive a minimum level of UV disinfection, defined as the 10 minute average received UV light dose, of 45 milli-Watt seconds per square centimetre (mWs/cm²) prior to the discharge leaving the treatment plant and being disposed to land. The UV disinfection system shall include an automatic self cleaning mechanism.
3. The treatment plant shall be designed such that it is able to be configured for nitrogen removal should it be required to meet conditions of conditions of consent.

Advice Note:

The Consent Holder has proposed that an ultra violet light disinfection system will be used to provide tertiary treatment of wastewater. The specific design of the disinfection system has yet to be determined, but it is expected that the Consent Holder will provide sufficient technical information to the Council for it to be confident that the required viral reduction can be consistently achieved. For clarification, if monitoring of the treatment system shows that the minimum ultraviolet dose has not been met, then the Council may undertake additional microbiological sampling to verify compliance with Condition 5 (iii). If a Membrane Bio-reactor is installed then no UV treatment will be required as the membrane filter achieves the required bacterial and viral reductions.

11. The Consent Holder shall include in the "Wastewater Treatment and Design Report" required by Condition 7, two copies of a monitoring methodology that is proposed to be used to continuously measure the effectiveness of the disinfection or filtering system required to be installed in accordance with Condition 10. This monitoring methodology shall be designed to provide sufficient data to allow the Council to confirm that the wastewater has always received the prescribed minimum level of disinfection or filtering. The approved monitoring methodology shall be incorporated into the "Operation and Management Plan" required by Condition 18.

Disposal / Land Application System

12. The primary wastewater disposal area of 4.5 hectares (and part of the reserve disposal area) shall be located on Lot 2 of subdivision plan RM030632 as shown on the Connell Wagner plan submitted with the application and amended on 25 November 2005. As attached hereto as Appendix 3 (reference Project No. 7732 40CC Drawing No. SK05 07).
13. All wastewater shall be discharged to ground by way of pressure compensating dripper lines(s) laid parallel to the contours of the site. The consent holder shall, at all times, ensure that the dripper lines used for the disposal of wastewater are located within a planted area and have no less than a 50 mm cover of soil, bark or an appropriate alternative.
14. The trees planted within the actual disposal area shall remain in place for the exercise of this consent except for the purposes of removal and replacement of trees which have reached maturity or require removal for some other reason. In that situation the consent holder will replace the removed trees with trees that are equally suitable, or trees that are of the same species, and will not remove and replace more than 20% of the trees in any one year. The wastewater disposal area shall be fenced to prevent access by stock or unauthorised persons and shall be clearly labelled in at least two visible places with visible warning signs which read "Wastewater Disposal Area – Avoid Contact" or equivalent. The details of such signage shall be submitted to Council's Co-Ordinator Compliance Monitoring, prior to the exercise of this consent.

Advice Note:

The Consent Holder is advised to discuss the signage proposal for the wastewater disposal area with the local Medical Officer of Health before submitting them to Council for approval.

15. The disposal areas (including reserve areas) shall not be located on slopes averaging greater than 15 degrees over a 10 metres length and shall not be located within:

- i) 20 metres of any surface water body; and
 - ii) 20 metres of any bore for domestic water supply; and
 - iii) 10 metres of any adjoining property; and
 - iv) 600 millimetre separation from dripper line to seasonal water table.
16. Where appropriate subsurface cut-off trenches shall be constructed up slope of the disposal areas to divert, as far as is practicable, stormwater away from the disposal areas.
17. A suitable wastewater disposal reserve area equivalent to not less than 100% the size of the primary disposal area (4.5 hectares) shall be kept available for future use for wastewater disposal. This reserve area shall remain undeveloped and shall be located within the boundaries of the subdivision authorised by RM030632 and owned by the Consent Holder. Some 2.2 hectares of this wastewater disposal reserve area is included in the area set out on the Connell Wagner Plan referred to in Condition 12 above. For the avoidance of doubt that part of the wastewater disposal reserve area is covered by this consent.

Advice Note: The balance of the wastewater disposal reserve area was indicated to be contained within Lots 45 and 66 (RM030632) which are to be owned by the consent holder. While this consent prescribes the provision of a 4.5 hectare wastewater disposal reserve area, the use of those lots (45 and 66) for wastewater disposal is not covered by this consent. A new consent or a variation of this consent would be required before those lots were to be so used. The application may wish to address this in conjunction with its response to Condition 7 i) and ii).

Wastewater System Operation and Maintenance

18. A Chartered Professional engineer or suitably qualified consultant experienced in wastewater engineering shall prepare an "Operations and Management Plan" for the wastewater treatment and disposal system. This plan shall be prepared in accordance with the conditions of this resource consent and shall contain, but not be limited to, the following:
- i) An inspection programme to verify the correct functioning of the wastewater treatment and disposal systems including not less than monthly inspections of the wastewater treatment plant and disposal field; and
 - ii) A schedule for the daily, weekly, monthly and annual operational requirements including monitoring requirements of consent conditions; and
 - iii) A schedule of maintenance requirements for the pumps, septic tanks, recirculation tanks, treated effluent holding tank, flow meters and stormwater control drains; and
 - iv) A schedule of maintenance requirements for the management of vegetation on the wastewater ground disposal area; and
 - v) A contingency plan specifying the actions to be taken in the event of failure of any component of the system and any non-compliance with the conditions of this resource consent; and

- vi) Details of how the ground disposal system will be managed; and
 - vii) Emergency contact details (24 hour availability) for Service Provider and Consent Holder shall be provided.
 - viii) Monitoring of the disposal field shall include visual ground inspections to identify above ground/across ground flows of effluent and methods to remedy such flows should any be identified.
19. A copy of the "Operations and Management plan" required by Condition 18 shall be submitted to the Council's Environment & Planning Manager for approval prior to the exercising of this consent. Any changes to this plan shall be in accordance with the conditions of this consent and submitted to the Council's Co-Ordinator Compliance Monitoring prior to them taking effect.
20. The consent holder shall enter into, and maintain in force, a written maintenance contract with an experienced wastewater treatment plant operator suitably trained in wastewater treatment plant operation by the system designer, approved by the Council's Environment & Planning Manager for the ongoing maintenance of the treatment and disposal systems and control of the remote monitoring system as required by Condition 23. This contract shall require the operator to perform maintenance functions and duties specified in the Operations and Management Plan and required by Condition 18. A signed copy of this contract including full contact details for the service provider shall be forwarded to the Consent Authority, prior to the exercising of this consent. Any changes to this maintenance contract must be in accordance with the conditions of this consent and submitted in writing to Council's Co-Ordinator Compliance Monitoring prior to them taking effect.

In addition, the Consent Holder shall provide the Council with a copy of a written report that details the maintenance that has been undertaken on the wastewater treatment and disposal system during the previous three month period in accordance with the requirements of the Operations and Management Plan, every three months from the date of exercising of this consent.

Advice Note:

For compliance purposes, a suitably qualified person would be either a person employed and trained by the manufacturer of the treatment and disposal system, or someone who can provide evidence of satisfactory experience in maintaining such wastewater treatment and disposal systems.

21. The collection and treatment tanks shall be inspected not less than once every three months. All tanks shall be cleaned out once the combined depth of the sludge and scum in any tank occupies half of the tank's volume. Material collected from the desludging of tanks shall be removed from site for disposal at a facility authorised to receive such material.

22. The Consent Holder shall submit an "Asset Management Plan" for the wastewater collection, treatment and disposal system for approval by Council's Environment & Planning Manager prior to the exercise of this consent. This plan shall be prepared by a suitably experienced person and shall detail financial asset management requirements (including depreciation considerations) of the wastewater collection, reticulation, treatment and disposal systems for the duration of the consent. Any changes to this plan shall be in accordance with the conditions of this consent and submitted to the Council's Environment & Planning Manager prior to them taking effect.

Advice Note:

MfE's Sustainable Wastewater Management, a handbook for smaller communities Section 11.2 would be a useful reference point in preparing this plan.

Contingency Measures

23. A telemetered 24 hour remote advance warning system shall be installed and operated that is capable of warning of any failure within the collection, treatment or disposal systems (i.e. pump failure, mechanical blockage or UV disinfection system failure).

This warning system shall be configured to be remotely monitored by the wastewater treatment plant operator for all systems and to activate an audible and visual alarm system located adjacent to the treatment plant or other prominent place on the site for the central treatment plant. The details of the alarm and monitoring systems shall be included in the "Operations and Management Plan" required by Condition 18 and shall achieve as a minimum the following:

- i) Notify operators of any alarm; and
- ii) Monitor and record daily flow readings from all water meters (or pump station pump hours); and
- iii) Store and transmit daily reports to the operator of the discharge volume meter reading and system status from each site; and
- iv) In the event of any alarm activating, the remote monitor and management system shall immediately notify the maintenance operator and shall continue notifying the operator until the condition has been remedied and cleared by the operator.

The Consent Holder shall maintain clearly visible signage adjacent to all external alarm panels at the plant to provide a 24 hour contact number in the event of an alarm being activated.

24. The Consent Holder shall ensure that the treatment plant is designed and maintained so that wastewater can be retained within the treatment system above the alarm level without overflow for a period of at least 24 hours wet weather flow and in accordance with the provisions in the "Operations and Management Plan".
25. The Consent Holder shall ensure that all pump stations associated with reticulation, collection and treatment systems have a minimum eight hour on site, sealed emergency storage, based on the average wet weather flow.

All mechanical components of the reticulation, treatment and disposal system, not including pipes, shall include duty and standby units.

26. Should power disruption result in the 24 hour storage capacity at the treatment plant being utilised to 80% capacity, the consent holder shall ensure that the wastewater is removed from the storage tank at that time for the purpose of maintaining capacity. Wastewater shall be disposed of to a facility that is authorised to accept such wastes. The relevant details of how this will be achieved shall be incorporated in the "Operations and Management Plan" required to be prepared in accordance with Condition 18.

Monitoring

27. A sampling point to allow collection of the treated wastewater, shall be provided at a point located directly after the final pump-out chamber and before the point where the wastewater discharges to the disposal field. Details of the location of this sampling point shall be forwarded to the Council's Co-Ordinator Compliance Monitoring prior to the exercise of this consent.
28. A sample of the treated wastewater shall be collected from the sampling point required to be installed in accordance with Condition 27. Samples shall be analysed for five day carbonaceous biochemical oxygen demand (cBOD₅), total suspended solids, total faecal coliforms, total nitrogen, pH, temperature. The frequency of sampling shall be as follows:
- i) For the first four months following plant start up, samples shall be collected weekly when the plant is discharging to the disposal field for first two months and then two weekly for the two months following;
 - ii) For the following eight months samples shall be collected monthly;
 - iii) Following the first 12 months samples shall be collected at least every two months (a total of at least six samples a year) provided compliance with the contaminant limits specified in Condition 5. Should these limits not be met, the sampling frequency required in ii) above shall be continued until of compliance with the Contaminant limits of Condition 5 has been achieved over an eight month period.
29. Prior to the exercise of this consent the Consent Holder or their authorised agent shall collect at least two water samples from the Redwood Valley Stream as it runs below the proposed disposal site, as marked Site 1 and 2 on Figure 2 Annexure E Cawthorn Report. An additional sampling site shall also be established immediately upstream of the disposal area. The locations shall be fixed by Global Positioning System (GPS) and submitted to the Council's Co-Ordinator Compliance Monitoring prior to sampling. Thereafter the consent holder or their authorised agent shall collect samples from the same sites quarterly when wastewater is being discharged to the disposal field. Samples shall be collected at no closer interval of one month between sampling. These samples shall be analysed to determine the presence and concentration of the following determinands:
- Faecal coliforms
 - E coli
 - Total Kjeldahl Nitrogen
 - Total ammonia nitrogen (total ammonia)
 - Dissolved inorganic nitrogen
 - Nitrate/nitrogen
 - Nitrite/nitrogen
 - Total phosphorous

- Dissolved reactive phosphorous
30. The discharge shall not cause contaminant levels at the downstream site identified by Condition 29 to exceed the following values:
- Dissolved Inorganic Nitrogen <math><0.444 \text{ g/m}^3</math>
 - Total Nitrogen <math><0.614 \text{ g/m}^3</math>
 - Dissolved reactive phosphorus <math><0.01 \text{ g.m}^3</math>
 - Total phosphorus <math><0.033 \text{ g/m}^3</math>

Advice Note:

These values are consistent with Nutrient water quality guidelines (ANZECC 2000) for the protection of river ecosystem health.

31. All sampling referred to in this consent shall be carried out by a suitably qualified person approved by the Council's Co-Ordinator Compliance Monitoring, using standard sampling methodologies and equipment and shall be transported to the laboratory under chain of custody. The detection limits specified in Appendix 2 (Applicable Detection Limits) shall apply. The samples shall be analysed using standard methodology by an IANZ accredited laboratory. The analytical results shall be forwarded to the Council's Co-Ordinator Compliance Monitoring within 10 working days of the results being received from the laboratory.

Reporting

32. The Consent Holder shall measure the wastewater exiting the wastewater treatment plant determined by an appropriately installed and calibrated flow meter capable of measuring to an accuracy of plus or minus 5%. The meter should be installed in accordance with the manufacturer's specifications and shall be operated and maintained so that it is able to be used to record the discharge volume.
33. The flow meter required to be installed in accordance with Condition 32 shall be read manually or electronically at the same time daily whenever the system is discharging to the disposal area. Copies of these records along with the lot number of each lot discharging to the treatment plant shall be forwarded to the Council's Co-Ordinator Compliance Monitoring quarterly in the Quarterly Monitoring Report required by Condition 38, within one month following the end of the three month period ending 31 March, 30 June, 30 September and 31 December each year.
34. Any exceedance of the permitted discharge volume shall be reported to the Council's Co-Ordinator Compliance Monitoring in writing within one week of the reading. This report must include any explanation for the non-compliance and an assessment of the likely effects of the functioning of the system and the receiving environment. This data shall be securely stored electronically for at least two years.
35. The consent holder shall log all complaints received relating to the exercise of this consent and shall maintain a register of complaints including the following information; Date and time of the complaint; nature of the complaint; name address and telephone number of the complainant if available; details of discharge at time of alleged problem; and any remedial action taken to rectify problem or mitigation proposed to prevent future complaints.

36. The consent holder shall report all complaints to the Council's Co-Ordinator Compliance Monitoring in writing within 48 hours of receipt and the log shall be made available to the Council upon request.
37. The consent holder or their authorised agent shall notify Council's Co-Ordinator Compliance Monitoring of any wastewater discharge to ground or water from the treatment plant or sewage reticulation system which is not authorised by this consent in writing as soon as practicable (but no more than 24 hours) after the discharge commenced.
38. The consent holder shall present a Quarterly Monitoring Report every three months for the duration of the consent to the Council's Co-Ordinator Compliance Monitoring, reviewing the performance of the treatment and disposal system and shall include the following:
 - Actual monitoring results for monitoring undertaken in accordance with Conditions 28, 29 and 30 above, for the past quarter and compliance with discharge limits specified in Condition 5 and Condition 6;
 - An interpretation of monitoring results and an outline of any trends in changes in discharge volume, wastewater discharge quality and quality of the receiving waters. It shall also identify any actual and potential effects on the receiving environment identified since the previous report to the Council;
 - A summary of any difficulties that have arisen with the plant operation and/or public complaints received and any remedial actions taken as a result during the previous period.

General Conditions

39. The wastewater treatment system shall be located, and the surrounding area maintained, so that vehicular access for maintenance is readily available at all times
40. The Council may, in the period 31 May to 31 August each year, review any or all of the conditions of the consent pursuant to Section 128 of the Resource Management Act 1991 for all or any of the following purposes:
 - i) to deal with any adverse effect on the environment which may arise from the exercise of the consent that was not foreseen at the time of granting of the consent, and which is therefore more appropriate to deal with at a later stage; and/or
 - ii) to require the consent holder to adopt the best practical option to remove or reduce any adverse effects on the environment resulting from the discharge; and/or
 - iii) reviewing the contaminant limits, loading rates and/or discharge volumes and flow rates of this consent if it is appropriate to do so; and/or
 - iv) reviewing the frequency of sampling, flow monitoring and/or number of determinants analysed if the results indicate that this is required and/or appropriate.

41. Pursuant to Sections 35 and 36 of the Resource Management Act, 1991, the permit holder shall meet the reasonable costs associated with the monitoring and administration of this permit. Costs can be minimised by consistently complying with the conditions of this consent and thereby reducing the frequency of Council visits. This will include auditing of the Consent Holders monitoring programme and monitoring results presented to Council.
42. The Consent Holder shall administer the responsibilities and obligations of all persons who own lots connected to the wastewater treatment and disposal system, to comply with the conditions of this consent. The Consent Holder shall ultimately hold responsibility for ensuring that the owners of properties within the development:
 - i) Are connected and discharge to the reticulation and central treatment system whenever the respective dwellings first become occupied, and
 - ii) Are aware of and comply with the rules associated with the connection, including restrictions on the discharge of toxic substances.

Lapsing of Consent (Section 125) and Duration of Consent (Section 123)

43. The consent will lapse 10 years after the commencement of the consent and is granted for a period of twenty years.

ADVICE NOTES:

1. Any matters not referred to in this application for resource consent or are otherwise covered in the consent conditions must comply with the proposed Tasman Resource Management Plan and/or the Resource Management Act, 1991.
2. The Consent Holder is reminded with regards to Advice Note 1, the discharge may not create an offensive or objectionable odour beyond the property boundary and all associated excavation work must comply with the permitted activity requirements of the Tasman Resource Management Plan unless authorised by resource consent.
3. The Consent Holder shall meet the requirements of Council with regard to all Building and Health Bylaws, Regulations and Acts. Building Consent will be required for the installation of any part of the wastewater treatment and disposal system.
4. Access by the Council or its officers or agents to the property is reserved pursuant to Section 332 of the Resource Management Act.
5. All reporting required by Council shall be made in the first instance to the Council's Co-Ordinator Compliance Monitoring.
6. The Consent Holder is advised that compliance with operating guidelines provided by the wastewater system manufacturer and system designer is recommended to reduce the likelihood of malfunction of the treatment or disposal system and a possible breach of consent conditions.

7. The Consent Holder is recommended to prohibit the installation of garbage grinders to all dwellings within the development as it is well recognised that such fixtures are likely to affect the level of contaminants in the wastewater and create problems in complying with the wastewater quality limits imposed by this consent.
8. If the site becomes part of an urban drainage area identified by Council when future reticulation is available, the consent holder will be required to provide connection from the dwellings or on-site treatment system to the sewer line.
9. Council draws your attention to the provisions of the Historic Places Act 1993 that require you in the event of discovering an archaeological find (e.g. shell, midden, hangi or ovens, garden soils, pit, depressions, occupation evidence, burials, taonga) to cease works immediately, and tangata whenua, the Tasman District Council and the New Zealand Historic Places Trust shall be notified within 24 hours. Works may recommence with the written approval of the Council's Environment & Planning Manager, and the New Zealand Historic Places Trust.

REASONS FOR THE DECISIONS:

The land is mostly within the Rural 3 Zone but a portion is within Rural 1 under the Proposed Tasman Resource Management Plan. The minimum lot size for a controlled activity subdivision is 50 hectares according to Rule 16.3.9C(b) for Rural 3, thus the application is deemed to be a restricted discretionary activity, as it does not comply with this rule. Submissions on these provisions have now been heard and decisions have been notified but the period for lodging references has not closed.

Under the Transitional Plan (Waimea Section) the land is zoned Rural B and the minimum lot size for subdivision is 15 hectares, thus the application falls (technically) to be considered as a non-complying activity. However the Committee considered that it was appropriate to place greater weight on the Proposed Plan provisions compared to those of the Transitional Plan, given the extent of community consultation undertaken by the Council prior to the notification of Variation 32, which introduced Rural 3 and that the work was done within the framework of the Resource Management Act 1991. In addition, Council has now completed the hearing of submissions and has released the decisions on Variation 32. The Committee was clear that reference could not be made to the previous zoning provisions of the land under the Proposed Plan.

The Council has recently notified Variation 46 which introduces the Wastewater Management Area throughout the Coastal Tasman Area and also confirms that the Council will not be servicing the area with reticulated wastewater disposal and thus all disposal methods must be permanent rather than interim. The standards to be met have also been modified. This Variation has been taken into account in this decision.

The application has been considered subject to Part 2 of the Act i.e. the purpose and principles of sustainable management of natural and physical resources, and Section 104 which requires the Committee to have regard to:

- any actual and potential effects on the environment of allowing the activity
- the relevant provisions of:
- Regional Policy Statement

- Plan or Proposed Plan
- Any other matter considered relevant and reasonably necessary to determine the application.

The Committee noted that the applications had received twelve submissions. The concerns raised by submitters were:

- Possible noise from pumps
- Possible odour from disposal area and treatment plant
- Possible seepage from surface drippers and disposal area affecting adjoining land
- Insufficient reserve area for disposal
- Need for contingency design for rainfall events in case of pump failure (bund, storage etc)
- Possible contamination of Redwood Valley Stream and ground water system and aquifer
- Disposal area inadequate due to slope, orientation and soil characteristics, likely to lead to overland flows in wet times
- Private management systems may not be as good as public ownership and management
- Wastewater should be pumped to Bell Island
- No detail of type of system to be used
- Proposed discharge rate too high for soil type
- Ultra violet treatment supported
- Stringent monitoring required and enforcement of conditions

The Committee noted the concerns regarding the limitations of the soils on the site and the expert evidence provided regarding the proposed treatment and disposal system. The evidence was professional and substantial and the applicant is commended for the effort put into the application. In particular the Committee noted the response to the further information requests regarding the treatment system and the high level of treatment proposed. The application has taken account of Variation 46 which reflects a commitment to best practice. The Committee acknowledges the efforts made to identify the type of process to be used, but also acknowledges the concerns of staff and submitters in relation to the desire to have an identified system to assess. However it is considered that the parameters which have been established for the discharge will ensure that the wastewater will be treated to a high standard and the environment is protected.

It was also noted that the applicant proposed an additional upstream sampling location to ensure that appropriate monitoring could be undertaken and this was agreed to by the Committee. It was acknowledged that the long term acceptance rates for discharge to these soil types is unknown and therefore a robust monitoring regime is necessary. This was considered to be good practice. In addition it was pleasing to note the agreement for the provision of eight hours of sealed emergency storage for wastewater (based on wet weather flow).

The Committee considered the issue of whether or not to limit the connections to the disposal system to dwellings on lots associated with this subdivision or to allow nearby dwellings to connect. It was considered that the best approach was to monitor the development of the system and if it is proven that spare capacity within the 90 cubic metres per day approved would be available when all the dwellings on this land were constructed, then other land could possibly be allowed to connect. The Committee considered that this would best be dealt with by an application for a variation of the discharge consent.

The Committee considered that the reserve disposal area proposed would be appropriate but in order to use those areas on Lots 45 and 66 a variation of consent would be required. The Committee noted that the disposal area was contained in proposed Lot 2 and the reserve areas within Lots 2, 45 and 66 and all these lots are to be owned by the consent holder.

The Committee considered that a bond was not necessary as the conditions of consent are robust enough to ensure there will be no significant adverse effects on the environment. It was also noted that a condition of the Management Plan for the Residents Association is that liability for the management of the wastewater system lies with the Residents Association. The term of the discharge consent granted is for twenty years which is consistent with other communal wastewater discharge consents in the Rural 3 zone.

In terms of the variation to the subdivision consent, this matter did not raise any particular issues for the Committee. The applicant sought clarification of the interpretation of the street lighting condition from the Committee. The Committee appreciated the difficulty which was being encountered over the interpretation of the condition. While the Committee found the kind of lighting put forward to be acceptable, it was acknowledged that this matter was outside of the scope of this process.

CARRIED

Date Confirmed:

Chair: