

Gisborne WWTP Consent Review Group

Topic: WWTP Consent Review Group – Summary of Feedback to Date
 Summary prepared by: Ian Mayhew with input and review from the CRG Group
 Date: 10 October 2018

Introduction

The purpose of this briefing note is to provide a summary of the matters discussed by the Consent Review Group (CRG) to date and its feedback on Gisborne District Council's (Council) proposal to vary (change) its wastewater discharge resource consent.

Background

Council has formed a CRG to engage with in respect of a new resource consent/changes to its existing resource consent to discharge treated wastewater from the Gisborne Wastewater Treatment Plant (WWTP). The CRG comprises:

- Tangata whenua;
- Medical Officer of Health;
- Experts from the previous Wastewater Technical Advisory Group (WTAG);
- Turanganui a Kiwa Water Quality Enhancement Project Group (KIWA);
- Council Regulatory and Policy staff; and
- Council wastewater staff and consultants.

The Terms of Reference for the CRG (**Appendix A**) indicates its purpose is to:

Comprehensively review the existing wastewater discharge consent in terms of the existing resource management context, the terms of reference in this document (18-089), and the LTP pre-consultation and formal consultation outcomes, formulate new consent conditions that reflect the above, seek unanimous agreement where possible, record differences in opinion where unanimous agreement is not possible, and report these outcomes to the Wastewater Management Committee (WMC) and Council.

The aims of a new/changed consent would be to give effect to the preferred long term wastewater management option that has been provided for within the Council's Long Term Plan (LTP)¹ and ideally to rationalise and update various conditions to improve the workability of the consent. The LTP option requires a variation to the consent for Council to remain in compliance with its consent for the following reasons:

- The timeframes for implementation of disinfection would need to be extended to align with those in the LTP.

¹ Clarification + UV treatment (wastewater disinfection) + on-going assessment and consideration of AUD, with a wetland (or similar) implemented once an affordable, sustainable and viable alternate use is found for the treated wastewater.

- The Biological Oxygen Demand (BOD) loading onto the single Biological Trickling Filter (BTF) (Clause 37) would likely need to be varied, unless a second BTF is established or another more suitable means of reducing BOD load is identified.

Meetings

The CRG has met four times to date:

- Meeting 1 – 30 July 2018
- Meeting 2 – 16 August 2018
- Meeting 3 – 6 September 2018
- Meeting 4 – 27 September 2018

The meetings have attracted a high level of attendance and engagement, reflecting the importance of the issues and outcomes to the CRG members and the wider community. This is reflected in the meeting notes (**Appendix B**). The meetings have been chaired by Kerry Hudson (GDC) and facilitated by Ian Mayhew (consultant to GDC), with input from the project manager (Wolfgang Kanz, GDC), other Council staff, and other experts.

Feedback Received

The wastewater discharge and associated consent is an issue of major importance for tangata whenua and other participants (the Medical Officer of Health and expert advisors from the WTAG). They have expressed their concern and frustration in relation to the discharge and the lack of progress that has been made with implementing the consent – in particular:

- Giving effect to Alternative Use and Disposal (AUD) options;
- Progressing wastewater disinfection (as the default under the consent) in accordance with the stipulated consent timeframes; and
- Achieving the *“progressive removal of the treated human sewage from the discharge, via the marine outfall, with the objective of complete removal by 2020.”* (Consent Clause 8).

Tangata whenua and other participants have advised that a healthy environment is fundamental to the Gisborne community and its values, and that removing the current wastewater discharge from the marine outfall is an important part of this. They consider that Gisborne should be seeking to upgrade its WWTP to provide improved social, cultural and environmental outcomes for both current and future generations. There has been significant goodwill demonstrated by the community and stakeholders, but this has been lost with a lack of commitment from Council to deliver on the intent and specific conditions of the consent.

These parties have raised significant concern that Council has not acted in the spirit of the consent and has not provided for the implementation of wastewater disinfection in the LTP in accordance with the timeframes in the current consent, but instead is seeking to further extend implementation timeframes. They have advised that they agreed to the last (2015) variation on the basis that it would provide a pathway to deliver AUD or otherwise a default outcome (wastewater disinfection) by 2020 at the latest. They are very concerned that Council wants to vary the timeframes again and, further, that any variation to timeframes does not offer certainty (as it too could be attempted to be varied again in the future). They consider that this is unacceptable and feel that Council should comply with its consent and has not delivered on the agreements made in the past. They are frustrated at the lack of progress, despite the willingness of tangata whenua and other stakeholders to work collaboratively with Council over many years.



A somewhat differing interpretation of council's requirements to implement disinfection was also suggested. That is, when the 'alternative wastewater management system to wastewater disinfection' trials were called to a halt late in 2016, and council engaged Beca to commence work around providing for disinfection, that this action should have triggered Clause 4(e) of the consent, requiring council to notify the consent holder of their intentions, and install disinfection by December 31st 2018.

Key points raised by tangata whenua and other participants in the review group include:

- They expect Council to comply with its consent and are frustrated that LTP funding is not available to implement wastewater disinfection until after 2020, up to 2023/24. The requirement for wastewater disinfection has been in the consent for many years and Council should have budgeted for this in accordance with the consent timeframes.

The CRG sought, and obtained from Council, a legal view that confirmed that Council would be in non-compliance with its wastewater discharge consent if it failed to implement wastewater disinfection by 31 December 2020.

Some parties indicated that they would consider action through the Environment Court if non-compliance occurred and there was no significant progress towards implementing wastewater disinfection as per the 2015 and previous consent reviews.

- A variation to the discharge consent is not required for wastewater disinfection to be implemented.

It was agreed amongst the parties that the implementation of wastewater disinfection (UV and clarification) is the default under the consent and that a variation to the discharge consent is not required to implement this.

Rather than extending deadlines for the implementation of wastewater disinfection through a variation, Council should bring LTP funding forward and do its utmost to deliver it in accordance with the intent of the consent and within the agreed consent deadlines.

- If significant progress is made as soon as practically possible (i.e. commencing consenting, design, and construction immediately, and bringing budgets forward), demonstrated by work on site and procurement of plant etc, then this may provide parties with sufficient assurance that GDC is committed to delivering wastewater disinfection in line with the intent of the consent. In this circumstance, a minor change to timeframes could be considered or stakeholders may not oppose minor over-runs provided the intent is to deliver wastewater disinfection as quickly as possible. It is noted that a draft consenting/construction plan has been prepared which indicates that a clarification/UV plant will take between 2.5 and 3 years to construct, excluding any necessary supporting authorisations². The key is commencing as soon as possible, and not in line with the LTP phasing.
- An additional BTF is not considered necessary, unless required for operational back-up or to enhance system resilience.

It was generally agreed by the members of the WTAG that an additional BTF is not required to manage BOD loading. However, it was indicated to the CRG by Beca and Council staff that provision for an additional BTF should be retained, should one be required in the future to provide backup for the existing BTF. The latter needs to be further investigated.

It is recognised there are legal (compliance) implications of this on the BOD loading requirement (Consent Clause 37) and whether a minor variation to the consent is required. Tangata whenua will not support changes that lessen/worsen water quality limits of the discharges out of the marine outfall, as set in the current consent. An analysis of BOD loading over the past four years indicates that BOD loading is close to consent requirements.

² Note that if consents required for construction/operation are notified and challenged, the construction timeframe could be significantly longer.



- AUD should continue to be pursued under the existing conditions of the consent – a variation is not necessary to enable this important work.

The CRG wants to see AUD options continue to be investigated and progressed in accordance with the consent, and in particular options for the sustainable reuse of treated wastewater. It was made clear however that AUD includes both alternative use and disposal. Disposal could form part of an integrated strategy for removing wastewater from the marine outfall. It is recognised that additional experience/expertise may be required, particularly to identify and realise opportunities for water use. At this stage, the exact makeup and functioning of such a group has not been determined. However, tangata whenua and CRG participants were of a view that this can be undertaken under the existing consent framework, and a variation is not required to ‘refresh’ and progress the work on AUD.

Tangata whenua and CRG participants are of the view that the \$50,000 ‘seed funding’ is insufficient to provide meaningful progress with AUD. Council either needs to increase funding or actively pursue alternative funding sources to assist in identifying markets and AUD opportunities – i.e. Provincial Growth Fund, Eastland Community Trust etc. The AUD group could include the expertise required for submitting funding applications.

CRG participants have also raised concerns that an ‘*affordable sustainable and viable use for the treated wastewater*’³ shouldn’t just be measured narrowly (for example just cost and financial return) but must also consider the wider community and socio-cultural benefits that result from AUD, including the restoration of the mauri of Turanganui a Kiwa, wider economic development and increased revenues for the private sector that will not necessarily directly come back as revenue from water sales.

- Council should not just focus on wastewater treatment – a holistic approach to managing wastewater is required.

The CRG is supportive of an approach to managing wastewater that involves the community in playing a role in reducing wastewater. Examples included education on not using products that contain hard to remove contaminants or reducing the amount of organic food waste entering the system. The AUD group could include the expertise required for a holistic approach.

- Tangata whenua continue to advocate for the removal of mortuary wastewater from the domestic wastewater system. They consider that this is achievable with the small number of mortuary operators in Gisborne and can be a standalone collection and disposal system. It does not require changes to the discharge consent to be achieved. This is an essential step towards restoring the mauri of Turanganui a Kiwa and meeting aspirations for eventual removal of the ocean outfall.

Conclusion

Overall tangata whenua, the Medical Officer of Health and expert advisors from the WTAG currently **strongly oppose** a variation to the discharge consent. They expect Council deliver on the consent and associated timeframes that were agreed to with them in the past and stipulated in the consent and that not doing so is unacceptable.

Rather than extending deadlines for the implementation of wastewater disinfection through a variation, Council should bring LTP funding forward and do its utmost to deliver it in accordance with the intent of the consent and within the agreed consent deadlines (within the context of bullet point 3, page 3 above).

These parties consider it a priority to continue with the assessment and implementation of AUD – with a focus on identifying potential uses for treated wastewater consistent with the intent of the 2015 and

³ Council’s decision on the LTP indicated that Phase 2 comprising a wetland would be budgeted for once an ‘affordable sustainable and viable use for the treated wastewater is identified and developed’



previous 2009 consents. AUD should comprise a holistic and integrated strategy that incorporates the use and disposal of treated wastewater, removal of contaminants at source, and other initiatives, with the ultimate goal of removing all treated wastewater from the ocean outfall in accordance with the intent of the consent.

The removal of mortuary wastewater from the domestic wastewater system is an essential step towards restoring the mauri of Turanganui a Kiwa and meeting aspirations for eventual removal of the ocean outfall. It would demonstrate a commitment by Council to deliver on the intent of the consent.



Appendix A – Terms of Reference



Appendix 1 – Amended Terms of Reference

Wastewater Options Consent Review Group

1. Consent Context

The Consent Review Group (CRG) is established as part of fulfilling the 2014 consent variation conditions (CD-1208-02 ex CP-1208-01; full consent in [Appendix 1](#)), particularly:

Clause 4

The permit holder shall:

(d) By 31 December 2018, lodge the necessary applications and/or notices required under the RMA to implement the preferred alternative wastewater management system with the intention for construction by 31 December 2019 and in any event no later than 12 months after the commencement of all necessary authorisations.

In December 2017, the Gisborne District Council (Council) opted for Option 3 of the potential wastewater management options provided to the community during the 2018–2028 Long Term Plan (LTP) pre-consultation process. Minutes of 14 December 2017 Council meeting:

(Council) Approves Option 3 as the preferred option for the 2018–2028 Long Term Plan (LTP) consultation with this option delivered in two phases. Phase 1 includes clarification, solids removal, UV disinfection progressed over the next ten years at a circa cost of \$23m and Phase 2 comprising the wetland to be budgeted for once an affordable sustainable and viable use for the treated wastewater is identified and developed.

Council's preferred solution in the draft 2018–2028 LTP is therefore to implement the first part of a preferred solution by 2028, whilst continuing to investigate alternative wastewater management options (which would comprise a constructed wetland and yet to be determined alternate use and disposal (AUD) options), only implementing the second part when certain conditions are met. The first part of the preferred solution is well-defined and can be consented.

However, regarding the alternative option in the LTP (implementing both parts in the next ten years), there are significant uncertainties that would have to be resolved for the second part to be practically possible. In the absence of a secured wetland site and pipeline route, the second part of the preferred option cannot be applied for and granted a consent at this stage, and appropriate consent and / or other mechanisms to address the second part would need to be considered in any review. The ultimate location of the wetland (and therefore pipelines) may also be influenced by alternate use options, where these are located, and potentially linked consent applications, which adds to uncertainty in wetland location.

Council will have adopted its preferred wastewater management option by the end of June 2018, which will require changes to the existing resource consent. This is a highly complicated consent and is a product of multiple variations over a considerable period of time. The consent is considered outdated, including some completed and unnecessary consent conditions, such as potentially superfluous monitoring conditions, conditions that do not relate to effects, and including consent dates that are impractical to achieve at this stage and require amending. Options assessments have also identified significant unavoidable biophysical constraints to

AUD and to completely stopping wastewater discharges into the bay by 2020, necessitating a review of cultural consent conditions in the consent.

A new consent or consent variations, covering both the existing and proposed wastewater treatment infrastructure, is proposed in order to resolve the above issues.

Council has therefore elected to commence work on a new/varied consent, so that the critical timeframes in Clause 4(d) of the consent can be met (the lodging of required consent applications by 31 December 2018). The work of the CRG will inform the conditions of the new consent or consent variations.

2. Vision

The cultural, spiritual, economic, environmental, and social objectives of the community as a whole, in terms of the wastewater management, will be reflected in any new/varied wastewater consent. The introductory notes from the 2007 and 2009 consent decisions contain valuable background information on the consent. The following extracts from the 2009 consent decision (Appendix 2) are particularly relevant.

The discharge of waste water into Poverty Bay has been contentious for some time. Resource consent applications ... have been fiercely and passionately contested by groups and individuals within the community.

In 2002 Gisborne District Council launched its Wastewater Strategy. This strategy outlined proposed upgrades to the existing system comprising primary sedimentation (by 2010) and the introduction of a high-rate activated sludge plant together with ultra-violet disinfection (by 2016). In 2003 however the Environment Court was compelled to send a clear message to Council "that time is running out. It is now 12 years since the precepts binding consent authorities to requirements, particularly, sensitivity to Maori issues, were legislated..."

... the addition of a Boulder Bed, designed to provide some form of land based treatment... 2005 ... met with strong opposition ... as being a functionless, token gesture.

The stalemate situation at this time forced adjournment ... and it provided the impetus to finding an inclusive process for considering options.

It has been made very clear at all times, and over many years now, that the continued discharge of treated wastewater to the water of Poverty Bay violates Maori tikanga and it is a major adverse effect on the cultural and spiritual sensitivities of tangata whenua. A key component of the on-going action to implement an improved wastewater treatment scheme is the input from tangata whenua, in partnership with the other interested parties... It is essential for that work to continue as a practicable approach to moving forward.

The proposals will enable people, and particularly the Gisborne community, to provide for their social, economic, and cultural wellbeing and for their health and safety by the provision of a wastewater treatment scheme designed to service the community and future population and economic growth of Gisborne. The applicant has sought to recognise and provide for the interests of Maori in these respects through the consultation process and a process that sees it committed to on-going investigations and technological improvements with a view to the eventual cessation of the discharge to sea.

In the intervening years since the first consent, the Consent holder, through the WMC and formal advisory groups such as WTAG and KIWA, has developed a suite of contemporary scientific research and evidence. This has focused on the nature and impact of the waste stream and included the relevance and functionality of wetlands in the Turanganui-a-Kiwa context. Much, if not most of this evidence is locally based and directly informative of decisions in respect of the management of wastewater.

This directly relevant knowledge base should be acknowledged and included in discussions in the CRG and be used to inform any consent application.

The Turanganui a Kiwa Water Quality Position Statement Gisborne Wastewater ([Appendix 3](#)), which was agreed to by the parties represented in the Wastewater Adjournment Review Group (WARG), and formed part of the Wastewater Options Review Group (WORG) terms of reference, is still relevant to the wastewater consent, and should inform the work of the CRG.

3. Purpose

The purpose of the CRG is to comprehensively review the existing wastewater discharge consent in terms of the existing resource management context, the terms of reference in this document (18-089), and the LTP pre-consultation and formal consultation outcomes, formulate new consent conditions that reflect the above, seek unanimous agreement where possible, record differences in opinion where unanimous agreement is not possible, and report these outcomes to the Wastewater Management Committee (WMC) and Council.

4. Objectives

To work together in conformity with this terms of reference to deliver reports, minutes and other documentation that assists Council in preparation of a new wastewater consent or consent variation.

5. Specific Terms of Reference

The following apply:

Consent approach

- The group will discuss and comment on the option of a new consent versus a variation to the existing consent.
- The focus will initially be on domestic wastewater treatment components, followed by industry-related aspects of the consent. Overlaps and inter-dependencies will be considered where relevant.
- Consent conditions will be revised/formulated based on anticipated wastewater outcomes, linked to actual and foreseeable environmental effects.
- Emphasis will be on updating and improving consent conditions, with the aim of ensuring that they are: focused on key adverse effects, cost effective and easily enforceable.

Timeframes

- Specific milestones / critical dates would be deliberated by the CRG. Should a new consent be sought, then the duration of that consent would also be discussed.
- Timeframes for implementation of the wastewater upgrades will be appraised in a pragmatic and realistic manner, with any specific dates in the current consent reviewed accordingly.

Cultural aspects

- The full range of potential mechanisms for achieving desired cultural and spiritual aspects of the consent will be considered (resource consent and other).
- Mortuary waste, which is currently treated within the wastewater treatment plant at Banks Street, will be considered.

Alternate Use and Disposal

- Consent conditions to enable part 2 of Option 3 (including consent provisions related to AUD), also the terms 'affordable', 'sustainable', and 'viable' as included in the December 2017 council decision, will be considered.
- While the group will consider consent conditions related to AUD, it will not be further investigating already identified AUD options or exploring new AUD options.
- Key informants of the review comprise the following:
 - The outcomes of the LTP pre-consultation and formal LTP consultation processes
 - The cultural, spiritual, economic, environmental, and social objectives of the community as a whole
 - The technical basis of the wastewater management system
 - Interdependencies related to Council projects, processes, and strategies
 - The ability of the community to pay for the management system
 - Delivering value for money for the ratepayer
 - The Turanganui a Kiwa Water Quality Position Statement Gisborne Wastewater
 - Relevant cultural impact assessments
- The CRG will report the outcomes of the working group to Council and the WMC.

The review must also have regard to:

- The New Zealand Coastal Policy Statement
- The Coastal Permit issued by the Minister of Conservation.
- The upcoming review of the Coastal Environment Plan (if relevant).
- Previous resource consents (including variations) issued by Council.
- Meeting legislated health, cultural, spiritual, economic, environmental, and social requirements.

6. Collaborations and Consultations

The group may liaise and consult with other entities and key parties that may have an interest in or may be affected by this matter as and when required. Subject matter experts may also be invited from time to time to contribute to the process and attend meetings.

In consultation with Council, the CRG may appoint, or invite, other persons to participate in an advisory capacity.

Whilst contributions and debate at CRG meetings will be limited to CRG members and invited speakers, the meetings will not be publically excluded and members of the public may attend meetings as observers. The outcomes of the CRG will also be communicated to the public and councillors via WMC meetings.

7. Media

CRG members are free to discuss wastewater issues with the media, but cannot speak on behalf of the group. If possible, members should signal to the CRG their intent to talk to the media. Alternatively, it is preferred that any individual's media contact is brought to the CRG's attention afterwards. Any information that is brought to the CRG on an explicitly confidential basis should not be discussed with the media.

8. Delegated Authority

The CRG has no delegated authority to commit the Council to any course of action, and has no formal status in respect of the current consent. The outcomes of the CRG do not affect the rights or responsibilities of any member of the group to advocate its position in respect of the current consent or future consent application which may be applied for by the applicant in respect of the wastewater discharge. It is not intended that the participation of members on the group be a substitute for any consultation required under the Resource Management Act 1991.

9. Guiding Principles

The members of this group are committed to the following principles to guide relationships and the operation of the group:

- Members are entitled to present their views and ideas fully and for them to be received with an open mind and with respect. All views and ideas will be given genuine consideration by all members. Members recognise that there will be multiple perspectives on wastewater and will encourage debate so all views are understood.
- The group will strive for consensus wherever possible. Group members will act in good faith and remain committed to the process and to fostering a group culture of collegiality to promote consensus decision-making. Group members work together and share knowledge freely and willingly with 'no surprises'. Attendance and contributions at all relevant meetings is considered important.
- The group will seek win-win solutions to short and long term wastewater management.
- Where unanimous agreement is not possible, differences in opinion will be recorded, and these outcomes will be reported to the WMC and Council.
- Every effort will be made to provide information to group members in a timely manner to enable full and meaningful contributions from members.
- Where applicable, the cultural, spiritual, environmental, economic, and social objectives of the community will be considered in the context of affordability, viability and sustainability.

10. Membership

The members have relevant skills, attributes and knowledge relevant to promoting the purpose of the group. Additional expertise will be brought into CRG meetings as and if required.

The CRG is proposed to consist of the following:

- The Gisborne District Council project team
- Representatives of the Gisborne District Council Water Utilities, Environmental Services and Protection, and Strategic Planning teams
- Medical Officer of Health (Tairāwhiti District Health Board)

- Representatives of Turanganui-a-Kiwa represent Te Runanga O Turanganui-a-Kiwa, Te Aitanga-a-Mahaki, Rongowhakaata, Ngai Tamanuhiri, and Ngati Oneone representative
- KIWA Group representative
- Gordon Jackman

The above will be offered the opportunity to be part of the CRG, and they will need to confirm their interest in participation prior to the first meeting of the CRG. Final membership of the CRG will be determined at the first meeting, when additional partners may be identified. There is no obligation for any member to be part of or remain in the CRG.

Depending on each meeting agenda, not all members may wish to attend, and Council may not invite some members to certain meetings. In such instances, all members will be informed of who is specifically requested to attend, and the remaining members will have an opportunity to note their interest in attending (in which case they may also attend). This provision is included as the CRG is relatively large and not all parts of the consent may apply to all proposed CRG members.

Although not members of the CRG, the following will be invited to provide input into the process:

- Representatives from industry that are connected to the industry-separated wastewater pipeline (including but not limited to Leaderbrand, Ovation, Cedenco)
- Representatives from the agricultural sector (including but not limited to Federated Farmers, Zespri, and HortNZ)

The meetings will be managed and run by the Council project team.

11. Operational Arrangements

The CRG will meet at minimum every six weeks and when additional meetings are required, until the consent application has been submitted.

The venue of these meetings will be at the Gisborne District Council Offices, 15 Fitzherbert Street, Gisborne, unless advised otherwise.

The CRG will have administrative support provided by the Council.

Meeting agendas and relevant documentation will where possible be emailed out at least one week prior to meeting dates to allow members time to consider contributions.

Progress of the CRG will be regularly reported on to the WMC, the Council Chief Executive, and Councillors.

Meeting Fees

Council will pay CRG members \$140 per meeting attended. Payment will be confined to those members who are not paid to by an organisation to attend the meetings.

Quorum

The quorum shall be a minimum of five representatives of the CRG.

The CRG will not be making any decisions. The group will strive for consensus wherever possible. Where unanimous agreement is not possible, differences in opinion will be recorded, and these outcomes will be reported.

12. Appendices

Appendix 1 : Full copy of Consent

Appendix 2 : Wastewater consent decision 2009

Appendix 3 : Turanganui a Kiwa Water Quality Position Statement Gisborne Wastewater

Appendix B – Meeting Notes/Minutes



LAND. PEOPLE. WATER.

Minutes of Meeting

Consent Review Group Workshop Monday, 30 July 2018

Present:

Gisborne District Council:

Wolfgang Kanz	Project Manager
Neville West	Water Utilities Manager
Paul Murphy	Team Leader: Water and Coastal Resources
Joanna Noble	Principal Planner
Tracey Panton	Wastewater Treatment and Compliance Officer
Kerry Hudson	Team Leader: Land and Soil Resources

Chairman of the CRG

Ian Mayhew	Planner – 4Sight Consulting (contracted to GDC)
Rachael Shaw	Engineer – Beca (contracted to GDC)
Reginald Proffit	Consents Manager

Iwi representatives:

Pene Brown
Angus Ngarangione
Nikki Searancke
LeRoy Pardoe

Experts:

Murray Palmer

KIWA Group Chairman:

Ian Ruru

Apologies:

Ronald Nepe

David Wilson

Lois Easton

Absent:

Medical Officer of Health

Dr Bruce Duncan

Expert:

Gordon Jackman

The meeting was opened with a karakia by Whitiāua Ropitini (Maori Engagement Coordinator).

The Consent Review Group (CRG) all introduced themselves, providing context on their involvement in the process. Wolfgang made it clear that attendance and contributions at the CRG meetings will not constitute endorsement of all or some of the outcomes, although consensus will be sought where possible. The CRG will not re-litigate the option adopted by Council, the group will be looking at what a new consent or variation would look like for the adopted option. There are other processes available to object to the adopted option, if that is desired by any member of the CRG.

Murray Palmer requested more information on the 54% statistic cited in the LTP document.
Wolfgang Kanz (WK) to provide this.

Wolfgang advised that Gordon Jackman would be attending in the future, and that Dr Bruce Duncan had not responded to Council yet regarding his attendance. He is away on sabbatical until 3 September 2018, and hopefully he will attend after that date.

Wolfgang provided an introduction to review, the role of consent review group, the terms of reference, an overview of the LTP option that was adopted, and background on the process/timing for resource consent.

Ian Mayhew led the discussion on what had to date been identified as key issues in the consent.

Clarity was sought on who would be the applicant to any new consent or consent variation and the 'pros and cons' of each option. **Ian Mayhew (IM) to prepare material for consideration at the next CRG meeting.**

Verbatim minutes were not taken, with key statements, outcomes and actions recorded, as below:

- Regarding the terms of reference, the term 'redundant' to be replaced with 'completed', and the clause in the 'Guiding Principles' section related to removal of members will be taken out **WK to action.**
- More detail on the governance process was requested, particularly in terms of the role of the WMC in this process. Wolfgang advised that as it stands the CRG is to report outcomes to the WMC and Councillors, but that he was unsure if there are any decisions or recommendations. Clarity to be provided at the next meeting.
- The timeframes applicable to Clause 4 were discussed at length, particularly establishing what the consent requires if Council does not submit their consent application or variation application 31 December 2018. Council would have to install disinfection within 24 months of that date.
- There was concern that consented timeframes for the implementation of UV and clarification are unlikely to be met.
- Council to provide an outline of the timeframe and milestones envisaged as part of the LTP scheduling of the wastewater upgrade, including the aspects shown in the Wolfgang's presentation. This will enable the CRG to consider how specific milestones (dates) could be included in a new consent to provide greater certainty.
- Members of the CRG were interested in which aspects of the forward process could be shortened, to enable implementation of the upgrade earlier than 2022/23. Time savings could be gained through the consenting process, however bringing the

implementation of the upgrade forward would require a change to scheduled budgets in the LTP, which would not be simple and would require a paper to Council (and other projects to be delayed).

- A key issue for iwi was being able to trust that Council will implement the upgrade as proposed in the LTP. This is based on Council failing to deliver on promises in the past. The discussion then looked at what conditions could be implemented in a consent / variation to increase certainty that Council will deliver.

The difference between a scoping process and practical delivery process was explained, and how one can have much greater confidence in timeframes within a delivery process, particularly where the funding was specifically identified in Council's LTP. The possibility of a bond was raised, however Council expressed doubt over how this would work within a delivery process of such a large scale project. The consent could be linked to specific milestones within the delivery process (e.g. project plan, procurement, detailed design, investigations, earthworks, etc.) with progress reporting required as part of the consent. The possibility of imposing penalties for non-performance was raised. However, it was acknowledged that there was no absolute certainty.

- Murray Palmer noted that although there have been delays in arriving at a preferred wetland option, this should not have affected the implementation of the default option, as Council should have been geared up to start that by 31 December 2018 and finish within 24 months (if the consent / variation was not lodged by 31 December 2018).
- Questions were raised regarding monitoring conditions and why these should be changed. Council explained that this would be to enable a better spend of money on monitoring, as some of the monitoring was no longer required. E.g. Monitoring conditions relevant to the BTF study are no longer required as that study has been completed. If the monitoring requirements were not resolved during the consent process, then the consent could include a condition for a monitoring review in a year's time after the consent is granted.
- Murray Palmer asked for the latest whole effluent toxicity testing results. This will be provided as part of the CRG workshops on monitoring.
- An integrated strategy was needed for Alternate Use and Disposal. This could include statutory and non-statutory mechanisms to reduce wastewater flows, e.g. through the building consent process, bylaws, and ongoing engagement with industry to find ways to reduce and re-use wastewater. A 'toolbox' approach.
- Pene Brown directed the CRG to the definition of 'Alternate Use and Disposal' (AUD) in the consent. Particular emphasis was placed on the inclusion of 'non ocean disposal of treated wastewater' in the definition, affirming that the consent must cater for this aspect.
- The point was made that although AUD ultimately is about stopping all treated flows from discharging out of the marine pipe, it is also about 'progressive removal' of wastewater. It is about ongoing reductions / improvements, and that compliance with the consent could be measured by quantifying the reductions that are achieved (even if that is mostly achieved in summer).
- Wolfgang spoke about the marine pipeline, noting that to remove it would mean Council would no longer have that as an emergency outfall, which would impact our resilience. If the marine pipeline was removed, then emergency / unforeseen

discharges would have to go to rivers and / or beach, which would be significantly worse than out of the marine outfall. That is an aspect that needs to be kept in mind.

- Murray Palmer noted that AUD investigations had not been finished, with only one preliminary report produced (which he authored). That report only detailed possible avenues for AUD, and more work was needed. Both on industry and domestic wastewater streams.
- The treatment design basis was discussed, noting links to the Drainwise project. It was explained how Drainwise would reduce the volume of water arriving at the treatment plant.
- The industrial separated wastewater pipeline was discussed, with general consensus that retaining the current consent conditions relevant to industry plus enforcement of the tradewaste bylaw is likely to be the best process moving forward. Concern was however raised that if we rely on the tradewaste bylaw to achieve standards, then we rely on compliance and enforcement processes, and Council may have less control over water quality outcomes.
- It was mentioned the industry had been aware of the reduction to 1,000 Enterococci / 100ml in line with the treatment plant requirements.
- Mortuary waste was discussed. There was general consensus that although this could have a consent condition around timelines for resolution, this aspect is likely to be best dealt with through other mechanisms. The potential use of Wisconsin mounds for treatment of mortuary wastewater was discussed.
- Considering consent conditions to cater for phase 2 of Option 3 (as adopted by Council), the need for an appropriate AUD working group was noted, as was the need to rationalize what other groups exist i.e. new fit-for-purpose groups need to be created. The AUD working group could also work on wetland aspects (e.g. finding sites, design requirements, etc.).
- The CRG as a group supported including robust conditions that ensure the AUD work continues, is coordinated, and is effective.
- The CRG wanted to have greater certainty over the consenting process i.e. would this be a new consent or a consent variation? Council will work with their consultants to provide a list of pros and cons, and as soon as possible indicate to the group what consenting process they envisage following.

A key difference between a new consent and a consent variation is that the consideration only relates to those conditions of the consent that are being changed and the adverse effects that result from this change. A new consent requires a full assessment of all aspects.

The role of the Minister of Conservation was discussed; it was established that the consent application would not have to go to the latter, but that the Minister of Conservation would still have input into the Coastal plan review, which could indirectly affect the consent.

- A variation consenting process would be key to achieving shorter consent timeframes. An initial preference for a consent variation was indicated by group members.
- The CRG to be sent a digital copy of the table of current consent conditions. **IM to provide.**

- It was asked if the current limits in the consent are in line with current best practice. Ian Mayhew advised that this will be considered through this review.
- The group was supportive of the project team providing a strawman of outcomes / conditions for the CRG to consider in the workshops.
- Ian Ruru requested a clear outline of the governance plan and Council decision-making milestones and dates between now and 31 December. Included would be the dates when Council would make any decisions regarding submitting the consent. The role of the WMC in this process also needs to be mapped out.

It was agreed that initially we would meet approximately every two weeks, recognizing the urgency of this process. Dates of 16 August and 6 September were agreed, noting that it is a large group and not all CRG members would be able to attend all meetings. **IM to action.**

The meeting was closed with a karakia by Whitiāua Ropitini.

Minutes of Meeting

Consent Review Group Workshop Thursday 16 August 2018

Present:

Gisborne District Council:

Wolfgang Kanz	Project Manager
Neville West	Water Utilities Manager
Paul Murphy	Team Leader: Water and Coastal Resources
Tracey Panton	Wastewater Treatment and Compliance Officer
Kerry Hudson	Team Leader: Land and Soil Resources

Chairman of the CRG

Ian Mayhew	Planner – 4Sight Consulting (contracted to GDC)
Megan Dever	Planner – 4Sight Consulting (contracted to GDC)
Reginald Proffit	Consents Manager
Whitiaua Ropitini	Maori Engagement Coordinator

Iwi representatives:

Pene Brown
Angus Ngarangione
Nikki Searancke
LeRoy Pardoe
Ronald Nepe

Experts:

Murray Palmer
Dr Bruce Duncan
Gordon Jackman

KIWA Group Chairman:

Ian Ruru

Apologies:

David Wilson
Lois Easton
Joanna Noble
Rachael Shaw

The meeting was opened with a karakia by Whitiua Ropitini.

The Consent Review Group (CRG) all re-introduced themselves, and those not at the last meeting providing context on their involvement in the process.

The minutes of the previous meeting (30 July) were moved by Nikki and seconded by LeRoy.

Verbatim minutes were not taken. Key statements, outcomes and actions were recorded as below:

A discussion was held around administrative matters – **Wolfgang Kanz (WK) to look into a shared online filing system for the CRG, similar to that set up for the Wastewater Management Committee.**

The CRG Terms of Reference were discussed. Bruce requested that science be added into the Term of Reference. WK indicated the WMC have already approved the Terms of Reference, but that this could be included in the context section. **WK to provide recommended text - to be presented to the WMC for approval to be included in the CRG terms of reference.**

A discussion was held around the legal advice on the interpretation of Clause 4(f) which was pre-circulated. Clarification was sought around the timeframes for any variation. It was confirmed that any variation to timeframes for clarification would need to be approved prior to December 2020 for Council not to breach clause 4f of its current consent. Ian advised that this was the 'point of compliance'. Bruce raised concerns regarding the timeframes for building the clarification and disinfection plant. Pene recognised that these timeframes were aimed at holding Council accountable for implementation.

A broad discussion was held around what a future consent application would look like, key points being:

- Gisborne District Council would be the consent holder (although consent may mention a specific department).
- Ian Mayhew (IM) spoke to the briefing paper on the difference between a change of consent conditions (variation) and new consent and their 'pros and cons'.
- Pene mentioned that the understood kaupapa is a variation, but the CRG needs to know what wider Council thoughts are. Transparency is considered essential and Pene indicated separate meetings to be held with Council around iwi's position on this.
- General agreement from the CRG to be upfront and this is essential in terms of direction moving forward.
- Bruce – believes variation is not essential from a health perspective for implementing clarifier and disinfection (default clause). Unacceptable to wait for decision on wetland to implement the clarifier and disinfection. Longer timetable for wetland is acknowledged, possibly a new consent and separate process.
- General discussion around whether a second BTF is required. Murray acknowledged that the BOD loading condition would need to be changed and whether this would be beyond a variation.
- Murray– advised that Rick Thorpe submitted on the LTP detailing a desire for the water (AUD). General discussion around changes in the agriculture sector, and a different/new driver for AUD.

LeRoy acknowledged that here seems to be opportunities but we don't know much about the ability to use.

A detailed discussion was held around AUD

- The potential for an independent AUD group was discussed, and also how this would be included as a condition of any future resource consent. Neville indicated that GDC has made a financial commitment in the LTP for an AUD group to be established. Questions were raised around how to get certainty around the process and whether funding was sufficient.
- Bruce – need to be encouraging Council to encourage land use that would promote AUD, drive what happens in district. A holistic approach required.
- Gordon – discussed emerging contaminants. Independent group needs industry stakeholders who will use the water. Complex “product”. There is no definition of “sustainable, viable and economic”. Trust is essential. Gordon mentioned evidential information was dismissed in the past and the group is now being asked to re-look at this. Bruce mentioned that recommendations have already been made to Council around how to deal with emerging contaminants in terms of preventing these to get into waste stream, as well as mitigation. Need to look into educating the public, people need to understand downstream effects as some emerging contaminants are best reduced at source as they can't be removed through treatment. Gordon – LTP consultation reflects the good will is there, and this is an important form of social capital.
- Pene – a lot of issues don't sit necessarily within a consent condition or variation, may need some on the side agreements. Ian M – condition needs to be there to provide some certainty around what needs to be done and to provide a process for moving forward.
- Ian Ruru – queried whether there any need to change anything in the consent if the default option is chosen (disinfection – clarifier/UV). The answer was no – Council could carry on with the existing discharge consent which has 24 years left.
- Ian M – questioned whether GDC would be able to comply with consent due to BOD loading, and also raised the issue of the programme for implementing UV/disinfection in accordance with timeframes.
- WK indicated that LTP funding is not within this timeframe.
- Bruce – that's a Council issue (delay) and that non-compliance could be raised in the Environment Court. WK acknowledged that a decision has been made by Council, now we need to work out how to consent that. Going back to the Terms of Reference – if we are to consent the LTP preferred option, how do we do this is what the CRG terms of reference are about. This will require a consent variation.
- Pene – already argued for AUD in terms of funding and \$50k a year isn't sufficient.
- Extensive discussion was held around the issue with LTP funding timing vs existing consent timing. WK acknowledged that the timeline potentially puts Council into a non-compliance with the consent.
- Gordon – need to know what resources and timing (parameters around this) for certainty. Need this to have confidence around this.
- Murray – wetland is integral to achieving appropriate level of bio-transformation, not something tagged on.
- Ian M asked the CRG what would be progress in terms of a commitment to AUD:

- Murray – if there is a group, once a decision is made that there is a viable opportunity for use, there needs to be a meaningful tool to require implementation.
- WK – discussed costs for wetland, land, and other treatment components originally proposed by WTAG. Costs are beyond what Council can afford. Council needs to be able to fund this.
- Gordon – discussed whether Eastland Group to be able to fund infrastructure. He noted the AUD group should look at practical implementation of AUD, including funding sources.
- Ian Ruru questioned whether we can we separate step 1 (existing consent – clarification and UV) from step 2 (AUD). Would like to see Council deliver the first step in accordance with consent.
- Bruce – consent says best intentions to remove wastewater from the bay – why does the principle need to change, other than the timeframe? Big question is, do we need to change the consent.
- Ian M – need to go back to Council around timeframes and funding for step 1 – current LTP funding does not deliver UV/clarification within consent timeframe. Also, the BOD requirement needs a variation.
- Members of the CRG requested the group engage with Eastland Trust. Neville questioned whether this going outside TOR. Neville – agrees with Bruce in terms of the outcome isn't changing, sticking with intent, AUD in addition to default. Neville – funding is a side discussion outside group. Gordon agrees this is a parallel process. Nicki – there the Provincial Growth Fund, coming to GDC soon, this should be included. **WK to follow up the PGF opportunity.**
- WK confirmed that they are planning on reporting to Council in October, November and December.
- Ian R suggested there may be the ability to have pre-treatment instead of a second BTF to reduce BOD. No research into this yet. **WK will confirm with Rachel Shaw the outcome of this discussion.**
- Bruce – the consent as it stands gives parties ability to go to Environment Court to enforce. Discussion occurred regarding at what point non-compliance with the consent occurred regarding the implementation of UV and clarification. Ian M advised that the legal advice and his view was at 1 January 2021 (if UV and clarification not implemented)
- WK – without any other means of reducing BOD we will be not in accordance with the consent. A variation may be needed around loading rates. There may be a cheaper alternative to a BTF for reducing BOD, but WK suggested this was unlikely. General agreement that a further BTF wouldn't be best use of money.
- Neville – AUD group needs to be independent. Bruce – WMC was set up in its intent to do this but Council can ignore its recommendations. Certainty around outcomes is key.
- Ronald questioned what would an independent group look like? Neville suggested economic, social, advisory experts. Ronald indicated that the conditions would need to be written into consent around the ability to provide certainty that the group's decisions would be implemented and that the financial resources would be available to do so. General agreement this is what was thought was the case previously. Ronald – the power needs to be with the AUD group not Council. **Ian M – was requested to draft a consent condition around decision rights and financial responsibilities.** It was noted

that this would need to be agreed to by Council. Reg noted there may also need to be a side Terms of Reference etc as it would require a level of detail that couldn't be in a consent condition. Pene advised that the pieces are already in current consent, these need to be pulled together.

- Gordon – need milestones of commitment from Council as they go along, access to budgets etc. Milestones in process to allow you to do it. Pene – should have been money in past LTP that should have been put aside to fund this. There needs to be commitment of funding.
- Discussion around whether AUD includes industrial – discussion that it should be inclusive of this, particularly as this waste is more “usable”.
- **WK to prepare background information on the likely overarching framework for the AUD group to workshop at the next CRG meeting.**
- General note that GDC needs to be looking at external funding opportunities from a variety of sources.
- Nikki – AUD system needs to be fit for purpose for industry.
- Nikki – new consent, institutional knowledge would be lost. Important for action now not to pass the legacy on to future generations.
- Neville explained that the LTP can be varied annual through the Annual Plan. WK explained wider context the council considered in terms of timing of all council projects and competing budgets. **WK to have internal discussions (GDC) around ability of and implications of changing timeframes.**

The structure of the Governance and Stakeholder/Technical Review Groups was briefly mentioned. It was decided this best be addressed at subsequent meetings. It was noted that agricultural and horticultural groups are missing from the WTAG.

In addition to the above, the following was requested to be discussed at the next meeting:

- **Ian M – prepare a draft consent condition for AUD, including potential milestones for governance and process, and financial commitment.**
- **Ian M to prepare a timeline of key dates for a variation or new consent.**
- **WK to prepare a timeline of key dates for procurement and built timeframes for Phase 1 (clarification and UV disinfection).**

The next (3rd) CRG meeting is on 6th September. A following meeting was booked for 27th September. Briefing notes will be aimed to be sent out the Monday prior to each meeting.

The meeting was closed with a karakia by Angus Ngarangione.

Minutes of Meeting

Consent Review Group Workshop Thursday 06 September

Present:

Gisborne District Council:

Wolfgang Kanz	Project Manager
Paul Murphy	Team Leader: Water and Coastal Resources
Tracey Panton	Wastewater Treatment and Compliance Officer
Lois Easton	Environmental and Science Manager
Joanna Noble	Principal Planner
Whitiaua Ropitini	Maori Engagement Coordinator
David Wilson	Director Lifelines
Kerry Hudson	Team Leader: Land and Soil Resources

Chairman of the CRG

Ian Mayhew	Planner – 4Sight Consulting (contracted to GDC)
Megan Dever	Planner – 4Sight Consulting (contracted to GDC)
Rachael Shaw	Engineer – Beca (contracted to GDC)

Iwi representatives:

Angus Ngarangione
Nikki Searancke
LeRoy Pardoe
Ronald Nepe
Ray Farmer

Experts:

Murray Palmer
Dr Bruce Duncan
Gordon Jackman

KIWA Group Chairman:

Ian Ruru

Apologies:

Pene Brown
Reg Proffit
Neville West

The meeting was opened with a karakia by Ian Ruru.

The minutes of the previous meeting (16 August) were discussed. Two changes were suggested by Bruce Duncan and the final minutes were moved by Ian Ruru and seconded by Nikki. Updated minutes are attached.

Verbatim minutes were not taken. Key statements, outcomes and actions were recorded as below:

A discussion was held around administrative matters – Wolfgang Kanz (WK) to look into booking out whole meeting space or shifting rooms for next meeting. An update was provided on the provision of information electronically. GDC IT have come up with solution, using a sharepoint system. Folders with circulated content from each of the meetings will be uploaded, with the aim of this being set up next week and in full operation for the next CRG meeting. Members confirmed that information should be sent via link to the sharepoint system rather than attachments. Existing email addresses will be utilised. **WK/IM to organise.**

Rachael Shaw provided an update on the assessment of alternative options (to a BTF) for BOD reduction, in relation to Clause 37 of the existing discharge consent. Rachael advised that Beca were still working through the latest BOD data. She advised that the key additional options for reducing BOD upfront included a screen or clarification. Both would require a lot more infrastructure. A key issue is dealing with the primary sludge with potentially high follow on effects for disposal of this sludge. Rachael also confirmed that high capital investment would be required to do work. A discussion was also held around the sludge. Rachael advised that GDC does do specific monitoring of this. WK advised the WTAG also did a lot of research on this. **WK/IM to upload previous papers to Council onto Sharepoint and provide links to documents on the website.**

There was a general agreement that a second BTF would add little value if a wetland was in place. RS discussed the need to take into account the maintenance and renewals of the BTF, and the benefits of a second BTF from a resilience perspective.

Rachael Shaw spoke to the printed copy of timeframes for installation of clarification and UV disinfection. It was noted this was slightly different to the version pre-circulated and the printed version would be uploaded to Sharepoint. Two timelines were presented, a best and worst-case engineering programme, with the key areas of change between the scenarios being the construction timetable, and tendering/detailed design. She noted both timeframes didn't allow for the upfront consenting requirements (and associated timeframes). Rachael confirmed that operational costs would be identified at the preliminary design stage. It was noted that the timeframes go past the 2020 date in the consent (two years after 31 December 2020). WK also noted that the timeframe was a duration from a technical engineer perspective and did not take into account funding under the LTP. Rachael confirmed the best case scenario was best case, and provided context to the timeframes using the initial WWTP build as an example.

It was queried what would happen if someone appealed the timeframes, if these were sought to be extended through a variation, and any other aspects of the consent variation. Ian Mayhew confirmed that if there were appeals on the consent variation then these would go through to the Environment Court (unless resolved through discussions or mediation) and would then take longer to be determined. During this time, the existing consent would remain in place, meaning Council would be in non-compliance with any timeframes it did not meet in the existing consent if the new consent conditions were not yet operative.

Ian Mayhew spoke to the indicative timeline for a s127 variation to discharge consent to be lodged by 31 December 2018 which was pre-circulated. He advised that as Council's capital funding is further out than the 2020 timeframe, a variation would be required if Council sought to remain in compliance with the timeframes in Clause 4.

He advised that as the timeframe for the variation was short, it would need to be targeted at addressing the key issues – likely focusing on changing the timeframes for implementing UV disinfection and clarification, potentially amending the BOD loading (if required), and a re-fresh of the AUD clauses to take the AUD programme forward. Based on the timeframe provided, he advised the scope of the variation would need to be confirmed in principle at the next CRG meeting. Lois Easton confirmed that external consultants would process any variation. Ian Mayhew explained the difference between a s127 and s128 review and confirmed that a change that substantially changed the consent would not be considered within scope of a s127. Ronald Nepe advised shifting the 2020 date was significant from a cultural perspective. Lois Easton confirmed that recent case law confirmed that the Environment Court didn't place much weight on a lack of funding as a reason for inaction. Murray Palmer noted that if the process started straight away, Council would likely only be in non-compliance with the existing consent for 6 months. It was sought that David Wilson speak to this point.

A consent condition strawman for AUD was presented to the CRG. Ian Mayhew spoke to the draft conditions. In summary the following was discussed:

- The relationship between suggested members on the draft AUD-TAG and the existing WTAG members, and the skills needed to take AUD forward to implementation.
- Nikki suggested looking at the Ports of Auckland dredging and dumping technical group, in addition to the Rena for context.
- It was discussed whether the AUD group should be 'use' focussed – emphasis on utilising waste resource rather than how to treat the waste. The group needs to have access to industry and potential users to enable 'uses' for the water to be identified and for the water quality requirements of these uses to be identified.
- Bruce Duncan raised the need to move away from "sustainable, affordable and practical", particularly 'affordable', as the starting point for the AUD group. The ultimate goal of reducing waste from the Bay needs to be upfront – not "if practical". The group shouldn't make such an early value judgement. The group should be open to researching all possible uses and options and then narrow these down without pre-judgement and constraint. However, Council's position is that affordability must come into consideration at some point to ensure that public money is appropriately invested.
- Murray Palmer indicated that the principle of rangatiratanga should be included.
- Support for principle of dealing with waste locally.
- Need to consider options for dealing with mortuary waste – it was identified that this was something that could be dealt with now, without having to wait years for and is something that is important to iwi.
- Conditions need to place equal emphasis on disposal as use. There will still be a need to dispose of wastewater and solids for some time and in times when water may not be possible to be used (e.g. winter).

David Wilson joined the meeting and responded to a range of issues that had been raised.

David provided context behind the LTP funding timeframes, and confirmed funding in this LTP is only for installation of clarification and UV disinfection, however the AUD component sits within the 30 year Infrastructure Strategy. He advised that Council did not want to be in a position of non-compliance with its discharge consent. David noted that there may be an ability to (subject to funding and approval from Councilors) to complete the design and consenting process required for

the physical building before the 2020 deadline for the discharge consent variation to demonstrate significant commitment to the works. The appetite to move the construction funding forward, which is the major component of the expenditure, would also need to be discussed with Councilors. Currently funding was constrained by Council's debt cap, and Council was reluctant to increase its debt cap at this stage. David advised that the timeframes in the LTP were also based on the time necessary to get appropriate authorisations in place to enable works to proceed, assuming an Environment Court process. The size and location of plant required for clarification and disinfection was discussed. David Wilson advised that GDC are currently working through this now.

The group indicated a strong preference to not vary the consent and to implement clarification and UV as soon as possible, prior to considering a variation to the consent conditions once a commitment and progress had been made.

It was agreed that the GDC project team would draft up a paper to the October WMC outlining these options and a recommended path to move forward. This would be discussed at the next CRG meeting.

Discussion was held around external funding opportunities. David Wilson provided an update on this. It was advised that the \$50k a year for AUD in the LTP was seed funding, and it was anticipated that those involved in the AUD group would be tasked with looking at external funding opportunities. Council's internal funding specialist, Julie Conder, would be available to support the AUD group to ensure any submissions met the funding criteria. General discussion was held around the PGF and ECT funds and that these had an economic focus, and would require specific projects to be scoped by the AUD group to apply for such funds. No funding relating to infrastructure provision was known. Ronald Nepe mentioned an opportunity to approach industry groups to apply for PGF funding. Lois Eason mentioned Tairāwhiti Economic Action Plan and the Cendeco Wastewater project which was included in the plan.

Bruce Duncan indicated that the implementation of clarification and UV and the on-going configuration and role of the AUD group was not dependent on a consent variation. There was no need to progress a change at this stage. Rather the focus should be on implementing UV and reconfiguring the TAG under the terms of the existing consent. A consent variation could be considered later if there was a need. The proposed conditions (or similar) could be utilized in a revised ToR or similar.

It was agreed that the GDC project team consider whether the variation was required at this stage and other options to refresh the TAG group and its role.

A discussion was held around mortuary waste and whether this be addressed as a condition of consent (variation to the discharge consent to specifically exclude it by a certain time) or through other mechanisms such as a bylaw. It was suggested that Ian Ruru take this back to the WMC to discuss.

The next (4th) CRG meeting is on 27th September. Briefing notes will be aimed to be uploaded to Sharepoint and an email notification sent out the Monday prior to each meeting.

The meeting was closed with a karakia by Ian Ruru.

Minutes of Meeting

Consent Review Group Workshop Thursday 27 September

Present:

Gisborne District Council:

Wolfgang Kanz	Project Manager
Tracey Panton	Wastewater Treatment and Compliance Officer
Neville West	Water Utilities Manager
Lois Easton	Environmental and Science Manager
Kerry Hudson	Team Leader: Land and Soil Resources

Chairman of the CRG

Ian Mayhew	Planner – 4Sight Consulting (contracted to GDC)
Megan Dever	Planner – 4Sight Consulting (contracted to GDC)
Rachael Shaw	Engineer – Beca (contracted to GDC)

Iwi representatives:

Angus Ngarangione
Nikki Searancke
LeRoy Pardoe
Ronald Nepe
Ray Farmer

Experts:

Murray Palmer
Dr Bruce Duncan
Gordon Jackman
Peter Williamson

KIWA Group Chairman:

Ian Ruru

Apologies:

David Wilson
Paul Murphy
Joanna Noble
Pene Brown
Reg Proffit

The meeting was opened with a karakia by Ronald Nepe.

The minutes of the previous meeting (06 September) were discussed. No changes sought. Final minutes were moved by Nikki and seconded by Murray.

Verbatim minutes were not taken. Key statements, outcomes and actions were recorded as below:

Administrative matters – Ian Mayhew (IM) confirmed the SharePoint link was up and running and CRG members confirmed it had worked.

Ian Mayhew (IM) read out a statement from David Wilson who was on leave and unable to attend the meeting. The below was provided:

We have heard the feedback from the Consent Review Group regarding timeframes. As previously discussed at CRG any discussion about moving timeframes is outside the current mandate of staff. Council staff are taking a paper to the November Council meeting to inform the Council that the Consent Review Group has raised that the current timeframes are not appropriate and that there needs to be discussion on whether moving the timeframes is something that the Council will consider. We will report back to the CRG once we have that decision.

There was some discussion regarding what information would be included in the paper, with the CRG supporting providing a sufficient level of information / detail to the council on the options, potential costs, risks, and consequences of the options. This needs to be done to ensure Council is aware of the flow-on effects of any decision.

Rachael Shaw (RS) spoke to a PowerPoint presentation on Biological Oxygen Demand (BOD) loading to the WWTP where she confirmed that the BOD load has been decreasing. She confirmed that the results were sitting close to (but just above) the thresholds in Clause 37. She also noted that some data gaps need to be back filled, that this would likely increase the average BOD load, but believed this would only result in a slight increase in the BOD loads presented. A discussion was held around the likely causes of this, with this being mainly attributed to trade waste improvements. Rachael confirmed that wastewater overflows into rivers wouldn't have been a major factor in reducing this as the results also show a lower concentration of BOD in the summer period. Alternative methods to reduce BOD were also discussed, and their costs/benefits. Rachael also advised that a certain amount of BOD is required in the WWTP system, otherwise it will starve off the BTF i.e. the biological elements of the BTF require enough BOD to survive. Bruce noted the only reason this was being looked at was for compliance with clause 37. Council agreed – it was a matter of compliance that needed to be considered.

IM and RS spoke to the indicative timeframes for Phase 1 (clarification and UV disinfection) implementation. Since the last meeting, the timeframe had been updated to include consenting timeframes to provide for the physical build and operation of the WWTP on the basis that some changes to existing consents etc. are anticipated. Best and worst case scenarios were presented. Lois reconfirmed that the consent wouldn't be processed in-house and if notified, there would be independent commissioners making decisions. It was noted that the worst case could be significantly worse than that presented, if the consents were notified and appealed to the Environment Court. However, it was noted that any consents to build/operate the plant would likely only be dealing with relatively straightforward issues.

IM spoke to the draft Wastewater Management Committee (WMC) paper summarizing the outcomes of the CRG engagement to date. He emphasised that it was important that this was framed to represent the opinions of the group. A number of changes were recommended. **IM to make the changes as suggested in the meeting and recirculate to the CRG by Tuesday 2nd for further comment. CRG members to track changes and send these back to IM. The final report**

needs to be completed by 11 October so that it can be provided to the WMC to allow for sufficient review time before the WMC meeting on 18 October 2018.

Wolfgang to discuss with Dave Wilson whether the WMC will put up a recommendation to Council regarding the outcome of the findings from the CRG, and what the governance process would be regarding any potential change to the LTP budget scheduling.

It was noted that the CRG would like to see how the options and implications for bringing the LTP funding forward will be presented to Council. **Wolfgang to discuss this with David Wilson.** There was general agreement from the CRG that this should include the legal implications, costs, risks and timeframes for each option so the councilors can make an informed decision on how to move forward.

A brief discussion was held around the AUD programme. It was noted that this does not require a change to the conditions of consent. The role of the WTAG was discussed. Ray questioned the status of the previous "AUD group". It was indicated that the WTAG role under the consent was to review the AUD programme and provide expert advice. Wolfgang advised that the role of the current groups would be looked into further as part of looking how to move forward with AUD. **Wolfgang to initiate development of the AUD programme in collaboration with the WMC.**

It was agreed that the next "meeting" be held via email and that the placeholder meeting on October 12 be removed from calendars. **Placeholder dates for future meetings will be identified and pre-circulated.**

The meeting was closed with a karakia by Ronald Nepe.