

Resource Management Act 1991

Report and Decision of Independent Hearings Commissioner

Application by Hurunui District Council for a Discharge Permit CRC185084 - to discharge contaminants into water

Application

1. The application to the Canterbury Regional Council (**CRC**) is for a Discharge Permit to discharge treated wastewater to water.
2. A consent duration of 20 months commencing 11 November 2018 is sought.
3. The application is for the renewal of resource consent for the continued discharge of treated wastewater from the Hanmer Springs Wastewater Plant into the Chatterton River. The location, quality and quantity of the discharge remains unchanged from that allowed under the existing consent. The maximum daily volume discharged to the Chatterton River is 1200 cubic metres per day and the average daily outflow is approximately 500 cubic metres per day
4. The Hanmer Springs Wastewater Treatment Plant and discharge to the Chatterton River is located at 211 Hanmer Springs Road (State Highway 7A).

Assessment

5. In assessing the above applications, I have read the application documentation and assessment of environmental effects (**AEE**). I did not undertake a site visit.
6. I have read the section 42A Officer's Report prepared by Ms Kelly Walker, Consents Planner for Canterbury Regional Council, in relation to the resource consent application. Pursuant to section 113 (3)(b) of the Resource Management Act 1991 (**RMA**), I accept and adopt all of the assessment of the resource consent application and the conclusions reached. I have read the submissions from Manion Farm Limited and A Nimmo in opposition to the application. I have also read the submissions from the Canterbury District Health Board – Community and Public Health, and the Hanmer Springs Community Board in support of the application. The report forms part of this decision.
7. I have read the statement of evidence of Eoghan O'Neill (dated 23 November 2018) on behalf of Hurunui District Council.

8. In considering the resource consent application, I have had regard to sections 104, 104D, 105, 107 and Part 2 of the RMA. Overall, I consider the activities will achieve the purpose of the RMA.
9. On the basis of the evidence before me, I am satisfied that:
 - (a) the adverse environmental effects on surface water quality are likely to be more than minor; but will be short-term before subsequently ceasing;
 - (b) the activity is consistent with the objectives and policies of the relevant national environmental standards and regional plans, as set out in the section 42A Officer's Report, given the short-term duration and subsequent avoidance of the discharge into water;
 - (c) the discharge will only continue for 20 months from the commencement of the consent and will enable the discharge to water to cease and for the implementation of an alternative discharge onto land; and
 - (d) while there is no evidence to suggest the requirements of section 107(1) are breached as a result of the existing discharge, I accept that the exceptions in section 107(2) apply given the outcomes sought by continuing the discharge for 20 months.

Duration

10. The applicant has requested a duration of two years commencing 11 November 2018. I consider the consent should be granted for a short duration of 20 months from the commencement of the consent. See Condition (21), Appendix of 1.

Decision

11. It is my decision, under delegated authority on behalf of the Canterbury Regional Council, pursuant to sections 104, 104D, 105, 107 and 108, and subject to Part 2 of the RMA, to **GRANT** the Hurunui District Council Discharge Permit CRC185084;

Subject to conditions set out in Appendix 1.

Dated at Christchurch this 11th day of December 2018



Sharon McGarry
Independent Hearings Commissioner

Appendix 1

CRC185084 – To discharge contaminants to water

1	The discharge shall be only domestic and commercial wastewater from the Hanmer Springs' Wastewater Treatment Plant. For the purpose of this consent 'wastewater' is the collective term used to describe sewage contaminants.
2	The discharge shall occur via a sealed pipe into the Chatterton River.
3	<ol style="list-style-type: none">a. The volume of wastewater discharged in accordance with Condition (2) shall not exceed:<ol style="list-style-type: none">i. 1200 cubic metres per day; andii. 20 litres per second.b. The volume of wastewater discharged in accordance with Condition (2) shall be continuously measured by a flow meter that shall record flow to an accuracy of plus or minus five percent at the location identified on Plan CRC185084 and labelled as "Flow meter", which forms part of this consent;c. For the purposes of demonstrating compliance with Condition (3)(a), a record of the volume, in litres per second and cubic metres per day, shall be maintained and kept by the Consent Holder. The Consent Holder shall forward a copy of the records annually to the Canterbury Regional Council, Attention: Regional Leader- Monitoring and Compliance, in July each year and on request.
4	Wastewater shall be treated at the Hanmer Springs Wastewater Treatment Plant located on Lot 1 DP 28915, 211 Hanmer Springs Road, at or about map reference NZTM 2000 1584590mE, 5290070mN, as shown on Plan CRC185084, which forms part of this consent.
5	The wastewater shall be treated in an aerated primary pond followed by a secondary facultative pond then in two segmented maturation ponds and then a buffer pond prior to discharge, as shown on attached Plan CRC185084.
6	After treatment in the Wastewater Treatment Plant, as described in Condition (5,) wastewater shall exit the buffer pond and enter a sealed pipe which shall discharge into the Chatterton River at or about NZTM 2000 1584301mE, 5289654mN, labelled as the "Treated wastewater discharge point" on attached Plan CRC185084.
7	The Consent Holder shall ensure that the public warning signs upstream of the point of discharge into the Chatterton River, and within ten metres upstream of the confluence of the Chatterton River and the Percival River are not obscured by vegetation.

8	<p>a. The concentration of dissolved oxygen in the wastewater shall be measured and recorded at least once every two months at the following locations:</p> <ol style="list-style-type: none"> i. Primary aeration pond; ii. Secondary facultative pond; and iii. End section of the maturation cells. <p>b. The dissolved oxygen concentration between 8.30 a.m. and 10.00 a.m. on any day at any of the locations referred to in Condition (8)(a) shall not be less than two milligrams per litre.</p> <p>c. The Consent Holder shall submit the record of any measurements taken in accordance with Condition (8)(a) along with a diagram showing the location of the measuring points annually to the Canterbury Regional Council, Attention: Regional Leader-Monitoring and Compliance in July each year and on request.</p>
9	<p>a. The treated wastewater shall be sampled at least once every two months at the point of discharge from the buffer pond labelled as "Sample point A" on attached Plan CRC185084. The samples shall be analysed for the following contaminants:</p> <ol style="list-style-type: none"> i. Five day biochemical oxygen demand; ii. Total suspended solids; iii. Ammoniacal nitrogen; iv. Nitrate nitrogen; v. Total nitrogen; vi. Total phosphorus; and vii. <i>Escherichia coli</i>. <p>b. The Consent Holder shall keep a record of the dates that samples were taken and the results of the analyses carried out in accordance with Condition(9)(a), and shall forward these annually to the Canterbury Regional Council, Attention: Regional Leader- Monitoring and Compliance, in July each year and on request.</p>
10	<p>The maximum concentration of <i>Escherichia coli</i> in the wastewater after exiting the buffer pond shall not exceed 2000 Most Probable Number per 100 millilitres.</p>
11	<p>a. The median concentrations of contaminants sampled in accordance with Condition (9) shall be compared to the following trigger values:</p> <ol style="list-style-type: none"> i. Five day biochemical oxygen demand 35 milligrams per litre; ii. Total suspended solids 60 milligrams per litre; iii. Ammoniacal nitrogen 15 milligrams per litre; iv. Nitrate nitrogen 5 milligrams per litre; v. Total nitrogen 25 milligrams per litre; and vi. Total phosphorus 8 milligrams per litre. <p>b. For the purposes of this consent, the median shall be calculated from the results of any five consecutive samples analysed.</p>
12	<p>The Consent Holder shall notify the Canterbury Regional Council, Attention: Regional Leader- Monitoring and Compliance, within 20 working</p>

	<p>days of any exceedance of the trigger values specified in Condition (11). The notification shall detail what measures the Consent Holder has implemented or will implement in order to achieve and maintain compliance with the trigger values.</p>
13	<p>All Chatterton River surface water samples shall be collected in accordance with Conditions (14) and (15).</p>
14	<p>a. The Chatterton River shall be sampled between 10 and 20 metres upstream of the "treated wastewater discharge point" at or around the "upstream sample point" as shown on attached Plan CRC185084, in the centre of the main channel or the nearest available point if it is not safe to sample the centre of the main channel.</p> <p>b. The sampling shall be taken and analysed at least once every two months for the following contaminant concentrations:</p> <ul style="list-style-type: none"> i. Five day biochemical oxygen demand; ii. Total suspended solids; iii. Ammoniacal nitrogen; iv. Nitrate nitrogen; v. Total nitrogen; vi. Dissolved reactive phosphorus; vii. Total phosphorus; and viii. <i>Escherichia coli</i> <p>c. The following shall also be measured at least once every two months at the sampling point described in Condition (15)(a):</p> <ul style="list-style-type: none"> i. Dissolved oxygen saturation; ii. Water temperature; and iii. pH₂
15	<p>a. The Chatterton River shall be sampled at the edge of the Mixing Zone 88 metres downstream of the "treated wastewater discharge point" at or around "downstream sample point" as shown on attached Plan CRC185084, in the centre of the main channel or the nearest available point if it is not safe to sample the centre of the main channel.</p> <p>b. The samples shall be taken and analysed at least once every two months for the following contaminant concentrations:</p> <ul style="list-style-type: none"> i. Total suspended solids; ii. Five day biochemical oxygen demand; iii. Ammoniacal nitrogen; iv. Water temperature; v. Nitrate nitrogen; vi. Total nitrogen; vii. Dissolved reactive phosphorus; Total phosphorus; viii. <i>Escherichia coli</i>; ix. Saturated dissolved oxygen; and

	x. pH.
16	<ul style="list-style-type: none"> a. All samples and measurements taken in accordance with Conditions (14) and (15) shall be taken on the same day over a maximum period of two hours. b. Within the duration specified in Condition (16a), the river flow shall be determined and recorded in cubic metres per second using an instantaneous flow meter at a point between the sampling points referred to in the upstream monitoring point in Conditions (14a) and downstream monitoring point in Conditions (15a). Instantaneous flow readings shall be taken in accordance with the methods specified in International Standard ISO 748:2007. c. The Consent Holder shall keep a record of the results of all samples and measurements taken in accordance with Conditions (14), (15) and (16b), the time each sample and measurement was taken, and whether the sample or measurement was taken in the centre of the main channel, and if not, the location where the sample or measurement was taken d. The Consent Holder shall forward the records kept in accordance with Condition (16 (c) annually to the Canterbury Regional Council, Attention: Regional Leader- Monitoring and Compliance in July each year and on request.
17	<ul style="list-style-type: none"> a. All samples required under this consent shall be taken by a suitably qualified and experienced person. b. All samples required under this consent shall be analysed using methods approved by the American Public Health Association or the American Society for the Testing of Materials by a laboratory that is accredited for that method of analysis by International Accreditation New Zealand or an equivalent authority.
18	Copies of the records submitted annually in July in accordance with Conditions 3(c), 8(c), 9(b) and 16(d) shall be submitted to the Canterbury District Health Board, Attention: Risk Management Committee (RMC) by 31 July each year.
19	<p>The Canterbury Regional Council may, once per year, on any of the last five working days of February or August, serve notice of its intention to review the conditions of this consent for the purposes of:</p> <ul style="list-style-type: none"> a. Dealing with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage; or b. Requiring the adoption of the best practicable option to remove or reduce any adverse effect on the environment; or c. Complying with the requirements of a relevant rule in an operative regional plan; or d. Requiring the Consent Holder to conduct monitoring instead of or in addition to that required by the consent; or

	e. Specifying limits and trigger values instead of, or in addition to those specified in this consent.
20	Within three months of the commencement of this consent and three monthly thereafter for the duration of this consent, the Consent Holder shall submit to the Canterbury Regional Council, Attention: Regional Leader-Monitoring and Compliance a report which shall detail evidence to show that substantial progress or effort has been, or continues to be, made towards giving effect to the alternative land based discharge option.
21	This consent will expire 20 months from the date of commencement.

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