

Notice of Requirement Taupō District Council

10 Morunga Street, Omori

Omori: Wastewater Treatment Plant

27 February, 2025



Planz Consultants

Quality Assurance Statement:

Application Prepared By:

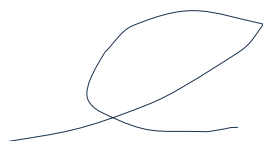
Planz Consultants Ltd,
Level 3, 79 Lichfield Street,
Christchurch 8140
planzconsultants.co.nz

A handwritten signature in blue ink, appearing to read "Matt Bonis", with a long horizontal flourish underneath.

Name: Matt Bonis
Position: Consultant Planner

M: 021 796 670 E: matt@planzconsultants.co.nz

Reviewed By:

A handwritten signature in blue ink, appearing to read "Terri Winder", with a long horizontal flourish underneath.

Name: Terri Winder
Position: Consultant Planner

M: 021 225 9323 E: terri@planzconsultants.co.nz

Project Number: J17536

Document Status: Lodgement

Date: 27 February, 2025

The information contained in this document produced by Planz Consultants Ltd is solely for the use of the Client for the purpose for which it has been prepared and Planz Consultants Ltd undertakes no duty to or accepts any responsibility to any third party who may rely upon this document.

All rights reserved. No section or element of this document may be removed from this document, reproduced, electronically stored or transmitted in any form without the written permission of Planz Consultants Ltd.

TABLE OF CONTENTS

1	Introduction -----	1
2	Description of the site to which this notice applies-----	1
3	Nature of the proposed works-----	3
4	Assessment of Effects -----	4
	4.1 Construction effects-----	4
	4.2 Operational effects-----	4
5	Statutory considerations-----	5
	5.1 Section 171(1)(a) Relevant provisions -----	5
	5.2 Section 171(1)(b) Adequate consideration given to alternatives-----	7
	5.3 Section 171(1)(c) reasonably necessary -----	8
	5.4 Section 171(1)(d) 'any other matter'-----	8
6	Consultation-----	9
7	Conclusion-----	9

Attachments:

- Attachment A:** Omori Wastewater Treatment Facility
- Attachment B:** Designation Table
- Attachment C:** Record of Title
- Attachment D:** Signed s42A Resource Consent 135810

NOTICE OF REQUIREMENT FOR DESIGNATION PURSUANT TO S168 OF THE RESOURCE MANAGEMENT ACT 1991

1 Introduction

Pursuant to s168 of the Resource Management Act (**the Act / RMA**), Taupō District Council hereby gives notice of its requirement (**Notice**) for a new designation in the Taupō District Plan for the operation and maintenance of a wastewater treatment plan (**WWTP**) and associated infrastructure as described below. The designation will enable the infrastructure and facilities as associated with the existing WWTP but does not further nor authorise discharges.

Taupō District Council, as a local authority, is an approved requiring authority under s166 of the RMA. The designation is required to facilitate the ongoing maintenance works associated with the treatment of wastewater to the Omori Community.

2 Description of the site to which this notice applies

The proposed site to which this notice applies is at 10 Morunga Street, Omori. The property is legally described as Lot 1 DP 82854 under Record of Title 74987 with a total area of 32.95Ha.

The Notice relates to that part of the land described above as containing pre-existing WWTP facilities, oxidation ponds and irrigation areas. That area is some 10.10ha of Lot 1 DP 82854 (**Figure 1**).

The location (and details) of the site is shown in **Attachment A**, and a designation table in accordance with the format required by the National Planning Standards is provided as **Attachment B**. The Record of Title is provided in **Attachment C**.

The site is zoned General Rural Environment in the Taupō District Plan and is owned by the Taupō District Council.

The topography of Lot 1 DP82854 is relatively flat, except for an elongated gully along the southern boundary which extends from west to east as containing native vegetation and notated as Significant Natural Area (**SNA**) No 302¹. The Notice spatial extent does not extend to the SNA.

The Omori WWTP was first established in 1971 and the network was extended to service Kuratau and more recently Pukekawa. In 1996/97 a balancing pond was constructed and the depth increased; this work increased the total storage capacity, pond improvements to irrigation regimes.

The existing (and consented system) consists of:

¹ Taupō District Plan. Chapter 7 Schedule of Sites. Omori Scenic Reserve.

- Inlet step screen.
- Two mechanically aerated oxidation ponds, running in parallel with surface areas of 0.36 and 0.60 hectares, with a residence time of up to 9 days and a freeboard equivalent to a storage volume of 2,900m³.
- One 2,600m³ storage/balance pond.
- Land disposal by 300 pop-up irrigators to six areas of rye grass pasture, total 8.75 hectares.
- The pasture is "cut and carry" harvested to manage nitrogen discharges from the site.

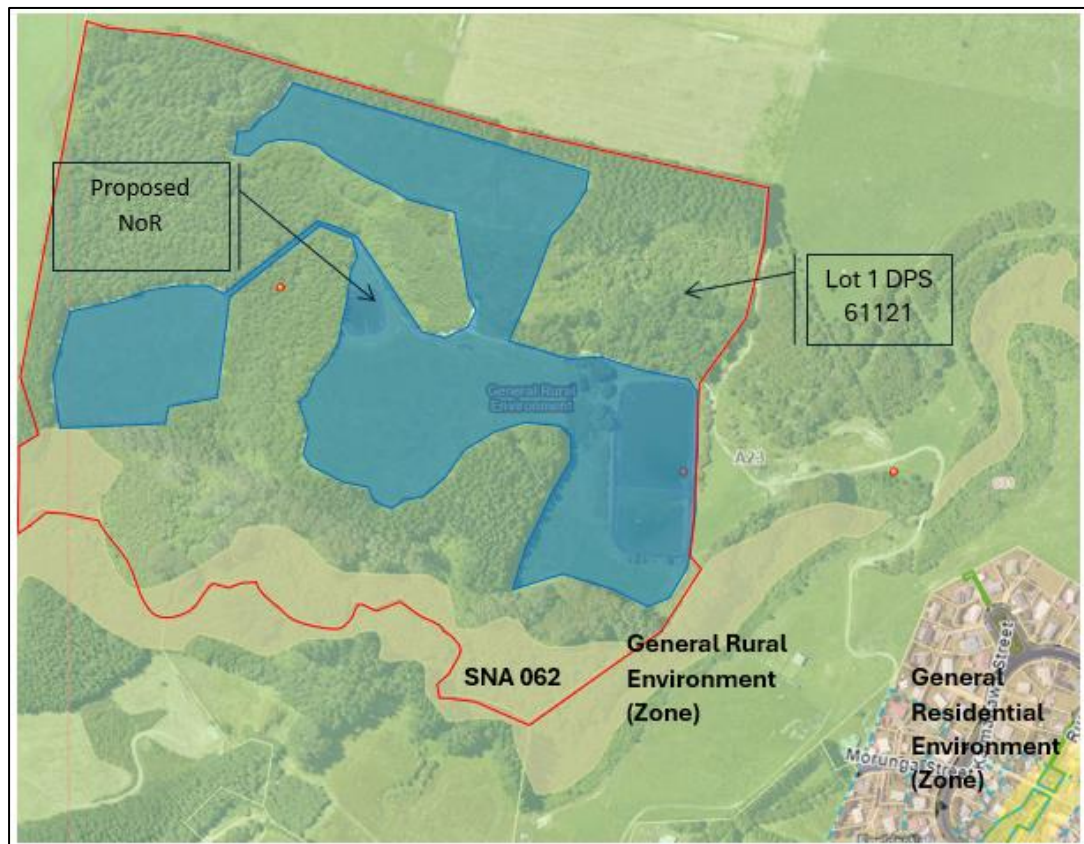
There are three large irrigation areas being undertaken on pastoral ground with elevations of 426magl to 432magl, 440magl to 450magl, and 412magl to 420magl respectively. There are a number of small buildings associated with pumping stations and groundwater monitoring bores.

Access to the site is via an unformed access from 10 Morunga Street, with a circa 700m unformed access leading up to the largest of the oxidation ponds. Consequently, and in conjunction with the considerable existing perimeter landscaping the infrastructure associated with the WWTP, including oxidation ponds and irrigation areas are not visible from public areas.

The property is identified as a 'known contaminated site' in terms of being an identified HAIL (Hazardous Activities and Industries List) site (Category G.6 Wastewater Treatment).

The nearest residential dwelling in the General Residential Environment (zone) is located some 250m to the south-east.

Figure 1: NoR and surrounds (modified from Taupō District Plan)



3 Nature of the proposed works

This Notice relates to a new designation for the **purpose** of the operation and maintenance of infrastructure for wastewater treatment.

This allows for the continuing operation of the existing WWTP, oxidation ponds, irrigation infrastructure and ancillary activities.

It is not anticipated that there will be substantial upgrades undertaken as associated with the WWTP, and existing Waikato Regional Consent 135810 controls and manages the existing discharges undertaken at the site through to 2044. Regular maintenance works will be undertaken as required.

The designation is necessary to continue to provide wastewater treatment to the Omori, Pukawa and Kurutau communities and provide additional capacity should this be required to meet demand.

4 Assessment of Effects

The designation allows for continued operation and maintenance of the existing WWTP. The effects associated with the operational and maintenance of the site are described below.

4.1 Construction effects

The WWTP and associated infrastructure is located on the site and is operating.

Any additional construction effects will largely come from maintenance activities and increases in capacity and efficiency to address improvements in discharge quality as these are required to ensure ongoing compliance with Waikato Regional Consent 135810.

The nature of such maintenance works, intervening established landscaping and distance to any sensitive receivers is such that conditions to the designation are not required to further manage construction effects beyond those matters that would be considered pursuant to s176A.

4.2 Operational effects

The operation of the site involves pumping wastewater, oxidation ponds and associated treatment and irrigation. Irrigation is isolated to three substantial pastoral areas surrounded by established mature trees. Wastewater treatment will continue to operate automatically.

Effects associated with the wastewater discharge and odour management will remain under the management regime established through Waikato Regional Council consent 135810 (**Attachment D**).

The periodic visits by Taupō District Council Officers to take water samples and confirm efficient operations will continue. These and other visits for proactive and reactive maintenance will continue on an infrequent basis as required and will not generate material transport trips on Morunga Street and the associated unformed access leading into the site.

There is no other material effects associated with the operation of the site.

5 Statutory considerations

s171(1) of the RMA sets out that when considering a Notice, a Territorial Authority must, as subject to Part 2, consider the effects on the environment of allowing the requirement, having particular regard to matters s171(a) – (d), as are considered below.

5.1 Section 171(1)(a) Relevant provisions

For completeness, s171(1)(a) requires a consideration having regard to –

a) any relevant provisions of—

(i) a national policy statement:

(ii) a New Zealand coastal policy statement:

(iii) a regional policy statement or proposed regional policy statement:

(iv) a plan or proposed plan; and

National Policy Statements (NPS)

There are eight National Policy Statements. The only NPS of relevance is the NPS-Freshwater Management given the nature of the discharge and irrigation undertaken at the site. These remain under the management regime through Waikato Regional Council and will be managed by the existing resource consent which is due for renewal in 2044. The Notice and subsequent designation would not facilitate or alter the quality and volume of the discharge authorised by the Waikato Regional Council.

The Land Use Classification for the site is largely Land Use Capability Classes 6 and 8². The northern irrigation field is classed as Land Use Capability Classification 3. Pursuant to Clause 3.9 of the NPS-Highly Productive Land, the use and development of the northern irrigation field (as part of the designation) is provided for by clause 3.9(2)(h), being:

(h) it is for an activity by a requiring authority in relation to a designation or notice of requirement under the Act:

In addition, and as required by sub-clause (3)(a) that part of the Notice that contains an irrigation field on defined Highly Productive Land (LUC Class 3) does not prevent the availability and productive capacity of the land for uses such as grazing; in addition the associated infrastructure is relatively reversible. There are no issues in terms of reverse sensitivity (clause 3.9(3)(b)) in relation to the northern irrigation field as the field is separated from adjoining productive land uses by a perimeter of extensive mature trees.

There are no implications in terms of the requirements of the National Policy Statements to the designation.

National Environment Standards (NES)

² <https://waikatomaps.waikatoregion.govt.nz/Viewer/?map=3e5673e57fa24e89a30e54b7fb8511d5>

As the site is recognised as a HAIL site the requirements of the NES-Assessing and Managing Contaminants in Soil to Protect Human Health prevail over a Designation³.

Waikato Regional Policy Statement (WRPS)

Part 3 – Topic EIT Energy, Infrastructure and Transport relates to the integration of land use planning with infrastructure.

Policy EIT-P1 seeks that the built environment is managed having particular regard to ensuring that the effectiveness and efficiency of existing and planning regionally significant infrastructure is protected.

Part 3 – Topic Urban Form and development relates to co-ordinating growth and infrastructure, including **Policy UFD-P2** which seeks that *‘the efficient and effective functioning of infrastructure ... is maintained, and the ability to maintain and upgrade that infrastructure is retained’*.

This Notice is considered to be consistent with the WRPS objectives and policies, specifically IM-O1(4), EIT-P1 and UFD-P2.

The designation of this site will enable the effective continued operation of the wastewater network to provide for the social and economic wellbeing of the Omori community.

Waikato Regional Plan

Made operative in September 2007, the Waikato Regional Plan does not contain rules specifically relating to infrastructure assets.

In terms of discharges, Section 3 – Water Module seeks to enable discharges to water with only minor effects, with Policy 3 seeking alternative land-based treatment systems being promoted. These matters are the subject of the relevant discharge resource consent 135810.

Odour discharges are also addressed within the regional consent (**Attachment D**, Conditions 16 – 18) to respond to Part 3 / Air of the Waikato Regional Plan, including **AIR-O1(3)** and **AIR-P3** that seek to manage air quality in a way that avoids, where practicable, adverse effects on local amenity values from discharges of odour with objectionable effects to be managed at the property boundary.

Taupō District Plan

The Taupō District Plan recognises Wastewater Treatment Plants as Regionally Significant Infrastructure⁴.

Strategic Objectives in the Taupō District Plan seek that the district develops in a cohesive, compact and structured way, including that ensuring infrastructure is efficiently and effectively integrated with land use (**Objective 2.3.2.1**).

³ Section 43D(4)

⁴ Taupō District Plan. Chapter 10 Definitions.

Strategic Objective 2.5.2.1 seeks that:

The wider benefits and strategic importance of Nationally and Regionally Significant Infrastructure, to the District and wider, are recognised in decision making and land use planning.

Associated Policies 2.5.3.4 and 2.5.3.5 seek:

Planning and development of national and regional infrastructure will consider the needs and the well-being of current and future communities.

Recognise that national and regional infrastructure can have important environmental, economic, cultural and social effects.

The Taupō District Plan seeks (**Objective 3n.2.1**) to enable the operation, maintenance and upgrading of network utilities (which extends to networks for the reticulation of wastewater), which ensuring that network utilities are designed and located to manage adverse effects on the environment and protect the health and safety of the community (**Objective 3n.2.2**). A specific policy (**Policy 3n.2.1(iii)**) requires regard be had to the contribution of network utilities to the functioning and wellbeing of the community.

The proposed designation site has been in operation for a number of years, and is located on land owned by the Taupō District Council. The site is located some distance from the nearest sensitive residential dwelling in Omari village to the east of the site, and given the extent of existing planting surrounding the oxidation ponds and irrigation areas is not publicly visible.

5.2 Section 171(1)(b) Adequate consideration given to alternatives

For completeness, s171(1)(b) of the RMA requires a consideration having regard to –

(b) whether adequate consideration has been given to alternative sites, routes, or methods of undertaking the work if—

(i) the requiring authority does not have an interest in the land sufficient for undertaking the work; or

(ii) it is likely that the work will have a significant adverse effect on the environment; and

Taupō District Council as owner of the site has financial interest in the site. In addition, it is not considered that the works associated with the designation will have significant adverse effects on the environment.

The site has been operating as a community WWTP for a number of years and is the subject of appropriate Regional Council consent to manage the nature, quality and quantity of the wastewater treatment.

In conclusion, no consideration of alternative sites has been given, and the effects of continued operation and maintenance will be negligible.

5.3 Section 171(1)(c) reasonably necessary

s171(1)(c) of the RMA requires a consideration having regard to whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought.

It is considered that the new designation, as a planning tool, is appropriate to allow the Taupō District Council, as Requiring Authority, to appropriately manage and control its asset to ensure a safe and secure wastewater treatment network is supplied for the Omori Community.

The alternative, as is the existing status quo is continued reliance on the Taupō District Plan rules and / or the resource consent process. It is considered that these options do not provide certainty or a long-term solution to effectively and efficiently address the ongoing use and maintenance of the existing WWTP. The designation is also necessary to include all of the Taupō District Council's wider network of water and wastewater infrastructure under the designation mechanism umbrella in the Taupō District Plan.

5.4 Section 171(1)(d) 'any other matter'

Improving resilience and reducing environmental impacts through appropriate maintenance and upgrades of infrastructure associated with WWTP Infrastructure is a primary objective of the Notice.

The Notice and associated works will assist the Taupō District Council in terms of managing the effects of wastewater, including ensuring appropriate levels of treatment and reducing nitrogen levels on a Lake Taupō Catchment basis. Noting again that the Notice (and any subsequent Outline Plan as required pursuant to s176A of the RMA) does not extend to wastewater discharges or treatment. These remain the subject of Waikato Regional consent.

Broader engagement between the Taupō District Council and local iwi and hapu has identified common ground to secure improvements within the wastewater treatment train and to avoid wastewater (including treated wastewater) entering waterways in the district. Ongoing maintenance works associated with the Omori WWTP will be consistent with the approach undertaken by the Taupō District Council as facilitated at its largest wastewater plants (Taupō, Tūrangī and Mangakino) as well as smaller plants (Motuoapa and Whakamaru) to reduce nitrogen discharges into the Lake Taupō catchment and Waikato River.

It is acknowledged that Ngāti Tūwharetoa hold mana whenua and kaitiakitanga over the Central North Island including the Lake Taupō catchment and part of the Waikato River, Upper Waikato, Whanganui, Rangitikei and Rangitaiki catchments.

This approach is also consistent with key policy documents which are aimed at improving water quality throughout the District's catchments. These documents include Te Ture Whaimana o Te Awa o Waikato - Vision and Strategy for the Waikato River for the Waikato River catchment, Te Ara Whānui o Rangitāki – Pathways of the Rangitāki for the Rangitāki catchment, and Te Kaupapa Kaitiaki', a plan developed for the Taupō catchment.

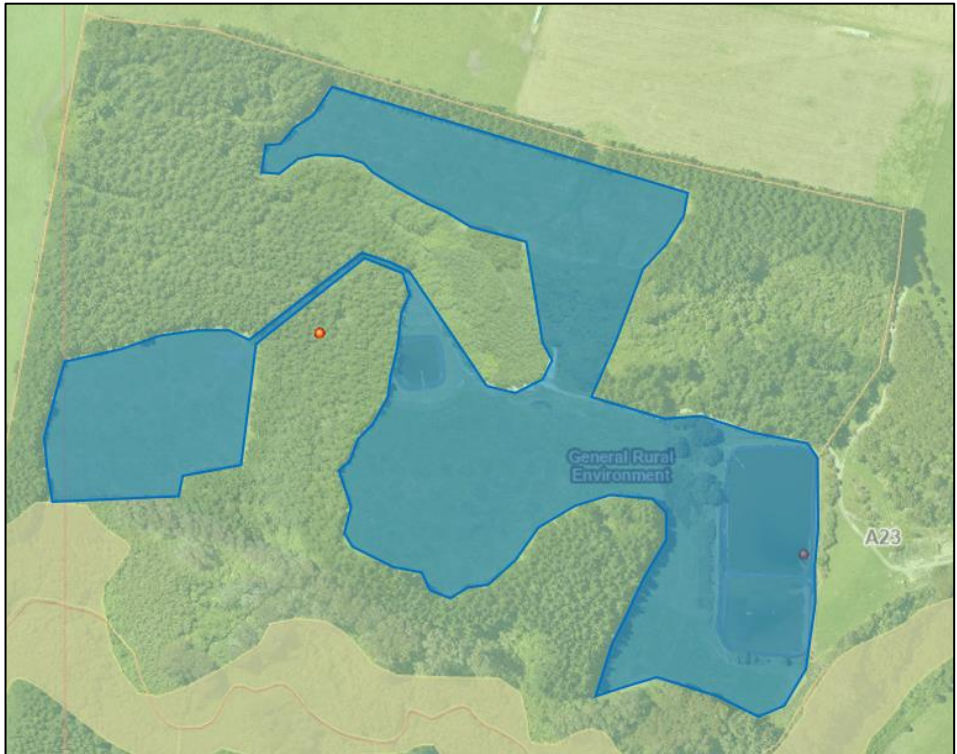
6 Consultation

No consultation has been undertaken or is considered necessary.

7 Conclusion

Taupō District Council gives notice of its requirement to designate land related to an existing WWTP. The preceding assessment of effects concludes that the effects associated with the maintenance and operation of the facility will be minimal. Overall, it is concluded that the designation is consistent with the relevant statutory provisions and the principles and purpose of the RMA.

Attachment A: Omori WWTP (10 Morunga Street)

Designation	Detail
Legal Description	Lot 1 DP 82854
Site Address	10 Morunga Street, Omori
Landowner	Taupō District Council
Purpose of the Site	Operation and maintenance of infrastructure for wastewater treatment purposes.
Area of Designation	10.10ha 

Site Plan (Existing)	
Site Plan (Proposed)	No change.
Description of the activity	The following provides a description of the works and environment using s176A(3) as a basis. Consideration against the requirements of s171(1) is provided in the main report. General: Operating Wastewater facility <i>The height, shape, and bulk of the public work, project, or work:</i> The site incorporates two raised oxidation ponds of 11,700m² and 1,500m² respectively, and small buildings housing pumping stations. Wastewater irrigation is undertaken through a number of irrigation lines on three distinct pastured areas demarcated by extensive landscape coverage which obscure the WWTP from public viewpoints. The proposed Notice is accessed via some 700m of unformed access to the crossing with Morunga Street. Connection to State Highway 41 is via Omori Road some 1.5km to the east of the intersection with Kaimanawa Street (local road) and Morunga Street (local road). <i>The location on the site of the public work, project or work:</i> The site is located some 200m to the north of the Omori village.

	<i>The likely finished contour of the site:</i> The site contour which is generally level will not change. <i>Vehicular access, circulation and the provision for parking:</i> Activities will not generate material vehicle trips on the network. The site is accessed from Morunga Street via unformed crossing. There is considerable unformed parking and manoeuvring areas on site to accommodate the infrequent and low levels of vehicles generated by activities on the site. <i>The landscaping proposed:</i> No additional landscaping is required. The site contour, topography and existing landscaping obscure the proposed Notice from public view. Works associated with the maintenance of the WWTP will not result in the removal of any established landscaping. <i>Any other matters to avoid, remedy or mitigate adverse effects on the environment:</i> It is not anticipated that operational noise from the WWTP will increase from existing noise levels. There are no effects from arising from the site and activities that require further consideration. Odour will be managed through both the design and management of the treatment plant and separation to sensitive receivers as well as the requirements of the Waikato Regional consent (135810).
Established / Upgraded	The WWTP is pre-existing.
Relevant Resource Consents	Regional Consent 135810
Recommended Conditions	No
Zoning and Overlays	Zone: General Rural Environment Overlays: • NA

Attachment B: Designation Table

Omori Wastewater Treatment Facility	
Designation unique identifier	TDCXX
Designation Purpose	Wastewater Treatment Facility
Site Identifier	10 Morunga Street, Omori
Lapse Date	Given effect to
Designation hierarchy under s177 of the Resource Management Act	Primary
Conditions	No
Additional information	n/a

Attachment C: Record of Title



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD**

**Guaranteed Search Copy issued under Section 60 of the Land
Transfer Act 2017**




R.W. Muir
Registrar-General
of Land

Identifier **WN49C/251**

Land Registration District **Wellington**

Date Issued 15 January 1997

Prior References

WN12D/982 WN25D/956 WN47C/277

Estate Fee Simple
Area 32.9460 hectares more or less
Legal Description Lot 1 Deposited Plan 82854
Registered Owners
Taupo District Council

Interests

Appurtenant hereto are water rights created by Court Order 705078 (affects part formerly contained in CT WN12D/982) 366152.1 Land Improvement Agreement pursuant to Soil Conservation and Rivers Control Act 1941 - 11.7.1980 at 11.50 am (affects part formerly contained in CsT WN25D/956 and WN47C/277)

Appurtenant hereto is a right of way specified in Easement Certificate 590506.2 - 1.11.1983 at 2.27 pm (affects part Lot 1 DP 82854 formerly in CT WN25D/956)

The easements specified in Easement Certificate 590506.2 are subject to Section 309 (1) (a) Local Government Act 1974

Appurtenant hereto is a right of way created by Transfer B131900.1 (affects part formerly contained in CT WN47C/277)

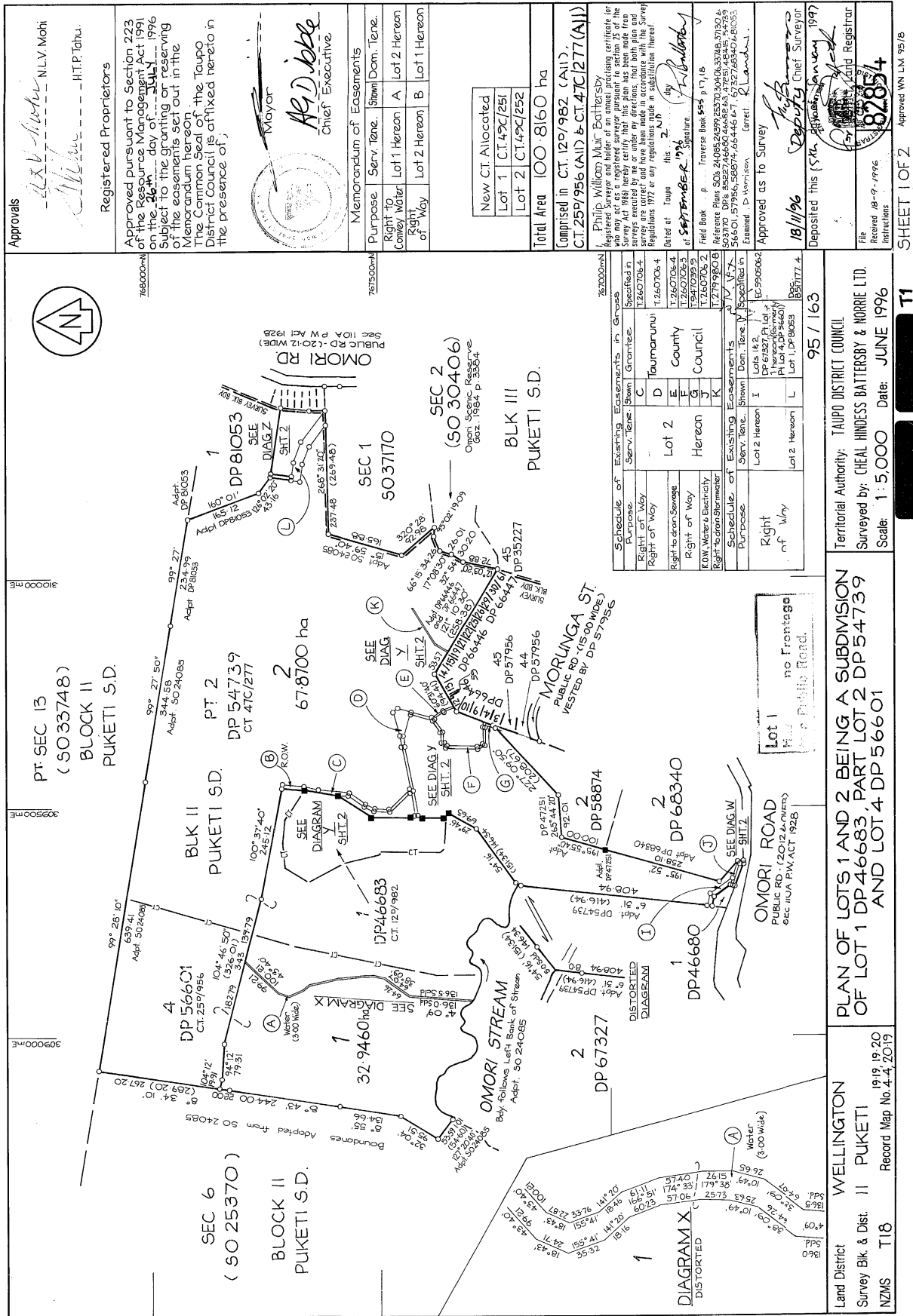
Appurtenant hereto is a right of way created by Grant B431101.2 (affects part formerly contained in CT WN47C/277)

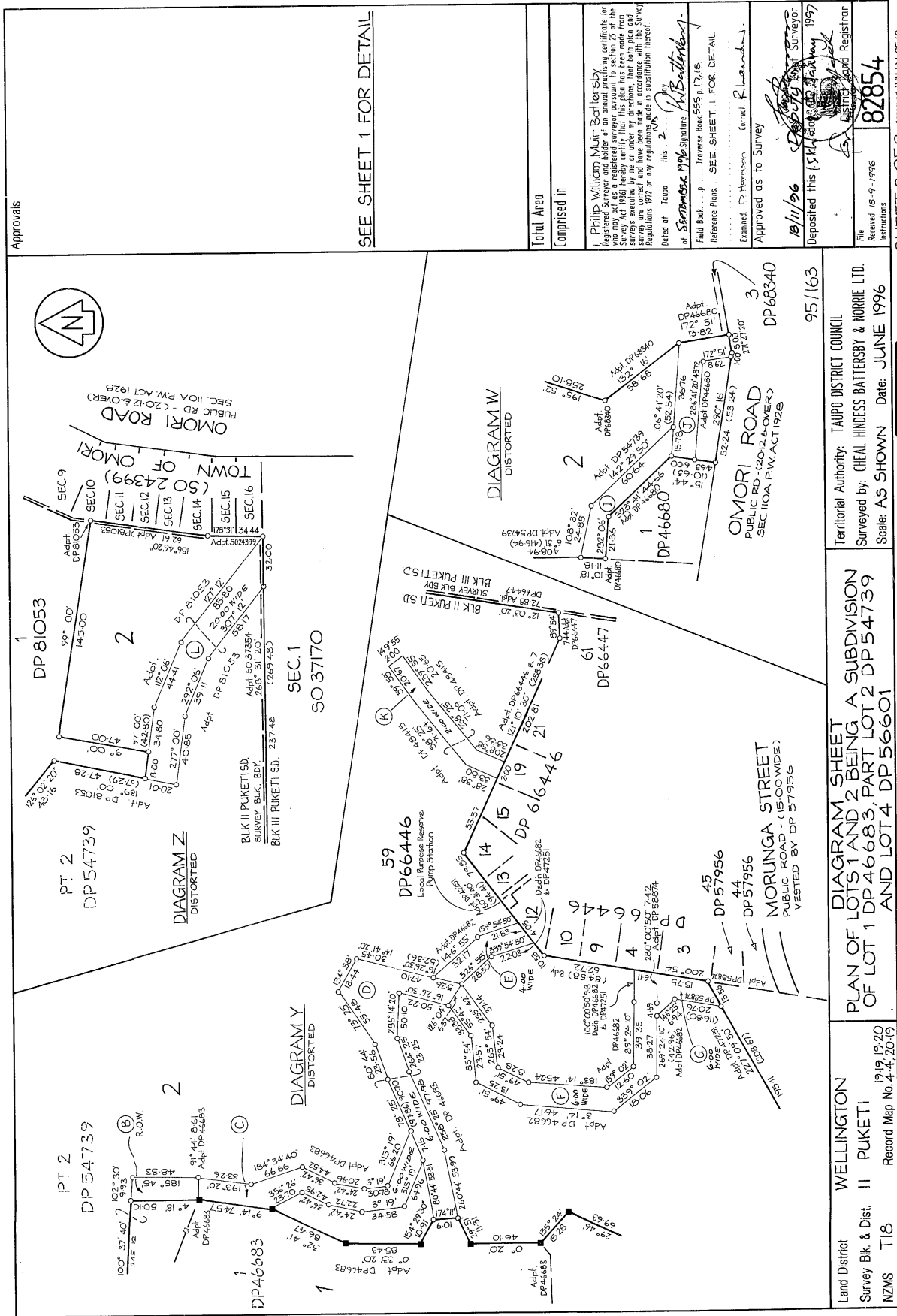
B556334.2 Consent Notice pursuant to Section 105, 108, 220 and 221 Resource Management Act 1991 - 15.1.1997 at 2.59 pm

Subject to a right to convey water over part marked A on DP 82854 specified in Easement Certificate B556334.5 - 15.1.1997 at 2.59 pm

Appurtenant hereto is a right of way specified in Easement Certificate B556334.5 - 15.1.1997 at 2.59 pm

The easements specified in Easement Certificate B556334.5 are subject to Section 243 (a) Resource Management Act 1991





SEE SHEET 1 FOR DETAIL

Total Area	
Comprised in	
Philip William Muir Battersby Registered Surveyor and holder of an annual practicing certificate for the year 1996, who has surveyed and prepared this plan in accordance with the Survey Act 1960, hereby certify that this plan has been made from surveys executed by and have been made in accordance with the Survey Regulations 1977 and any regulations made in substitution thereof. Dated at Taupo this 2nd day of September 1996 Signature: <i>P. Battersby</i> Field Book: ... p. 17, 18 Reference Plans: SEE SHEET 1 FOR DETAIL Examined: ☒ Hamilton ☒ Corbett <i>R. Hamilton</i> Approved as to Survey 18/11/96 Deposited this 18th day of November 1997 <i>SA</i> District Land Registrar File Revised: 18-9-1996 Instructions	
	82854

SHEET 2 OF 2 Approved WN 49C/251

Territorial Authority: TAUPU DISTRICT COUNCIL
Surveyed by: CHEAL HINDS BATTERSBY & NORRIE LTD.
Scale: AS SHOWN Date: JUNE 1996

DIAGRAM SHEET
PLAN OF LOTS 1 AND 2 BEING A SUBDIVISION
OF LOT 1 DP 46683, PART LOT 2 DP 54739
AND LOT 4 DP 56601

Land District WELLINGTON
Survey Blk. & Dist. II PUKETI
NZMS T18 Record Map No. 4-4, 20-19
1919, 1920

T2

Attachment D: Signed s42A Resource Consent 135810

Consent Evaluation Report

Applicant: Taupo District Council **File No.:** 60 54 69A
Address of Site: Morunga Street, Omori **Project Code:** RC22755
Application Number: APP135810

1 Introduction

Taupo District Council ("the applicant") has applied for authorisation to continue to discharge treated municipal wastewater to land, associated with the operation of the Omori wastewater treatment plant.

The applicant has supplied the following document and supporting information ("the AEE"):

- Application for Resource Consent Omori Wastewater Discharge (doc#3468551)
- Omori Wastewater Treatment Plant Resource Consent Application (doc#13547026)

The application was lodged on the 31st July 2015 and seeks to replace consent 953652.01.01, which expired on the 31st January 2016; the application was lodged 6 months prior to consent expiry and therefore the existing consent has continued to be exercised with authorisation under s124 of the RMA.

Reference Id	Activity Subtype	Activity Description
AUTH135810.01.01	Land - sewage	To discharge treated domestic wastewater from the Omori, Kuratau and Pukawa communities on to land, Omori.

The applicant is seeking a 25 year consent duration.

2 Description of Proposal

2.1 Background

The Omori wastewater treatment plant (WWTP) was first established in 1971. In 1983 the reticulation network was extended to service Kuratau and more recently Pukekawa.

In 1996/97 a balancing pond was constructed and the depth of the two existing ponds was also increased; this work increased the total storage capacity, pond retention time and enabled improvements to irrigation regimes.

2.2 Receiving Environment

The topography is flat to gently rolling and the disposal field is bordered by the Omori Stream to the Whareroa Road to the south and south-east, and a tributary of the Omori Stream to the north and north-east, and farmland to the west. The immediate receiving environment for the Omori wastewater discharge is the soils underlying the disposal area. These have been subject to investigation which confirms the presence of free draining coarse pumiceous sands and gravels.

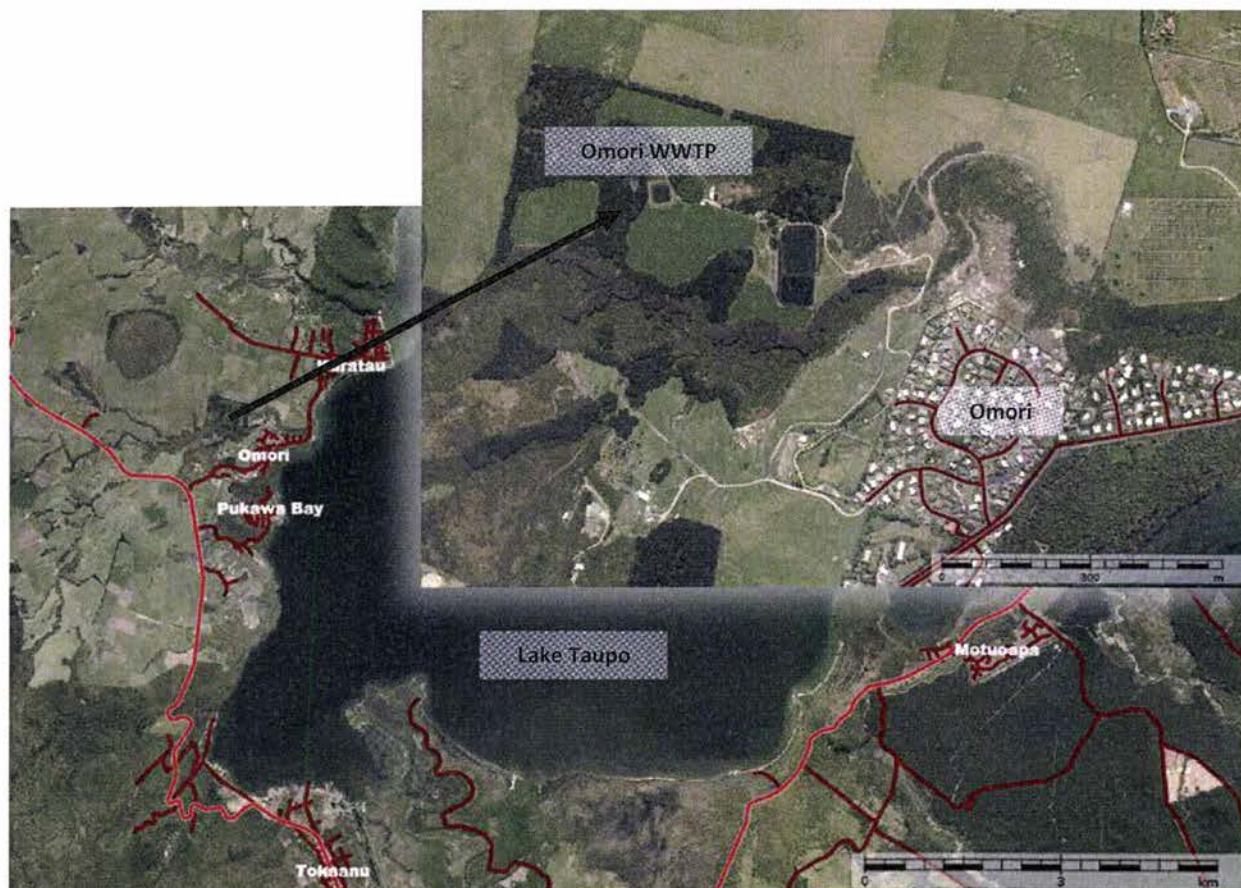


Figure 1: Location of Wastewater Treatment Plant

The Omori Stream is classified as a Trout fishery watercourse under the Waikato Regional Plan.

The ultimate receiving environment for the discharged wastewater is the underlying groundwater and eventually, Lake Taupo. The high quality and clarity of Lake Taupo is valued both locally and nationally. The water quality of the lake is changing in response to a variety of land uses within the lake catchment. Nutrient induced changes in the lake water, particularly those associated with nitrogen sources have been observed. The Waikato Regional Council has policies and rules in place to limit the negative impacts associated with manageable nitrogen in the lake catchment. The application addressed by this report is subject to these policies.

Scientific evidence collected over the past 30 years indicates that the water quality of Lake Taupo is declining. Urban development and intensification of the surrounding rural land has increased the amount of nitrogen entering the lake through groundwater, rivers and streams. The increase in nitrogen entering the lake has led to enhanced algal and phytoplankton growth in the lake, and an overall decline in water quality. Policy development recognised that in order to halt the continued decline in water quality, controls needed to be placed on land use activities within the Lake Taupo catchment that contribute to the nitrogen load entering the lake.

Water supply to the Omori settlement is provided via a surface water take from Lake Taupo, approximately 2 kilometres to the northeast from the wastewater disposal site.

2.3 Technical Aspects of the Proposal

Existing Treatment System

The AEE presents a detailed description of the treatment and disposal system, which I do not propose to repeat in full here. The system is summarised as:

- Inlet step screen
- Two mechanically aerated oxidation ponds, running in parallel with surface areas of 0.36 and 0.60 hectares, with a residence time of up to 9 days and a freeboard equivalent to a storage volume of 2,900m³
- One 2,600m³ storage/balance pond
- Land disposal by 300 pop-up irrigators to six areas of rye grass pasture, total 8.75 hectares
- The pasture is “cut and carry” harvested to manage nitrogen discharges from the site
- An area of eucalyptus trees proposed to be developed for disposal has never been utilised

The applicant is again seeking a daily maximum wastewater irrigation volume of 800m³; this is stated as required to allow for peak holiday populations to be managed.

As detailed below, up to 91 new sections are anticipated to be created within the reticulated network within the next 10 years, but that it is anticipated that the associated increase in wastewater flows can be managed within this 800m³ per day limit.

Current and Proposed Nitrogen Loading:

The applicant, in December 2018, proposed to revise the applied for nitrogen loading rate to 300kgN/ha/year from the currently authorised 600kgN/ha/year.

- Nitrogen loading at the plant has been less than 250kgN/ha/year for the period 2005-15 (and less than 200kgN/ha/year for the period 2009-15)
- Occupancy changes in existing properties are potentially occurring, with the availability of holidays home for rent through Airbnb-type websites resulting in increased occupancy rates, especially in peak summer season.
- Growth potential within the catchment includes 57 inactive connections, 80 subdivision applications for lots and the potential development of 11 further lots within a new residential zone

3 Status of Activities under the Plans

Section 15 of the Resource Management Act, 1991 states that no person may discharge any contaminant to water or into or onto land in circumstances which may result in that contaminant entering water unless the discharge of the contaminant is expressly allowed by a rule in a regional plan [and in any relevant proposed regional plan] or by a resource consent.

In this instance the discharge of wastewater to land is considered a Discretionary Activity under Rule 3.5.4.5 of the Waikato Regional Plan (WRP). The WRP became operative on 28 September 2007 therefore no other plans apply.

3.5.4.5 Discretionary Activity Rule – Discharges – General Rule

Any discharge of a contaminant into water, or onto or into land, in circumstances which may result in that contaminant (or any other contaminant emanating as a result of natural processes from that contaminant) entering water, that is not specifically provided for by any rule, or does not meet the conditions of a permitted or a controlled activity rule in this Plan, is a discretionary activity (requiring resource consent).

Advisory Note:

- *Information requirements to enable the assessment of any application under this Rule are set out in Section 8.1.2.2 of this Plan. In addition, assessment shall also take into account the matters identified in the policies in Section 3.5.3 of this Plan.*

4 Consultation/Affected Party Approvals

The AEE indicates that consultation was undertaken with the following parties, as detailed below:

Whom	When	Follow Up?	Response?
The office of the Ariki of Ngati Tuwharetoa	August 2015	Sept & October 2015	Acknowledged and response would follow. No further feedback
Ngati Parekawa	August 2015	Sept and Oct 2015	No response received
Ngati Manunui	August 2015	Sept and Oct 2015	No response received
Tuwharetoa Maori Trust Board	August 2015	Various, initially sept and Oct, and discussed at monthly meetings over the past few years (when these occurred) – update sent Dec 2018 on revised proposal	See attached initial email correspondence and a copy of the summary sent prior to Christmas to TMTB. No further feedback.

5 Process Matters

Date	Process Detail
31/07/2015	Lodged
04/08/2015	Active
07/08/2015	On Hold (S.92(2))
17/05/2018	Active
21/06/2018	Extension of timeframe (S.37), 200 days
11/03/2019	Non-notification decision

6 Statutory Considerations

The application was lodged on the 31st July 2015, therefore all amendments to the RMA apply. The matters to which the Waikato Regional Council as the consent authority must have regard to when considering applications are set out in Section 104 of the RMA.

Section 104 Consideration of Applications

In summary, subject to Part 2 the following matters in Section 104(1) of the RMA are relevant to the consideration of the proposal.

“(1) When considering an application for a resource consent and any submissions received, the consent authority must, subject to Part 2, have regard to –

- a) any actual and potential effects on the environment of allowing the activity; and*
- b) any relevant provisions of—*
 - i. a national environmental standard:*
 - ii. other regulations:*
 - iii. a national policy statement:*
 - iv. a New Zealand coastal policy statement:*

- v. a regional policy statement or proposed regional policy statement;
- vi. a plan or proposed plan; and
- vii. any other matter the consent authority considers

The following statutory instruments and policy documents have been considered in the evaluation of this application:

- Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007;
- The National Policy Statement for Freshwater Management 2014 (NPSFM);
- The Waikato Regional Policy Statement (WRPS);
- The Waikato Regional Plan (WRP); and
- The Ngati Tuwharetoa, Raukawa and Te Arawa River Iwi Waikato River Act, 2010

Due consideration has been given to Section 104 of the RMA. The actual and potential effects have been discussed in the sections below along with measures being taken to avoid, remedy or mitigate these effects.

Section 104(1)(a) provides that when considering a consent application, the consent authority must, subject to Part 2, have regard to the actual and potential effects on the environment of allowing the activity. Case law has determined that the "environment" must be read as the environment which exists at the time of the assessment and as the environment may be in the future as modified by the utilisation of permitted activities under the plan and by the exercise of resource consents which are being exercised, or which are likely to be exercised in the future. It does not include the effects of resource consents which might be sought in the future nor any past reversible effects arising from the consent being considered.

The area in the vicinity of the WWTP and disposal area has been modified; with the site surrounded by farmland and developed residential areas. Lake Taupo is a significant natural area, and the quality of the local environment is high, in particular the very good quality of Lake Taupo water.

Section 104(2) provides that when forming an opinion about the actual or potential effects of the activity, the consent authority may disregard an adverse effect of the activity on the environment if the regional plan permits an activity with that effect.

In this case the permitted activity level of effects from the discharge to land is that allowed by permitted activity rule 3.5.7.6 of the WRP. This rule has an upper limit for secondary treated domestic wastewater of 3.0m³/day averaged over any one month.

In my opinion the permitted activity base level of effect accounts for very little given the discharge proposed is up to 200m³/day. Accordingly the PA base line level of effect is not discounted.

Section 105 Matters relevant to certain applications

Furthermore, in relation to any discharge permits, Section 105(1) requires that the consent authority must have regard to a number of additional matters as follows:

- “(1) If an application is for a discharge permit or coastal permit to do something that would contravene section 15 or section 15B, the consent authority must, in addition to the matters in section 104(1), have regard to—*
 - (a) the nature of the discharge and the sensitivity of the receiving environment to adverse effects;*
 - and*
 - (b) the applicant's reasons for the proposed choice; and*

- (c) *any possible alternative methods of discharge, including discharge into any other receiving environment.*

Section 107 Restriction on grant of certain resource consents

Section 107(1) of the RMA restricts granting of certain discharge permits if, after reasonable mixing, the contaminants discharged are likely to give rise to any of the following effects in the receiving waters:

- (c) *the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials:*
- (d) *any conspicuous change in the colour or visual clarity:*
- (e) *any emission of objectionable odour:*
- (f) *the rendering of fresh water unsuitable for consumption by farm animals:*
- (g) *any significant adverse effects on aquatic life.*

6.1 Assessment of Environmental Effect (s104(1)(a))

I consider the main actual and potential effects from this proposal to be:

- Impacts on surface water quality;
- Impacts on groundwater;
- Impacts on soils;
- Odour; and
- Public health effects.

The following sections consider each of these effects.

The applicant has provided information about the proposed discharge on the water quality and ecology of the receiving environment and Lake Taupo. The application has been reviewed by Waikato Regional Council Scientists Mr Bill Vant (surface water quality, doc#3793702), Mr John Hadfield (hydrogeology and groundwater effects, doc#3726953) and Dr Matthew Taylor (soil effects, doc#3761134). These assessments were predicated on the original AEE.

The applicant has also proffered a suite of consent conditions (doc#13712857), which are designed to avoid, remedy or mitigate the scale of effects associated with this application.

6.1.1 Impacts on surface water quality

Based on the 2015 AEE, Mr Vant stated "I have no major concerns with it, or the effects of the current and future wastewater disposal operation". Mr Vant did, however, identify two matters for further consideration:

Dissolved reactive phosphorus (DRP)

DRP concentrations in the Omori Stream were noted to be 'somewhat higher' at the downstream monitoring site, which may be associated with leakage from the spray irrigation area. Dr Taylor concurred with Mr Vant's assessment that leakage from the irrigation area is the likely cause, given the soil type and high loading rate, however Waikato Regional Council Scientist Dr Eloise Ryan suspected that the down- vs. upstream DRP concentrations are unlikely to be statistically significant.

The applicant has subsequently proffered conditions two conditions that will significant reduce the potential effects associated with DPR leakage:

- Total nitrogen loading rates are to be dropped to half of that current authorised; given that no modifications to treatment process itself are proposed, this results in a corresponding *de-facto* reduction of DRP able to potentially be irrigated.
- A review of irrigation practises and time bound implementation of practicable irrigation improvements/optimisations to reduce nutrient leaching.

Macroinvertebrate populations

Mr Vant noted that the AEE makes a recommendation that the stream macroinvertebrate survey be repeated during the "standard season". While Mr Vant concurred with this recommendation, he noted that "I suspect that even if it is repeated, and the apparent difference between the upstream and downstream sites is confirmed, we'll still be no more certain as to whether the difference is related to the irrigation of wastewater (or is simply due to differing habitats at the two sites)".

Given the uncertainty and causal factors in populations up- and downstream sites, and the proffered improvements to the irrigation scheme (and the corresponding potential reduction in effects), I do not consider that this matter requires further consideration.

Summary

On the basis of Mr Vant's assessment, the revised total nitrogen limit and the proffered irrigation strategy review/optimisation, I conclude that the effects on surface water will be no more than minor.

6.1.2 Impacts on groundwater quality

The release of nitrates directly to groundwater can raise concentrations to levels with a potential to exceed drinking water standards. The Ministry of Health drinking water standard for nitrate in water is 11g/m³ nitrate nitrogen. Ammonia, which is highly soluble and easily leached into groundwater, is toxic to aquatic life. Both nitrates and phosphates in soil or groundwater can reach water bodies such as streams, ponds and lakes. These nutrients can stimulate increased plant and algae growth and when present in natural water are significant factors in eutrophication. The die-off of additional vegetation or algal growth in the water; a result of the increased nutrient load, is then decomposed by bacteria that absorb oxygen in the water. This in turn has a significant impact on the degradation of water quality, and alters sensitive aquatic ecosystems.

Based on the 2015 AEE, Mr Hadfield stated that "there is clearly localised degradation of groundwater quality as a result of the wastewater discharge. It is important that best practise be used to optimise nitrogen uptake to minimise its transport to receiving waters."

Mr Hadfield also highlighted that there was a slight, though measurable decrease in nitrate-nitrogen within groundwater, which corresponded with reductions in nitrogen loading rates from wastewater irrigation.

I consider that the proffered reductions in nitrogen loading rates and implementation of practicable irrigation improvements/optimisations to reduce nutrient leaching effectively address the issues raised by Mr Hadfield. Further, I have recommended conditions regarding the continued monitoring of groundwater, also as Mr Hadfield's recommendations.

On the basis of Mr Hadfield's assessment, the revised total nitrogen limit and the proffered irrigation strategy review/optimisation, I conclude that the effects on groundwater will be no more than minor.

6.1.3 Impacts on soils

Dr Taylor held concerns regarding the 2015 AEE in respect of the proposed hydraulic and nutrient loading rates, and made recommendations regarding revised irrigation practises and significantly reduced nutrient loading rates; I note that Dr Taylor's concerns were largely based around the potential effect associated with irrigation at the maximum authorised limits.

I consider that the subsequently proffered reductions in nitrogen loading rates and implementation of practicable irrigation improvements/optimisations to reduce nutrient leaching broadly address the issues raised by Dr Taylor, by the same mechanism as discussed for surface water effects.

While the proffered nitrogen limit is greater than Dr Taylor's recommendation of 200kgN/ha/year, the plant has been irrigating within this limit for a number of years, and the applicant is seeking a limit of 300kgN/ha/year to provide for projected growth only.

Wastewater from domestic sources does not generally contain heavy metals and environmentally harmful compounds in concentrations likely to lead to soil contamination or problems that would render the soil unusable. It is considered that chemicals should be diluted and removed in the treatment system or renovated by the microbial action in the soil itself. Potential soil erosion as a result of the discharge is addressed by proffered conditions requiring regular inspections of the irrigation area and remedying of any problems observed.

I consider that the discharge is unlikely to have any significant effects on the soils.

6.1.4 Odour

There is potential for odour from the following sources:

- The inlet screen and screenings collection system;
- The oxidation ponds, if inadequate aeration or failure of the aeration system results in anaerobic conditions; and
- The irrigation system.

No odour complaints have been received by Waikato Regional Council in relation to the Omori WWTP over the period of the current consent.

I consider that the potential effect of odours from the WWTP is likely to be no more than minor. A general condition stating that odour should not cause an objectionable effect beyond the property boundary, as per the permitted baseline, is recommended.

6.1.5 Public health effects

Wastewater discharges may contain very high concentrations of pathogens which may have human health related effects if people are exposed to the effluent. In terms of human health risk, the following issues are addressed:

- Drinking water contamination: as noted above the nearest registered water supply is approximately 2,000 metres northeast from the irrigation area, from Lake Taupo, while the nearest groundwater take is approximately 2,300 metres south. Given the setback, it is considered unlikely that significant numbers of pathogens from the wastewater irrigation area will survive to reach groundwater and then represent any significant contamination of either the Lake or groundwater take.
- Aerosol production and inhalation: The irrigation system utilises sprinkler heads which minimise production of aerosols. The irrigation area is fully fenced and sign-posted to ensure public have no access to the site. Consent conditions proffered require that spray drift is avoided.
- Surface water contamination: Conditions have been proffered which limit the conditions under which irrigation can occur and require no ponding or overland flow of wastewater to avoid any runoff effects. It is expected that given the high soakage capacity of the soils, overland flow to the either the Omori Stream or its tributary (which border the site) is highly unlikely.

Overall, it is concluded that the potential adverse effects of the discharge on public health will be effectively avoided and mitigated by the proffered conditions of consent.

6.2 Policy Statements, Plans and Regulations

6.2.1 National environmental standards

As of 4 September 2018, there are six NESs that have come into effect - the National Environmental Standards for Air Quality (where various standards have been in effect since October 2004); Sources of Human Drinking Water; Electricity Transmission Activities; Telecommunication Facilities; Assessing and managing contaminants in soil to protect human health; and Plantation Forestry.

The relevant standards to this application are discussed below.

Resource Management (National Environmental Standards Relating to Certain Air Pollutants, Dioxins and Other Toxics) Regulations 2004 (including amendments 2005)

Government has released national environmental standards for ambient air quality (NESAQ) that specify concentration limits and in some instances allowable exceedances of those limits.

Regulation 17 of the NESAQ places restrictions over the granting of resource consents that authorise the discharge of PM₁₀ into airsheds that breach the ambient air quality. The "Rest of the Region" airshed is not considered to breach the ambient air quality standard therefore Regulation 17 of the NESAQ does not apply. Instead Regulation 18 applies.

Regulation 18 is repeated below:

- 18 Resource consents for PM₁₀ discharges before 1 September 2013 if concentration in airshed does not breach standard
- (1) *This regulation applies to an application for a resource consent to discharge PM₁₀ into an airshed –*
 - (a) *where the concentration of PM₁₀ in the airshed does not breach its ambient air quality standard; and*
 - (b) *if the application is made before 1 September 2013.*
 - (2) *A consent authority must decline an application for a resource consent to which subclause (1) applies if the discharge to be permitted by the resource consent is likely, at any time, to cause the airshed to exceed the ambient air quality standard for PM₁₀.*

The discharge to air associated with the WWTP is expected to have negligible effect on PM₁₀ concentrations both locally and on an airshed wide basis. Therefore I do not expect that the proposal will result in the ambient air quality standard for PM₁₀ to be exceeded in the "Rest of the Region" airshed or within the vicinity of the WWTP. Therefore the NESAQ does not restrict the granting of this consent.

Sources of Human Drinking Water

The National Environmental Standard for Sources of Human Drinking Water commenced on 20 June 2008. This standard is a regulation enacted by an Order in Council, under s43 of the Resource Management Act. The regulation requires that a regional council must not grant a water or discharge permit for an activity that will occur upstream of a drinking water abstraction point if specific criteria at the point of abstraction are exceeded. The matters to be considered as part of an assessment are dependent on the permit being sought and the level of effects on any drinking water supplier located downstream or down gradient of the activity.

Under this regulation a regional council may also impose a condition of consent on any resource consent application requiring the consent holder to notify, as soon as reasonably practical, the registered drinking-water supply operators and the regional council if the activity leads to an event that, or as a consequence of an event, results in a significant adverse effect on the quality of the water at the abstraction point.

The discharge is located approximately 2 kilometres from a Taupo District Council managed municipal drinking water supply. Given the assessment of effects above, I consider it unlikely that the Whareroa WWTP discharge would cause a significant adverse effect on the quality of groundwater at the water supply take location. I do not consider it necessary to include a notification consent condition.

6.2.2 Section 104(1)(b)(ii) Other regulations

There are no other regulations relevant to this application.

6.2.3 Section 104(1)(b)(iii) a National policy statement

The National Policy Statement Freshwater Management 2014 came into effect on 1 August 2014. The policy statement sets out objectives and policies that direct local government to manage water in an integrated and sustainable way while providing for economic growth within set water quantity and quality limits.

The freshwater objectives seek to safeguard the life-supporting capacity, ecosystem processes and indigenous species, including their associated ecosystems of fresh water (Objective A1). This is to be achieved quantitatively through the sustainable management of taking, using, damming or diverting of fresh water, and qualitatively through the sustainable management of the use and development of land and of the discharges of contaminants.

The NPS requires regional councils to develop standards to safeguard the life supporting capacity of water bodies, with the objective that water quality will be maintained or improved (Objective A2). This will involve protection of high quality water bodies and implementation of methods to improve degraded water bodies. In the interim, when considering consent applications regional councils must have regard for any effects (actual or cumulative) that contaminants contained in the discharge may have on freshwater and fresh water ecology. The principle of adopting best practicable options in order to minimise effects is included in the decision making process under this policy.

I have had regard to the relevant objectives and policies within the National Policy Statement Freshwater Management 2014. I consider that given the proposed maintenance of the existing 20 percent reduction of nutrient load to land and my assessment of minor effects of the activity should the consent be granted it would not be contrary to this National Policy Statement.

6.2.4 Section 104(1)(b)(iii) a National policy statement

I do not consider the New Zealand Coastal Policy Statement applicable to the application.

6.2.5 Section 104(1)(b)(v) Regional Policy Statements

The Regional Policy Statement is a high-level broad-based document containing objectives and policies the purpose of which is to provide an overview of the resource management issues of the region and to achieve integrated management of the natural and physical resources of the Region. Council's new RPS was made operative on 20 May 2016.

The key issues in the RPS relating to this proposal are the state of resources (Issue 1.1), the relationship of tangata whenua with the environment (Issue 1.5), and the health and wellbeing of the Waikato River catchment (Issue 1.6). There are a number of overlapping objectives relevant to this proposal. These are listed as follows:

Objectives

- Integrated management (Objective 3.1);
- Resource use and development (Objective 3.1A)
- Decision making (Objective 3.2);
- Health and wellbeing of the Waikato River (Objective 3.3);
- Ecosystem services (Objective 3.7);
- Relationship of tangata whenua with the environment (Objective 3.8);
- Sustainable and efficient use of resources (Objective 3.9);
- Air quality (Objective 3.10);
- Mauri and values of fresh water bodies (Objective 3.13);
- Ecological integrity and indigenous vegetation (Objective 3.18);
- Amenity (Objective 3.20);
- Values of soil (Objective 3.24).

Policies

- Integrated management (4)
- Air (5)
- Built environment (6)
- Approach to identifying fresh water body values and managing fresh water bodies (8.1)
- All fresh water bodies (8.3)
- Catchment-based intervention (8.4)
- Waikato River Catchment (8.5)
- Landscape, natural character and amenity (12)
- Soils (14)

Policies and methods – matters of significance to Maori

Objective 3.8 seeks to recognise the relationship tangata whenua have with natural and physical resources. This is achieved by ensuring that the relationship tangata whenua have with their ancestral lands, water, sites, waahi tapu and other taonga is recognised and provided for in resource management decisions (Policy 4.3.2), and that particular regard is given to the role tangata whenua have as kaitiaki (Policy 4.3.3). Another objective (Objective 3.13) expects that tangata whenua concerns relating to the mauri and health of fresh water are recognised and provided for. This is achieved by ensuring decisions about the discharge of contaminants are made in a way that recognises and provides for the mauri of water.

Policies and methods – Fresh water

In accordance with direction from the NPSFM, the RPS approaches the management of fresh water bodies (8.1) with a view to integrated catchment management, identification of fresh water body values, and establishment of fresh water body objectives, limits and targets, all via a collaborative approach. For all fresh water bodies (8.3) the RPS expects that the effects of activities will be managed to maintain or enhance the identified values by reducing microbial and nutrient contamination (8.3 a iii)), and where appropriate, protection and enhancement of riparian habitat. I consider that the proposed 50 percent reduction in maximum authorised nitrogen loading, combined with the implementation of practicable irrigation optimisation options, will contribute towards the maintenance and enhancement of the values of the Omori surrounds as required by Policy 8.3.

In terms of point source discharges (8.3.1) the RPS notes that regional plans shall control point source discharges of contaminants onto or into land where the contaminant may reach water, in a way that seeks to achieve the relevant targets for the water body and provides for mitigation or offsetting of adverse effects where effects cannot be avoided or remedied.

Policies and Methods – Catchment based intervention, Waikato River Catchment

Policy (8.4) makes provision for identifying high issue catchments including the Waikato River and Lake Taupo that require specific intervention to address the adverse effects of activities and land use changes. It enables specific policies for priority catchments such those now in place for Lake Taupo.

Methods 8.4.1 (Identify catchments for specific intervention) and 8.4.3 (Nutrient sensitive freshwater bodies), are very relevant in respect of discharges that occur in the Taupo Catchment.

Lake Taupo is identified as a category two lake having high condition and high vulnerability. Category two lakes tend to have water quality that has been impacted in some way by either catchment land use and/or introduced plants and/or animals. They make up a very small group of lakes that retain relatively clear water, macrophyte-dominated state. Due to a variety of existing or potential stressors they are considered to be very vulnerable to a change in state from clear water and vegetated to one that is algal-dominated and devoid of submerged macrophytes.

The Waikato River Catchment policy (8.5) recognises Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for the Waikato River as the primary direction-setting document for the Waikato River and develop an integrated, holistic and co-ordinated approach to implementation.

The Vision and Strategy for the Waikato River through the Ngati Tuwharetoa, Ruakawa, and Te Arawa River Iwi Waikato River Act, 2010 has no direct bearing on the Omori WWTP application as the Act applies to areas of the Waikato River catchment below Huka Falls. The subject application is for a discharge that occur solely within the Lake Taupo catchment which is above the falls. The discharge however does eventually enter Lake Taupo which is the source of the Waikato, and so some minor cumulative input is recognised.

I consider that the wastewater discharge is not inconsistent with these policies and methods. As noted above, a significant reduction in the maximum authorised nitrogen loading rate and the implementation of practicable irrigation optimisation options are proposed and will be required through the conditions of consent.

Polices and Methods air

Air quality in the Waikato Region is generally perceived to be high, but can be adversely affected by point source or cumulative discharges to air. Relevant policies in the RPS target the management of discharges to air (5.2) via regional plans and the assessment of unacceptable risk. Policy 5.3 seeks to manage adverse effects on amenity, particularly beyond the property boundary.

I consider that the discharge of contaminants to air proposed is consistent with the RPS.

Policies and Methods – soil

Policy (14.3) set out to ensure that accumulation of contaminants in soils are minimised and does not cause a reduction in the range of existing and foreseeable uses of the soil resource. Method (14.3.1) Control discharges to land, states that regional plans shall control discharges to land to ensure the accumulation of soil contaminants does not reduce the range of existing and foreseeable uses of the soil resource.

I consider that the discharge to land as proposed will not have adverse effects on the soils and so is consistent with the RPS.

6.2.5.1 Summary

It is not anticipated that there will be significant adverse environmental effects as a result of the proposed activity. I consider that the activity is consistent with the above objectives and policies of the RPS.

6.2.6 Regional Plan

The Waikato Regional Plan ("WRP") is operative. The purpose of regional plans is to help the Council carry out its functions under s30 of the RMA.

Management of Water Bodies

Objective 3.1.2 sets out the desired endpoint for management of water bodies in the Region, including net improvement of water quality across the region, the avoidance of significant adverse effects on aquatic ecosystems, concentrations of contaminants leaching from land use activities to shallow groundwater and surface waters do not reach levels that present significant risks to human health or aquatic ecosystems, and that significant and cumulative adverse effects on the relationship tangata whenua as Kaitiaki have with water and their identified taonga. Relevant water management policies following on from *Objective 3.1.2* seek to characterise the water body based on the characteristics for which they are valued and enhance or maintain those characteristics through a mixture of regulatory and non-regulatory means.

Lake Taupo is classified as a "Contact Recreation", "Significant Indigenous Fishery and Fish Habitat" and "Significant Trout Fishery and Trout Spawning Habitat" water body in the Waikato Regional Plan. The purpose of the classification system is to maintain or enhance existing flow regimes, water quality, and/or riparian and aquatic habitat based on the characteristics and values of the water body. I am of the opinion that the proposed discharges will not have significant adverse effects on water quality or aquatic ecosystems of Lake Taupo, over the course of the proffered and accepted consent duration.

Discharges to Land and Water

Objective 3.5.2 focuses on discharges onto land and into water that could have adverse effects on water quality and aquatic habitat. This includes the discharge of treated wastewater onto land at the site. Similar to *Objective 3.1.2*, this objective seeks to manage discharges to ensure that contaminants entering surface water do not have adverse effects on human health and aquatic ecosystems. Policies of relevance include the following:

Policy 2 states that discharges to water which have more than minor effects shall be controlled through resource consents to ensure that adverse effects on surface water bodies that are inconsistent with the Water Classification Standards are avoided as far as is practicable and otherwise remedied or mitigated.

Policy 3 acknowledges that the discharge of wastewater onto land is the preferred alternative to direct discharges to water, where soil conditions and topography allow, and where adverse effects are less than those from a direct discharge to water. Applying wastewater to land allows available nutrients, minerals, and water to be reused in a beneficial manner.

Policy 4 states that discharges to land shall be managed to ensure maximum reuse of nutrients and water contained in the discharge, avoid adverse effects on surface water bodies, and avoid contamination of soil, water and air.

Policy 5 states that discharges onto land shall not compromise potential uses of the groundwater or adverse effects on surface water.

WRP Section 5.2.2 sets out Council's objectives with respect to discharges of wastes onto land. The Objective is:

Discharges of wastes and hazardous substances onto or into land undertaken in a manner that:

- a) does not contaminate soil to levels that present significant risks to human health or the wider environment*
- b) does not have adverse effects on aquatic habitats, surface water quality or ground water quality that are inconsistent with the Water Management objectives in Section 3.1.2*
- c) does not have adverse effects related to particulate matter, odour or hazardous substances that are inconsistent with the Air Quality objectives in Section 6.1.2*
- d) is not inconsistent with the objectives in Section 5.1.2*
- e) avoids significant adverse effects on the relationship that tangata whenua as Kaitiaki have with their taonga such as ancestral lands, water and waahi tapu*
- f) remedies or mitigates cumulative adverse effects on the relationship that tangata whenua as Kaitiaki have with their identified taonga such as ancestral lands, water and waahi tapu.*

With respect to this consent application, I consider that Parts a, b, c, e, & f of Objective 5.2.2 are relevant. An explanation of those sections of Objective 5.2.2 which are relevant to the wastewater consent application is set out below:

The objective acknowledges that discharges onto land are a necessary facet of resource use in the Waikato Region and, subject to environmental standards, should be allowed to occur.

Part a) acknowledges that the discharge of chemicals onto or into land should not contaminate soils beyond specific threshold levels at which soil versatility declines and other adverse effects begin to occur. These thresholds represent the point at which the risks to human health or the wider environment from soil contamination become significant. If soils are contaminated above these levels, they will be considered unsafe for their current uses and the range of existing and foreseeable uses of the soil will be restricted. I consider that the proposed wastewater irrigation will not contaminate soils to the extent where the soil will become useable for normal agricultural or horticultural purposes for the proposed consent duration.

Parts b) and c) recognise the interconnected nature of the environment so that when managing discharges onto or into land, effects on water and air quality must also be taken into account. The effect of the irrigation on groundwater, surface water and air has been assessed in Section 6.1 of this report. Adverse effects on these resources are likely to be minor, if the irrigation is carried out in accordance with the recommended consent conditions.

Parts e) and f) acknowledge the relationship that tangata whenua as Kaitiaki have with their land over which they hold mana whenua. Activities involving discharges onto or into land need to avoid significant adverse effects on the relationship of tangata whenua with their identified taonga such as ancestral lands, water, and waahi tapu. The term 'significant adverse effects', are those effects that if allowed to occur, would destroy a site or taonga that is of such importance to tangata whenua as Kaitiaki that its loss or degradation is assessed to be unacceptable and unable to be remedied or mitigated. I consider that there will be no such significant adverse effects as a result of the irrigation.

6.2.6.1 Summary

Overall, I consider that the granting of this application would not, in my opinion, be inconsistent with the objectives and policies of the Waikato Regional Plan. Section 3 of this report summarises the relevant rule contained in the Waikato Regional Plan relevant to this proposal.

6.2.7 Section 104 (2A) Value of Investment of Existing Consent Holder

Section 104 (2A) states that: *"When considering an application affected by section 124, the consent authority must have regard to the value of the investment of the existing consent holder."*

In this instance the application is affected by section 124, as the applicant applied for resource consent more than six months prior to expiry of their existing consent. Therefore the provisions of s104 (2A)

apply. In this case, significant infrastructure investment exists, the value of which I have had regard to in considering this application.

6.2.8 Section 105 analysis

In terms of alternative methods of disposal of wastewater, the applicant has concluded that land disposal of treated wastewater is currently the best practicable option given the potential adverse effects and cultural concerns of an alternative discharge to water. Land disposal also provides the ability to reuse nutrients present in the wastewater stream.

I have had regard to the receiving environment and the applicant's reasoning for the continued use of irrigation and therefore I am satisfied that the proposal is consistent with s105 of the RMA

6.2.9 Section 107 analysis

The discharges to land under consideration within this application has the potential to cause the effects in receiving waters listed in s107. However I accept that the conditions of consent developed throughout the process will avoid, remedy or mitigate these potential effects.

6.3 Other Matters

Ngati Tuwharetoa Environmental Iwi Management Plan 2003:

The Ngati Tuwharetoa Environmental Iwi Management Plan (NTEIMP) establishes the Ngati Tuwharetoa environmental baselines and provides tools that will help hapu/whanau and the tribe as a whole to achieve and protect those baselines. The plan details goals, issues and policies/baselines within associated with kaitiakitanga, partnership, Te Waipuna Ariki (water), Papatuanuku (land), Nga Wahi Tapu (sacred places), Tauranga Ika (fisheries), Ahi Tamou-Nga Ngawha (geothermal), Te Ha Ranginui (airspace), and Nga Otaota Me Nga Aitanga Kararehe (flora and fauna). I consider that the proposal is consistent with the outcomes and aspirations of the Ngati Tuwharetoa Environmental Iwi Management Plan.

6.4 Ngati Tuwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010

The application is outside the area covered by this Act.

6.5 Protected Customary Rights and/or Customary Marine Titles (Marine and Coastal Act 2011 (Takutai Moana))

The application is outside of the area covered by this Act.

6.6 Relevant Part 2 Considerations

As per current case law (Davidson, Court of Appeal, 2018), I consider that an assessment of Part 2 matters is necessary. Part 2 sets out the purpose and principles of the RMA, and relevant considerations (section 5 – 8) are outlined below.

- Purpose (5)
- Matters of National Importance (6)
- Other Matters (8)
- Treaty of Waitangi (9)

Each section has been considered in relation to this application. I have had particular regard to the importance of Lake Taupo as a matter of national importance and the fact that the wastewater plant is within the rohe of Ngati Tuwharetoa. I have had particular regard to the fact the discharge occurs in a catchment of National Importance with specific policies in place to improve the high quality water of Lake Taupo. The Vision and Strategy for the Waikato River has also been regarded as the discharge is a small but never the less a cumulative input into the wider river catchment.

I conclude that the activities proposed are not contrary to Part 2 matters.

7 Discussion/Conclusions

Taupo District Council has applied for a resource consent to authorise the discharge of treated wastewater from the Omori Wastewater Treatment Plant. The proposal is a discretionary activity and accordingly has been considered under section 104B of the RMA.

Section 104B states:

"After considering an application for resource consent for a discretionary activity or non-complying activity, a consent authority –

- (a) may grant or refuse the application; and*
- (b) if it grants the application, may impose conditions under section 108."*

During this assessment, I have considered the following:

- Effects of the proposed activities;
- Consistency of the activities with relevant policies and plans; and
- Consistency of the activities with Part 2 of the RMA.

As discussed in section 6.1 of this report the actual and potential effects of the proposed activities are considered to be minor. If the activity is undertaken in accordance with the proposed conditions, the proposed activity will be consistent with Waikato Regional Council's policies and plans, and with matters under Part 2 of the RMA.

Waikato Regional Council technical staff have assessed the proposal in terms of actual and potential environmental effects. The conclusions of the technical reviews indicate that the discharge is likely to have an effect on surface water quality, groundwater quality, and soils that is minor or less than minor.

The application has been assessed in the context of each of the matters set out in Part 2 of the RMA. I consider that generally the application has had regard to the matters set out in each of these sections.

I have assessed the application against the objectives and policies within the Regional Policy Statement, Regional Plan, and the Ngati Tuwharetoa Environmental Iwi Management Plan. I consider that the application does not compromise the objectives and policies within these documents.

I have assessed the application against section 105(1) and 107 of the RMA. I am satisfied, from the advice received from Waikato Regional Council technical staff, that the discharge is unlikely to have any significant adverse effect on the water quality within the Waikato River and that the grant of this consent is not precluded by section 107 of the RMA.

I consider that the proposal provides for positive effects on the regional economy, and the overall wellbeing of the local community.

In weighing these considerations, it is my opinion that it would better achieve the purpose of the Act as defined in section 5 of the RMA, to **grant** consent to enable the continued operation of the Omori Wastewater Treatment Plant.

The applicant has proffered and I have proposed a number of conditions of consent to safeguard the life-supporting capacity of water and ecosystems, and to avoid or mitigate any adverse effects of the activities on the environment.

The applicant has sought a consent term of 25 years; I consider that this term can be supported.

8 Monitoring

Waikato Regional Council has a statutory obligation under section 35 of the RMA to monitor the effects of resource consents being exercised in its region. Waikato Regional Council staff or authorised agents will monitor the wastewater treatment plant and discharge to the river during operation. It should be noted that if a condition(s) of consent is not complied with, the wastewater treatment plant or discharge may receive an elevated level of monitoring until Waikato Regional Council is satisfied that the consents are being exercised in accordance with consent conditions.

A range of consent conditions have been proposed either by the applicant or by council staff and these are summarised below:

- Limits on volume and N load to be discharged
- Limits on conditions under which irrigation may occur
- Water quality and quantity monitoring:
 - Discharge quality on a fortnightly basis
 - Discharge volume, influent volume and flow rate on a daily basis
- Receiving environment (groundwater and surface water) monitoring and reporting
- Reporting of wastewater quality and volume on a quarterly basis, to ensure that if any problems are occurring on site, Waikato Regional Council is aware of these in a timely fashion.
- Annual summary reporting of treatment plant performance.
- The preparation and updating of an Operation and Management Plan is also covered by conditions.
- Conditions relating to the recording and reporting of complaints associated with any odour or the discharge have been included.
- Should any unforeseen adverse effects as a result of this activity become apparent through monitoring, a review clause allows conditions of consent to be reconsidered.

9 Recommended Decision

I recommend that in accordance with s104B resource consent application 135810 be granted in accordance with the duration and conditions prescribed in the attached Resource Consent Certificate for the following reasons:

- The activity will have no more than minor actual or potential adverse effects on the environment
- The activity is not contrary to any relevant plans or policies
- The activity is consistent with the purpose and principles of the Resource Management Act 1991



Stuart Beard
Resource Officer
Resource Use Directorate

Date:

11/03/2019

10 Decision

That the resource consent application is granted in accordance with the above recommendations.



Hugh Keane
Team Leader
Resource Use Directorate

Date: 11/03/2019

RESOURCE CONSENT CERTIFICATE

Resource Consent: AUTH135810.01.01

File Number: 60 54 69A

Pursuant to the Resource Management Act 1991, the Regional Council hereby grants consent to:

Taupo District Council
Private Bag 2005
Taupo Mail Centre
Taupo 3352

(hereinafter referred to as the Consent Holder)

Consent Type: Discharge Permit

Consent Subtype: Land - sewage

Activity authorised: To discharge treated domestic wastewater from the Omori, Kuratau and Pukawa communities on to land, Omori.

Location: Morunga Street - Omori

Map reference: NZTM 1838421 E 5690369 N

Consent duration: This consent will commence on the date of decision notification and expire on 31 March 2044.

Subject to the conditions overleaf:

General

1. The wastewater treatment and disposal system shall be designed, operated and maintained in general accordance with:
 - a) "Application for Resource Consent Omori Wastewater Discharge" (Waikato Regional Council document reference 3468551), and
 - b) "Omori Wastewater Treatment Plant TDC Revision of Proposal" (Waikato Regional Council document reference 13547026)

subject to the resource consent conditions below, which shall prevail should any inconsistency occur between the conditions and the application documents.

2. The consent holder shall pay the Waikato Regional Council any administrative charge fixed in accordance with section 36 of the Resource Management Act 1991, or any charge prescribed in accordance with regulations made under section 360 of the Resource Management Act 1991.

Discharge quantity

3. The maximum volume of treated wastewater discharged to the ground must not exceed 800 cubic metres per day.
4. The rate of treated wastewater discharged to the ground shall not exceed:
 - a) An absolute maximum of 40 millimetres over any 7-day period, and
 - b) An annual average of 25 millimetres per 7-day period, for the period of 1 July to 30 June.

Discharge quality

5. The annual total nitrogen load (based on average fortnightly TN sampling results x daily irrigation volume x total irrigable area) shall not exceed 300 kilograms per hectare per year, as determined for each 1 July to 30 June period.

Irrigation Practises

6. Wastewater shall be applied in a manner that:
 - a) Avoids overland flow of wastewater to any neighbouring property, flowing water course, drainage ditch which contains water or permanent pond,
 - b) Avoids detectable spray drift beyond the boundaries of the property,
 - c) Ensures distribution as evenly as practicable over the irrigation areas in use, and
 - d) Avoids significant ponding.

Advice Note: significant ponding is deemed to occur where waste water remains on an area of more than 10 square metres after 24 hours of being irrigated or causes an adverse effect on grass growth.

7. Within 24 months of consent commencement, irrigation shall not occur when:
 - a) Rainfall intensity exceeds 0.5mm per minute for greater than 20 minutes duration, and/or
 - b) Frost temperature is less than -5°C.
8. The consent holder shall maintain a record of the 'irrigation areas' over which irrigation is occurring on each day that wastewater irrigation occurs.

Site Management

9. The consent holder must develop and retain an Operations and Management Plan for this site. This Plan shall be prepared by a suitably qualified and experienced person and shall detail how the treatment and disposal system is to be operated and maintained to ensure compliance with the conditions of this consent. As a minimum the Plan shall include the following matters:
- a) A comprehensive description of the treatment and disposal facility,
 - b) Chain of command, responsibility and notification protocols including operation and maintenance of the transfer pipeline to the site,
 - c) Operational management of the irrigation system;
 - d) A description of maintenance and improvements undertaken to the treatment plant and disposal system,
 - e) A description and schedule of the routine inspection, monitoring and maintenance procedures to be undertaken to ensure effective plant operation;
 - f) Procedures for recording routine maintenance and all repairs that are undertaken
 - g) Reporting procedures including an annual monitoring report,
 - h) Contingency measures to address unusual events,
 - i) Procedures for improving and/or reviewing the Operations and Management Plan.
 - j) An assessment of irrigation strategies and any potential improvements to irrigation practices that would optimise a reduction in nutrient leaching via improvements to the irrigation regimes which can be implemented over the following OMP period. The following aspects will be addressed within the assessment:
 - (i) Precipitation forecasting and monitoring,
 - (ii) Manual and automated options for irrigation cessation,
 - (iii) Utilisation and optimisation of pond storage,
 - (iv) The irrigation restrictions detailed in condition 7, and
 - (v) Detail of what measures will be implemented and when (taking into account the above) to:
 - 1. ensure the renovation of contaminants and uptake of nutrients from the wastewater is maximised and the extent of nutrient, and in particular nitrogen, leaching to groundwater is minimised,
 - 2. ensure the sustainability of the soil resource, and
 - 3. maintain the soil's natural infiltration capacity and structure as much as practicable

This Plan shall be lodged with Waikato Regional Council for approval in a technical certification capacity within 24 months of commencement of this consent, and shall be reviewed and updated every subsequent five years, and as required as a result of any changes in plant operation or management.

10. The wastewater scheme must be operated, maintained and managed by appropriately experienced personnel in accordance with the Operations and Management Plan pursuant to condition 9 of this consent.
11. The consent holder must ensure contractors are made aware of the conditions of this resource consent and shall take all reasonable steps to ensure contractors are able to comply with those conditions.
- Advice Note:** *An example of a reasonable step to ensure contractors are able to comply with the conditions is to require them to be fully conversant with the Operations and Management Plan required by Condition 8.*
12. The land disposal area must not be grazed by stock, and crop grown in the irrigation area must be harvested and removed from the irrigation area.

13. The consent holder must inspect the property at a minimum of monthly intervals and as soon as practicable after heavy rainfall events, to record the presence or not of erosion rills or gullies, tomos, seepages, or any other physical change to the property which may impact on the irrigation area or accelerate nutrient losses, and shall keep records of those inspections.

Records of these inspections shall be supplied within the annual report and made available to the Waikato Regional Council at all reasonable times.

14. Any erosion control works recommended as a result of the inspections required by condition 13 must be undertaken at the expense of the consent holder to the satisfaction of Waikato Regional Council.
15. The consent holder shall maintain and keep a Complaints Register for all complaints made about the treatment and discharge operations received by the consent holder. The Register shall record:
 - a) The date, time and duration of the alleged event/incident that has resulted in the complaint;
 - b) The location of the complainant when the alleged event/incident was detected;
 - c) The possible cause of the alleged event/incident;
 - d) The weather conditions and wind direction at the site when the event/incident allegedly occurred, if significant to the complaint;
 - e) Any corrective action undertaken by the consent holder in response to the complaint.

The Register shall be made available to the Waikato Regional Council at all reasonable times. Complaints which may indicate non-compliance with the conditions of this resource consent shall be forwarded to the Waikato Regional Council within 5 working days of the complaint being received.

Odour Management

16. The operation, management and maintenance of the Omori Wastewater Treatment and Disposal Scheme must not result in any objectionable odours which have an adverse effect at or beyond the boundary of the properties on which the treatment plant and disposal areas are located.
17. There must be no discharge of airborne contaminants as a result of the activities authorised by this resource consent to the extent that it causes an adverse effect at or beyond the boundary of the properties on which the treatment plant and disposal areas are located.
18. If an emission of odour occurs that has an objectionable or offensive effect (in accordance with conditions 16 or 17 above), the consent holder shall provide a written report to the Waikato Regional Council within ten days of being notified of such by the Waikato Regional Council. The report shall specify:
 - a) the cause or likely cause of the event and any factors that influenced its severity;
 - b) the nature and timing of any measures implemented by the consent holder to avoid, remedy or mitigate any adverse effects; and
 - c) the steps to be taken in future to prevent recurrence of similar events.

Wastewater monitoring

19. The volume and quality of the treated wastewater discharged into the ground must be determined by the consent holder. To this end the consent holder must monitor the following parameters: total nitrogen (TN), total kjeldahl nitrogen (TKN), total oxidised nitrogen (TOXN) ammoniacal-nitrogen (NH₄-N), nitrate-nitrogen (NO₃-N), total phosphorus (TP) suspended solids

(SS), 5 day carbonaceous biochemical oxygen demand (cBOD₅), Escherichia coliform bacteria (E.coli) and chloride (Cl) to the satisfaction of the Waikato Regional Council. The monitoring programme must measure:

- a) the concentrations of these parameters in the effluent measured at fortnightly intervals,
 - b) minimum and maximum daily volumes (influent and irrigation)
 - c) minimum and maximum daily concentrations, and monthly average concentrations based on fortnightly monitoring intervals,
 - d) minimum and maximum daily mass loads, and monthly average mass loads based on fortnightly monitoring intervals,
 - e) the mass of total nitrogen discharged from the plant per annum, based on the average fortnightly mass load and discharge flow, or part thereof at the time of reporting.
20. The consent holder shall define a sampling location or locations and the sampling method or methods to be used for monitoring the parameters in condition 19. The location(s) and method(s) used for the sampling shall be to the satisfaction of the Waikato Regional Council acting in a technical certification capacity.
21. All wastewater quality analyses shall be undertaken by an IANZ accredited or equivalent laboratory. All methods used shall be appropriate for the wastewater analyses undertaken.

Receiving environment monitoring and reporting

22. The consent holder shall implement a monitoring programme to evaluate the environmental effects of this effluent discharge. This programme shall, as a minimum, include:
- a) Surface water quality monitoring data which shall be sampling/analysis in the Omori Stream both up-stream (T18:482-517) and down-stream (T18:487-519) of the land treatment site and at the mouth of the Omori Stream (T18:495-517) for total kjeldahl nitrogen (TKN), nitrate-nitrogen (NO₃-N), ammoniacal-nitrogen (NH₄-N), dissolved reactive phosphorus (DRP), carbonaceous biochemical oxygen demand (cBOD₅), conductivity, total suspended solids (TSS) and *Escherichia coliforms* (*E. coli*) on a three-monthly basis.
 - b) Groundwater monitoring from existing monitoring bores OMI1-1, OMI-2, OMI-3 and OMI-4, on an annual basis, for groundwater depth, pH, conductivity, temperature, dissolved oxygen (DO), total dissolved solids (TDS), ammoniacal nitrogen (NH₄-N), nitrate-nitrogen (NO₃-N), nitrite-nitrogen (NO₂-N), total kjeldahl nitrogen (TKN), total phosphorus (TP), dissolved reactive phosphorus (DRP) and *Enterococci*.

Advice note: The Omori Stream sampling sites are historically identified as up-stream (T18:482-517), down-stream (T18:487-519) and mouth of the Stream (T18:495-517). Existing sampling locations should be maintained, and coordinates confirmed. In the event the coordinates are altered, Waikato Regional Council shall acknowledge these changes via written confirmation and these shall form the basis of monitoring locations from that date forward.

Reporting

23. The consent holder must forward the results of the monitoring undertaken pursuant to condition 19 to the Waikato Regional Council, via electronic means, on a quarterly basis.
24. The consent holder shall provide to the Waikato Regional Council a written report by 30 August each year, addressing the following:
- a) A summary of all monitoring results required by conditions of this resource consent for the year ending 30 June;
 - b) Critical analysis of the monitoring data collected and comments on any emerging trends;

- c) Comment on compliance with the conditions of this resource consent;
 - d) Comment on the performance and adequacy of the disposal system, matters of compliance;
 - e) Comment on the effects of the discharge on ground and surface water;
 - f) Any reasons for non-compliance or difficulties in achieving compliance with the conditions of this resource consent and a description of and a summary of the efficacy of any remedial works undertaken; and
 - g) Any other issue considered relevant to the consent holder.
25. The consent holder must notify the Waikato Regional Council within 24 hours (where practicable) of the consent holder becoming aware of any occasion when the limits specified in conditions 3 and 4 of this resource consent being exceeded, or any accidental discharge, plant breakdown or other circumstance which is likely to result in the limits of this consent being exceeded. The consent holder shall, within 10 working days of the incident occurring, provide a written report to the Waikato Regional Council, identifying the non-compliance, possible causes and steps to ensure future compliance, which may include but not be limited to an investigation of the treatment plant operation and capabilities, bore monitoring and the implementation of remedial action to prevent recurring non-compliance.

Review

26. The Waikato Regional Council may during 2024, 2029, 2034 and 2039 serve notice on the consent holder under section 128(1) of the Resource Management Amendment Act 1991, of its intention to review the conditions of this resource consent for the following purposes:
- a) To review the effectiveness of the conditions of this resource consent in avoiding or mitigating any adverse effects on the environment from the exercise of this resource consent and if necessary to avoid, remedy or mitigate such effects by way of further or amended conditions; or
 - b) To review the adequacy of and the necessity for monitoring undertaken by the consent holder and specifically to review the frequency of record keeping and the method of record collection for the purposes of determining the most appropriate method and frequency; or
 - c) To add or amend consent conditions in light of monitoring results and/or changed environmental conditions, to require the holder of this resource consent to adopt the best practicable option to remove or reduce adverse effects on the surrounding environment.

Note: Costs associated with any review of the conditions of this resource consent will be recovered from the consent holder in accordance with the provisions of section 36 of the Resource Management Act 1991.

Advice notes

- *This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the consent holder and the property owner.*
- *This resource consent is transferable to another owner or occupier of the land concerned, upon application, on the same conditions and for the same use as originally granted (s.134-137 RMA).*
- *The consent holder may apply to change the conditions of the resource consent under s.127 RMA.*
- *The reasonable costs incurred by Waikato Regional Council arising from supervision and monitoring of this/these consents will be charged to the consent holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the consent holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consents.*

- *Note that pursuant to s332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.*
- *If you intend to replace this consent upon its expiry, please note that an application for a new consent made at least 6 months prior to this consent's expiry gives you the right to continue exercising this consent after it expires in the event that your application is not processed prior to this consent's expiry.*

In terms of s116 of the Resource Management Act 1991, this consent commences on the date of decision notification.