

Appendix 1: Proposed Conditions - Version 25/06/21

Scope

- 1) This consent authorises the discharge of wastewater via overflows from the Gisborne City Wastewater System (**GWS**) within the Gisborne Reticulated Services Area subject to the conditions below. This includes:
 - a) Discharges from formal and informal overflow points within the system during wet weather events. The formal wet weather overflow points, and their classifications, are identified in Attachment A1. These apply from the commencement of the consent until such time as these locations are superseded as provided for in Condition 20. After that time, the locations and classifications in Attachment A2 apply.
 - b) Discharges from formal and informal overflow points within the system, and from pipes as a result of dry weather overflows.

Advice Note:

The following activities are not authorised under this consent:

- a. *The discharge of Wastewater from the Gisborne Wastewater Treatment Plant which is authorised by separate consents.*
- b. *Discharges from other wastewater networks within the wider Gisborne District (for example, Te Karaka).*

Expiry

- 2) This consent shall expire on XX/XX/XXXX, 20 years from the date consent is granted.

Documentation

- 3) This consent shall be exercised generally in accordance with the information included in this consent application and appendices, updated as required by these conditions, including:
 - a) Capital and operational works required to achieve the outcomes sought in Attachment B;
 - a) Infrastructure Investment on Private Property Strategy (IIOPPS)

Advice Note: Attachment C documents network levels of service from the LTP 2018/2028 prepared in accordance with the Local Government Act 2002 and which include some mandatory measures from Audit New Zealand. These measures and levels of service are not matters of compliance under this resource consent. However, this consent requires them to be monitored and reported to enable a holistic assessment of the performance of the wastewater network. Attachment C can be updated to reflect the latest version of the LTP.

Those measures of key relevance to overflow discharges (particularly wet weather and dry weather overflow performance) are included in Attachment B.

Operation and Maintenance

- 4) The Consent Holder shall ensure that the following Operational Management Plans/Protocols shall be in place and adhered to at all times:
 - a) Operations and Maintenance Plan [date/version] that includes, as a minimum
 - i. the identification of problem/repeat areas for blockages and an inspection / maintenance regime to manage these areas;
 - ii. schedules and KPIs for wastewater network inspection and maintenance – including pre- and post-storm event maintenance;
 - iii. procedures for managing the opening and closing of overflow valves;
 - iv. reporting.
 - b) Wastewater Overflow Location and Operation Procedure [date/version];
 - c) Wet Weather Discharge Notification Protocol [date/version];
 - d) Wet Weather Overflow Events Monitoring Protocol [date/version];
 - e) Wastewater Procedure for Dry Weather Discharges and Overflows [V1.0, May 2021].(together the **“Operational Management Plans / Protocols”**)
- 5) Where these Operational Management Plans/Protocols do not currently exist as a standalone document, or require updating as a result of the resource consent hearing, the Consent Holder shall ensure the Management Plans/Protocols are prepared within 6 months of the commencement of the consent, and submitted to the Consents Manager, Gisborne District Council.
- 6) The Consent Holder may submit the Operational Management Plans/Protocols either separately, or together in the form of a single document.
- 7) The Operational Management Plans/Protocols can be updated and refined at any time by the Consent Holder, provided there is no reduction in the levels of service, effectiveness of overflow monitoring or notification of parties – unless a notified party no longer wishes to receive notification.
- 8) Any updated Operational Management Plans/Protocols shall be provided to the Consents Manager, Gisborne District Council for certification within one month of their update and shall include a clear version history. If the Consents Manager, Gisborne District Council fails to respond to the request to certify the updated Operational Management Plans/Protocols within twenty (20) working days, the Management Plan will be deemed to be certified.

Advice Note: More substantial changes will require the Operational Management Plans/Protocols to be lodged as part of a request to vary conditions pursuant to s127 of the RMA.

Monitoring

- 9) The Consent Holder shall ensure that the following Monitoring Plans shall be in place and adhered to at all times:
 - a) Wet Weather Overflow Events Monitoring Protocol [date/version];
 - b) Tangata Whenua Cultural Monitoring Plan [date/version] (**TWCMP**).(together the **“Monitoring Plans”**)

- 10) The TWCMP is to be prepared in conjunction with the Tangata Whenua Reference Group (TWRG) and submitted to the Consents Manager, Gisborne District Council within six months of the establishment of the TWRG or such other time period as agreed by the TWRG, but in any event, no later than one year after the commencement of the consent.
- 11) The TWCMP shall be informed by mātauranga Māori. The objective of the TWCMP is to specify cultural indicators of the effects associated with the activities authorised by this consent, and to assist the Consent Holder in understanding those cultural effects, including how such effects may be reduced and/or may change over time. Such indicators may include, but are not limited to:
 - the mauri of waterways;
 - the connection of Tangata Whenua to waterways;
 - the health of culturally significant flora and fauna; or
 - the health of the waterways in the vicinity of the overflow locations.

[note - list to be updated/confirmed through consultation with tangata whenua]
- 12) If full agreement on the Tangata Whenua Cultural Monitoring Plan is not achieved between the Consent Holder and the TWRG, the consent holder shall submit the plan as drafted in accordance with the timeframes and implement those elements that have been agreed.
- 13) The Tangata Whenua Cultural Monitoring Plan can be updated at any time to include additional monitoring or refinements agreed between the Consent Holder and the TWRG.
- 14) The Wet Weather Overflow Events Monitoring Protocol can be updated and refined at any time by the Consent Holder, provided the updates do not reduce the effectiveness of monitoring to manage public health risk.
- 15) Any updated/refined Monitoring Plans shall be provided to the Consents Manager, Gisborne District Council for certification within one month of their update and shall include a clear version history. If the Consents Manager, Gisborne District Council fails to respond to the request to certify the updated Monitoring Plans within twenty (20) working days, the Monitoring Plans will be deemed to be certified.

Advice Note: Substantial changes will require an updated Wet Weather Overflow Events Monitoring Protocol to be lodged as part of a request to vary conditions pursuant to s127 of the RMA.

Virus Assessment

- 16) Within two years following the commencement of the consent, the Consent Holder shall implement a programme to monitor viruses in shellfish following a wet weather overflow event. The purpose of this monitoring is to assist in understanding virus persistence in shellfish associated with wet weather overflows and to refine public health response if required. This shall include monitoring:
 - a) of representative sites where shellfish are regularly collected, excluding any that have permanent signage warning against shellfish gathering;
 - b) of more than one overflow event;
 - c) baseline conditions and at weeks 2, 4 and 6 following an overflow event.

Progressive Overflow Reduction

- 17) The Consent Holder shall implement a programme (the DrainWise Programme) to achieve the wastewater levels of service in Attachment B. In particular:
 - a) The Consent Holder shall manage the GWS and stormwater system to achieve performance a wet weather overflow occurrence of no more than 50% probability in any given year within 10 years of the commencement of this consent.
 - b) The Consent Holder shall manage the GWS so that Dry Weather Overflows are managed to a practicable minimum and only occur as a result of network failures including, but not limited to, natural disasters, breakages, blockages, third party actions or damage, and mechanical or power failure at pump stations or storage facilities.
 - c) At no time shall components of the network have insufficient capacity to cater for peak dry weather wastewater flows from the contributing catchment area.
- 18) The Consent Holder will continue to operate its wastewater network in accordance with good management practice and monitor and report on the levels of service in Attachment C.

Seymour / Turenne Primary Overflow

- 19) The Consent Holder intends to remove the primary overflow location at Turenne Street / Seymour Road, as shown in Attachment A1. The Consent Holder will undertake a programme of works including process changes and physical works to remove the primary overflow point, with the intention to commence construction in the 2021/2022 Council financial year.
- 20) The Consent Holder shall advise the Consents Manager, Gisborne District Council in writing on the commencement of such works, and shall confirm in writing on completion of the works.
- 21) Following the completion of the works, the overflow locations and their classification are those in Attachment A2.

Advice Note: Conditions 18, 19 and 20 are offered by the Consent Holder on an Augier basis.

Tangata Whenua Reference Group (TWRG)

- 22) Within 2 months of the commencement of this consent, the Consent Holder shall provide an offer to tangata whenua groups or iwi entities affected by the wastewater overflows, to establish and maintain a TWRG for the term of this consent with the intent of establishing the TWRG within six months of the commencement of the consent.
- 23) On acceptance of the offer a Memorandum of Understanding (MoU) shall be entered into by the Consent Holder and the members of the TWRG that includes as a minimum:
 - a) The conditions of these consents;
 - b) The composition of the TWRG and the process by which membership may be amended;
 - c) A terms of reference;
 - d) The rates of remuneration for members of the TWRG;
 - e) Period of review of the MoU and rates of remuneration.

- 24) The purpose/role of the TWRG shall be to:
- a) Recognise the importance of the wai and to recognise the kaitiakitanga of Māori who have a kaitiaki relationship with the wai;
 - b) Provide a forum for discussing the cultural aspects and effects of the operation of the consent;
 - c) Advise on management protocols related to dry and wet weather overflows to integrate tikanga aspects such as the placement of rahuis and other processes;
 - d) Provide input in setting priorities for works and associated programmes to mitigate cultural effects associated with the operation of this consent;
 - e) Assist in identifying any research or investigations necessary to help improve the management of the wastewater network overflows to mitigate cultural effects associated with the operation of this consent; and
 - f) Advise on wastewater monitoring related to wastewater overflows to include cultural elements, and make the monitoring relevant to kaihoe waka, mahinga kai, and other Māori practices, including input into preparing, reviewing and providing feedback on the Tangata Whenua Cultural Monitoring Plan (See Conditions 9 to 15) to report on the performance and effects of the wastewater network from a cultural perspective.
 - g) Provide a report to be included as part of the Consent Holder's annual reporting under Condition 27 in respect of Condition 24(f).
- 25) The Consent Holder shall:
- a) Facilitate and fund the administration of each formal meeting of the TWRG. The first TWRG meeting shall be held as soon as practicable after the establishment of the TWRG. The TWRG shall then meet at least twice yearly, including before and after the Annual Report is prepared under Condition 27 or the Five Year Report prepared under Condition 29 thereafter for the term of this consent.
 - b) Take minutes of the TWRG, which shall be forwarded to the Consents Manager, Gisborne District Council within four weeks of each meeting being held.
- 26) Should the TWRG be disbanded at the request of a majority of its members, then the Consent Holder is not obliged to continue to facilitate and support it.

Annual Reporting

- 27) The Consent Holder shall report on the performance of the wastewater network and progress towards achieving the wastewater levels of service in Attachment B on an annual basis (Financial Year) by September of each calendar year. Reports shall be provided to:
- a) The Consents Manager, Gisborne District Council;
 - b) Gisborne District Council Wastewater Management Committee (WMC);
 - c) The Tangata Whenua Reference Group;
 - d) Gisborne District Council's website in a location that is accessible to all members of the public.

- 28) The reporting shall include:
- a) The wastewater levels of service in Attachment B and the measures in Attachment C;
 - b) A summary of overflow events that occurred in the year, including those matters identified in Attachment B (Annual Reporting column);
 - c) The results of any monitoring undertaken in accordance with Condition 9a and b;
 - d) Any report from the TWRG.
 - e) Priority works and initiatives planned for the coming 12 months.

Five Year Reporting

- 29) The Consent Holder shall report on the performance of the wastewater network and progress towards achieving the wastewater levels of service in Attachment B on a five yearly basis. This report shall assess:
- a) The consolidated inspections and improvements undertaken over the preceding five year period;
 - b) Trends in overflow occurrence, including consideration of rainfall events, and an assessment of the basis for any trends;
 - c) Trends in water quality monitoring – both state of the environment and overflow event related;
 - d) The wastewater levels of service in Attachment B and the measures in Attachment C;
 - e) The outcomes of monitoring (including cultural) that has been undertaken;
 - f) The implications of this monitoring on future management approaches, including whether additional infrastructure or changes to the wastewater network are, or will be, required to achieve the ten-year target in Condition 16(a) and contingency planning should it be considered that an alternative approach is required;
 - g) Any updated wastewater dispersion modelling;
 - h) Any emerging wastewater management issues or trends.

Advice Note: Gisborne District Council undertakes bathing beach monitoring and State of the Environment monitoring. Relevant information from these programmes is sufficient to satisfy Condition 28 (c) in respect of the reference to state of the environment monitoring.

Ten Year Review and Reset of Targets

- 30) Within ten years after the commencement of the consent, the Consent Holder shall:
- a) Update the Gisborne Wastewater network model to reflect changes to the network and the implementation of the DrainWise programme and update predictions of wastewater overflow performance;
 - b) Undertake updated dilution/dispersion modelling within Tūranganui-a-Kiwa/Poverty Bay and the Tūranganui River;

- c) Review literature on priority Emerging Organic Contaminants (EOCs) and:
 - i. set an appropriate priority list of EOCs for measurement in Gisborne wastewater including human health consumptive risk (if available)
 - ii. Measure EOCs in both dissolved and particulate phases of the influent wastewater to the Wastewater Treatment Plant on four occasions;
 - iii. Assess human health risk if an appropriate methodology is available;
- 31) Within ten years after the commencement of the consent, the Consent Holder shall review the progress with the implementation of the DrainWise programme and other initiatives, and the targets, measures and timeframes in Attachment B, and set new targets, measures and timeframes that:
- a) Apply to years 10 to 20 (after commencement) of the consent;
 - b) Consider input from the TWRG and WMC;
 - c) Reflects the updated monitoring, investigations and other information received from the assessments required by Condition 30;
 - d) Reflect any requirements resulting from the implementation of the National Policy Statement for Freshwater Management 2020;
 - e) Demonstrate on-going improvement – being a reduction in the frequency and volume of overflow events beyond the targets set for years 1 to 10 of the consent in Attachment B;
 - f) Are not less stringent than any nationally established performance standard for wastewater overflows (if these exist at that time).

Review

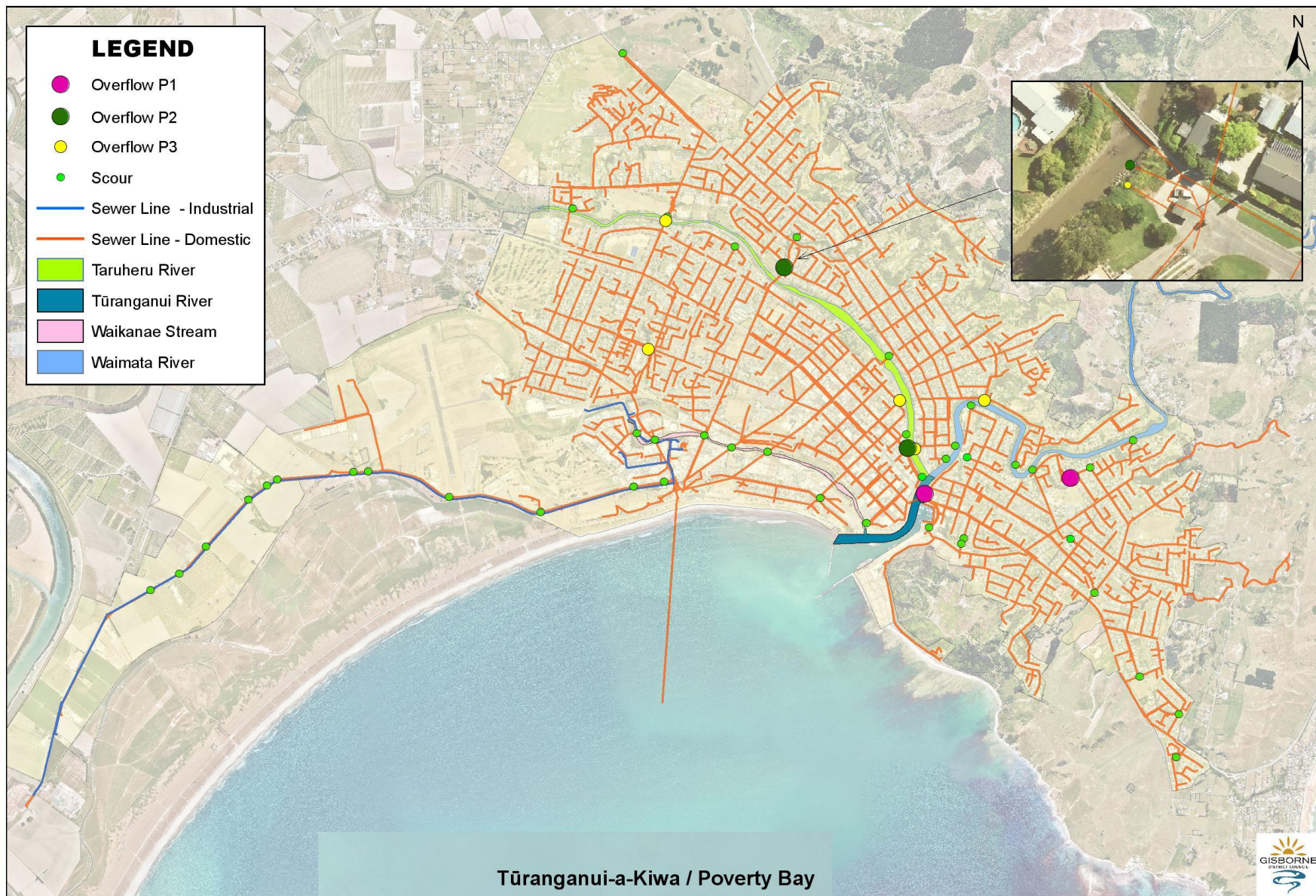
- 32) The conditions of this consent may be reviewed by the Consent Authority pursuant to section 128 of the RMA (with the costs of the review process being borne by the Consent Holder) by the giving of notice, pursuant to section 129 of the RMA:
- a) Within three years of the consent being granted and thereafter at three yearly intervals;
 - b) At any time:
 - i. to address any unanticipated adverse effects that arise from the exercise of the consent; or
 - ii. where a regional plan has been made operative which sets rules relating to minimum standards or water quality and in the opinion of the Consent Authority, it is appropriate to review the conditions of consent in order to enable the standards set by the rule to be met; or
 - iii. where a regional plan that gives effect to the National Policy Statement for Freshwater Management 2020 becomes operative; or
 - iv. following the transfer of the wastewater management functions of the Consent Holder to another agency if this transfer of functions necessitates a change in consent conditions.

- 33) The review under Condition 32) may only be for one or more of the following purposes:
- a) To address any material adverse effects on the environment, that in the opinion of the Consent Authority, is not contemplated by this consent which may arise from the exercise of the consent, or upon which the exercise of the consent may have an influence, including, but not limited to:
 - i. modifying existing conditions to require the Consent Holder to identify the character or nature of any discharges authorised by this Consent and to report the results of any monitoring or investigations to the Consents Manager, Gisborne District Council;
 - ii. consideration of the conditions of this consent that may relate to the matters contained in s.108(4) of the RMA or any Act in substitution thereof;
 - iii. inserting conditions, or modifying existing conditions, related to water quality standards.
 - b) To insert conditions, or modify existing conditions, to the extent necessary to give effect to the National Policy Statement for Freshwater Management 2020 as implemented in a future Gisborne Regional Plan.

Administrative Charges

- 34) The consent holder shall pay the Gisborne District Council's (acting as Consent Authority) full and reasonable costs in carrying out its functions in terms of certification and monitoring under this consent.

Attachment A1: Overflow locations applicable from the commencement of the consent



GISBORNE SEWER NETWORK

Date: 29/07/2020

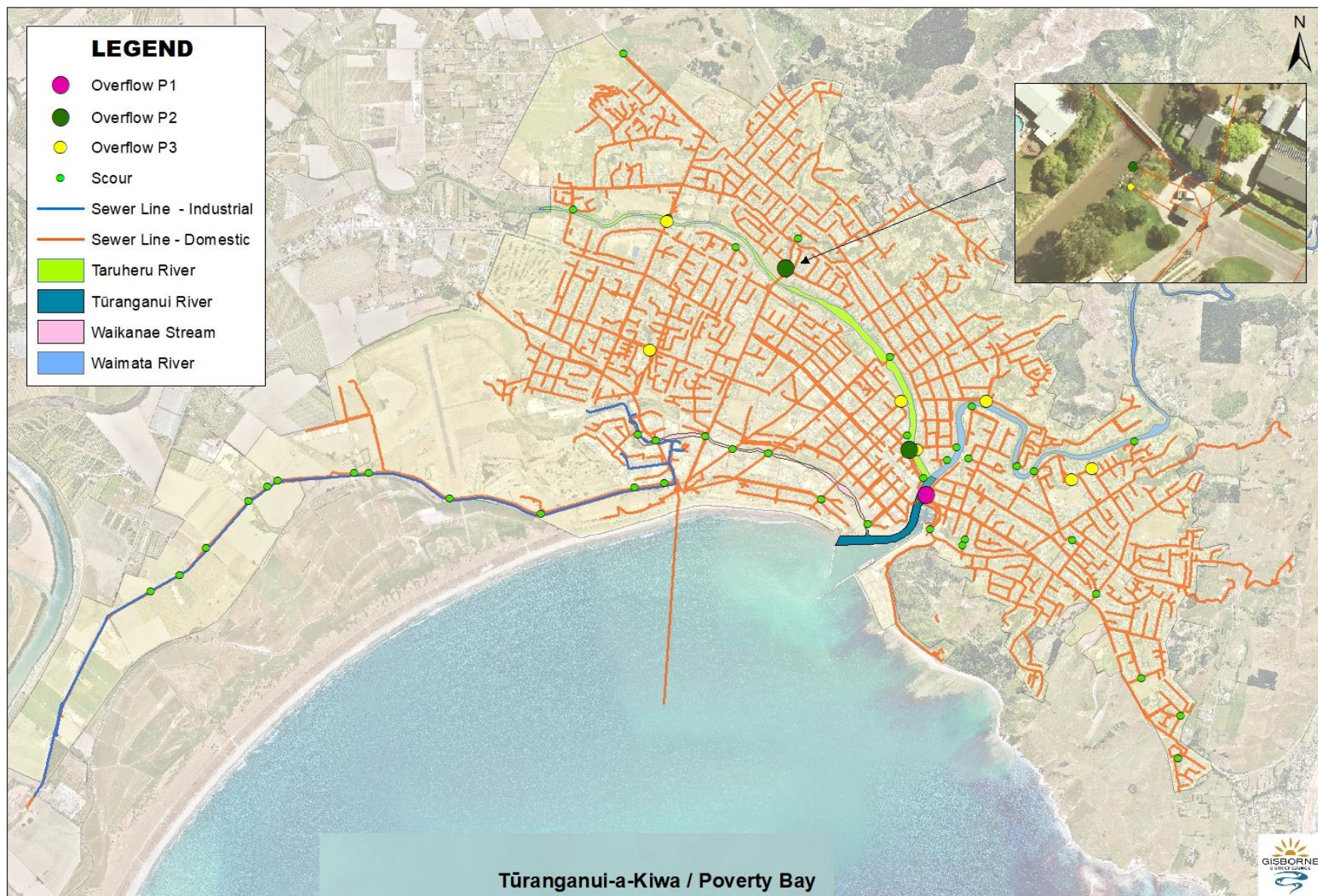
Contains Crown Copyright Data -
Sourced from Land Information NZ.
Aerial Imagery - Aerial NZ Ltd.
Gisborne District Council

Scale @ A3 1:30,000

Category	Street Name	Asset Code	Easting ¹	Northing
Primary Overflow Point	Wainui Road	WNUIDO005	2037659.42	5707953.16
	Seymour/Turenne	SEYMDO015	2039016.11	5708096.55
Secondary Overflow Points	Palmerston Road/Peel Street	PALMSO003	2037498.91	5708376.11
	Oak Street	OAK_SO074	2036347.09	5710062.17
Tertiary Overflow Points	Oak Street	OAK_SO080	2036346.60	5710057.28
	Lytton Road	LYTTSO045	2035240.87	5710498.71
	Childers Road	CHILSO264	2035080.77	5709303.76
	Stafford Street	RUSSSO001	2038219.38	5708824.47
	Derby Street	DERBSO001	2037424.05	5708825.96
	Fitzherbert Street	FITZDO115	2037565.64	5708371.24

¹ NZTM 2000

Attachment A2: Overflow locations applicable in accordance with Condition 20



GISBORNE SEWER NETWORK

Date: 8/06/2021

Contains Crown Copyright Data -
Sourced from Land Information NZ,
Aerial Imagery - Aerial NZ Ltd,
Gisborne District Council

Scale @ A3 1:30,000

Category	Street Name	Asset Code	Easting ²	Northing
Primary Overflow Point	Wainui Road	WNUIDO005	2037659.42	5707953.16
Secondary Overflow Points	Palmerston Road/Peel Street	PALMSO003	2037498.91	5708376.11
	Oak Street	OAK_SO074	2036347.09	5710062.17
Tertiary Overflow Points	Oak Street	OAK_SO080	2036346.60	5710057.28
	Lytton Road	LYTTSO045	2035240.87	5710498.71
	Childers Road	CHILSO264	2035080.77	5709303.76
	Stafford Street	RUSSSO001	2038219.38	5708824.47
	Derby Street	DERBSO001	2037424.05	5708825.96
	Fitzherbert Street	FITZDO115	2037565.64	5708371.24
	Owen Road	OWENSO051	2039202.23	5708196.09
	Seymour/Turenne	SEYMDO015	2039016.11	5708096.55

² NZTM 2000

Attachment B: Wastewater Overflow Consent Objectives and Targets

Issue	Objective	Measure/Target	Target Timeframe	Reporting (annual based on financial year)
Wet Weather Overflow Frequency Level of Service	Progressively reduce frequency of overflow events	Progressive reduction in frequency (indicative)	On-going – indicative until target below ³	Number of overflow events Duration of each overflow event Results of monitoring Return period rainfall assessment for each overflow event
		No overflows in events up to and including 50% AEP rainfall event	10 years after commencement of consent	
Wet Weather Overflow Volume	Progressively reduce volume of overflow events for a similar size rainfall event.	Progressive reduction in volume for same AEP rainfall event (indicative)	On-going – indicative ⁴	Volume of each overflow event Return period rainfall assessment for each overflow event Total volume of overflow per year
Overflows opened in a wet weather event	Limit overflows to primary and secondary overflow points in all but very large rainfall events	Primary only – up to 50% AEP event Secondary – only opened in events larger than 50% AEP Tertiary – only in events > 10% AEP	5 years after commencement of consent	Overflow locations opened Return period rainfall assessment for each overflow event
		Primary and secondary – only in events larger than 50% AEP Tertiary – only in events > 10% AEP	10 years after commencement of consent	

³ Indicative because change will take some time to become fully evident

⁴ Indicative because relationships between AEP and volumes are complex and require further assessment

Dry Weather Overflow frequency	Minimise dry weather overflows to the extent practicable	≤1 dry weather overflow per 1,000 connections (no more than 15 in total) per year	Upon commencement of consent	Number and location of DWO per year Cause of overflow Whether overflow reached a waterway and which one Measures undertaken to mitigate effects, including response time Results of monitoring Estimated discharge volume
		≤0.6 dry weather overflows per 1,000 connections (no more than 9 in total) per year	2 years after commencement of consent	
DrainWise Works	Progressively reduce stormwater inflow into the wastewater network on private property, where private property owners are responsible for improvements of private infrastructure	50 % of all properties in the Gisborne reticulated services area with connections to the wastewater network inspected for drainage problems	5 years after commencement of consent	Number of properties inspected Types and numbers of problems found Types and number of problems resolved Programme for resolution of unresolved problems
		100 % of all properties in the Gisborne reticulated services area with connections to the wastewater network inspected for drainage problems	10 years after commencement of consent	
Public wastewater network management and upgrading	Ensure public wastewater network is upgraded and maintained to achieve wastewater overflow performance objectives and targets as required to achieve the outcomes of the modelled 85% inflow reduction scenario	Annual Plan capital works programme delivered	Annual	Works undertaken
		Annual sewer cleaning and maintenance programme delivered	Annual	Works undertaken
	Ensure appropriate monitoring and response to overflow events	All overflow events responded to in accordance with Overflow Response Procedures and Communications Protocol	Each event (that reaches water)	GDC Pollution Hotline and Environmental Health notified Monitoring undertaken as specified Signage – out/in

				Website/Facebook warnings posted as required by Pollution Control
Public stormwater drainage improvements	Scope and deliver public solutions for private property flooding, where individual private property owners are not responsible for flooding issues and there is a public benefit)	Properties within modelled significant ponding/flood areas in catchments inspected and scoped for solutions	10 years after commencement of consent	Inform capital works for the Public Pipes of Private Property programme (budget allocated \$5.4M over 10yrs)
		Deliver projects required to mitigate significant ponding/flooding	Annual	Works undertaken in accordance with the Public Pipes of Private Property programme.
	Undertake public stormwater network upgrade works required to achieve the outcomes of the modelled 85% inflow reduction scenario	Annual Plan capital works programme delivered	Annual	Works undertaken (relevant to reducing wastewater overflows)

Attachment C: LTP Levels of Service and Performance Measures (for monitoring and reporting)

(from LTP 2018-2028 p4-40 and 4-41 – updated to reflect current (2018/19 performance))

Level of Service	Performance Measures	Current (18/19)	Target	
			Years 1-3	Years 4-10
We provide a well-managed wastewater reticulation and treatment system which protects public health and the physical environment.	System and Adequacy: The number of dry weather sewage overflows from the territorial authority's sewerage system, expressed per 1000 sewerage connections to that sewerage system (Department of Internal Affairs) ⁵ .	0.27	1	0.6
	Management of environmental impacts: Compliance with resource consents for discharge from the wastewater system: Measured by the number of: a) abatement notices; b) infringement notices; c) enforcement orders; and d) convictions (Department of Internal Affairs).	0	0	0
	Response to wastewater system faults attendance at wastewater overflows resulting from a blockage or other fault in wastewater system: a) Median attendance time: from the notification of the fault to the time that service personnel reach the site (hours).	0.28	1	0.5
	b) Median resolution measured from the notification of the fault to the time that service personnel confirm resolution (hours) (Department of Internal Affairs).	3.25	12	6
	Customer Satisfaction: Complaints about odour; system faults; blockages; AND Council's response to issues with its wastewater system: The total number of complaints per 1000 connections received (Department of Internal Affairs).	10.03	15	13
	Percentage of residents satisfied with the Gisborne district's wastewater system as found in the Resident Satisfaction Survey.	55%	50%	60%
	The annual number of events where sewerage is discharged from Council's reticulation into rivers or streams (in a less than a 1 in 10-year rain event).	2	≤4	≤4

⁵ Territorial Authority mandatory measure