

## Memo

TO Hearings Panel (Gina Sweetman, Rawiri Faulkner, Jim Cooke)

FROM Shaun Andrewartha, Manager, Environmental Regulation, GWRC and Jennie Mitchell, Group Manager Corporate Support, SWDC

DATE 23 August 2019

SUBJECT Joint response from GWRC and SWDC in regard to Minute #10 (23 July 2019)

FILE NUMBER WAR/170229

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**Applicant:** South Wairarapa District Council

**Proposal:** To discharge contaminants to water, land and air associated with the proposed long term upgrade and operation of the Featherston Wastewater Treatment Plant

**Location:** Featherston Wastewater Treatment Plant, Donald Street, Featherston  
Site A – 65 Longwood West Road, Featherston  
Site B – 270 Murphys Line, Featherston

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## 1. Introduction

The Hearings Panel Minute #10 directed that the applicant, South Wairarapa District Council (SWDC), and Greater Wellington Regional Council (GWRC) respond to the Panel by no later than 5pm Friday 23 August 2019 to provide an update on its current approach; which shall include:

- Progress to date;
- An update on consultation undertaken to date;
- An updated timetable;
- A summary of relevant changes to the Proposed Natural Resources Plan; and
- When a hearing may be scheduled.

## 2. Progress to date

A progress update against the four steps identified as a Council agreed approach is identified in Table 1 below.

**Table 1: Progress to date**

Step	Task	Progress to date
1	Preparation of a table outlining the outstanding issues/information gaps, responsibility, key issues to resolve at future workshops and matters set out in the GWRC s37 extension and	<b>Complete – with ongoing updates.</b> Sven Exeter (SWDC's Consultant Planner – Mott MacDonald) is keeping this table up-to-date to reflect the progress against the outstanding issues/information gaps, responsibility and key issues being resolved. This table is shared with GWRC on an 'as required' basis i.e. when there are substantial changes.

	Panel Minute #7.	
2	<p>GWRC and SWDC experts review and approve the scopes of work for the information gaps, with work to be undertaken over the next few months.</p>	<p><b>Complete.</b></p> <p><b>Complete - review and approval of scopes of work for the information gaps</b></p> <p><b>In progress - addressing information gaps</b></p> <p><u>Pathogen sampling</u></p> <p>Most of the WWTP sampling is complete, which will contribute to the analysis of pathogens (bacterial and viral) in the WWTP before and after UV disinfection. The final rounds of sampling will commence in late August 2019/early September.</p> <p><u>Groundwater monitoring (pathogens and other relevant parameters) and effects assessment</u></p> <ul style="list-style-type: none"> <li>• Drilling of the monitoring wells is complete.</li> <li>• Monitoring of groundwater levels on the proposed irrigation site has commenced, and is anticipated to be completed in October 2019.</li> <li>• SWDC sought landowner permission via letters sent in July 2019 to landowners of neighbouring bores. To date, three landowners have given SWDC permission to take a groundwater sample, evaluate their bore head security, observe existing land use activities, and on-site wastewater septic tanks and disposal systems. SWDC will be undertake monitoring at these three sites in late August/early September 2019.</li> </ul> <p><u>Quantitative microbial risk assessment (QMRA) / public health risk assessment)</u></p> <ul style="list-style-type: none"> <li>• Groundwater and WWTP sampling (as identified above), and the evaluation of neighbouring bores is contributing to the QMRA. NIWA will be undertaking the QMRA and will commence their assessment work soon.</li> </ul> <p><u>Technical feasibility assessment for “add-on” modern wastewater treatment technology</u></p>

		<ul style="list-style-type: none"> <li>SWDC’s technical experts from Mott MacDonald have finished the first phase of a two phase feasibility study on WWTP add-on options to deal with viruses and clarity, and to determine whether the WWTP can deliver the appropriate dose to provide the required disinfection identified from the QMRA. The second phase of this feasibility study will commence after the QMRA is complete.</li> </ul> <p><u>Soil survey interpretation</u> Katie Beecroft (SWDC’s Land Treatment Specialist) has completed soil mapping and soil hydraulic conductivity testing, which has been added to update site investigation and technical reports. She will be providing this updated information for discussion with relevant technical experts for comment.</p>
3	SWDC conduct community engagement which is likely to include community meetings/workshops – to help inform the ‘experts’ workshop identified in Step 4 below.	<p>To date, six community engagement sessions, an update to the Maori Standing Committee, and a meeting with Pae Tu Mokai has been undertaken by SWDC (a meeting was also held with these groups in May 2019).</p> <p>An update on consultation undertaken to date is detailed in section 3 below.</p>
4	Expert workshops. The overall goal is to get clarity on the issues, how/if these can be resolved and the different options available to the applicant (together with any perceived risks) going forward.	As noted in our 19 July 2019 joint memo, experts have previously met on some of the key issues list (wastewater and I/I) and this month the ecologists discuss their outstanding issues. Workshop organisation has begun, and we are aiming at having an initial workshop in early to mid-October 2019 after the technical assessments are complete.

### 3. An update on consultation undertaken to date

Six community drop-in sessions have been held by SWDC in July 2019. Feedback from these community drop-in sessions have been compiled, and are currently being considered by SWDC staff and its consultants. In September 2019, SWDC anticipate providing communications via a media release to the community about how it has analysed and taken on the feedback provided from the community.

From SWDC’s initial review of feedback received, there are a number of key themes that has reinforced SWDC’s understanding of the key community concerns. The feedback has also confirmed that the technical assessment work currently being undertaken by SWDC in the pathogen and groundwater effects technical area, will enable SWDC to provide a more refined assessment of the extent of those potential effects, and what measures may be required to mitigate such effects.

SWDC and GWRC staff continue to collaboratively discuss the progress of the technical assessments, consultation, and outstanding issues/matters.

#### 4. Updated timetable

The Councils have agreed that the timetable provided in the previous joint memo to the Panel (dated 19 July 2019) mainly remains unchanged in terms of the proposed timing to address the outstanding issues set out in GWRC’s s37 extension and the previous direction of the Panel (7th Minute, dated 17 May 2019). The exceptions are:

- The analysis of the Proposed Natural Resources Plan (PNRP) decisions and what this means for the current application is likely to extend into September 2019, as SWDC and GWRC interpret what this means for the current application (refer to section 5 below for a summary of the relevant changes from the PNRP decisions); and
- SWDC consultation extending through into September 2019, with analysis of feedback being reported back to the community.

The timetable has been updated to reflect this (refer to Table 2 below).

**Table 2: Proposed timetable to deal with outstanding issues**

Key:  In progress

	Outstanding issue	Proposed timing - 2019		
		August	September	October
1	Impacts of the meaning and effect of provisions of the Proposed Natural Resources Plan.			
2	Further consultation by SWDC with submitters, the community (including Maori/iwi representatives), and with GWRC officers.			
3	Information in relation to the effects of discharge to land on groundwater that was agreed in the Joint Witness Statement to be provided to GWRC.			
4	Analysis of pathogens (bacterial and viral) in the Wastewater Treatment Plant before and after UV disinfection, which should be undertaken on at least three to four separate occasions by a competent laboratory.			
5	SWDC to undertake a soil survey in site B in particular to provide certainty on soil types and identify whether there is any evidence of macropores that would cause short circuiting of irrigated wastewater.			
6	NIWA’s qualitative assessment of health risk be replaced by a quantitative microbial risk assessment (QMRA) with as many of the assumptions in the qualitative assessment as possible being replaced by measurements or robust estimates agreed by all experts.			
7	Further discussions between experts, particularly surrounding the outstanding areas of disagreement and areas where more information is required.  Expert workshops will be held to: <ol style="list-style-type: none"> <li>1. Obtain clarity on the issues</li> <li>2. How/if these can be resolved</li> <li>3. Identify the different options available to the applicant (together with any perceived risks)</li> </ol>			

	going forward			
8	Scope – addressing whether the public health risk arising from pathogen spread through the groundwater is within the scope of what was applied for. Other relevant inputs to address scope will also be considered during this period.			

## 5. A summary of relevant changes to the Proposed Natural Resources Plan

The decisions on the PNRP were released on 31 July 2019. A number of decisions on definitions, policies and rules relevant to the discharge of wastewater to land and water were made. In summary, these are:

- Definition of ‘existing discharge’.
- Rules R61 and R62.
- Policies P62, P67, P95.

GWRC and SWDC officers have had an initial discussion about how the decisions and appeals will affect the activity status and consideration of relevant objectives and policies of the lodged application. These discussions are anticipated to continue into September 2019. It is important to recognise that the PNRP decisions are still subject to any person who made a submission on the PNRP, who can make an appeal to the Environment Court. Any appeal must be served in accordance with the Environment Court’s directions by 5pm, 18 September 2019.

## 6. When a hearing may be scheduled

GWRC and SWDC have continued to discuss the critical progress of technical assessments, scope and consultation matters as part of determining when a hearing could take place. To meet the current timeframe before the Hearings Panel to complete a hearing by 1 November 2019, adequate time must be allowed in advance of a hearing commencing to:

- Complete technical assessments, and addressing outstanding issues and matters directed by the Hearings Panel;
- Enable SWDC to further communicate and engage with submitters, the community, and mana whenua by involving them in the outcomes of the community drop-in sessions, and the findings of the further technical assessment work;
- Enable discussions about the outstanding ‘scope’ matter and consenting pathway options;
- Enable expert caucusing/workshops; and
- Ensure RMA procedural timeframes can be met e.g. evidence exchange.

Allowing sufficient time for the above matters to be addressed before a hearing commences, means there is a high likelihood that a hearing cannot be completed before 1 November 2019.

SWDC has discussed this timeframe matter with GWRC officers. From an initial discussion between both parties, there has been an agreement in principle that the deferment of hearing would continue to contribute to achieving a potential overall benefit to submitters and the community. This is because SWDC will have further time to ensure there is a more refined assessment of effects of the proposal (which are related to submitter and GWRC concerns), to give all parties a better

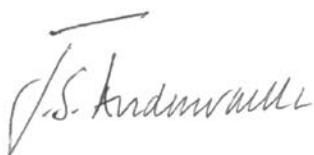
understanding, and demonstrate how SWDC propose to mitigate such effects. This may also lead to the length of the hearing being reduced if some of these matters can be resolved or clarified in advance of a hearing, which will provide a time and cost benefit to all parties.

SWDC is currently preparing an extension to timeframe request, which will be submitted to GWRC for consideration in late August 2019.

## **7. Next update to the Hearings Panel**

If acceptable to the Hearings Panel, GWRC and SWDC will provide a joint memo to the Panel by 5pm 26 September 2019 which covers:

- A progress update;
- A consultation update;
- An updated timetable (if required); and
- Confirmation of whether GWRC has granted SWDC's request for extension to timeframe for a hearing, and to when.



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