

## QLDC Wastewater Network Consent: Proposed Draft Conditions Updated for Circulation and Discussion with ORC

Lodged Condition No	Updated Condition No	Purpose of Condition	Proposed Draft Condition
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<b>Administrative Conditions</b>			
1	1	It is expected that ORC will have a standard “in general accordance with the application material” condition. However, this resource consent is slightly different to typical consents because something that already occurs is being consented, and the conditions are key to the ongoing management of adverse effects. Therefore an “except as modified by the condition below” is requested to be included in this condition as this stipulates that the conditions, where different or advancing something beyond the application documentation, take precedent. <b>Physical response chart lodged with application removed from this condition as replaced by the Wastewater Overflow Response Procedure in Condition 8 and 9 below.</b>	<p><b>In General Accordance</b> Except as modified by the conditions below, the Wastewater Network Overflow Discharge Consent shall be undertaken in general accordance with the information provided by the Consent Holder, Queenstown Lakes District Council (QLDC), being:</p> <p>a) The Assessment of Environmental Effects prepared by Beca Ltd dated 5 April 2019  <b>b) <del>The Physical Response Flow Chart (attached to these conditions as Attachment 1)</del></b>  c) The ecological assessment prepared by Ryder Consultants Ltd  d) The public health assessment prepared by NIWA  e) <b>The Cultural Impact Statement received from Aukaha dated May 2019 on behalf of the relevant Kāi Tahu rūnanga</b></p>
2	2	Describes what is authorised by the resource consent so that the application material does not need to be referred back to and is clear for compliance monitoring purposes for both ORC and QLDC. The assessment of environmental effects undertaken for this application has assessed the receiving environment for all the areas listed, including those areas that are not currently under the ownership and / or management of QLDC. <b>Note that Fernhill / Sunshine Bay and Kelvin Heights, now added for clarity purposes only to the condition given the other Queenstown areas named, were included in the lodged application and assessments. This inclusion is not an increase in consent scope.</b> The proposed conditions set out below seek to manage the adverse effects of overflows through physical response procedures that apply no matter the location / waterbody,	<p><b>Physical Scope of Network Consent</b> This Network Consent authorises wastewater overflow discharges from the following:</p> <p>a) <b>At the time of consent approval</b> QLDC owned and/or operated <del>managed</del>-wastewater collection networks <del>(including existing and new manholes, pump stations, engineered overflow points, and pipes)</del>:</p> <ul style="list-style-type: none"> <li>▪ Queenstown including Arthurs Point, <b>Fernhill / Sunshine Bay</b>, Frankton, <b>Kelvin Heights</b>, Shotover Country and Lakes Hayes Estate, Lake Hayes, and Arrowtown;</li> <li>▪ Wanaka and Albert Town;</li> <li>▪ Lake Hāwea;</li> <li>▪ Luggate <del>(part)</del>; and</li> <li>▪ Cardrona township <del>(part)</del>.</li> </ul> <p>b) <b>Future Wwastewater collection networks areas (including manholes, pump stations, engineered overflow points, and pipes)</b> which <b>at the time of consent approval either do not exist, or</b> are not <b>currently</b>-owned and/or <b>operated managed</b> by QLDC, but have the potential to be in the future, <b>including but not limited to the following areas(including existing and new manholes, pump stations, engineered overflow points, and pipes)</b>:</p> <ul style="list-style-type: none"> <li>▪ Kingston;</li> </ul>

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		<p>and through improvements to the wastewater network over time.</p> <p>Ongoing improvements to wastewater systems technology is envisaged to assist in reducing the likelihood that overflows will occur from new manholes and pump stations.</p>	<ul style="list-style-type: none"> <li>▪ Glenorchy;</li> <li>▪ Cardrona;</li> <li>▪ Hāwea Flat;</li> <li>▪ Glendhu Bay;</li> <li>▪ Luggate;</li> <li>▪ Jacks Point and Village;</li> <li>▪ Hanley Farms;</li> <li>▪ Coneburn (industrial zoned area <b>and special housing area</b>); and</li> <li>▪ Millbrook Resort area.</li> </ul> <p>Refer to Condition <b>40 13</b> for the timing of when these future areas will be subject to the conditions of this consent.</p> <p>For clarity this Network Consent does not authorise wastewater discharges from wastewater treatment plants.</p>
3	3	<p>A general condition to allow monitoring and inspections of the network by the consenting authority.</p>	<p><b>Access</b></p> <p>QLDC shall <b>enable ensure</b> that access to relevant parts of the wastewater network is available at all reasonable times to the Otago Regional Council or its agents for the purpose of carrying out inspections, surveys, investigations, tests, measurements and to take samples.</p>
4	4	<p>To ensure that a robust record of overflows (and relevant information relating to them) is kept by QLDC going forward. This will assist it to meet its reporting obligations to ORC under this consent and will built up a history of overflow data allowing easy identification of where repeat overflows are occurring in the same area of the network.</p> <p><b>Note deletions in this condition are because the information is captured under another bullet point already in the condition or in the Wastewater Overflow Response Procedure (see condition 8)</b></p>	<p><b>Maintain Records on Overflows</b></p> <p>QLDC shall maintain a record of wastewater overflows that reach water or have the potential to reach water. This record shall include:</p> <ol style="list-style-type: none"> <li>a) The specific location the overflow occurred;</li> <li>b) The approximate start time <b>and end time</b> of the overflow if this is known <b>or can be estimated</b></li> <li>c) The day and time the overflow was notified to QLDC (<b>and then or</b> its operations and maintenance contractors <b>if relevant</b>)</li> <li>d) The time <b>that the respondent person(s) was onsite at it took from being notified about the overflow to reaching</b> the overflow location</li> <li>e) <b>The day and time that the overflow was stopped</b></li> <li>f) The approximate flow rate and the total volume of the wastewater discharged if this can be ascertained <b>or estimated</b></li> <li>g) <b>Whether</b> if the overflow reached a waterbody or <b>if it only</b> had the potential to reach a waterbody</li> <li>h) <b>What Where an overflow has reached a waterbody</b>, actions <b>were</b> taken <b>by the responding person(s)</b> to physically clean up the overflow <b>at the site including stopping the overflow, cleaning up spilled material clearing the blockage, and repairing any breakages</b></li> <li>i) <b>Why</b> <del>the</del> <b>cause of the</b> overflow <b>occurred</b> if this can be determined</li> </ol>

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5	5	<p>This wording proposed within this condition is considered necessary to reflect that the consent is authorising an activity that is already occurring, as opposed to a fully new activity which may not start immediately.</p> <p>Therefore, this condition provides confirmation that the consent has been given effect to at the time it was approved.</p> <p>Theoretically the consent would otherwise not be given effect to until an overflow discharge occurred (which is unknown when this might occur).</p>	<p>j) What other actions were taken, if necessary, in terms of maintenance, remedial works or renewal to fix the reason underlying cause of why the overflow occurred</p> <p>k) Whether the Otago Regional Council, and the Ministry of Health, and Kāi Tahu were notified of the overflow and the date that this occurred</p> <p>This record shall be available, on request, to the Regulatory / Consenting Manager, Otago Regional Council.</p>
6	6	<p>Reasons for this duration set out in section 1.5 of the AEE.</p> <p>QLDC evidence will contain further justification for the proposed duration of consent.</p>	<p><b>Duration of Consent</b></p> <p>The duration of this consent in accordance with section 123 of the Resource Management Act 1991 shall be 35 years.</p>
7	7	<p>QLDC is accepting of a review condition being imposed on this consent, particularly given the given the 35-year consent duration being sought.</p> <p>The timing for review suggested is to line up with the Annual Monitoring Report process.</p>	<p><b>Review of Consent Conditions</b></p> <p>The Otago Regional Council, under section 128 of the Resource Management Act, may within 3 months of the Annual Monitoring Report being provided in accordance with condition 10 13 serve notice on QLDC of its intention to review the conditions of this consent for the purpose of reviewing the effectiveness of these conditions in avoiding, remedying or mitigating any adverse effects on the environment resulting from the wastewater overflows authorised by this consent.</p> <p>The review of conditions shall allow for:</p> <p>a) Deletion or amendment to any condition(s) of this consent to ensure that any adverse effects are appropriately avoided, remedied or mitigated; and / or</p> <p>b) Addition of new condition(s) as necessary to avoid, remedy or mitigate any unforeseen adverse effects on the environment.</p>

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<b>Physical Response Conditions</b>			
-	8	<p>A draft Wastewater Overflow Response Procedure is to be attached to QLDC evidence. This condition provides for a finalised version to be completed within 2 months of the Consent decision to enable that any changes to the contents of this procedure determined through the Hearing process can be reflected.</p> <p>The specific wording of this condition is subject to change because the Wastewater Overflow Response Procedure is currently being drafted and the condition should reflect the final contents. The draft Wastewater Overflow Response Procedure is being prepared with input from Neale Hudson (NIWA), QLDCs public health expert for this project.</p> <p>As part of the QLDC response to the first section 92 further information request, the following wording was provided as a potential condition reflecting an update and expansion to the incident response flow chart included as part of the application lodged:</p> <p><i>An updated incident response procedure document shall be prepared by QLDC and issued to its wastewater network operations and maintenance contractors within 6 months of consent being granted. A copy of the incident response procedure along with confirmation of its issue to contractors shall be provided to the ORC for its information within 48 hours (Monday – Friday) of issue to QLDC contractors. The incident response procedure shall:</i></p> <p><i>a) include the existing incident response process and be updated to refer to Section H of the MfE Microbiological Water Quality Guidelines for Recreational Water; and</i></p>	<p><b>Wastewater Overflow Response Procedure</b></p> <p><b>QLDC shall prepare a Wastewater Overflow Response Procedure which sets out the procedures in the event of a wastewater overflow. It shall include:</b></p> <ul style="list-style-type: none"> <li><b>a) How QLDC is notified of an overflow;</b></li> <li><b>b) What authorities are to be notified of a wastewater overflow event (including those parties listed in condition 4 of this consent);</b></li> <li><b>c) How the wastewater overflow is to be cleaned up, including when it is appropriate to check underwater areas where there is a potential for wastewater or solids to build up;</b></li> <li><b>d) Where an overflow appears to have reached surface water, a sampling protocol for the collection of water samples;</b></li> <li><b>e) The format and content for an Incident Report;</b></li> <li><b>f) Trigger points for a review/investigation process e.g. if there has previously been repeat overflows occurring at the same asset, or in the same immediate area;</b></li> <li><b>g) If an investigation is triggered in (f) above, the review process to be undertaken to ascertain the underlying cause and recommend potential remediation if required;</b></li> <li><b>h) How lessons learnt from each overflow incident are to be conducted, including timeframes, and how any lessons learnt are to be implemented and then monitored going forward; and</b></li> <li><b>i) A copy of these consent conditions as an appendix.</b></li> </ul> <p><b>A finalised version of the Wastewater Overflow Response Procedure (the Procedure) shall be prepared by QLDC and issued to its wastewater network operations and maintenance contractors within 2 months of consent being granted.</b></p> <p><b>A copy of the Procedure along with confirmation of its issue to contractors shall be provided to the Otago Regional Council for its information within 5 working days of issue to QLDC contractors.</b></p> <p><b>The Procedure will be reviewed at least every three years after the issue of the previous version in order to ensure latest best practice is incorporated where practicable.</b></p>

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8	9	<p>b) <i>require contractors to respond to each overflow with flexibility as recommend by the NIWA Wastewater overflow discharge consent – Queenstown Lakes District Council Microbial Risk Assessment dated April 2019 submitted with the application.</i></p> <p>The condition included in the right hand column reflects further extensive changes to capture more fully what this document will contain.</p> <p>The reference to the requirements under Section H of MFE Microbiological Water Quality Guidelines for Recreational Water has been removed as a specific reference as the document is inherently reflective of these requirements.</p> <p>This condition has now been altered to reflect the introduction of condition 8 above and the development of the more detailed Wastewater Overflow Response Procedure.</p> <p>Parties that need to be notified when an overflow has occurred are specified in this condition so that they are not just hidden away in the Wastewater Overflow Procedure Response.</p> <p>Note we have contacted Kāi Tahu to find out from them how and when they would like to be notified of an overflow occurring so that this detail can be reflected in the condition. Inclusion of Kāi Tahu reflects a request in the submissions received.</p> <p><del>The flow chart included in Appendix B to the AEE sets out how the overflows are physically responded to in order to manage (avoid, remedy or mitigate) any adverse effects on public health and the environment.</del></p> <p><del>This condition ties that response process to this consent, however it is preferred if the words in general accordance</del></p>	<p><b>Updated versions of the Procedure will be provided to ORC within 5 working days of issue to QLDC wastewater network operations and maintenance contractors.</b></p> <p><del>Responding to a Wastewater Overflow covered under this Consent Notification of Wastewater Overflows</del></p> <p><del>Once QLDC is notified of a wastewater overflow authorised under this consent, it shall respond to the overflow in general accordance with the process set out in the flow chart in Attachment 1 to these conditions.</del></p> <p><b>As part of responding to an overflow authorised under this consent the QLDC shall notify Otago Regional Council and the Ministry of Health as soon as practicable.</b></p> <p><b>As part of responding to an overflow authorised under this consent the QLDC shall notify Kāi Tahu within X hours of responding to the incident.</b></p>

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		<p><del>are included in the condition wording to reflect that this is a collated summary of the process undertaken.</del></p> <p><del>Condition 4 above requires the more detailed recording of what process was undertaken in responding to an overflow and provides that it can be monitored by ORC.</del></p> <p><del>Condition 4 requires that the record keeping be available upon request to ORC.</del></p> <p><del>Condition 13 also requires that this information be included in the Annual Monitoring Report to be provided to ORC.</del></p> <p><del>It is recommended that the flow chart in Appendix B of the AEE be attached to these conditions as Attachment 1 to remove the need to refer back to the consent application documentation.</del></p>	
<b>Ongoing Community Awareness</b>			
9	10	<p>As the predominant reason for overflows occurring relates to foreign objects being put down the wastewater network, QLDC recognises the importance of continuing its education and raising awareness to the community and visitors to the District.</p> <p>Ongoing and regular education via a number of methods (media including social, Scuttlebutt, targeted meetings/communication with key parts of the community such as eating establishments, hotels, industrial premises, and local construction industry) will assist in reducing the likelihood of overflows occurring over time.</p> <p>That the education is occurring can be monitored by ORC as the condition requires that the Annual Monitoring Report (Condition <del>40</del> <b>13</b>) includes the education initiatives that QLDC has undertaken throughout the previous year.</p>	<p>QLDC shall continue to educate and raise awareness <del>to</del> <b>throughout</b> the community, including <b>residents, the construction industry, food industry, and</b> visitors to the District, on how the wastewater system should be used.</p> <p>The methods (e.g. media, social media, newsletters, print material, meetings) QLDC may use to educate the community is not <b>restricted under prescribed by</b> this consent, but the following shall be covered in education content (in no particular order and not all to be covered in every education initiative):</p> <ol style="list-style-type: none"> <li>What should go down wastewater pipes – i.e. only water, human waste, toilet paper, and soaps</li> <li>The implications of putting other things down the wastewater pipes for domestic and commercial connections (i.e. breakages and blockages potentially resulting in a wastewater overflow into the community environment)</li> <li>How construction material/debris should be properly disposed of</li> <li>The correct process for obtaining approved connections to the QLDC stormwater and wastewater networks and the importance of engaging appropriately qualified trades people</li> </ol>

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<b>Network Improvements</b>			
-	11	<p>Minimising adverse environmental effects resulting from wastewater overflows from the existing network through auditing the existing network to identify where preventative measures to reduce the likelihood of an overflow reaching water could be practicably implemented.</p> <p>This condition has a cost implication requiring funding through the 10 year and Annual Plan process, the condition requires the QLDC to provide a timeline of when preventative measures will be implemented.</p>	<p><b>Assessment of existing wastewater network to minimise environmental effects</b></p> <p><b>Within 12 months of this consent being granted the Consent holder shall undertake a review of its current wastewater network (excluding wastewater treatment plants), identifying where measures to prevent or minimise overflows reaching water could be practicably implemented. Preventative or minimisation measures could include, but are not limited to:</b></p> <p>a) <b>Providing or increasing storage capacity;</b></p> <p>b) <b>Providing standby generators at pump stations;</b></p>

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-	12	<p>Reducing adverse environmental effects from wastewater overflows from future networks that QLDC designs through applying design requirements that minimise the risk of an overflow reaching water. This is in line with the QLDC 30 year Infrastructure Plan which includes a statement around moving critical infrastructure away from water.</p>	<p><b>Future Wastewater Networks under QLDC control</b></p> <p><b>Future wastewater networks designed by QLDC shall be designed to the following requirements (as relevant at each location):</b></p> <p><b>a) Where practicable wastewater pipes, manholes, and pump stations shall be located or designed such that any overflow occurs to land and not water;</b></p> <ul style="list-style-type: none"> <li><b>o Note: ‘to land’ is satisfied if this is to a storage tank, ponding area, or diversion flow path which directs an overflow away from a waterbody or public area</b></li> </ul> <p><b>b) Pump stations shall be designed with suitable levels of resilience/redundancy including:</b></p> <ol style="list-style-type: none"> <li><b>1) appropriate level of emergency storage capacity;</b></li> <li><b>2) Redundancy in the configuration of pumps and pumped mains</b></li> </ol>



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10	13	This condition is intended to provide ORC on an annual basis with the evidence that QLDC is: <ul style="list-style-type: none"> <li>▪ Physically responding to any wastewater overflow in accordance with required procedures</li> <li>▪ Identifying through data collection any areas of the network that have had repeat overflows occurring in</li> </ul>	<b>Annual Monitoring Report</b>  QLDC shall prepare and submit an Annual Monitoring Report to the <i>Regulatory / Consenting Manager</i> , Otago Regional Council by 1 September each year. The report shall cover the previous financial year (1 July to 30 June) and provide, where required below, information for the current financial year.  The Annual Monitoring Report shall include the following information (in no particular order): <ul style="list-style-type: none"> <li>a) The data collected under Condition 4 of this consent;</li> </ul>

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