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# SUSTAINABLE NAPIER COMMITTEE

## Open Agenda

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Meeting Date: Thursday 6 May 2021

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Time: 10.00am

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Venue: Council Chambers  
Hawke's Bay Regional Council  
159 Dalton Street  
Napier

*Livestreamed to Council's Facebook page*

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Committee Members Mayor Wise, Councillor Price (In the Chair), Deputy Mayor Brosnan, Councillors Boag, Browne, Chrystal, Crown, Mawson, McGrath, Simpson, Tapine, Taylor and Wright

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Officers Responsible Director Infrastructure Services, Director City Strategy

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Administration Governance Team

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**Next Sustainable Napier Committee Meeting  
Thursday 8 July 2021**

# ORDER OF BUSINESS

## Apologies

Nil

## Conflicts of interest

## Public forum

Nil

## Announcements by the Mayor

## Announcements by the Chairperson including notification of minor matters not on the agenda

*Note: re minor matters only - refer LGOIMA s46A(7A) and Standing Orders s9.13*

A meeting may discuss an item that is not on the agenda only if it is a minor matter relating to the general business of the meeting and the Chairperson explains at the beginning of the public part of the meeting that the item will be discussed. However, the meeting may not make a resolution, decision or recommendation about the item, except to refer it to a subsequent meeting for further discussion.

## Announcements by the management

## Confirmation of minutes

That the Minutes of the Sustainable Napier Committee meeting held on Thursday, 25 March 2021 be taken as a true and accurate record of the meeting. ....67

## Agenda items

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## Minor matters not on the agenda – discussion (if any)

Public excluded .....66

# AGENDA ITEMS

## 1. CARLYLE STREET CORRIDOR REVIEW - PUBLIC CONSULTATION

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	1296012
<i>Reporting Officer/s &amp; Unit:</i>	Tony Mills, Senior Roading Engineer

### 1.1 Purpose of Report

The purpose of this report is to seek approval from Council to commence formal public consultation on existing issues relating to safety, access, and overall function of the Carlyle Street corridor for all users (cars, pedestrians, cyclists etc) and gain feedback on the proposed options.

It is proposed that the public be consulted without any proposed options.

#### Officer's Recommendation

The Sustainable Napier Committee:

- a. Approve the commencement of public consultation for the purposes of identifying key areas of concern affecting from the public and to better understand any issues not previously known to the Council.

### 1.2 Background Summary

In 2018, a high-level investigation was undertaken to assess the traffic operation, safety, and access for all road users on Carlyle Street. The investigation considered the existing crash history, road layout, walking and cycling, and public feedback received through the infrastructure services feedback channel.

Several performance issues along with a history of crashes and negative public feedback suggested that this corridor requires further comprehensive investigation and improvements. No public consultation has been undertaken to date.

### 1.3 Issues

Carlyle Street is identified as a strategic corridor to align with Napier City Council's vision to develop a safer and more connected network.

Between 2011 and 2021, 63 crashes were reported along Carlyle Street, of which three resulted in serious injuries. All three serious injury crash occurrences related to pedestrians being struck by an oncoming vehicle. The attached collision diagram illustrates the locations where crashes have occurred over the last 10 years. This indicates a clear distribution of crashes along Carlyle Street, hence the need for the investigation to be undertaken as a corridor.

Carlyle Street is also considered a key corridor for cyclists, not only for access the commercial establishments, but to the city centre. There are currently no provisions for cyclists and with high parking turnover and narrow travel lanes, the safety risk for cyclists is considered high. Council has also received public feedback expressing their reluctance to cycle along the corridor due to its safety concerns.

In 2017, it was reported that the Prebensen Drive off-road shared path which ultimately connects to Carlyle Street was the busiest cycling path in Napier with up to 200 cyclists per day. Carlyle Street is a natural connection into the city centre and therefore the lack of cycling facilities imposes a significant risk to cyclist safety and the discouragement of cycling. The attached Strava heat map indicates that Carlyle Street is a high demand cycling corridor.

As part of the initial investigation, the following key areas of concerns were identified:

- Access to/from local properties and land-use activities;
- Car-parking restricting access / driveway visibility;
- Car-parking activity, availability and turnover;
- Side road constraints along Carlyle Street;
- Safety concerns at access points and priority intersections along Carlyle Street;
- Pedestrian and cycle safety and amenity issues; and
- General network legibility and wayfinding for all travel modes.

Whilst some of the key areas of concern are identified, public consultation is required to develop a more comprehensive understanding of the issues and any additional concerns of the public so that investment priorities can be identified along the corridor.

#### **1.4 Significance and Engagement**

Council should seek public feedback to better understand issues experienced by affected parties and the wider community.

Should Council determine to proceed with the recommendations of the report, public notification of the consultation period will be made available through social media channels, advertised on the Napier City Council and all property owners/businesses will be contacted directly.

It is proposed to run a facilitated workshop using a local consultant to better understand the concerns of the community.

Council will follow the above procedures with key dates below:

- Council approves the commencement of consultation – May 2021
- Public consultation – June 2021,
- Consultation summary report to Council – late 2021

Following completion of the consultation officers will report back to Council to determine the next steps.

A high level communications and engagement plan is attached to this report to outline how the consultation is proposed to be carried out.

#### **1.5 Implications**

##### **Financial**

N/A



**Social & Policy**

N/A

**Risk**

N/A

**1.6 Options**

The options available to Council are as follows:

- a. Do nothing.
- b. Progress with the investigation without public consultation.
- c. Approve public consultation to be undertaken as outlined in this letter

**1.7 Development of Preferred Option**

The preferred option is Option C.

This provides the opportunity for the Council to consider the concerns and experiences of affected stakeholders and the wider community regarding the traffic operation, safety and access for all users on Carlyle Street.

**1.8 Attachments**

- A Carlyle Street High Level Comms and Engagement Plan [↓](#)
- B Carlyle Crash Diagram [↓](#)



## Carlyle Street Corridor Safety Review – High Level Communications and Engagement Plan

### The Project

Carlyle Street has a number of issues that are affecting the safety of the corridor. An initial high level investigation, which considered crash history statistics, road layout, walking and cycling patterns, and public feedback, found that the corridor requires further comprehensive investigation and improvements.

Carlyle Street is a strategic corridor and a key connector route to and from Napier CBD. The corridor carries over 10,000 vehicles a day and has a poor crash history of 63 reported crashes between 2011 and 2021 of which three resulted in serious injuries. Two of the three serious injury crashes related to pedestrians being struck by an oncoming vehicle. There is a clear distribution of crashes along Carlyle Street, hence the need for the investigation to be undertaken for the length of the corridor.

Carlyle Street is also considered a key corridor for cyclists, not only for access the commercial establishments, but to the city centre. There are currently no provisions on the street for cyclists and with high parking turnover and narrow travel lanes, the safety risk for cyclists is considered high.

The safety review proposes seeking feedback from directly affected parties and the wider community about the safety issues along the corridor and how this could be improved. This feedback will inform next steps for the route.

### Significance and Engagement Policy

This review is of high interest to immediately affected parties – residents, property owners, and businesses in Carlyle Street, and to some interest groups (eg, cyclists) who regularly use the corridor.

The review will be of moderate interest to other commuters from the wider community who use the route to travel to and from the CBD.

### Purpose of Communication and Engagement

The objectives are to:

- Inform the community and affected parties about the need to improve safety on the corridor
- Identify any concerns the community may have about the corridor
- Invite affected parties and the wider community to provide comment on how safety could be improved.

### Approach

The engagement approach recognises several key affected parties. Carlyle Street residents, property owners and business owners will be contacted directly and invited to take part in one or more facilitated engagement workshops. Other key stakeholders who have an interest in the project (eg, cycling groups) will also be contacted and invited to participate.

The wider community, including regular users of the street (cyclists, motorists, others) will be invited to provide comment through Say It Napier using a number of Council's communication channels.

***Communication & Engagement Tools***

Facilitated workshops will be carried out by an external consultant. These will enable an open discussion with the most affected parties.

Information will be made available on the Say It website, along with a comment form.

A detailed communications and engagement project plan will be developed outlining activities and timeframes.



## 2. WASTEWATER TREATMENT PLANT RESOURCE CONSENT COMPLIANCE MONITORING REPORTS

Type of Report:	Legal and Operational
Legal Reference:	Resource Management Act 1991
Document ID:	1306494
Reporting Officer/s & Unit:	Cameron Burton, Manager Environmental Solutions

### 2.1 Purpose of Report

This report is to inform the Sustainable Napier Committee about the Wastewater Treatment Plant discharge consents Compliance Monitoring Reports and the associated gradings noting the level of compliance achieved for the period ending 30 June 2020, as received from Hawkes Bay Regional Council.

#### Officer's Recommendation

The Sustainable Napier Committee:

- a. Note the compliance monitoring report for the discharge of domestic sewage and industrial wastewater into Awatoto via a marine outfall was graded Moderate Non-Compliance for the 2019-2020 monitoring period.
- b. Note the compliance monitoring report for the discharge of contaminants to air associated with the treatment of wastewater at the NCC Wastewater Facility was graded Full Compliance for the 2019-2020 monitoring period.

### 2.2 Background Summary

Napier City Council (NCC) hold 84 Resource Consents to undertake various activities which may impact the environment. These primarily relate to stormwater, wastewater, land-use, water abstraction and structures.

Hawkes Bay Regional Council (HBRC) (as Regulator) monitor these Resource Consents by way of reviewing the information provided to them by Napier City Council subsequent to our monitoring results and through the provision of Annual Reports. HBRC may also undertake site inspections, audits of NCC's monitoring and by responding to pollution-related incidents.

Upon receipt of all relevant information, HBRC will compile a Compliance Monitoring Report documenting the level of compliance the consent holder has achieved against their Resource Consent. The overall level of compliance given in a monitoring report reflects the lowest grading of any consent condition, as assessed by HBRC.

Two of the Resource Consents held by NCC are directly associated with the treatment and discharge of wastewater at Awatoto. One of which conditionally authorises the discharge of wastewater to the Coastal Marine Area; the other which conditionally authorises the associated discharge of odour to air from Waste Water Treatment Plant (WWTP) operations.

This report is to communicate to this Committee, that NCC has received Compliance Monitoring reports for the period 1 July 2019 – 30 June 2020 for the following Resource Consents:

- AUTH-118503-02: "To discharge domestic sewage and industrial wastewater into Hawke Bay at Awatoto via a marine outfall",
- AUTH-119550-01: "To discharge contaminants (namely odour) to air associated with the treatment of wastewater at the Napier City Council Wastewater Facility".

### 2.3 Issues

The domestic sewage and industrial wastewater discharge Compliance Monitoring Report has graded nine of Council's 42 consent conditions of our resource consent as Non-Compliant:

Seven "moderate" non-compliances:

- a) Five gradings of conditions were related to leaks in the oceanic outfall pipeline resulting in the discharge occurring outside of the consented area with discolouration and elevated contaminants within the vicinity of the leaks;
- b) One related to maximum loading rates for Total Suspended Solids (TSS), Biological Oxygen Demand (cBOD) and Oil and Grease being exceeded;
- c) One related to the industrial trade waste from the Pandora Industrial Area not being physically separated from the domestic wastewater system, due to blockages in the Pandora Industrial Pipeline, when a condition of consent requires it.

Two "low-risk" non-compliances:

- d) One of which was due to elevated levels of zinc in August 2019 and Ammonia in February 2020.
- e) The other condition graded "low risk" non-compliance was due to the provision of advice from a consultant being delivered after timeframes that were prescribed. This advice related to a requirement to repeat a Qualitative Microbial Risk Assessment.

### Resolutions and commentary

- a) The leaks in the outfall pipeline, initially identified in August 2018, were fixed in February 2021.
- b) Elevated loading rates, particularly for TSS and cBOD but also Oil and Grease continue to be an issue. Regular operational monitoring data indicates Awatoto Industrial Trade Waste Consent Holders to be a major contributor to the high loadings.
- c) The Pandora Industrial Pipeline has been out of service since 2016 due to a precipitate forming in the waste stream which has led to a concretion layer building on the internal surface of the pipe resulting in restricted flow. This waste stream is now combined with domestic wastewater and receives treatment via the Biological Trickling Filters at the WWTP. A project is in place to bring the Pandora Industrial Pipeline back into service. While this may contribute to addressing issues relating to elevated loadings of the Biological Trickling Filters, it may place increased risk of non-compliance with wastewater discharge quality limits, once separated from the domestic flows again.
- d) The Ammonia and Zinc non-compliances were one off high results during quarterly sampling.
- e) Timeframes were given to the consultant to meet, however due to this being very specialised work, we were restricted by the numbers of consultants who

are available to carry out this type of work. HBRC were informed of delays and extensions to the timeframes were granted, however 'administrative' "low-risk" non-compliance was still issued.

All other 31 conditions of this resource consent were graded "Fully Compliant".

### **Air discharge consent**

Every condition of resource consent AUTH-119550-01 (To discharge contaminants (namely odour) to air associated with the treatment of wastewater at the Napier City Council Wastewater Facility) was graded "Fully Compliant", with no issues raised 2019-20 reporting period.

## **2.4 Significance and Engagement**

The two leaks in the outfall pipeline resulted in an Abatement Notice being issued to NCC to cease the unlawful discharge. Since the leak discovery, considerable effort in time, cost and expertise was engaged to repair the leaks. The repairs were completed in February 2021. The Abatement Notice has now been cancelled as of March 2021.

High TSS and cBOD loadings in the final combined wastewater prior to discharge have contributed to moderate non-compliance. Sample monitoring data indicates Awatoto Industry to be a significant contributor to elevated TSS and cBOD concentrations and loads. Options for taking further action and enforcing change are being considered to enable a reduction in high loadings, relating to all discharge standards. One such mechanism is to review the Trade Waste Bylaw to enable more stringent conditions and standards trade waste consent holders need to meet. Enforcement measures of Trade Waste consents are also being investigated to facilitate behaviour change of consent holders that have not shown any desire or effort to improve sub-standard discharge quality standards as prescribed by their trade waste consent.

The Pandora Industrial Pipeline being brought back into service has the potential for further increasing loadings in the final combined wastewater. Presently, trade waste from Pandora is combined with the domestic non-separable wastewater and receives treatment at the WWTP. While the moderate non-compliance associated with the Pandora Pipeline may be addressed when it is recommissioned, it could increase the risk of non-compliance with meeting consented wastewater discharge standards. This places further importance of ensuring all trade waste consent holders treat their trade waste to an acceptable standard.

The WWTP air discharge Compliance Monitoring Report for the 2019-20 period noted full compliance.

## **2.5 Implications**

### **Financial**

Non-compliance with a Resource Consent can result in enforcement action being taken by HBRC, resulting in potential fines or prosecution (up to \$600,000 per event).

### **Social & Policy**

Reputational damage is through non-compliance is possible. The process of reporting these to this Committee (and therefore the public) provides transparency and accountability around ensuring that full visibility of the current status on compliance matters is clear. It also can drive policy and priority changes, and makes this information available to our community.

**Risk**

Continued non-compliance with a Resource Consent may result in enforcement action by HBRC. Not only would this affect Council's reputation, but would have financial, social and cultural implications also.

While the outfall pipeline has been repaired at the two leak sites, there is risk further leaks could develop. Replacement of the outfall pipeline will ultimately address this risk.

Further environmental degradation of the receiving environments can lead to reduced ecological diversity. Additionally, where substandard treatment occurs from private premises, issues with Council infrastructure may manifest due to the inability to convey or sustain these discharges.

**2.6 Options**

The options available to Council are as follows:

- a. Note the Compliance Monitoring Reports as received for the two discharge consents as received for the 2019-2020 monitoring period relating to the NCC Wastewater Treatment Plant.

**2.7 Attachments**

- A AUTH-118503-02 HBRC Compliance Monitoring Report (Wastewater discharge) [↓](#)
- B AUTH-119550-01 HBRC Compliance Monitoring Report (Air discharge) [↓](#)





29 October 2020

Napier City Council  
Private Bag 6010  
Hawke's Bay Mail Centre  
Napier 4142

Reference: **AUTH-118503-02**Attention: Cameron Burton, [Cameronb@napier.govt.nz](mailto:Cameronb@napier.govt.nz)

Dear Cameron,

**COMPLIANCE MONITORING REPORT**

<b>Consent number:</b>	AUTH-118503-02 (Please note this number replaces your historic number)
<b>Historic number:</b>	
<b>Consent Location:</b>	Discharge to Water - Pacific Ocean, adjacent to Waitangi Road, Awatoto
<b>Consent Description:</b>	to discharge domestic sewage and industrial wastewater into Hawke Bay at Awatoto via a marine outfall

Hawke's Bay Regional Council has completed the Compliance Monitoring Report for above Resource Consent.

**THIS REPORT APPLIES TO THE PERIOD:** 01/07/2020 – 30/06/2020  
**YOUR CURRENT COMPLIANCE GRADE IS:** Moderate Non-Compliance

**THE FOLLOWING ACTION MUST BE TAKEN BY YOU:**

Action:	Timeframe:
Undertake further action to address the elevated contaminant loadings within industrial influent and final combined wastewater.	16-10-2020 - 30-06-2021

Under Section 36 of the Resource Management Act 1991 you will be charged for the actual and reasonable costs involved in monitoring the resource consent. The account will be sent to you in due course.

Please contact me should you have any questions.

Yours sincerely

**Jack Blunden**  
**Team Leader Compliance – Urban & Industrial**  
**Regulation Group**  
 Phone (06) 833 8030  
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Enhancing our **environment** together | Te whakapakari tahi i tō tātau **taiao**  
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HAWKES BAY REGIONAL COUNCIL: STATEMENT OF COMPLIANCE AND OVERALL GRADE			
CONSENT HOLDER	Napier City Council	CONSENT NUMBER	AUTH-118503-02
CLIENT ADDRESS	Private Bag 6010 Hawke's Bay Mail Centre Napier 4142	SITE ADDRESS	Outfall Pumping Station, Waitangi Road, Awatoto, Napier,
JOB CODE	452081	CONSENT TYPE	Resource Consent
MONITORING INSPECTION DATE	No site visit was undertaken during the period.		
ACTIVITY DESCRIPTION			
to discharge domestic sewage and industrial wastewater into Hawke Bay at Awatoto via a marine outfall			
OVERALL COMMENT			
<p>This report covers the period 01/07/2019 to 30/06/2020 and updates the report issued January 2020. This compliance report highlights some moderate and low-risk non-compliance as detailed below.</p> <p>The consent holder was issued with abatement notice EAC-20254 on the 5 June 2020 to cease the discharge of treated wastewater through the 630m and 700m leaks by the 30th October 2020. The date for compliance was extended to the 30th November 2020 due to unforeseen covid19 restrictions delaying personal and equipment. The consent holder is currently undertaking required repairs of the leaks and investigations into early replacement of the outfall have begun. Regular progress updates have been provided to Council as the repairs are undertaken.</p> <p>The moderate non-compliance in relation to these leaks is for conditions 2, 4, 5, 13 and 16 as the discharge is not occurring through the consented diffuser and discolouration and elevated contaminants have been found around the vicinity of the leaks. Additional sampling indicates that these effects are limited to within approximately 50m of the leaks.</p> <p>This report also identifies the following moderate non-compliance in addition to the leaks:</p> <p>Condition 8 - The maximum loading rate in the final treated wastewater significantly exceeded the limits for TSS, cBOD and TFO&amp;G with maximum rates of 42,562kg/day, 32,321kg/day and 19,119kg/day respectively. Operational monitoring undertaken by the consent holder indicates that loadings may be significantly higher than the quarterly samples indicate.</p> <p>Condition 10 - The Pandora industrial waste stream is not separated from the domestic system due to failure of the industrial line in 2016. The consent holder has investigated options for replacement and repair of this line. Please provide further details</p> <p>Low risk non-compliance has been noted for conditions 7 and 38:</p> <p>Condition 7 - this condition has been graded low-risk non-compliance for two minor exceedances of the quality limits for zinc in August 2019 which has previously been reported, and for Ammonia in February 2019.</p> <p>Condition 38 - The advice was submitted to Council on the 11 June 2020, after the required submission timeframe of 31st December 2019. Conditions 39, 40 and 41 are not applicable as an updated QMRA has not been recommended.</p> <p>Full compliance with all other conditions of this resource consent has been achieved.</p> <p>Council acknowledges that the consent holder has taken all required steps under abatement notice EAC-20254 and has planned and is currently undertaking repairs to cease the discharge from the leaks. The inspections of the outfall and leaks during the period indicate that the integrity of the structure may be compromised, and further leaks are possible. The consent holder has prepared an emergency management plan for future leaks or a total failure of the outfall should this occur. Council strongly recommend that replacement of the outfall structure be undertaken as soon as practical to ensure that no adverse environmental effects occur as a result of future failures.</p> <p>In addition to the outfall integrity, the treatment level currently being achieved is not to the consented standard, especially where maximum daily loadings for suspended solids, cBOD5 and O&amp;G are concerned. Sampling results indicate that a good reduction in contaminant loadings is being achieved by the BTF, however high influent loadings have been identified from industrial inputs that mean</p>			

Condition 6 has been graded full compliance for the 2019/20 period with cBOD5 loadings within the BTF media within consented limits. The consent holder identified that the compliance limit may not have been met if industrial discharge had not effectively ceased during Covid19 lockdown in April/May. The additional loading on the BTF is likely from industrial sources as a result of the decommissioned Pandora line.

Both the loadings on the BTF and in the final combined wastewater quality are being significantly impacted by quality and volume of industrial influent. Although the average daily loadings for the 2019/20 period were within consented limits (except TSS), there have been significant daily maximum exceedances recorded. The consent has not been graded significantly non-complying because the quarterly receiving environment sampling has not shown any effect beyond the 300m mixing zone to date. However, receiving environment sampling frequency has not lined up with the higher maximum load exceedances that have been recorded so may not be representative of worst-case effects.

HBRC acknowledge that the consent holder is undertaking engagement and education with trade waste customers and is looking to develop a stronger tradewaste bylaw to ensure end of pipe compliance. Currently, more than 50% of trade waste customers are non-complying with the required limits and engagement to date has not been sufficient to address the problem. The consent holder needs to take action to ensure that the Pandora industrial line is reinstated to consistently achieve the required BOD loadings within the BTF. Further action must also be taken to address industrial operators contributing to significantly elevated loadings within the final combined wastewater.

Consent Conditions and Compliance Assessment			
NO:	CONSENT CONDITION:	COMPLIANCE GRADE:	COMMENTS:
1	This resource consent shall take effect upon surrender of the consent holders existing resource consent CD990400Wc.	Not Applicable	This condition is historical. CD990400Wc was surrendered prior to the exercise of this consent.
2	The consent holder shall provide for the discharge as authorised by this resource consent generally in accordance with the drawings, specifications, statements of work techniques and other information supplied by the consent holder in support of the application. Where a conflict exists between the application and the conditions of this resource consent, the conditions shall prevail.	Moderate Non-Compliance	<p>The consent holder has provided for the discharge in general accordance with the application documents supplied. The moderate non-compliance relates to the two leaks in the outfall pipe at 700m and 630m offshore.</p> <p>The consent holder was issued abatement notice EAC-20254 on the 5th June 2020 requiring them to cease the discharge of treated wastewater from leaks in the outfall pipe. The deadline for complying with this abatement notice was the 30th October 2020, this date was subsequently extended to the 30th November 2020 as a result of covid19 restrictions delaying repairs.</p> <p>The abatement notice also required an emergency management plan to be submitted by the 30th July 2020 detailing additional monitoring and measures to be taken to mitigate adverse environmental effects. This was complied with during the period.</p> <p>Repairs are currently underway and are expected to be completed within the next reporting period. The consent holder has provided updates to Council on the progress of the repairs on a regular basis.</p>
3	The combined domestic (including non-separable industrial) and industrial discharge shall not exceed an annual average volume of 32,000m <sup>3</sup> /d and a maximum flow rate of 1,400 L/s.	Full Compliance	For the 2019/20 period the combined domestic and industrial waste stream discharge did not exceed the maximum

			<p>discharge rate. The combined average daily discharge for the period was 23,423m<sup>3</sup> with an average flow rate of 271l/s and a maximum flow rate of 1073l/s.</p> <p>Records of daily flow volumes for the period have been supplied in the annual report. The records show 14 days where the total volume discharged was above 32,000m<sup>3</sup>. These higher volumes were associated with three distinct periods of high flow in July, September and October 2019.</p>
4	Discharge of wastewater as authorised by this resource consent shall be by way of the existing outfall structure located at Awatoto between NZTM 1938355 5615661 and NZTM 1938556 5615661.	Moderate Non-Compliance	<p>The position of the outfall diffuser has not been altered during this period.</p> <p>The moderate non-compliance relates to leaks in the outfall structure discharging wastewater at 630m and 700m offshore. Please refer to condition 2 comments for full details.</p>
5	All wastewater discharged shall pass through an ocean outfall diffuser which has been designed to achieve a minimum average dilution over the boil of not less than 100:1 in slack water.	Moderate Non-Compliance	<p>The diffuser is designed and installed to achieve the required dilution. The diffuser inspection undertaken in January 2020 found good flow from 33 ports, 7 blocked and 4 buried. There is no indication from receiving environment sampling that the dilution rate is not being achieved.</p> <p>The bulk of the wastewater is discharged through the consented diffuser. The moderate non-compliance relates to leaks in the outfall structure discharging wastewater at 630m and 700m offshore. Please refer to condition 2 comments for full details.</p>
6	<p>From a date no later than 31 August 2014 all domestic and non-separable industrial wastewater shall be:</p> <p>Treated to remove kuparu [1] from the flow, with the wastewater being treated in a biological trickling filter, filled with structured media, with an annual average daily loading of carbonaceous biochemical oxygen demand (5 day test) (cBOD 5) that shall not exceed 0.6 kg per cubic metre of media per day. The proposed treatment plant required under Condition 6(i) shall involve millscreening, followed by grit removal then treatment of the wastewater in a biological trickling filter. The design shall be undertaken by an independent chartered engineer or similarly qualified person specialising in wastewater treatment plant design. The design shall undergo a peer review by a suitably qualified independent chartered engineer or similarly qualified person specialising in wastewater treatment plant design, paid for by the consent holder. The design, together with the peer review, shall be submitted to the Hawke's Bay Regional Council for review and comment prior to the commencement of construction.</p> <p>The effluent remaining after that treatment, prior to being discharged, shall pass through a Papatuanuku channel (land sourced rocks of various dimensions) placed and sized as directed by tangata whenua members of the Napier City Council Kaitiaki Liaison Group.</p>	Full Compliance	<p>During the 2019/20 compliance period, all domestic and non-separable industrial wastewater was treated as per the conditions of this consent.</p> <p>The annual average daily loading of cBOD5 was 0.56kg BOD/m<sup>3</sup>(media)/day based on the 5-day tests. The treatment system is achieving an average 79% reduction in cBOD5 during treatment. This loading is near the consent limit and the consent holder has stated that the average loading would likely have exceeded the consent limit had covid19 restrictions effectively ceased industrial inputs into the system. Options to reinstate the Pandora industrial wastewater line have been assessed as part of the wastewater masterplan review completed in July 2020.</p> <p>The treatment system was peer reviewed and approved by HBRC prior to construction. All influent wastewater passes through a millscreen with 1mm aperture at the treatment plant. All non-separable industrial wastewater also</p>

	<p>[1] Kupu is human waste in an unchanged state.</p>		<p>passes through milliscreens with 1mm aperture at source prior to discharge into the network. The wastewater then passes through vortex grit traps and clarifiers prior to BTF treatment.</p> <p>The post treatment wastewater then passes over a Rakahore channel prior to discharge through the coastal outfall.</p>																														
7	<p>By 31 August 2014 all discharged wastewater shall be treated to a level such that, in the final combined wastewater, the analytes listed below do not exceed the following maximum concentrations and loads:</p> <table><thead><tr><th>Analyte</th><th>Maximum concentration (g/m<sup>3</sup>)</th><th>Maximum load (kg/day)</th></tr></thead><tbody><tr><td>Total Ammonia-N</td><td>91</td><td>2912</td></tr><tr><td>Cd</td><td>0.55</td><td>17.6</td></tr><tr><td>Cr III</td><td>2.74</td><td>87.7</td></tr><tr><td>Cr VI</td><td>0.44</td><td>14.1</td></tr><tr><td>Cu</td><td>0.13</td><td>4.16</td></tr><tr><td>Pb</td><td>0.44</td><td>14.1</td></tr><tr><td>Hg</td><td>0.04</td><td>1.3</td></tr><tr><td>Ni</td><td>7</td><td>224.0</td></tr><tr><td>Zn</td><td>1.5</td><td>48</td></tr></tbody></table> <p>#Loads are based on an average annual flow of 32,000 m<sup>3</sup>/day</p> <p>In the event that a limit is exceeded for any analyte, an additional 24 hour flow proportional sample shall be collected and tested for the analyte within 5 working days of receipt of the laboratory result. An investigation should also be undertaken into the cause of the exceedance, and the findings of this investigation report to the Regional Council (Manager Compliance) within one month of the exceedance occurring.</p>	Analyte	Maximum concentration (g/m <sup>3</sup> )	Maximum load (kg/day)	Total Ammonia-N	91	2912	Cd	0.55	17.6	Cr III	2.74	87.7	Cr VI	0.44	14.1	Cu	0.13	4.16	Pb	0.44	14.1	Hg	0.04	1.3	Ni	7	224.0	Zn	1.5	48	<p>Low Risk Non-Compliance</p>	<p>There were two exceedances of the consented limits for Zn and NH<sub>4</sub> during the compliance period. All other analytes were within the consented limits.</p> <p>A minor exceedance of the total ammonia limit (95mg/l and 91mg/l limit) was reported in the sample collected 15/02/2020. As a result the consent holder has increased engagement with industrial trade-waste customers along Awatoto where the exceedance is likely to have originated from. Point source upgrades at discharge points into the system will mitigate future exceedances.</p> <p>A minor exceedance of the consented limit for zinc was reported in the August 2019 with a concentration of 6.3g/m<sup>3</sup>, compared to the 1.5g/m<sup>3</sup> maximum concentration limit. The consent holder informed Council and undertook the additional sampling on the 29th of August 2019 which showed high Zn then an additional sample on the 31/08/2019 showed Zn concentrations within consent limits. This same sample resulted in an exceedance of the maximum daily loading of 142kg/day compared to the 48kg/day limit.</p> <p>The consent holder investigated several high Zn risk properties within Pandora/Onekawa area as it was thought that the Zn was from the combined sewer and possibly from an industrial source. Investigations identified a potential source where remedial work had been undertaken around the time and may have resulted in the high result, however this was not conclusive.</p>
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8	<p>By 31 August 2014 all discharged wastewater shall be treated to a level such that, in the final combined wastewater, the analytes listed below do not exceed the following trigger values:</p> <table><thead><tr><th>Analyte</th><th>Average load* (kg/day)</th><th>Maximum load (kg/day)</th></tr></thead><tbody><tr><td>cBOD</td><td>18,000</td><td>22,400</td></tr><tr><td>TSS</td><td>18,000</td><td>22,400</td></tr><tr><td>TFO&amp;G</td><td>7,000</td><td>8,800</td></tr><tr><td>pH</td><td></td><td>6.5-8.5</td></tr></tbody></table>	Analyte	Average load* (kg/day)	Maximum load (kg/day)	cBOD	18,000	22,400	TSS	18,000	22,400	TFO&G	7,000	8,800	pH		6.5-8.5	<p>Moderate Non-Compliance</p>	<p>Quarterly and bi weekly sampling data was used to calculate the average and maximum loading rates for the final combined wastewater prior to discharge. All raw data has been supplied in the annual report.</p> <p>For the 2019/20 period the final treated wastewater complied with the average loading limits for cBOD and TFO&amp;G. The average daily loading for total suspended solids slightly exceeded the</p>															
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	<p>#Loads are based on an average annual flow of 32,000 m<sup>3</sup>/day</p> <p>*The average load should be based on a 12 month rolling mean</p> <p>If any of the trigger values are exceeded the consent holder shall provide the Regional Council (Manager Compliance) with a report detailing the reasons for the exceedence, the significance of the effect of the exceedence on the receiving environment, and the remedial action undertaken (if required) in response to the exceedence. The report shall be provided to Council within 1 month of the exceedence occurring.</p>		<p>limit with 18,206kg/day where 18,000kg/day is permitted.</p> <p>The maximum daily loading rate in the final treated wastewater is compliant for pH but significantly exceeded the limits for TSS, cBOD and TFO&amp;G with maximum rates of 42,562kg/day, 32,321kg/day and 19,119kg/day respectively. This non-compliance must be addressed.</p> <p>The bi-weekly operational data shows maximum load concentrations 3x the consented limit. However these are not 24 hour flow proportional samples so are able to detect peak loading events. High TSS has been attributed to rainfall events while combined high BOD and TSS were recorded on the 9th January 2020 from the Awatoto industrial inflow. The Awatoto industrial line had discharge at concentrations higher than previously recorded for January and February which resulted in the maximum loadings being exceeded.</p> <p>All exceedances have been reported to Council as required. Exceedances have largely been attributed to operations discharging into the Awatoto industrial line.</p>
9	<p>A) Except for B) below, at all times from the commencement date of this consent, all wastewater discharged shall pass through a screen having a maximum aperture of 1 mm discharged.</p> <p>B) i) For one period of up to 12 weeks, which shall occur before 31 December 2013, all wastewater discharged up to an inflow rate at the Latham Street pump station of 750L/s shall pass through a maximum aperture of 25 mm before being discharged. This single bypass period is to allow the milliscreen building to be reconfigured to allow separate screening of the industrial and domestic (and non-separable industrial) wastewater flows.</p> <p>ii) Any portion of the high flow exceeding 750L/s which does not pass through the Latham Street pump station shall be managed according to the Milliscreen Bypass Management Plan in Condition 32.</p>	Full Compliance	<p>A) All wastewater passes through a milliscreen with 1mm aperture prior to discharge.</p> <p>B) This condition is historical no longer applies.</p>
10	<p>From a date no later than 31 August 2014 all separable industrial wastewater shall be collected separately from the balance of the waste stream and passed through a milliscreen having a maximum aperture slot width of 1 mm prior to discharge.</p>	Moderate Non-Compliance	<p>All influent wastewater passes through a milliscreen with 1mm aperture at the treatment plant. All non-separable industrial wastewater also passes through milliscreens with 1mm aperture at source prior to discharge into the network.</p> <p>The non-compliance relates to the Pandora industrial waste line currently being diverted through the domestic waste line. The consent holder has confirmed that they are undertaking investigations into replacement of industrial line to comply with the consent. A report on replacement options is currently being prepared and</p>

			will be provided to Council following internal review.
<b>11</b>	<p>All discharged wastewater of human origin and 'non-separated' industrial wastes shall receive treatment as follows</p> <p>From a date no later than 31 August 2014: treatment by a biological trickling filter.</p> <p>Until such time as the comprehensive review required by condition (11(iii)) is undertaken, the consent holder shall each 3 years following the commissioning of the biological trickling filter plant undertake an evaluation of the performance of the plant which will be reported publically. This evaluation shall include but not necessarily be limited to:</p> <p>A summary of monitoring results A report on non compliance An evaluation of any information indicating trends including both favourable environmental outcomes or any emerging adverse effects and An opportunity for public response.</p> <p>The consent holder shall submit a report to the Regional Council (Manager Compliance) on the outcome of this public evaluation and whether any changes to the operation of the plant are to be considered.</p> <p>iii) From a date no later than 31 December 2025: the consent holder shall provide a report to the Council detailing the findings of a comprehensive review of the current wastewater treatment method that considers, but is not limited to, the following:</p> <p>Actual and potential effects of the existing wastewater discharge Changes to environmental standards and statutory requirements Technological innovations Community expectations and Community affordability.</p> <p>The report shall be submitted to the Regional Council (Manager Compliance) for review and comment.</p> <p>iv) From a date no later than 31 December 2028: additional treatment implemented to the extent required by the findings of the review process required by condition (11)(iii).</p>	<b>Full Compliance</b>	<p>i) All domestic and non-separable industrial wastewater is treated using biological trickle filter prior to discharge. Industrial wastewater from Pandora line</p> <p>ii) The BTF was commissioned on the 30th August 2014 and the report required by this condition was produced by SLR consulting and supplied to Council in August 2018. The report noted that the overall performance of the plant was compliant and performing well. The report included a summary of the results, commentary on non-compliance, trend evaluation and public engagement. The next report required by this condition will be required by August 2021.</p> <p>Conditions iii and iv do not apply until 2025.</p>
<b>12</b>	<p>The design of any additional treatment required by condition 11(iii) shall be undertaken by an independent chartered engineer or similarly qualified person specialising in wastewater treatment plant design. The design shall be peer reviewed by a suitably qualified independent chartered engineer or similarly qualified person specialising in wastewater treatment plant design, paid for by the consent holder. The design, together with the peer review, shall be submitted to the Regional Council (Manager Compliance) for review and comment prior to the commencement of construction.</p>	<b>Not Applicable</b>	Condition 11(iii) does not apply until 2025.
<b>13</b>	<p>A) The discharge of wastewater as authorised by this resource consent shall not cause any of the following effects beyond a distance of 300m from the outfall diffuser:</p> <p>The production of any conspicuous suspended materials or Any conspicuous change in the colour or visual clarity or The production of any conspicuous oil or grease films, scums or foams, or floatable materials or Any emission of objectionable odour or Any significant adverse effect on aquatic life or A change in the natural temperature of the receiving water of more than 3 degrees Celsius or</p>	<b>Moderate Non-Compliance</b>	<p>A) Quarterly monitoring was undertaken in August and November 2019 and February and May 2020. None of the listed effects have been observed beyond 300m from the outfall as a result of the consented discharge during the 2019/20 period.</p> <p>The moderate non-compliance relates to the 630m and 700m offshore leaks which have caused some of the effects listed in this condition. Particularly, a conspicuous change in water clarity and</p>

	<p>The dissolved oxygen concentration to be less than 80% of the saturation concentration or Undesirable biological growths.</p> <p>B) During the single milliscreen bypass period of up to 12 weeks referred to in Condition 9 B the effects described in clauses i), ii), and iii) above may occur at a distance beyond 300m but shall be mitigated by actions detailed in the Milliscreen Bypass Management Plan required by Condition 32.</p> <p>C) The flushing cycle of the biological trickling filter in the first year of operation shall occur daily between the hours of 3 am and 5 am. On four occasions during the first year of operation and yearly thereafter the flushing process shall occur later so that the discharge reaches the end of the outfall pipe during normal working hours (8 am to 5 pm) ("the monitoring discharge"). Mr W. Church is to be advised of the intended date of the monitoring discharge at least 48 hours prior to the monitoring discharge occurring. In the event that, after the first year, the optimal time of discharge is considered to be other than 3 am to 5 am, this condition may be reviewed with Mr Church and if agreed, reviewed in accordance with section 128 and/or 129 of the Resource Management Act 1991.</p>		<p>colour and increase in biological growth related to faecal coliforms immediately over the leak location. Additional receiving environment sampling undertaken by the consent holder show that the effects caused by the leak are limited to the immediate vicinity. The consent holder commissioned a report by NIWA into impacts of the leak on local shellfish which did not indicate any impacts</p> <p>B) this condition is no longer applicable.</p> <p>C) The annual flushing cycle occurred on the 2 March 2020, Mr Church was notified as required.</p>
14	<p>There shall be no environmentally significant and statistically detectable difference in toxicity between a water sample from uncontaminated water (from a location to be approved by Regional Council (Manager Science)), and the final combined wastewater when diluted 200 times with the uncontaminated water.</p> <p>Proposed test procedures, choice of test organisms and the definition of 'no toxicity' shall be approved by the Regional Council (Manager Science) at a frequency not less than annually. However initially;</p> <p>i) 'No toxicity' is defined as:</p> <p><i>A statistically significant effect for a given test is determined by calculation of the threshold effect concentration (TEC = geometric mean of NOEC* &amp; LOEC*). Compliance with a dilution criteria is determined by comparison of the TEC value, expressed in terms of dilution, with the dilution criteria value. The TEC dilution value must be less than the dilution criteria to obtain compliance. The minimum statistical difference (MSD) should be calculated for each bioassay procedure and incorporated into the compliance testing procedure.</i></p> <p><i>*NOEC = No observable effect concentration, LOEC = Lowest observable effect concentration</i></p> <p>ii) Where environmental significance is defined as:</p> <ul style="list-style-type: none"> <li>No more than one species test showing unacceptable toxicity in any given quarter; and</li> <li>Any unacceptable toxicity shall not exceed *EC20% (chronic tests) and *LC10% (acute) tests; and *EC – Effective Concentration: the concentration that causes a stated effect in the specified % of test organisms *LC – Lethal concentration: the concentration that kills the specified % of test organisms</li> <li>No more than one consecutive incidence of unacceptable toxicity within any given species</li> </ul>	Full Compliance	<p>Toxicity testing has been undertaken by the consent holder at quarterly frequencies in August and November 2019 and February and May 2020. Toxicity testing is currently undertaken on three trophic level species being <i>D. Tertiolecta</i>, (replacing <i>M. polymorphus</i>), <i>Macomona liliana</i> and <i>Mytilus galloprovincialis</i>. The toxicity testing for the period indicates that there is no environmentally significant toxicity of wastewater that has been diluted 1 in 200.</p> <p>The test on the blue mussel in November 2019 however showed statistical significant toxicity while no toxicity was reported for the algae or wedge shell species. This was reported to Council and no further action was required as only 1 species failed the test and the pattern of toxicity was inconsistent with an actual effect, showing toxicity at a 1:10 and 1:200 but no toxicity at 1:100 dilutions.</p> <p>The February 2020 toxicity analysis for the blue mussel was also unable to be completed as spawning could not be induced. This was communicated to Council and no further action was required as only 1 species was affected.</p>



	<p>between quarters.</p> <p>iii) The test organisms used shall be:*</p> <table><tr><th><u>Test Species</u></th><th><u>Test Type, endpoint measured</u></th><th><u>Test duration</u></th></tr><tr><td><u>(scientific name)</u></td><td></td><td></td></tr><tr><td>Alga (<i>Minutocellus polymorphus</i>)</td><td>Chronic, growth</td><td>48 hours</td></tr><tr><td>Bivalve – Wedge shell (<i>Macomona liliana</i>)</td><td>Acute, survival</td><td>96 hours</td></tr><tr><td>Bivalve – Blue mussel embryo (<i>Mytilus galloprovincialis</i>)</td><td>Chronic, development</td><td>48 hours</td></tr></table> <p>iv) If unacceptable toxicity occurs outside the range described in i) and ii) a toxicity identification evaluation (TIE) shall be undertaken to examine the cause of the unacceptable toxicity. The results of the TIE and remediation actions shall be supplied to the Regional Council (Manager Compliance) within 30 days of the laboratory results being received by the consent holder.</p>	<u>Test Species</u>	<u>Test Type, endpoint measured</u>	<u>Test duration</u>	<u>(scientific name)</u>			Alga ( <i>Minutocellus polymorphus</i> )	Chronic, growth	48 hours	Bivalve – Wedge shell ( <i>Macomona liliana</i> )	Acute, survival	96 hours	Bivalve – Blue mussel embryo ( <i>Mytilus galloprovincialis</i> )	Chronic, development	48 hours		
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15	<p>The consent holder shall inspect the diffuser at least annually, and at any other time as necessary, at which time any ports blocked by mussels or other debris which may adversely affect the functioning of the diffuser will be cleared. The number of blocked ports shall be recorded and reported to the Regional Council (Manager Compliance) in the annual report required by condition 35 of this consent.</p>	<p><b>Full Compliance</b></p>	<p>The consent holder engaged NZ Dive and Salvage to undertake diffuser inspections during January, February, April and May 2020. Inspection records were supplied with the annual report as required and included all relevant information. The inspection in January and February assessed the 700m leak and undertook some in column water sampling. The April/May inspection identified a further leak at 630m offshore during a full pipeline inspection.</p> <p>Both inspections also included the diffuser check, cleaning and repairs as detailed in the dive reports. The diffuser inspection undertaken in January 2020 found good flow from 33 ports, 7 blocked and 4 buried. During the April inspection only 5 ports were blocked and 5 buried, the rest had good flow.</p> <p>The inspections identified damage caused by fishing vessels as evidenced by fishing nets caught on the ports, 3 full nets in January and another in the April inspection. The consent holder is in discussions with maritime authorities to establish a protected area around the outfall and diffuser to provide more robust protection from fishing vessels. The majority of the recommendations from the January inspection were carried out and the consent holder is currently undertaking repairs on the two leaks.</p>															
16	<p>The consent holder shall maintain the outfall pipe and diffuser in good condition in accordance with appropriate engineering practice.</p>	<p><b>Moderate Non-Compliance</b></p>	<p>The diffuser is achieving the required dilution based on receiving environment sampling. However, with 30% of the diffuser buried and sediment build up</p>															

			<p>evident it may impact functionality unless addressed.</p> <p>The moderate non-compliance relates to the 630m and 700m leak in the outfall pipe during the period. The consent holder was issued with abatement notice EAC-20245 on 5 June 2020 to cease the discharge from the leaks. These are currently being repaired and are anticipated to be repaired within the required timeframe. For full comments please see condition 2.</p> <p>The consent holder has completed a strategic review of the wastewater infrastructure and is looking to bring forward replacement of the outfall to 2023-2025 due to the condition of the pipeline.</p>
17	The consent holder shall continuously monitor and record the rate of discharge and the daily volume of final combined wastewater discharged using a method with an accuracy of +/- 5%.	Full Compliance	<p>The daily discharge volume of the final combined wastewater has been continuously monitored and recorded as required by the condition. The consent holder has installed a new ultrasonic flow meter on the discharge outlet which is aligning with calculated flows.</p> <p>All flow meters were calibrated in June 2018 and are all operating within 1% error. Calibration records were provided at the time of calibration. Flow meter calibration is required a minimum of once every 5 years.</p>
18	At quarterly intervals, with a minimum of 2 months between each sample, the consent holder shall test the toxicity, as described in condition 14.	Full Compliance	<p>Toxicity testing has been undertaken by the Cawthron Institute at quarterly frequencies during the 2019/20 period. Toxicity testing has been completed as per condition 14 and all laboratory records and reports are provided and included in the annual report.</p>
19	At quarterly intervals, with a minimum of 2 months between each sampling run, the consent holder shall take 24 hour flow proportional samples of the final combined wastewater stream discharged on 7 consecutive days. These samples shall be analysed for the analytes listed, at the detection limit shown, in Schedule 1 (attached) for quarterly and annual sampling.	Full Compliance	<p>The 7-day flow proportional sampling of final combined wastewater was undertaken in August and November 2019 and February and May 2020. Samples were analysed for the schedule one analytes on all occasions. November 2019 samples were analysed for the annual suite.</p> <p>Temperature and conductivity have been reported as required for the 2019/20 period.</p>
20	At quarterly intervals, with a minimum of 2 months between each sampling run, the consent holder shall monitor the performance of the biological trickling filter by taking 24 hour flow proportional samples of wastewater prior to and immediately after the biological trickling filter treatment (prior to mixing with the final combined wastewater flow). These samples shall be analysed for the following: Suspended Solids	Full Compliance	<p>24 hour flow proportional samples have been collected prior to and immediately after the BTF treatment in August and November 2019 and February and May 2020. All samples were analysed for total suspended solids, oil and grease and cBOD5 as required.</p>

	Oil and grease cBOD 5		<p>Daily flow is recorded and reported along with a treatment efficacy analysis which demonstrates a good reduction of cBOD5 and O&amp;G is being achieved:</p> <p>cBOD5 - reduction of between 70-83%</p> <p>Oil and Grease - reduction of between 64-92%</p> <p>Suspended solids reductions were as expected for August, November and May samples (33-48%) but significantly lower in February 2020 (10% reduction). The consent holder is investigating this drop in treatment.</p> <p>All sample data is provided quarterly and submitted as part of the annual report.</p>
21	At monthly intervals, for a minimum of 12 months after commissioning of the upgrade required by condition 6, the consent holder shall take a grab sample of the final combined wastewater flow. The samples shall be tested quantitatively for noroviruses by polymerase chain reaction (PCR).	Not Applicable	This condition is historical. In addition to the requirements of the consent, the consent holder has engaged NIWA to undertake additional bivalve impact studies as part of the review of consent conditions undertaken in May 2019.
22	<p>At quarterly intervals, with a minimum of 2 months between each sampling run, the consent holder shall take six flow proportional samples of the final combined wastewater stream. These samples shall be analysed for faecal coliform and enterococci. The six samples shall be taken at the following times:</p> <p>2 am to 6 am 6 am to 10 am 10 am to 2 pm 2 pm to 6 pm 6 pm to 10 pm 10 pm to 2 am</p>	Full Compliance	<p>The 4 hour flow proportional samples of the final combined wastewater were collected in August and November 2019 and February and May 2020. All samples were collected at the specified times and were analysed for faecal coliforms and enterococci. No trends were noted between the different sampling windows but significant differences were noted between the February and May samples and those taken in August and November.</p> <p>All sample data is provided quarterly and submitted as part of the annual report.</p>
23	Twice during each year the consent holder shall take seabed sediment grab samples from four sites, being located at distances of 300 m and 500 m to the north and 300 m and 500 m to the south of the midpoint of the outfall diffuser. Those samples shall be analysed for the analytes listed, and at the detection limits shown, in Schedule 2 (attached).	Full Compliance	<p>Sediment grab samples were collected August 2019 and January 2020. All samples were analysed for the required analytes with the appropriate detection limits.</p> <p>Sample results are within the range of expected results for the 2019/20. The 300m sample showed an increase in metals during the August 2019 sampling round, however this was attributed to the larger proportion of fine sediment in the sample compared to previous samples.</p>
24	At quarterly intervals, with a minimum of 2 months between each sampling run, the consent holder shall undertake water quality monitoring. The sampling shall be of seawater at 5 sites equally spaced around a circle of 250 m radius from the centre of the diffuser. This shall be repeated at a circle of 300 m and 500 m radius, giving a total of 15 monitoring sites around the diffuser. On the same day a 'reference' seawater sample shall also be taken at least 1000 m from the centre of the diffuser at a location unlikely to be influenced by the discharge. All samples collected	Full Compliance	Receiving environment sampling was undertaken as required in August and November 2019 and February and May 2020. All sites were sampled as required during both rounds. All samples collected were analysed for faecal coliforms and enterococci. DO, temperature, pH and turbidity were

	<p>shall be tested for faecal coliform and enterococci concentrations. Measurements of the following shall also be taken at each sampling location:</p> <p>pH turbidity temperature dissolved oxygen (% saturation)</p>		<p>measured in situ at the sampling locations using appropriate equipment.</p> <p>A reference sample was collected as well as an 'over the boil' sample on each occasion.</p> <p>The samples indicate that none of the listed effects is occurring after reasonable mixing (300m). There was no noticeable change in pH, turbidity or bacterial concentrations.</p>
25	<p>While samples are being taken in accordance with condition 24, a GPS drogue shall be placed at the centre of the diffuser to measure the surface currents for at least 30 minutes.</p>	Full Compliance	<p>A GPS drogue was deployed during the receiving environment sampling required by condition 24. The tracking data has been included as part of the annual report and indicates a general northward drift during sampling events.</p>
26	<p>The consent holder shall undertake surveys designed to show the impact of the discharge on the benthic fauna. The design of the survey shall be agreed between the consent holder and the Regional Council (Manager Science) before the survey is undertaken. Benthic surveys shall be undertaken between late December and late February (preferably in January) with the first survey undertaken within two years of the upgrade required in condition (6), and every five years after the date of that survey. The results of such surveys are to be provided to the Regional Council within three months of the surveys being undertaken.</p> <p>The first survey undertaken in accordance with this consent shall include an analysis of trace metal concentrations in flatfish.</p>	Not Applicable	<p>A survey was undertaken in the 2015/16 reporting period. The next survey will be undertaken in January 2021 for the 2021/22 monitoring period.</p>
27	<p>A) The consent holder shall undertake a quantitative microbial risk assessment of the risk to shellfish growing on Town Reef from pathogens occurring as a result of the consent holder's discharge.</p> <p>The results of this modelling shall be provided to the Regional Council (Manager Science) within 24 months of the commencement date of this consent.</p> <p>B) The consent holder shall monitor the pathogenic bacteria in shellfish growing on Town Reef (at or about NZTM 1937897 5622971). Monitoring shall be conducted at the following frequencies:</p> <p>Up to three sampling occasions prior to the upgrade required in accordance with condition 6 Fortnightly samples during the milliscreen bypass period conducted in accordance with condition 9 (B), and for at least four weeks after the milliscreen bypass has concluded.</p> <p>The shellfish shall be analysed for faecal coliform and Esherichia coli concentrations. Adenovirus/enterovirus concentrations shall also be analysed by cell culture, and the shellfish shall also be tested quantitatively for noroviruses by polymerase chain reaction (PCR).</p>	Not Applicable	<p>The consent holder commissioned NIWA to undertake the required QMRA which was undertaken in 2016. Since this report NCC have undertaken additional shellfish monitoring and requested advice from NIWA as to the appropriateness of an additional QMRA.</p> <p>This is addressed in conditions 38-41.</p>
28	<p>All effluent quality analysis other than field measurements as required by the conditions of this consent shall be undertaken by an independent laboratory accredited to IANZ.</p>	Full Compliance	<p>All analysis is undertaken by Hills Laboratory in accordance with the requirements of this condition. Hills Laboratory hold IANZ accreditation for the required analysis. The whole effluent toxicity (WET) testing is undertaken by the Cawthron institute who hold IANZ accreditation for the analysis.</p>

29	The consent holder shall ensure that at all times clear and visible signage is placed on the buoys marking the two ends of the diffuser, incorporating the words "shellfish unfit for human consumption".	Full Compliance	The marker buoys were inspected as part of the diffuser inspections in January and May 2020. Both marker buoys had clear and visible signage incorporating the relevant words. Some damage was noted to the north buoy which has since been repaired.
30	The consent holder shall appoint a person to be responsible for the day-to-day operation of the wastewater treatment plant and outfall, and to act as a contact person for the Regional Council staff. The name and phone number of this contact person shall be advised to the Regional Council (Manager Compliance) within 10 working days of the commencement of this consent and within 10 days of any change.	Full Compliance	Napier City Council's Manager Environmental Solutions, Cameron Burton, has been the contact person for the period and will continue to be the contact going forward.
31	<p>From a date no later than 20 May 2014 the consent holder shall prepare an operations and management plan for the Awatoto Wastewater Treatment Plant and submit it to the Regional Council (Manager Compliance) for review and comment. The plan shall include as a minimum:</p> <p>A brief description of the treatment system, including a site map indicating the location of all waste streams entering the treatment system, treatment device(s), and monitoring sites</p> <p>On-site responsibilities, including operation and maintenance</p> <p>How the wastewater treatment system shall be managed in accordance with best wastewater engineering practice and industry standards so as to achieve compliance with Condition 6(i)</p> <p>Key operational matters, including daily, weekly and monthly maintenance checks</p> <p>Details of how the flushing cycle of the BTF plant will be managed to minimise the volume of solids discharged to Hawke Bay</p> <p>Monitoring procedures covering all aspects of this permit to demonstrate compliance with the conditions</p> <p>A risk assessment plan and contingency plans in the event of system malfunctions or breakdowns</p> <p>Details of the procedures for ensuring that the system is sampled sufficiently to ensure compliance with the conditions of consent</p> <p>Details of how changes in wastewater composition and volume are to be managed</p> <p>Details of procedure for receiving and dealing with any complaints.</p> <p>The consent holder shall undertake all operations in accordance with the plan. This operations and management plan shall be reviewed within 6 months of the upgrade required by condition (6) being commissioned, and annually thereafter. The plan should also be reviewed within 3 months of any further improvements to the wastewater treatment system taking place. Any amendments of the plan shall be forwarded to, and subject to certification by, the Regional Council (Manager Compliance).</p>	Full Compliance	<p>The operations and management plan has been produced and supplied as required. There have been no updates to the operations plan during the 2019/20 period, it is expected to be reviewed in the 2020/21 period and any updated plan is to be supplied to Council.</p> <p>An additional emergency management plan has been prepared by the consent holder as required by abatement notice EAC-20254 to mitigate any actual or potential effects from the leaks at 630m and 700m, future failures and contingency for during the repair works.</p>
32	<p>At least three months prior to wastewater being discharged to Hawke Bay in accordance with condition 9 (B), the consent holder shall prepare a milliscreen bypass management plan and submit it for approval to the Regional Council (Manager Compliance). The plan shall be prepared in consultation with the Hawke's Bay District Health Board and include as a minimum:</p> <p>A timetable and programme of works to be undertaken during the bypass period</p> <p>Details of the mitigation measures that will be undertaken to minimise the effects of the bypass, before, during and immediately after it occurs, including but not limited to:</p>	Not Applicable	This condition is historical

	<p>24 hour seven day a week manual raking of the 25mm screen at Latham Street in a manner and frequency so as to maximise its screening efficiency</p> <p>Twice daily beach cleaning of any non biodegradable litter for at least the first two weeks of the milliscreen bypass. The frequency of beach cleaning can be reduced from twice daily to weekly for the remainder of the bypass period, and for four weeks after the bypass is completed, if six consecutive beach clean ups do not find any non biodegradable litter</p> <p>Diffuser inspection, and any required maintenance of the outfall structure within one month of completion of the bypass</p> <p>Clearance from the seabed of any gross non biodegradable litter in the vicinity of the outfall structure within one month of completion of the bypass period</p> <p>iii) Sampling and monitoring procedures to assess the effect of the bypass on Hawke Bay, and public health</p> <p>iv) Details of the public notification procedures and public education initiatives that will be followed to ensure that the public is informed of the bypass and its potential effects, and actions they can potentially take to help mitigate the effects of the bypass and</p> <p>v) Details of procedure for receiving and dealing with any complaints about the bypass.</p> <p>The consent holder shall undertake all operations in accordance with the milliscreen bypass management plan.</p>		
33	The consent holder shall make available upon request all records kept in relation to the discharge, the operation of the treatment plant, sampling, testing, and analysis.	Full Compliance	The consent holder has ensured that all records are readily available and supplied upon request from HBRC during the period.
34	All records collected in accordance with the conditions of this consent shall be provided to the Regional Council (Manager Compliance) in an electronic database format to be agreed, no more than 30 days after the end of the month to which they relate.	Full Compliance	All records were supplied within the required timeframe for August and November 2019 and February and May 2020 quarterly sampling events. The consent holder has altered the format of the submitted data as requested by Council to allow for quicker assessment.
35	<p>Before 1 September each year, the consent holder shall provide a report to the Regional Council (Manager Compliance), prepared by a suitably qualified and experienced engineer and scientist, covering the preceding 12 month period ending 30 June. As a minimum this report shall include the items listed below and a comparison with previous years:</p> <p>a summary of all monitoring undertaken as required by this consent, and any additional monitoring undertaken by the consent holder to better characterise the effects of the discharge on Hawke Bay</p> <p>a critical analysis of the monitoring information in terms of compliance and adverse environmental effects</p> <p>an assessment of the flow data, an assessment of the expected flow increase over the next 24 months period taking into account expected population increase and ingress and infiltration</p> <p>comment on any non-compliances and operational problems, and any actions undertaken to address these</p> <p>identification and comment on any trends in data collected, both within the annual period and compared to previous years. This shall include any trends in water quality parameters/wastewater constituents including comment on the potential environmental implications of these trends</p> <p>details of any works undertaken or proposed to improve the performance of the treatment system, and the timeframe for completion of any proposed works</p>	Full Compliance	<p>The annual report required by condition 35 was submitted to Council on the 31st August 2020. The report covers the period 01/07/2019 to 30/06/2020 and includes all of the information, analysis and commentary required by this condition and detailed below Refer to the monitoring report for full comments and analysis.</p> <p>i) The report included all tabulated results and lab certificates for all of the sampling undertaken. This includes additional weekly sampling undertaken by the consent holder for plant performance which is outside of the scope of this consent. Additional monitoring regime and data undertaken as part of the leak assessment and remediation was also included and discussed.</p> <p>ii) For the period, the main issue was the 700m leak and 630m leak. A further leak at 70m that had been identified during the previous period has since been repaired. Abatement notice EAC-20254</p>

	<p>recommendations regarding alterations or additions to the monitoring programme</p> <p>the tabulated results of the laboratory analytical monitoring and any other issues considered important by the consent holder.</p>	<p>is currently in place requiring repairs to be undertaken on these leaks by 30th November 2020. The consent holder has engaged BECA to prepare a remedial strategy and risk assessment for the repairs which are currently being undertaken. The Pandora industrial line remains diverted to the domestic sewer and is being treated through the BTFs.</p> <p>Individual high cBOD loadings in the BTFs have been recorded. These are likely due to the Pandora industrial being non-separated. Options to reinstate this pumping main are presently being investigated. Despite the occasional elevated loading, a high BOD reduction is still being achieved, and the annual average BOD loading has been met over the reporting period. Since 2014, the 12 month rolling average for BOD shows that aside from the 2017 year, it is relatively stable, and has not exceeded the average BOD consent limit (Appendix Q).</p> <p>A one-off high zinc concentration occurred during the August 2019 sampling round of the wastewater discharge. There was also a spike in zinc at the 300m South sample location during the August 2019 sampling. However, the following January sampling shows concentrations returned to the typical range found at this site (Appendix O). Despite the one off elevated zinc concentration (63mg/kg), it was still well below the toxicant default guideline values for sediment quality (ANZECC &amp; ARMCANZ, 2000) of 200 mg/kg. NCC will continue to monitor any trends in sediment that may be attributable to the wastewater discharge.</p> <p>High TSS loads have been recorded during the monitoring period, similar to the previous year. The majority of these appear to be related to the Awatoto Industry discharges rather than sampling issues. Routine operational sampling undertaken pre and post BTFs and from the final combined effluent indicate the source to be from the industrial line. NCC have met with and emphasised with industry the importance of meeting trade waste discharge standards. In previous reporting periods, high TSS loads were typically associated with rain events. A visual look at the data shows a slight increasing trend in TSS, however statistical analysis shows no trend for the quarterly load data (p=0.41).</p> <p>iii) The population of Napier City changed by approximately 3.4%</p>
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		<p>between 2006 and 2013 with approximately 57,240 people and 24,800 households in the 2013 census. The 2018 census shows the Napier City population was approximately 62,240 among 25,287 households, an increase of 8.7% since 2013. For the 16/17 total population size of approximately 61,100 (inclusive of industrial flow &amp; ingress), a total of 9,556,498m<sup>3</sup> was received at the Awatoto plant. It was previously estimated that for a predicted population size of 62,700 people, 9,806,750m<sup>3</sup> may have been received at the Awatoto plant for the 2018/19 reporting year. The actual volume over the 2019-2020 reporting period was 8,572,933m<sup>3</sup>. This may be attributed in part to the drought occurring over this period. Population estimate data from Statistics New Zealand for Napier show a population of 63,400 in 2023 (although this will be updated later in the year). For this population size, it can be estimated the volume received at the plant may be between 8,732,711m<sup>3</sup> and 9,916,235m<sup>3</sup>, using the 16/17 and 19/20 volume data. The actual volume received will be influenced by weather patterns, and work undertaken to address ingress and infiltration.</p> <p>iv) The dominant non-compliance is in relation to the leaks from the pipeline at 70m, 700m and 640m offshore. The assessment of the issue, causes and remedial options has been included as part of this report. The consent holder has included a self assessment of every condition as part of the report which highlights any non-compliance and the actions taken to address these. There is no other ongoing non-compliance other than the leaks.</p> <p>v) Commentary on trends in the monitoring data are as follows:</p> <p>a. Seasonal trends in total volume can be understood when viewing the raw data daily flow rates as per Appendix A. For the reporting period, October 2019 saw the largest total flow volume. On 15 - 16 October 2019, Napier City saw a large storm event, resulting in discharge volumes of up to 92,718m<sup>3</sup> the largest of the reporting period. July 2019 also had elevated total flows. April 2020 had the lowest total flows, likely related to the Alert level 4 lockdown as a result of the COVID-19 outbreak and resulting in reduced industrial/commercial flows.</p> <p>b. Since 2016, drogue direction has generally been in a Northerly or Southerly direction, with all 2019-2020 drogue deployments heading toward</p>
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		<p>the Northern quadrant. Microbial sampling shows increased concentrations within the mixing zone to the Northwest during August 2019 and May 2020. Drogue direction does not necessarily represent current and can be influenced by wind as opposed to longshore drift. This was particularly evident during August 2019 when an Easterly wind caused a change in drogue direction.</p> <p>c. Historic GPS drogue outfall tracks convey strong Southerly trends in the July/August monitoring rounds in contrast to August 2019. The following graph shows a spike in most analytes in August 2019 at 300 m South of the diffuser. A similar increase in analytes was observed in January 2014 at this site. Concentrations decreased in January 2020 to be within the expected range from historical monitoring. All analytes measured were within the toxicant default guideline values for sediment quality (ANZECC &amp; ARMCANZ, 2000). All other sediment monitoring sites did not show any discernible trend. Influencing factors include the Hawke Bay longshore drift, predominantly to the North. It is noted that July often sees high rainfall, and three major Hawkes Bay rivers (Ngaruroro, Clive and Tutaekuri) discharge via the Waitangi Estuary approximately 2500m (and further) South of the outfall which, in combination with a northern drift, may skew further samples with surface fluvial sediment - particularly after heavy rainfall. There is also the potential added influence of the Hastings District Council outfall and the Tukituki River further to the south. The past year's weather patterns have been in contrast to the previous monitoring year and may account for some of the observed change. NCC will continue to monitor for any trends associated with heavy metals in sediment.</p> <p>vi) NCC has engaged BECA consultants to investigate remediation options for the Pandora industrial waste pumping main. BECA have also completed an assessment on the outfall seepage detailing options for repair (Appendix J).</p> <p>vii) NCC have no recommendations to make regarding the monitoring program for the subsequent 2020/21 reporting period. NCC are undertaking additional sampling (as previously mentioned in Condition 4 &amp; 13 commentary) to monitor the outfall seepage and will continue to do so until a repair is completed.</p>
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			viii) All laboratory results have been tabulated and appended to, or presented in this report.
36	<p>The consent holder shall log all complaints received. The log shall include:</p> <p>the date and time of the complaint the nature of the complaint the name, telephone number, and address of the complainant weather and sea condition information (eg. an estimate of wind speed and direction, and description of sea condition) details of key operating parameters at the time of the complaint and the remedial action taken to prevent further incidents.</p> <p>Complaints shall be reported to the Regional Council (Manager Compliance) within 24 hours of receipt, and the log of complaints shall be made available to the Regional Council on request.</p>	Full Compliance	<p>The complaints log has been made available to Council compliance staff during the 2019/20 period. All complaints have been reported to Council within the required timeframes.</p> <p>The majority of complaints have been in relation to overflows from the industrial and domestic networks. This consent is for the treatment and discharge of wastewater into the Hawkes Bay, discharges from the network are not permitted by this consent and are assessed against Councils regional rules and the RMA with enforcement action undertaken where appropriate.</p> <p>The consent holder is carrying out an I&amp;I program to reduce the loading on the wastewater system due to poor infrastructure and illegal connections.</p>
37	<p>The consent holder shall continue to convene a Kaitiaki Liaison Group (KLG). The purpose of the KLG is to provide a forum to address tangata whenua concerns and to enable tangata whenua to exercise kaitiakitanga in relation to the exercising of the consent.</p>	Full Compliance	<p>The Kaitiaki Liaison Group did not meet during the 2019/20 period year despite invitations and facilitation by the consent holder. The consent holder has confirmed that invitations and arrangements for liaison meetings will continue to be promoted to interested parties.</p> <p>The consent holder is assessing current membership of the kaitiaki liaison group with the aim of increasing engagement and ensuring appropriate representation.</p>
38	<p>The consent holder shall obtain expert advice from a suitably qualified and experienced coastal scientist/modeller on the benefits of repeating the quantitative microbial risk assessment (QMRA). Advice shall be sought on (but not limited to) the following:</p> <p>The findings of the most recent shellfish monitoring programme. Whether this or other updated modelling information is available that would alter the conclusions of the original QMRA. Whether repeating the QMRA based on all available and up to date information/data will provide a more accurate risk assessment, and a timeframe by which QMRA modelling could be updated and undertaken if required. The need for additional shellfish monitoring to inform the QMRA</p> <p>A copy of this written advice shall be provided to the Council (Manager Compliance) within 10 working days of its receipt by the consent holder, and no later than 31 December 2019.</p>	Low Risk Non-Compliance	<p>The consent holder engaged NIWA to provide advice on the benefits of conducting a further QMRA. The advice was submitted to Council on the 11 June 2020, after the required submission timeframe.</p> <p>The advice was peer reviewed on behalf of Council and further changes/information was requested from the consent holder. The updated written advice was received on the 16<sup>th</sup> October 2020. NIWA advised that there was no evidence that repeating the QMRA would improve the accuracy of the risk assessment.</p>
39	<p>If the expert advice obtained in accordance with condition 38 indicates that updating and undertaking a revised QMRA will improve the understanding of the risk presented by wastewater derived viruses, the consent holder shall undertake a new QMRA of the risk to shellfish growing on Town Reef from pathogens occurring as a result of the consent holder's discharge, based on the most up to date data and information currently available. This shall be completed and provided to the Council (Manager Compliance) before 30 April 2020.</p>	Not Applicable	<p>The advice required by condition 38 was received 16th October 2020 and peer reviewed by Shane Kelly. This condition is not applicable as the advice did not recommend updating the QMRA</p>

40	<p>Unless the new QMRA required by condition 39 concludes that the degree of risk for shellfish consumption at Town Reef is the same or less than was determined by the first QMRA presented in support of the consent application (McBride, 2011), the consent holder shall engage a suitably qualified and experienced wastewater specialist and scientist to undertake an issues and options assessment and report. This should include:</p> <p>A detailed assessment of the options available to reduce these risks to an acceptable level.</p> <p>Detailed consideration of additional wastewater treatment methods that could be installed at the Napier Wastewater Treatment Plant to improve the quality of wastewater it produces to reduce the risk presented by viruses.</p> <p>Recommended upgrades to treatment and/or discharge processes and recommended timeframes for implementing these changes.</p> <p>Recommended changes to monitoring to better understand the virus loading and risk.</p> <p>Be informed by, and demonstrably take into account, the views of the Medical Officer of Health and the Kaitiaki Liaison Group required by condition 37.</p>	Not Applicable	The advice required by condition 38 was received 16th October 2020 and peer reviewed by Shane Kelly. This condition is not applicable as the advice did not recommend updating the QMRA
41	<p>The report required by condition 40 shall be provided to the Council (Manager Compliance) prior to 31 July 2020.</p>	Not Applicable	The advice required by condition 38 was received 16th October 2020 and peer reviewed by Shane Kelly. This condition is not applicable as the advice did not recommend updating the QMRA
42	<p>The Council may review conditions of this consent by serving notice of its intention to do so pursuant to section 128 and section 129 of the Resource Management Act 1991.</p> <p>Times of service of notice of any review and the purpose of any review are shown below;</p> <p>Times of service of notice of any review: Except for purpose 7 below, during the month of May, of any year.</p> <p>Purposes of review:</p> <ol style="list-style-type: none"> <li>1. To deal with any adverse effect on the environment which may arise from the exercise of this consent, which it is appropriate to deal with at that time, or which became evident after the date of issue.</li> <li>2. To require the adoption of the best practicable option to remove or reduce any effects on the environment, including potential reduction of the mixing zone applied under condition 13A.</li> <li>3. To modify any monitoring programme, including potentially reducing the frequency of monitoring if results indicate the parameters being monitored are having no more than a minor effect on the environment. Additional monitoring could also be required if there is evidence that current monitoring requirements are inappropriate or inadequate. Monitoring may also be required of emerging organic contaminants (including but not limited to pharmaceuticals and personal care products, steroid estrogens, flame retardants and other industrial products and endocrine disrupting chemicals).</li> <li>4. To modify the maximum daily loading rate (kg/m<sup>3</sup> of media per day) of the biological trickling filters.</li> <li>5. To modify the frequency at which inspections of the diffuser are required to be undertaken.</li> <li>6. To require additional monitoring or modelling to be undertaken to quantify the potential public health risk to Town Reef shellfish populations resulting from the discharge</li> <li>7. (During September 2015) To change or delete the time specified in condition 13C that the daily flushing cycle of the biological trickling filter must be undertaken.</li> </ol>	Not Applicable	No review of consents conditions has been initiated by Council during the compliance period.

To assist you with the interpretation of the report, the compliance grades are:

**FULL COMPLIANCE**

Your operation is fully compliant with all relevant consent conditions, plan rules, regulations, and national environmental standards.

**LOW RISK NON-COMPLIANCE**

Your operation is compliant with most of the relevant consent conditions, plan rules, regulations, and national environmental standards. Non-compliance carries a low risk of adverse environmental effects or is technical in nature [e.g. failure to submit a monitoring report].

**MODERATE NON-COMPLIANCE**

Your operation is non-compliant with some of the relevant consent conditions, plan rules, regulations, and national environmental standards where there are some environmental consequences and/or there is a moderate risk of adverse environmental effects.

**SIGNIFICANT NON-COMPLIANCE**

Your operation has non-compliance with many of the relevant consent conditions, plan rules, regulations, and national environmental standards where there significant environmental consequences and/or there is a high risk of adverse environmental effects.

29 October 2020

Napier City Council  
Private Bag 6010  
Hawke's Bay Mail Centre  
Napier 4142

Reference: **AUTH-119550-01**

Attention: Cameron Burton, Cameronb@napier.govt.nz

Dear Cameron,

**COMPLIANCE MONITORING REPORT**

<b>Consent number:</b>	AUTH-119550-01 (Please note this number replaces your historic number)
<b>Historic number:</b>	DP110148A
<b>Consent Location:</b>	DISCHARGE AIR Milliscreen Plant, Waitangi Road Awatoto
<b>Consent Description:</b>	to discharge contaminants (namely odour) to air associated with the treatment of wastewater at the Napier City Council Wastewater Facility

Hawke's Bay Regional Council has completed the Compliance Monitoring Report for above Resource Consent.

**THIS REPORT APPLIES TO THE PERIOD:** 01/07/2020 – 30/06/2020**YOUR CURRENT COMPLIANCE GRADE IS:** Full Compliance**THE FOLLOWING ACTION MUST BE TAKEN BY YOU:**

Action:	Timeframe:
Condition 10, review the current odour management plan and provide the reviewed/updated plan to council by the specified date.	20-10-2020 - 30-11-2020

Under Section 36 of the Resource Management Act 1991 you will be charged for the actual and reasonable costs involved in monitoring the resource consent. The account will be sent to you in due course.

Please contact me should you have any questions.

Yours sincerely

**Jack Blunden**  
**Team Leader Compliance – Urban & Industrial**  
**Regulation Group**  
Phone (06) 833 8030  
Email: jack.blunden@hbrc.govt.nz



HBRC Compliance  
Section is ISO  
9001:2015 certified

Enhancing our **environment** together | Te whakapakari tahi i tō tātau **taiao**

159 Dalton Street, Napier 4110 | Private Bag 6006, Napier 4142 | 06 835 9200 | info@hbrc.govt.nz  
**hbrc.govt.nz**

HAWKES BAY REGIONAL COUNCIL: STATEMENT OF COMPLIANCE AND OVERALL GRADE			
CONSENT HOLDER	Napier City Council	CONSENT NUMBER	AUTH-119550-01
CLIENT ADDRESS	Private Bag 6010 Hawke's Bay Mail Centre Napier 4142	SITE ADDRESS	Milliscreen Plant Waitangi Road, Awatoto, Napier,
JOB CODE	452081	CONSENT TYPE	Resource Consent
MONITORING INSPECTION DATE	14/10/2020		
ACTIVITY DESCRIPTION			
to discharge contaminants (namely odour) to air associated with the treatment of wastewater at the Napier City Council Wastewater Facility			
OVERALL COMMENT			
This report covers the period 01/07/2019 to 30/06/2020.			
Full compliance with the conditions of this consent has been achieved.			
Condition 10 could not be assessed. The latest odour management plan provided to Council was in 2014. Please ensure that the reviewed and updated odour management plan is provided within the required timeframes. This condition will be reassessed following receipt of the updated OMP.			

Consent Conditions and Compliance Assessment			
NO:	CONSENT CONDITION:	COMPLIANCE GRADE:	COMMENTS:
1.	<p>The consent holder shall undertake all operations in accordance with the following documents provided in support of the application.</p> <p>a) Resource consent application titled "Napier Sewage Treatment Plant – Air Discharge Consent, Napier City Council" received on 15 April 2011</p> <p>b) Section 92 response from Napier City Council dated 8 March 2013 (received on 11 March 2013).</p> <p>c) Additional information provided by Napier City Council via email on 15 April 2013, and 27 January 2014.</p> <p>Where a conflict arises between any conditions of this consent and the application, the conditions of this consent will prevail.</p>	Full Compliance	All operations were undertaken in accordance with the application documents during the compliance reporting period.
2.	There shall be no offensive or objectionable odour beyond the boundary of the site (see Advice Note 1).	Full Compliance	There have been no odour complaints relating to the activities of this consent.
3.	All works and structures relating to this consent shall be installed and at all times managed and maintained to ensure compliance with Condition 2.	Full Compliance	All works and structures are well maintained and regularly inspected to ensure operational capacity is maintained. The consent holder is currently undertaking a review of wastewater infrastructure (masterplan) as part of ensuring that the network, treatment and disposal systems are fit for purpose.
4.	The consent holder shall maintain for the duration of this consent the integrity of the milliscreen building facilities and associated equipment and continually ventilate the inner influent channel and the area under the milliscreens and adjacent wetwell, and the	Full Compliance	Regular inspection and maintenance of the extraction and biofilter system is undertaken to ensure operational capacity is maintained. Inspections records are maintained and reported in

	additional extraction from the zone beneath the milliscreens and from the top of the pumping station to an effective biofilter.		the annual report required by resource consent AUTH-118503-02.
5.	The consent holder shall maintain for the duration of this consent the covers on all biological trickling filter (BTF) tanks that prevent odour and water droplets emanating from the top of the tanks and that the head space of these tanks be continually ventilated to the associated biofilter at a sufficient rate to maintain negative pressure under the tanks covers.	Full Compliance	Regular inspection and maintenance of the BTF tanks is undertaken to ensure operational capacity is maintained. Pressure is monitored by the consent holder. Inspections records are maintained and reported in the annual report required by resource consent AUTH-118503-02.
6.	The consent holder shall maintain for the duration of this consent the containment of the industrial screens, industrial grit removal facilities and the industrial Rakahore channel, and ensure that these facilities are continually ventilated to the associated biofilter at a sufficient rate to maintain negative pressure within the facilities (see Advice Note 2).	Full Compliance	Regular inspection and maintenance of the industrial treatment system is undertaken as required. Inspections records are maintained and reported in the annual report required by resource consent AUTH-118503-02.
7.	The consent holder shall employ an appropriately qualified person to evaluate the suitability of the milliscreening facility biofilter (See Advice Note 3) for its proposed duty including its fan, monitoring systems such as pressure differential, and media watering facilities during dry periods. If the existing biofilter is not fit for purpose, the evaluation report shall specify what modifications are required to ensure that its operation will not, if the biofilter is appropriately managed and maintained, cause objectionable or offensive odour at and beyond the boundary of the property. This evaluation shall be submitted to the Regional Council (Manager Resource Use) at least 20 working days before commencing commissioning of the upgrade of ventilation of the milliscreening facilities. All modifications identified in the report shall be undertaken as part of the upgrade of the milliscreening facilities.	Not Applicable	This condition is historical.
8.	The consent holder shall provide to the Regional Council (Manager Resource Use) at least 20 working days before construction of the new wastewater treatment plant biofilter commences the proposed design specifications of the biofilter and a report from an appropriately qualified person certifying that the biofilter and ancillary facilities will be fit for purpose.	Not Applicable	This condition is historical.
9.	The consent holder shall provide to the Regional Council (Manager Resource Use) at least 20 working days before commencing commissioning of the upgraded wastewater treatment plant:  a) The final design drawings (including a site plan similar to Attachment 4 of the s92 response dated 8 March 2013) and rates of ventilation of the BTF tank headspaces and the other new facilities to be ventilated to the new biofilter and  b) Details of any other major changes to the information provided in the s92 response dated 8 March 2013, and an assessment of the potential effect of these changes to increase or decrease the potential emission of odour to air from the property.	Not Applicable	This condition is historical.
10.	The consent holder shall prepare an odour management plan. The plan shall include, but is not limited to:  a) A description of the purpose of the plan  b) The names and contact phone numbers and addresses of key personnel  c) A general description of the activities undertaken at the site (including the use of the emergency overflow basin) and any additional processes that support or enhance odour treatment	Not Assessed	The last odour management plan that HBRC received was in 2014. A request was made in the previous compliance report to provide an updated or reviewed OMP by April 2020. Due to the covid19 restrictions and subsequent outfall repair works this has not been completed. Please provide a reviewed and where necessary, updated, OMP by the 30/11/2020.  This condition will be reassessed following receipt of the reviewed OMP.

	<p>d) Identification of the potential sources of nuisance odour within the wastewater treatment plant site</p> <p>e) A full description of the odour mitigation systems</p> <p>f) Relevant operating procedures that need to be undertaken to minimise odour emissions and, in any case, to comply with Condition 2</p> <p>g) Details of any regular monitoring the applicant proposes to undertake, the frequency of monitoring, how odorous contaminants will be monitored, and how monitoring results will be reported</p> <p>h) A contingency plan in the event that there is an adverse effect as a result of an offensive or objectionable odour beyond the boundary</p> <p>i) Details of how ongoing community liaison will be undertaken</p> <p>j) Records of maintenance and operating control parameters, wind direction and speed, and odour complaint and investigation records</p> <p>k) A description of the process for reviewing and assessing the odour treatment system performance.</p> <p>The odour management plan shall be lodged with the Regional Council (Manager Resource Use) within 3 months of the commencement date of this consent.</p> <p>The consent holder shall review the odour management plan at least every two years, and update as appropriate. A copy of the updated odour management plan shall be submitted to the Regional Council (Manager Resource Use) within one month of completing each review if any substantive changes are made to the Plan.</p>		
11.	<p>All confirmed odour complaints will be investigated, and if confirmed odour complaints are received on 3 or more days within any 30 day period, then the consent holder shall undertake an odour assessment and determine the source of the odour.</p> <p>A report shall be submitted to the Regional Council within 5 working days of the third confirmed odour complaint being received, that details what actions will be immediately taken to avoid, remedy or mitigate the odour.</p>	Full Compliance	The consent holder is aware of the requirements of this condition. No complaints have been received during this monitoring period.
12.	<p>The consent holder shall log all odour complaints received. The log shall include:</p> <p>a) The date and time of the odour incident</p> <p>b) The date and time the complaint was received</p> <p>c) A detailed description of the odour incident taking into account the frequency, intensity, duration, offensiveness and location</p> <p>d) The name, telephone number and address of the complainant</p> <p>e) Weather conditions (including an estimate of wind speed and direction) at the time of the odour incident</p> <p>f) Details of key operating parameters at the time of the odour incident</p> <p>g) Any corrective action taken.</p>	Full Compliance	The consent holder maintains an adequate and comprehensive complaint management system which captures the required information. Any complaints received are passed on to Council as soon as practical. No complaints have been received during this period.



	The log of complaints shall be made available to the Regional Council at the time of any site visit, and on request.		
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To assist you with the interpretation of the report, the compliance grades are:

**FULL COMPLIANCE**

Your operation is fully compliant with all relevant consent conditions, plan rules, regulations, and national environmental standards.

**LOW RISK NON-COMPLIANCE**

Your operation is compliant with most of the relevant consent conditions, plan rules, regulations, and national environmental standards. Non-compliance carries a low risk of adverse environmental effects or is technical in nature [e.g. failure to submit a monitoring report].

**MODERATE NON-COMPLIANCE**

Your operation is non-compliant with some of the relevant consent conditions, plan rules, regulations, and national environmental standards where there are some environmental consequences and/or there is a moderate risk of adverse environmental effects.

**SIGNIFICANT NON-COMPLIANCE**

Your operation has non-compliance with many of the relevant consent conditions, plan rules, regulations, and national environmental standards where there significant environmental consequences and/or there is a high risk of adverse environmental effects.

### 3. CAPITAL PROGRAMME DELIVERY

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1296765
<i>Reporting Officer/s &amp; Unit:</i>	James Mear, Manager Design and Projects

#### 3.1 Purpose of Report

To provide Council with information on Capital Programme Delivery.

##### Officer's Recommendation

The Sustainable Napier Committee:

- a. Receive this report.

#### 3.2 Background Summary

The successful delivery of projects is an important part of Council success. Council projects and programmes of work consist of multiple phases and often span multiple years, starting with the development of strategies and often concluding with construction works. A large portion of projects are not initially capital funded projects however such work may eventually lead to capital projects.

The successful delivery of projects has an important part to play to enable democratic local decision-making which in turn promotes social, economic, environmental, and cultural well-beings for the Napier community now and for the future.

Napier City Council has implemented an enterprise workflow system called Cycle, used in parallel with financial reporting and document management, to report on project management requirements. Cycle connects community outcomes, strategic goals, strategies and actions with projects; and is also used to manage individual and organisational performance metrics, and strategic and operational risks. Council are seeking to integrate the functionality of Cycle with the Long Term Plan cycle to improve the way in which needs/problems are identified and considered in line with the Long Term Plan and Annual plan processes.

Council's Project Management Framework has been developed within Cycle to provide for the management and reporting of Council Projects. This initiative is still in development phase, with training of Council Officers on both the project management framework and its use within Cycle required to enable Council wide use of Cycle.

Further uptake and use of Cycle will improve the quality of information within Cycle and the ability to report on project delivery. This report is consistent with the first iteration of the Project Delivery Progress Report and will be improved over time.

##### Project Status Summary

	Initiate	Programme	Plan & Execute	Transfer & Close	Total projects
All of Council	539	14	52	15	620

The large number of projects in the Initiate phase include projects identified as part of our long term planning. The progression these projects by phase may occur over a longer period of time and may be dependent on other factors such as funding availability.

The Infrastructure Directorate accounts for 70% of the quantity and value of the total capital programme and is summarised in the following table:

Infrastructure Directorate	Initiate	Programme	Plan & Execute	Transfer & Close	Totals by Phase
3 Waters	290	2	15	6	313
Building Assets	4	0	2	0	6
Parklands	4	1	3	0	8
Reserves	50	2	6	5	63
Transportation	24	4	17	3	48
Total Number of Projects					438

Please refer to Appendix A for a status report on pre-selected projects. Projects have been identified for either value, visibility or political awareness. Projects in this summary are monitored for performance.

### 3.3 Issues

Adopting a Council wide project based reporting approach is new to Council and will take time to develop and embed. Council have further work to do to inform and train people involved in project delivery across the organisation.

While we are developing our project based reporting the actual spend for this annual plan against baseline budget for all of Council is tracking behind baseline. Council baseline budget spend for the 20/21 period is circa \$100.1M. The annual plan spend to date at March 2021 month end was circa \$30.3M. The Council target of achieving a total capital budget +/- 5% is defined over a two-year period. Although this is a target for Council, it is a work in progress and will not be achieved this financial year.

### 3.4 Significance and Engagement

N/A

### 3.5 Implications

#### Financial

The financial performance of individual projects does not form part of this report.

#### Social & Policy

N/A

#### Risk

Significant project risks are reported to Council separately via the Audit and Risk Committee.

### 3.6 Options

N/A

### 3.7 Development of Preferred Option

N/A

### 3.8 Attachments

A 2021 May Infrastructure Reporting Status Summary [↓](#)



PROJECT NAME	ASSET DISCIPLINE	PROJECT UPDATE	PROJECT PHASE	% OF PROJECT PHASE	FINANCIALS	SCHEDULE	REASON FOR RED OR AMBER STATUS
SCADA & Telemetry Upgrade	3 Waters	The progress has not been clearly visible to the wider Council as the 4 financial line items do not reflect the complexity of this project and its tasks. This programme looks to provide this transparency.	Plan & Execute	37%			Documenting changes in schedule for project
National Aquarium of NZ - Chiller Replacement	Aquarium	Walk over with Tech Mechanical 22.12.2020. Suppliers carrying out some remedial works mid 2021	Contract Maintenance Period	84%			
Conference Centre Odour Hinuera	City Services	Practical completion issued Oct 2020	Contract Maintenance Period	90%			In Contract Maintenance Period
Municipal Theatre BMS Replacement	Community Services	Physical works targeting completion March 21, however some commissions works may be completed in April	Construction	75%			Final testing & Asbuilt Manuals to be delivered
Kennedy Park Ablutions Block	Kennedy Park	Complex is open to the public. Working through domestic hot water issue with Contractor	Contract Maintenance Period	89%			Domestic hot water not to standard. Working with contractor to correct
MTG Sprinkler System	MTG	All work should be complete by mid-May ready for the MTG to re-establish exhibits as per the original program.	Construction	90%			
Ocean Spa Upgrades (Sauna and Steam Room)	Parade Pools	Works affected by covid, targeting works start prior to mid year.	Procurement	62%			Suppliers impacted by Covid.
Parklands 6 & 7	Parklands	Stage 6 complete, Stage 7 works completed pending Asbuilt information, next steps are release of titles	Construction	95%			Covid Variation withdrawn
Parklands Area 3 Stages 8, 9, 10	Parklands	Tendering May construction starting late July '21 and completion of works June 2022	Design	90%			Still developing cost estimate Utilities design input pending
Park Island HBRU Site	Reserves	Field complete, initial Lighting tender was non conforming, re tendering in progress.	Tender	90%			Tenders Received, budget has been increased by sponsor.
Roberts Terrace Playground Renewals	Reserves	<ul style="list-style-type: none"> <li>Tender to playground panel has been revised to Playground supply and install only</li> <li>Civils component has been sent out in a separate closed invited tender to select civil contractors</li> <li>Both tenders to close 30th April (unchanged from original tender)</li> </ul>	Tender	90%			Tender due end of April
Te Awa Playground / Urban Growth	Reserves	Construction completed on time - open to public on 1st April	Construction	100%			
Westshore Playground Renewal	Reserves	On hold	Initiate	0%			Shovel Ready project taking priority
Westshore Reserve & Playground Pathway (Shovel Ready Project)	Reserves	Construction due to be completed end of April	Construction	80%			Due to be complete by end of April
Whakarire Ave Coastal	Reserves	Construction rescheduled till Feb 2022 due to additional engagement and the penguin nesting period.	Consultation	42%			The project timeline has been deferred to allow appropriate timing and sequencing of re engagement with Iwi, penguin breeding season ( June - Feb ) and Construction stage Tendering. Construction now planned February 2022
Bluff Hill Safety Fence	Reserves	Contract Maintenance Period	Contract Maintenance Period	75%			

HBRU Game Field	Sportsgrounds	Practical completion issued Dec 2020	Contract Maintenance Period	40%			
Ahuriri Masterplan scope projects for stormwater study and improvements	Storm Water	Completed month 12 & first year of monitoring. Awaiting meeting with Asset Manager at HBRC. Continuing with year 2, round 1 monitoring early December.	Sampling	33%			
Pandora Catchment Stormwater Quality System(Study only project)	Storm Water	Sediment core collection planned mid November 2020	Plan & Execute	44%			
Cross Country Drain Pathway	Transportation	Physical works 98% completed, aiming to issue practical completion early 2021	Construction	98%			
Ellision St to Marine Parade Walking & Cycling Improvements	Transportation	30% consultation circulated for comments. Working on 60% design. Targeting Tender June, construction period August - December 2021.	Design	20%			Consultation with residents and adjoining schools ongoing. Additional design required for the Te Awa school area.
Eriksen / Kenny Rd Intersection Upgrade	Transportation	Supplier has established onsite	Construction	5%			EA Approval Delay, Utilities relocation delays, WSP rework, 35 Kenny Changes
Marewa Shops improvements	Transportation	90% design completed, sponsor preparing paper to bring to Sustainable Napier Committee to seek direction.	Design	90%			Cost to complete exceeding available budget. Sponsor preparing a paper to seek direction from council for preferred option.
Marine Parade - Raised Crossing	Transportation	Tender awarded - Contractor preparing temporary traffic management plans for construction works.	Construction	5%			
Meeanee Quay Traffic Calming	Transportation	Construction programmed to start May 2021 PM working through some additional design changes requested by sponsor	Construction	5%			Tender evaluation scheduled for mid april
Poraiti Road Corridor Improvements	Transportation	Project deferred. With Sponsor.	Programme				With Sponsor - to confirm new timeframes
Puketitiri Road Upgrade	Transportation	Project with Sponsor - Part of 2021/2031 RLTP request	Initiate				Pending direction from Transportation Team.
Thames/Pandora Roundabout Improvements	Transportation	Works progressing however underground utilities have caused some delays. Targeting august completion	Construction	30%			\$274k costs to date not allowed for in current budget - PM working with Sponsor to confirm if this is a historical sunk costs or needs to be considered within the current allocation.
Tironui Drive Pathway	Transportation	Works complete - entering defects period	Construction	100%			Partly funded by Rotary Club \$230,000 - Budget \$430,000
Tom Parker Ave Traffic Calming	Transportation	Construction due to be completed by end of April	Construction	90%			
Westshore to Ahuriri Walking & Cycling Connectivity	Transportation	Project has been delayed due to staff resourcing	Design	90%			
York Ave/Auckland Rd Intersection	Transportation	100% design due end of April, tendering June 2021, Construction complete late September 2021.	Design	90%			Tendering in April/May
Airport Sewer Pump Station Renewal	Waste Water	Project review requested by Director of Infrastructure	Design	95%			Working through budget increase with sponsor, impact on schedule still being quantified for HBRC consent requirements
Lagoon Farm Diversion	Waste Water	Raised in December's Sustainable Meeting	LTP	0%			

Latham Street Rising Main Valve Renewal	Waste Water	Contingency shutdown planning is being reviewed.	Plan & Execute	50%			This is a project that involves significant shut downs on assets that have questionable integrity. Targetting a low flow period to complete these works. Material procurement is underway and construction sequencing is
Pandora Industrial Wastewater Main - Rehabilitation	Waste Water	Investigative works are looking at rehabilitation options for this pipeline to provide a cost effective solution.	Initiate	20%			
Trade Waste Bylaw	Waste Water	Raised in December's Sustainable Meeting - Consultant briefing document is being drafted for pricing.	Initiate	5%			
WWTP Outfall Repair	Waste Water	Works completed, monitoring outfall	Complete	n/a			
WWTP Outfall Replacement	Waste Water	Briefing phase - Concept planning is underway with Beca Consulting	Initiate	56%			
A1 Piggings Points 300mm	Water Supply	Physical works will be undertaken when A1 is shut down to have low flow - winter 2021	Construction / Depot	65%			
A1 Piggings Points 450mm	Water Supply	Physical works will be undertaken when A1 is shut down to have low flow - winter 2021	Construction / Depot	62%			
Chlorine Free Review	Water Supply	Draft report has been delivered	Plan & Execute	90%			
Enfield Reservoir Replacement	Water Supply	Land purchase complete - work is progressing to develop a stakeholder engagement working group to assist with developing inputs into a concept design.	Initiate	31%			
FW2 Fire Flow Network Upgrades	Water Supply	Work is programmed and routes finalised, pending drafting and geotechnical testing, procurement can proceed for external providers. Works will exceed available budget however works are being packaged into fundable elements, with balance of works to be delivered when funding is available.	Plan & Execute	60%			Preparing tender for Bayview works Encountering some challenges with geotechnical requirements for Kiwirail crossings
Meeanee Bore Treatment Upgrade	Water Supply	Project put on hold - pending change in drinking water standard, reviewing the costs of alternate option of piping from Napier Supply.	Design	n/a			Pending Drinking water assessor decision and sponsors direction the project may need some redesign.
Tamatea & Parklands DMA	Water Supply	Targeting completion April 2021	Construction	61%			Project timeline has been affected by NZTA alternative route for resealing project.
Trial Bore No.1 Exploratory and Production Bore	Water Supply	Project completed	Contract Maintenance Period	100%			Project completed. Bore secured and land in use.





## 4. 2021 REVIEW OF NAPIER SPEED LIMITS BYLAW 2012

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Enter Legal Reference
<i>Document ID:</i>	1307688
<i>Reporting Officer/s &amp; Unit:</i>	Robin Malley, Team Leader Transportation Tony Mills, Senior Road Engineering

### 4.1 Purpose of Report

For Council to consider revisions to the Draft Speed Limits Bylaw 2019 and to commence formal public consultation on the proposed changes to the “Napier City Council Speed Limits Bylaw 2012” and the accompanying Statement of Proposal.

The proposed changes follow the introduction of the ‘*Speed Management Guide*’ which was developed by Waka Kotahi to help Road Controlling Authorities better understand the risk associated with their roads so that the appropriate speed limits can be set.

#### Officer’s Recommendation

The Sustainable Napier Committee:

- a. Approve amendments to the Draft Napier City Council Speed Limit Bylaw 2019 and Draft Statement of Proposal 2019 comprising:
  - i. Variable Speed Limits at Schools to be 50kph/40kph in place of 50kph/30kph as proposed in 2019
  - ii. Springfield Road from its intersection with Gloucester Road to the Napier/Hastings administrative boundary be reduced to 60kph in place of 80kph as proposed in 2019.
  - iii. Removal of the proposed 40kph limit on Napier Hill.
  - iv. Introduction of a 30kph speed limit to the Napier CBD.
- b. Approve that officers advertise the updated provisions identified in resolutions a) i to a) iv and seek submissions from the public and stakeholders.
- c. Resolve to hear and consider submissions to the draft bylaw made in 2019 and 2021 as a single process in August 2021
- d. Recognise that:
  - i. a bylaw is the only method mandated by the Land Transport Rule: Setting of Speed Limits 2017
  - ii. the right to control speed limits is granted by Parliament to territorial authorities and the limitations proposed are justified limitations in terms of section 5 of the New Zealand Bill of Rights Act 1990 and that there is accordingly no breach of the New Zealand Bill of Rights Act.
  - iii. the consultation on the speed limits will allow affected parties and the wider community to fully consider the bylaw amendments proposed having regard to the requirements of the Rule 4.2(2) of the Land Transport Rule: Setting of Speed Limits 2017

- e. Adopt the Proposed Amendments to the Speed Limits Bylaw 2012 and the Statement of Proposal to commence public consultation in accordance with the special consultative procedure under the Local Government Act 2002 and the Land Transport Rule: Setting of Speed Limits 2017

## 4.2 Background Summary

In 2017 NZTA introduced the new Land Transport Rule: Setting of Speed Limits 2017 along with the 2016 Speed Management guide to help Road Controlling Authorities (RCA) determine and set appropriate speed limits. The setting of speed limits was a responsibility delegated to RCAs by Central Government in 2003 and detailed in the Land Transport Rule: Setting of Speed Limits 2003, which is superseded by the new setting of speed limits rule.

The Setting of Speed Limit Rule provides the legal procedure for establishing speed limits on public roads by way of a bylaw under the Local Government Act (LGA) 2002. This does not include setting of temporary speed limits.

The 2017 rule also sets out the approach for evaluating and determining speed limits in line with the Speed Management Guide.

Council can change existing speed limits by amending their Speed Limits Bylaw with Napier's most recent amendment completed in 2012. Any amendment requires Council to follow the special consultative procedure under the LGA 2002 and the Setting of Speed Limit Rule, also provides its own consultation requirements.

The process for reviewing and setting a new speed limit on public roads is:

- Council must review and set speed limits in accordance with the Land Transport Rule: Setting of Speed Limits 2017;
- Analysis is undertaken to establish the safe and appropriate speed limit for the road in accordance with the Speed Management Guide and the Land Transport Rule: Setting of Speed Limits 2017;
- Council may set speed limits for designated locations in accordance with *section 8* of the Land Transport Rule: Setting of Speed Limits 2017;
- Council resolves to amend their Speed Limits Bylaw to set the revised speed limits under the LGA process;
- A Statement of Proposal is prepared with reasons for the changes and a draft of the revised Speed Limits Bylaw;
- The Statement of Proposal is publicly notified with a period of not less than 1 month being provided for submissions;
- The Land Transport Rule: Setting of Speed Limits 2017 requires that the following people, organisations and communities that are affected by the proposed speed limits are consulted;
  - Waka Kotahi NZ Transport Agency;
  - The chief executive of the New Zealand Automobile Association Incorporated;

- The chief executive of the Road Transport Forum New Zealand;
- Any local communities considered to be affected by the proposed speed limit;
- The Commissioner of the New Zealand Police;
- Hastings District Council;
- Hawkes Bay Regional Council;
- Any other organisation or road user group the Council considers affected;
- Acknowledge all received submissions and allow submitters the opportunity to be heard;
- After considering submissions and other relevant material, the Council sets a speed limit that it considers to be safe and appropriate for the particular road by making the necessary amendments to their Speed Limit Bylaw;
- The Director of Waka Kotahi and the Commissioner of Police are notified of the changes; and
- Any required speed limit signs are erected in accordance with the Bylaw Plans.

Council Officers identified a number of possible speed limit changes that were publicised in 2018 through an informal consultation prior to the formal bylaw process commencing.

The draft Statement of Proposal document is appended to this report and the table below provides a summary of the proposed changes.

Location/Road Name	Current Speed Limit (km/h)	Proposed Speed Limit (km/h)
Urban school zones ( <i>Variable limits</i> )	50	40
Napier CBD	50	30
Sandy Road	100	80
Hales Road	100	80
Sears Road	100	80
Jessep Road	100	80
King Road	100	80
Brookfields Road	100	80
Tannery Road	100	80
Burness Road	100	80
Waverley Road	100	80
Ulyatt Road	100	50
Meeanee Road	70	80

Puketitiri Road	100	80
Poraiti Road	100	80
Fryer Road	100	80
Nilgri Road	100	80
Boyd Road	100	80
Pinleigh Drive	100	80
Ballantyne Road	100	80
Ballantyne Place	100	80
Longview Road	100	80
Penrith Road	100	80
Silverton Road	100	80
Quarry Ridge	100	80
Springfield Road	100	60
Prebensen Drive	100	80
Awatoto Road	100	80
Hill Road	100	80
Puketapu Road	100	50
Tamatea Drive	70	50
Te Awa Avenue	70	50
Eriksen Road	100	50
Kenny Road	100	50
Onehunga Road (western end)	100	50
Awatoto Road (70m from intersection of Meeanee Road)	100	50
Sandy Road (70m from intersection of Meeanee Road)	100	50
Brookfields Road (70m from intersection of Meeanee Road)	100	50
Marine Parade (Vautier St to Coote Road) & removal of 40kh/m "Courtesy Zone"	50	30
Bus layby on Gloucester Street	50	20
Symons Lane	50	20
Gloucester Street	70	50

### 4.3 Issues

The original bylaw review (2018) sought to introduce variable speed limits around urban schools of 30kph, which would be in force during school drop off and pick up periods.

This was, and remains, outside the provisions of the Land Transport Rule: Setting of Speed Limits 2017, which only permits 40kph variable limits. Officers were able to secure the support of the (then) Associate Minister of Transport, NZ Police and other Councils in seeking a lower limit, however the Waka Kotahi Network Manager did not provide the required approval. If Council had progressed with the unapproved speed limits, NZ Police would have been unable to enforce anything below 50kph as the underlying gazetted limit.

This proposal seeks to introduce variable speed limits outside schools at the approved 40kph lower limit. The Ministry of Transport is promoting its '*Tackling Unsafe Speeds*' programme, which includes a review of the Setting of Speed Limits rule to promote regional planning and a new national register of speed limits which will reduce reliance on the bylaw processes. Also included in the programme is a commitment to reduce speeds around schools. This will present Council with an opportunity to review the variable speed limits around schools in the near future and be compliant with regulations.

The 2018 review included the proposal to reduce the speed limit on all roads on Napier Hill. This was intended to provide road users with an expectation of a lower speed environment, which much of Napier Hill is, with narrow carriageways, poor sightlines and intermittent footpaths. This proposal has been removed from the 2021 review to enable further consideration of the issue. Much of Napier Hill operates at 40kph naturally, due to the environmental cues above. However, officers are aware that compliance would be lower on the collector roads of Shakespeare Road, Milton Road and Napier Terrace and would like to give this proposal further consideration.

Springfield Road has a speed limit of 100kph although much of its length within the Napier boundary does not have an environment suited to such a high limit. The review commenced in 2018 proposed to reduce the speed limit to 80kph. However, Council introduced a temporary speed limit of 60kph following last year's lockdown to improve safety as vehicle trips to Council's transfer station increased (following the closure of the Austin Street recycling facility). Residents in the area have provided feedback that the 60kph limit made them feel considerably safer and officers observed a high level of compliance from users. Waka Kotahi's speed management guide also identifies the '*safe and appropriate speed*' for Springfield Road to be 60kph.

This review of the bylaw also proposes introducing a 30kph speed limit for the Napier CBD, in recognition of the high numbers of pedestrians and cyclists sharing the road space and high level of parking activity. The environment in the CBD area reinforces the introduction of a lower speed limit and 30kph is identified as the '*safe and appropriate speed*' for the all CBD streets.

#### 4.4 Significance and Engagement

Council is required, under the bylaw-making provisions of the LGA 2002 and the Land Transport Rule: Setting of Speed Limits 2017, to use the special consultative procedure to make, amend or revoke a bylaw.

Should Council determine to proceed with the recommendations of this report, then the proposed bylaw will be publicly notified and made available. Hard copies will be available at:

- Napier City Council office, Dunvegan House;
- Napier Library; and
- Taradale Library.

The bylaw will also be available online on the Napier City Council website - [www.napier.govt.nz](http://www.napier.govt.nz)

The Statement of Proposal provides the procedure for making submissions on the proposals.

All affected parties will be notified of the consultation period and where a copy of the Statement of Proposal can be viewed or obtained.

The minimum period for consultation under the special consultative procedure is one month which is what is proposed here.

Submitters will all be formally acknowledged and those who have indicated that they wish to speak to their submission will be scheduled to do so. All consultation material, feedback and submissions will be on the agenda at a future Council meeting.

Council will follow the above procedures with key dates below:

- Council approves the draft bylaw for consultation 3<sup>rd</sup> June 2021
- Public consultation starts 28<sup>th</sup> June 2021
- Public consultation ends 23<sup>rd</sup> July 2021
- Council bylaw hearing with submissions being heard August/September 2021

#### **4.5 Implications**

##### **Financial**

N/A

##### **Social & Policy**

N/A

##### **Risk**

N/A

#### **4.6 Options**

The options available to Council are as follows:

- a. Do Nothing
- b. Progress the Bylaw review. This is the preferred option.
- c. Leave the review on the table until the rules have been reviewed.

#### **4.7 Development of Preferred Option**

The review of the 2012 bylaw gives Council an opportunity to ensure that speed limits on Napier's roads are aligned with their function, level of risk and location.

Waka Kotahi are preparing to consult on the proposed Setting of Speed Limits rule, which is awaiting cabinet approval (at the time of writing). The consultation, review and possible adoption process may take some time and no timeframes have been committed to by Waka Kotahi. The proposed reduction in speed limits around schools to 30kmh would enable Council to introduce safer limits as per its 2018 review of the bylaw. However, laying the bylaw update aside until the new rule is operational would delay the implementation of all the other proposed changes and it is considered that this would not be appropriate given the concern around speeding vehicles among the community.

If the bylaw review is progressed now, then Council can revisit the school area limits and any others which have been identified in the context of the new regulations and speed management plans prepared under them.

#### **4.8 Attachments**

A 2021 Draft Statement of Proposal (*Under Separate Cover*) [⇒](#)

## 5. REPORT ON NAPIER WATER SUPPLY STATUS END OF Q3 2020-2021

Type of Report:	Operational
Legal Reference:	N/A
Document ID:	1307714
Reporting Officer/s & Unit:	Anze Lencek, Water Quality Lead Russell Bond, Manager Water Strategy

### 5.1 Purpose of Report

To inform the Council on:

- the status of Napier Water Supply (NAP001) at the end of third quarter (Q3) of 2020-2021 compliance year
- Report on the Assessment of the Performance of the Water Safety Plan

#### Officer's Recommendation

The Sustainable Napier Committee:

- a. Recommend Council endorse the:
  - i. Report on Napier Water Supply Status end of Q3 2020-2021
  - ii. Report on the Assessment of the Performance of the Water Safety Plan

### 5.2 Background Summary

The Havelock North Drinking Water Inquiry Stage 2 report identified six fundamental principles of drinking water safety for New Zealand. Water suppliers need to take the six principles into consideration as part of supplying safe drinking water to their customers. This Report relates mainly to **Principle 5: Suppliers must own the safety of drinking water.** *Drinking water suppliers must maintain a personal sense of responsibility and dedication to providing consumers with safe water. Knowledgeable, experienced, committed and responsive personnel provide the best assurance of safe drinking water. The personnel, and drinking water supply system, must be able to respond quickly and effectively to adverse monitoring signals. This requires commitment from the highest level of the organisation and accountability by all those with responsibility for drinking water.*

Drinking-water compliance period covers period from July 1 through June 30 next year and consist of four quarters (Q1: Jul-Sep, Q2: Oct-Dec, Q3: Jan-Mar, Q4: Apr-Jun). Reports such as this will be submitted and presented on Sustainable Napier Committee meetings as soon as possible after each compliance quarter to provide insights on recent changes to Napier water supply and quarterly compliance against the Drinking Water Standards for New Zealand (DWSNZ) and the Health Act 1956.

#### Napier drinking-water supply facts and compliance requirements:

- Napier drinking-water supply (Napier NAP001) comprises only one zone (Napier NAP001NA) and serves a population of 59,055 (Drinking Water Online register, December 2020; estimate).
- As a drinking-water supplier, Napier City Council (NCC) must comply with Drinking Water Standards for New Zealand 2005 (Revised 2018) (DWSNZ) and part 2A of the Health Act 1956.



- More details on Napier water supply can be found in Napier Water Safety Plan v4.4 attached.
- 2019/2020 Compliance Report attached.

#### **DWSNZ compliance consists of:**

- Treatment Plant / Bores Compliance; includes: Bacterial, Protozoa, Cyanotoxin, Chemical, Radiological and Overall Compliance
  - Distribution Zone(s) Compliance; includes: Bacterial, Chemical and Overall Compliance
- Health Act 1956 part 2A compliance with Duties in the Act consists of below sections of the Act:
- 69S: Duty of suppliers in relation to the provision of drinking water
  - 69U: Duty to take reasonable steps to contribute to protection of source of drinking water
  - 69Z: Duty to prepare and implement a Water Safety Plan (WSP)
  - 69ZD: Duty to keep records and make them available
  - 69ZE: Duty to investigate complaints

All requirements (DWSNZ and Health Act) are being annually assessed by NCC's local Drinking Water Assessor for period July 1 - June 30 and '*Report on Compliance with the Drinking-water Standards for New Zealand 2005 (Revised 2018) and duties under Health Act 1956*' is issued.

The main focus of this Report is to present the 3 Waters Team's current understanding of compliance with the DWSNZ only, as this exercise is much more straightforward to undertake compared to assessing Health Act requirements, which might be subject to different DWA interpretation and additional requirements. However, any major non-compliances detected with the Health Act will be included in reports to come. An overview on 69ZE requirement (Duty to investigate complaints) from the Health Act is however included in this Report.

**Note** – Information presented in this Report is NCC 3 Waters Team's best understanding and interpretation of DWSNZ and Health Act requirements and our adherence to those requirements – the DWA might have a different view when undertaking an annual compliance assessment at the end of the compliance year.

### **5.3 Issues**

The following points highlight the main issues and events relating to the supply.

#### **A) Summary of any significant events that have occurred and changes to any of the supply elements, WSP and regulatory framework**

- **Water Safety Plan (WSP).** A Request for Proposal (RFP) was published to Tenderlink as an open market tender on 1 April 2021. Council is seeking input from internal consultants to assist with rewrite of our WSP and to produce Source Water Risk Management Plan(s), to comply with the latest WSP framework requirements and upcoming legislation (e.g. Water Services Act, Operational Rules). Contract to be awarded w/c 13 May 2021 and finalised documents to be produced before 31 November 2021.
- **A1 abstraction rates.** On 3 March 2021 abstraction flow at A1 bore has been decreased from 95 l/s to 65 l/s, to minimise the amount of water with elevated iron and manganese levels to enter the supply. This was possible due to decreased demand. Whenever the demand decreases further, we will be turning A1 off completely for the winter period.

#### **B) Summary of progress against the WSP Improvement Plan**

At the end of Q3 (as on 31 March 2021) there were 18 actions to be completed in the WSP v4.4 Improvement Plan.

- None of the actions are overdue

### C) Update on drinking-water related capital projects

The table below shows a summary of all drinking-water related capital projects entered and managed in Cycle and their progress (see 'Current phase' column, legend below the table), as on 31 March 2021. Where projects differ from the project summary submitted for the Sustainable Napier Committee this can be due to some projects having not started yet. As projects start they are loaded into Cycle and will be reported on in the six weekly committee process. Timeframes will need to be adjusted following review of the LTP.

#### Water Supply Projects Update for Week 43 of 2020/2021

Project Name	Cycle Phase	% Effort Complete	Comments
A1 Pigging Points - 300mm Main	Transfer and Close	65%	Work is planned for the low demand period for the installation. This is due to start after Easter.
A1 Pigging Points - 450mm Main	Transfer and Close	62%	Work is planned for the low demand period for the installation. This is due to start after Easter.
Development of Borefield No.1	Initiate	22%	Papakura Domain has been identified as the most suitable water source area for a new borefield. Work is being planned for the test bore to monitor water quality and to identify a depth for the production bores to be installed. Schedule needs to be redone to reflect the separation of trial bore works to full borefield development.
Borefield No.1 Rising Main Extensions - Carlyle Street to New Reservoir on Hospital Hill	Initiate	0%	Preliminary design and alignment of stage one.
Borefield No.1 Rising Main Extensions - Latham Street to Carlyle Street	Initiate	0%	10% concept design completed. New project manager appointed
Borefield No.2 Taradale	Initiate	10%	Multi Criteria Analysis currently being finalised for site selection. Project is moving into property purchase and detailed investigation phase. Geotechnical information has ruled out a number of sites for consideration.
De-Chlorination Water Station 2 - Marine Parade	Transfer and Close	87%	Operations and Maintenance manual commissioned internally and to be completed by August 2021.
Dedicated Hydrant Water Take - Thames Street	Plan and Execute	62%	Water take construction in progress. Delay resulting from long material supply - now mid-April completion date for water infrastructure.  Alternative road safety improvements being considered. Cost estimates being put together to assist decision-making. Available budget to be confirmed following this.
Development of District Water Supply Monitoring Areas (DMA & Quality)	Initiate	6%	'12 sites have been identified as part of the modelling process for the installation of flow meters. Water quality monitoring is in the design phase for instrumentation and sites will be identified once the Master Plan is complete.

Project Name	Cycle Phase	% Effort Complete	Comments
Mataruahou (Napier Hill) Reservoir	Initiate	31%	Business Case on site selection completed. Project procurement strategy and scoping to take place.
FW2 Fire Flow Network Upgrades	Plan and Execute	79%	Bayview site design at 30% stage. Geotech report commissioned.
Mataruahou (Napier Hill) - Rising and Falling Trunk Mains	Initiate	0%	<p>Several projects relating to the Mataruahau (Napier Hill) - Rising and Falling Trunk Mains have been previously raised in Cycle. These projects are listed below for reference only.</p> <ol style="list-style-type: none"> <li>1. PRUID100299 - Borefield No.1 Rising Main Extensions - Latham Street to Carlyle Street</li> <li>2. PRUID100424 - Borefield No.1 Rising Main Extensions - Carlyle Street to New Reservoir on Hospital Hill</li> <li>3. PRUID100427 - Chaucer Road Pump Station Relocation</li> <li>4. PRUID100428 - Hospital Hill falling main</li> <li>5. PRUID100429 - Carlyle Street Trunk Main Improvements</li> </ol> <p>The scope of all the above projects are consolidated in this project [Mataruahau (Napier Hill) - Rising and Falling Trunk Mains].</p>
Meeanee Bore Treatment Upgrade	Transfer and Close	71%	Option assessment and pipeline model to take place by external contractors.
New water treatment plants design for Borefields No.1 & 2	Initiate	0%	Project is subject to the Borefield Selection process, however this has become a critical path project.
Puketapu Road Trunk Main Upgrade	Initiate	12%	Detailed Design required for construction of pipeline extension. Construction to wait until the borefield location is confirmed by water flow and quality tests.
Reservoir Inlets and Outlets Improvements	Plan and Execute	53%	Initial project concept has been changed and the project construction can now take place without being restricted to water usage.
Tamatea & Parklands DMA	Plan and Execute	63%	<p>Completion date targeted for 22 April 2021.</p> <p>22/03 - Completion date still on target</p> <p>26 March - Letter to residents to be sent out</p> <p>29 March - information pop-ups to be held</p> <p>8 April - Community meeting</p> <p>12 April - App. reporting period to start</p> <p>6 May - App. reporting period ends</p>
Taradale Borefield Rising Main Extension	Initiate	12%	Detailed Design required for construction of pipeline extension. Construction to wait until the borefield location is confirmed by water flow and quality tests.
Taradale Borefield Rising Main Extension - Church Road (Puketapu Rd to Tironui Dr)	Initiate	6%	Detailed Design required for construction of pipeline extension. Construction to wait until the borefield location is confirmed by water flow and quality tests.
Taradale Borefield Rising Main Extension - Guppy intersection to New Borefield No.2	Initiate	6%	Detailed Design required for construction of pipeline extension. Construction to wait until the borefield location is confirmed by water flow and quality tests.
Taradale Reservoir	Plan and Execute	85%	Asset in operation. Finalising Asset Manager acceptance criteria. Practical and final completion certificate to be issue in January 2021

Project Name	Cycle Phase	% Effort Complete	Comments
Taradale Reservoir Falling Main Upgrade	Initiate	12%	Detailed Design required for construction of pipeline extension. Construction to wait until the borefield location is confirmed by water flow and quality tests.
Te Awa Watermain Extension - Philips-Awatoto Rd	Initiate	0%	Water Supply main is required to be extended from Te Awa Road to accommodate the new Industrial subdivision. This project is requiring a budget from development contributions. Feasibility studies have been done and water has been modelled, waiting for funding to design and build.  Project waiting on PRUID100235
Tironui Reservoir Membrane Roof	Transfer and Close	100%	Practical completion issued 24 June 2020 - in defects With Asset Owner for gateway 5 approval
Trial Bore No. 2 Taradale Area	Initiate	18%	Multi Criteria Analysis currently being finalised for site selection. Waiting for Property Purchase/access agreements to enable this trial project to proceed.
Trial Bore: Awatoto #3	Initiate	15%	
Trial Bore: No.1 (Papakura Domain)	Initiate	74%	Project completed. In defects period from 7/12/2020. Some minor works outside the contract to be completed in April 2021.
Western Hill Reservoir (Mission Estate)	Initiate	0%	Working with Mission Hills development to secure site for future reservoir.
Cycle Phase Legend			
Define	The Project Sponsor is responsible for completing and reviewing details prior to Gateway 1. This is the project scoping phase detailing the objectives and justification work required for the project.		
Initiate	Gateway 1: approval phase		
Programme	Gateway 2: This step is the recommendation that the project in its current form be executed as planned in the LTP		
Plan & Execute	Gateway 3: Approval indicates that the Project Manager accepts responsibility for project execution.		
Transfer & Close	Gateway 4: Plan & Execute tasks have been completed (inc. Defects period) and project ready for final closeout.		
Monitor & Control	Gateway 5: Transfer & Close tasks have been completed and the project can be closed.		

#### D) Summary of reactive maintenance and major operations events

##### Q1:

- Otatara reservoir overflow event, from 17 September 2020 4:30pm to 18 September 2020 1.15pm. No damage to the structures or adjacent properties as the overflow discharging directly to storm water network. Faulty float switches identified as root cause when Otatara booster set to 'float control'.

##### Q2:

- Apart from the additional monitoring operations triggered by the flooding event in November, no other events recorded.

##### Q3:

- Chlorine dosing malfunction at T3 bore on 2 January 2021, resulting in approximately 23 hours of unchlorinated water supplied to the reticulation. Commissioning of the online chlorine monitoring equipment before the end of this year (as identified in the WSP) will eliminate this hazard.

**E) DWSNZ Treatment Plant / Bores Compliance overview**

To date, **no** transgressions have been recorded at Treatment plants / Bores in 2020/2021 compliance year. Compliance per category per quarter and Overall Compliance is presented in the table below.

Bore / Plant name	Bacterial Compliance				Protozoa Compliance				Chemical Compliance				Radiological Compliance				Overall Compliance
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	2020-2021
A1 Bore	✓	✓	✓		✓	✓	✓		✓	✓	✓		✓	✓	✓		pending
C1 Bore	✓	✓	✓		✓	✓	✓		✓	✓	✓		✓	✓	✓		pending
T2 Bore	✓	✓	✓		✓	✓	✓		✓	✓	✓		✓	✓	✓		pending
T3 Bore	✓	✓	✓		✓	✓	✓		✓	✓	✓		✓	✓	✓		pending
T5 Bore	✓	✓	✓		✓	✓	✓		✓	✓	✓		✓	✓	✓		pending
T6 Bore	✓	✓	✓		✓	✓	✓		✓	✓	✓		✓	✓	✓		pending
T7 Bore	✓	✓	✓		✓	✓	✓		✓	✓	✓		✓	✓	✓		pending

**F) DWSNZ Distribution Zone Compliance overview**

To date, **no** transgressions have been recorded within Distribution Zone in the 2020/2021 compliance year. Compliance per category per quarter and Overall Compliance is presented in the table below.

Distribution zone name	Bacterial Compliance				Chemical Compliance				Overall Compliance
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	2020-2021
Napier NAP001NA	✓	✓	✓		✓	✓	✓		pending

**G) Health Act 69ZE – ‘Duty to investigate complaints’ summary figures**

Customers’ Service Requests (SR) are captured in MagiQ software. Each SR is categorised from the list below:

From a water quality and risks perspective, the main focus is given to clarity, odour, taste and pressure/flow issues. Numbers of SRs received for each of these categories are presented in the table below.


Service Request category	Q1			Q2			Q3			Q4		
	Jul20	Aug20	Sep20	Oct20	Nov20	Dec20	Jan21	Feb21	Mar21	Apr21	May21	Jun21
Q – Clarity	18	13	38	59	42	56	64	73	52			
Q – Odour	0	0	0	0	0	0	0	0	1			
Q – Taste	3	1	1	0	0	0	0	0	0			
Q – Pressure / Flow	1	5	1	2	2	1	3	2	5			

**H) Production summary figures and water take Resource consent compliance**

Summary of the drinking-water production (abstraction):

Water Production – All Bores	Q1			Q2			Q3			Q4		
	Jul20	Aug20	Sep20	Oct20	Nov20	Dec20	Jan21	Feb21	Mar21	Apr21	May21	Jun21
Production [m3 x1000]	736	724	754	885	796	973	1,063	863	870			

Summary on the current Resource Consent compliance and conditions:

- NCC has been fully compliant with Resource Consent conditions for 2020/2021. 
- NCC is sharing raw production figures database with HBRC at the end of each month to demonstrate compliance.
- Main Resource Consent conditions:
  - The consent is granted for a period expiring on 31 May 2027.
  - The cumulative rate of take of water (from all wells) shall not exceed 784 L/s.
  - The cumulative maximum 7-day volume take (from all 11 wells) shall not exceed 387,744 m3.
  - See Resource Consent (Doc. ID: 920969, [link](#)) for more details and other conditions.

**I) Report on Compliance with the Drinking-water Standards for NZ 2005 (Revised 2018) and duties under Health Act 1956 (for period 1<sup>st</sup> July 2019 to 30<sup>th</sup> June 2020)**

NCC's Drinking Water Assessor shared the above titled Report with Council on 23 November 2020.

Napier Water Supply has achieved full compliance with Bacterial, Protozoa, Cyanotoxin, Radiological, Chemical and Overall compliance requirements as set in current Drinking-water Standards for New Zealand and met all duties under the Health Act, for the 2019/2020 compliance year period.

**5.4 Significance and Engagement**

N/A

**5.5 Implications****Financial**

N/A

**Social & Policy**

N/A

**Risk**

No risks have been identified.

**5.6 Options**

The options available to Council are as follows:

1. The purpose of this report is to present information to Council. Options have not been presented.

**5.7 Development of Preferred Option**

N/A

## 5.8 Attachments

- A REPORT ON THE ASSESSMENT OF THE PERFORMANCE OF THE WSP [↓](#)
- B Water Safety Plan (*Under Separate Cover*) [⇒](#)
- C Report on Compliance with the Drinking-water Standards for New Zealand 2005 (Revised 2018) and duties under Health Act 1956 (*Under Separate Cover*) [⇒](#)



## Memo

To:	Russell Bond, Manager Water Strategy		
Cc:	Howard Tisdall (Operations Manager 3 Waters), Daniel Monrad (Senior Operations Engineer), John Kelsey (Network Systems Control Lead), Lance Groves (Water Planning Lead), Water Supply Team – City Operations (Peter Martin), Team Leader Water – City Operations (Dean Hammond), Gary Schofield (Team Leader, 3 Waters Strategic Planning)		
Date:	9 April 2021	File Ref:	1304525
Subject:	<b>REPORT ON THE ASSESSMENT OF THE PERFORMANCE OF THE WSP</b>		

Assessment of the performance of the Water Safety Plan (WSP) is mentioned in Section 1 Revision Details of the WSP and is undertaken annually (latest end of March). This assessment covers time period from March 2020 to March 2021 and considers:

- 1) Any significant events that have occurred and changes to any of the supply elements
- 2) Non-compliances
- 3) Progress against the Improvement Plan
- 4) Near misses and unexpected situations that have occurred

A workshop was held at Cape View on 8 April 2021 to undertake an annual Assessment of the Performance of the WSP. The attendees of the workshop were: Senior Operations Engineer (Daniel Monrad), John Kelsey (Network Systems Control Lead), Lance Groves (Water Planning Lead) and Peter Martin (Water Supply Team – City Operations).

### 1) Any significant events that have occurred and changes to any of the supply elements

All changes (minor and major) of the supply elements are being reflected in an ongoing process of updating the WSP. There were two versions of WSP in place during the time period from March 2020 to March 2021:

- v4.3
- v4.4, updated on 20 December 2020; current version

#### Updates included in WSP v4.4:

- New section added – Linked Documents and Abbreviations for more transparency which documents link and are an integral part of the WSP
- Updates on supply administration staff to reflect current status
- Figure 1 – NCC Water supply assets map updated
- Chlorination processes and timelines rewritten, abolished the term 'emergency' and 'intermediate' chlorination
- High-level Chlorine Free Review specifications recorded



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- Actions 1, 2, 4, 8, 12, 13, 22, 23, 25, 27, 29, 30, 34, 37, 50, 51, 52 and 55 of the Improvement Plan closed out or retired. Actions 61, 62, 63, 63, 65, 66 and 67 have been added to the Improvement Plan.
- Water Quality Monitoring requirements and schedule revised and edited under a new section
- Section 20. Contingency Plans revised and updated, links to relevant documents established.
- Internal Audit Programme for Napier Water Supply developed as a stand-alone document
- Risk Tables revised and residual risks amended to reflect completed action from the Improvement Plan. NTD 2.12 line added to the reticulation section, event being 'Discoloured water incidents in Tamatea and Poraiti'.

#### **Changes to any of the supply elements**

- A) Second dechlorinated water station commissioned in 28 July 2020 north of NZ National Aquarium (Marine Parade). Dechlorinated water available to public, treatment includes filtration (20 and 1 µm), carbon filter for chlorine removal and >40mJ/cm<sup>2</sup> UV treatment.
- B) Source water residence time samples have been taken at the end of September 2020 for consideration of ongoing compliance in April 2021. Awaiting final report, GNS indicated in an email no significant changes to the water age comparing to previous results.
- C) A1 has been put online on 13 October 2020, for the first time pushing water from A1 bore north to Latham St, through PRV and further north to Carlyle St – from there depending on demand either towards Enfield & Thompson reservoirs or directly to reticulation (CBD, Napier South, Marewa). Change made in order to reduce the number of discoloured water events in Tamatea, Pirimai, Onekawa and adjacent areas. A sampling tap has been commissioned tapped to the bulk main at Latham St to monitor FAC levels getting through and to be able to adjust appropriately at A1.
- D) Water restrictions imposed 9 November 2020 at Level 2. Level 3 enforced 25 January 2021. Water restrictions lifted to Level 1 on 26 March 2021.
- E) On 3 March 2021 abstraction at A1 decreased from 95 to 65-70 l/s to minimize discoloured water events in the CBD and adjacent areas.
- F) During last 12 months VSDs have been commissioned at all A1, T5, T6 and T7 bores.
- G) Sodium hypochlorite supplier changed on 1 January 2021 from Clark Products (Onekawa) to IXOM (Mount Maunganui) to improve quality (strength) and to minimize DBP originating from decay.

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H) Physical works for setting up DMA in Tamatea/Pirimai started November 2020, work in progress, not commissioned to date.

## 2) Non-compliances

- Napier water supply (NAP001) has been fully compliant with DWSNZ and Health act since July 2018 onwards.
- **No** transgressions have been recorded since the last review.

## 3) Progress against the Improvement Plan

Progress on the Improvement Plan is reviewed by the Water Quality Lead on a monthly basis, with the input from the action holders. An excel tracker spreadsheet is sent out to all stakeholders (NCC, DWA/DHB) on a monthly basis. As on 31 March 2021, no actions on the Improvement Plan are overdue.

Below is the screenshot of the tracker as on 30 March 2021:

Action no.	Water Supply area	Reference to risk table (WSP Dec 2016)	Proposed works	Intended completion date	Comments 31 March 2021	Status 31 March 2021
24	Reticulation	NTD2.8	Develop dedicated locations for taking water from hydrants (Thames St Water Take Site)	Jun-21	Microlocation of the abstraction point relocated for around 5m to reduce traffic management risks and needed upgrades. Work in progress and on track to deliver on time.	
31	Abstraction wells	NS1.1	Commission two bore fields with treatment plants at each one (Taradale, Awatoto) with chlorination and appropriate protozoa treatment.	Jun-23	LTP work programme is under review. Investigations for the location of the new bore fields are underway.	
32	Abstraction wells	NS1.2	Decommission T4 and T1 bore	Jun-23	The decommissioning will be schedule a year before the completion date.	
39	Reticulation	N/A	Update Napier City Water Supply Bylaw 2012 to integrate Health Act 69ZZR(4) and 69ZZV sections' requirements on offences for persons taking water from a hydrant.	Jun-21	Due date to be postponed during the next regular WSP update to a later date.	
42	Abstraction wells	NS2.9	Apply for a resource consent for the future bore field configuration.	May-23	Until the 2021-2031 LTP has been approved it is not known if NCC will apply with new borefields or reapply to the existing.	
54	Other	NO1.7	Complete all works needed to commission existing A2 bore and put appropriate protozoa treatment in place.	Jun-23	RFP issued for technical consultancy, contract to be awarded by the end of April 2021.	
56	Reticulation	NTD2.11	Locate and inspect all reticulation air valves, evaluate risks associated with the location and condition of the valves.	Jun-22	Students have conducted some preliminary works. Work in progress.	
57	Booster pump station	NBP1.2	Finalise draft methodology for deploying generators to BPS and test in field.	Apr-21	Falcon Electrical working on this. Some unexpected electrical compliance / HS issues found that need to be rectified prior proceeding, hence the close out might be slightly delayed.	
58	Reservoirs	NTD1.9	Reservoir Inlets and Outlets Improvements – assure adequate water mixing during filling up, to prevent short circuiting and/or stratification, which could cause FAC drop, elevated HPCs and other water quality issues. Excluding Halliwell, Thompsons and Enfield.	Dec-23	Adding alternative solution to the options analysis, which is based on deploying PAX mixers inside the reservoir.	
59	Catchment	NS1.4	Engage a consulting company to develop a GIS risk matrix / screening tool to characterise catchment risk, including Catchment Sanitary Inspections (CSI) within SPZs around locations identified as most suitable for the two new bore fields.	Jun-23	The Location of the Borefields have to be finalised to date and therefore the completion date for the work cannot be forecast. But once both borefields has be approved this work package should be completed within 1yr.	
60	Reservoirs	NTD1.1	Upgrade or replace Enfield reservoir due to potential leak issues.	Jun-24	Council purchased the land on Napier Hill for the site of a new drinking water supply reservoir to replace the Enfield reservoir.	
61	Abstraction wells	NS1.1	In order to request ongoing Secure Bore Water status from April 2021 onwards, DWA's condition is to provide a review of the bore head protection report (in line with criterion 2 of section 4.4.6 of DWSNZ). Outsource this review to consultancy with expert(s) in the field competent to review and sign it off.	Apr-21	Action added 18Dec2020 into the updated v4.4 WSP. This action will be removed from the IP on the next regular WSP update as not applicable any more in current situation.	
62	Abstraction wells	NWT1.2	Commission online turbidity, temperature, pH and conductivity monitoring at all bores in use to monitor CCP parameters in real-time (through SCADA) when the bores are online. Automatic shutdown for values over set thresholds	Dec-21	Action added 18Dec2020 into the updated v4.4 WSP. Project entered in Cycle.	
63	Reticulation	NTD2.12	Create District Metered Area (DMA) to encompass Tamatea and Poraiti (Parklands development) in order to improve stability of flow direction and consequently reduce the number of discoloured water occurrences.	Jun-21	Action added 18Dec2020 into the updated v4.4 WSP. Works in progress and on target re timeline.	
64	Treatment plants	NWT1.1, NWT1.2, NWT1.4, NWT1.5, NWT1.6	Install online FAC monitoring of water leaving the treatment plant at all bore sites (7). To include automatic shutdown of the treatment plant if threshold values not met.	Dec-21	Action added 18Dec2020 into the updated v4.4 WSP. Project entered in Cycle.	
65	Reticulation	NTD2.4	Inspect all industrial sites against backflow requirements based on risks their activities pose and install or upgrade BFP devices if needed.	Dec-22	Action added 18Dec2020 into the updated v4.4 WSP.	
66	Abstraction wells	NS1.1	Develop procedures to flush the bores on artesian pressure, should the contamination coming from the aquifer be detected and include in Operations and Maintenance Manual. Install 2" connection points on bore heads where missing.	Dec-21	Action added 18Dec2020 into the updated v4.4 WSP. Work in progress.	
67	Reticulation, Reservoirs	NS1.1	Develop procedures to flush the entire distribution network in case of a widespread chemical contamination event should contaminated water enter the reticulation. Include reference in the EMP. Update Contingency Plans.	Dec-21	Action added 18Dec2020 into the updated v4.4 WSP. Work in progress.	
	on track					
	due soon					
	over due					

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**4) Near misses and unexpected situations that have occurred**

- A) Both Dechlorinated Water Stations (York Ave and Marine Parade) fully turned off on 25 March 2020 due to Covid-19 mitigation measures (Level 3). Stations reopened 5 June 2020.
- B) 17 September 2020 Otatara Reservoir overflow event – on that day the booster was left in float control (via selector switch on front panel). The float switches in the reservoir did not activate (due to their installation) and the reservoir started overflowing at 4.30pm until 1.15pm next day when this has been noticed. Overflow pipe discharges straight into the storm water, therefore there was no damage. Works in progress to rectify.
- C) 9-10 November 2020 Napier flooding event (in excess of 1 in 250 years rainfall event) – A1 and C1 have been precautionary forced off when flooding became obvious. Sampling frequency at the remaining bores have been raised to twice a day. Chlorine dosing levels increased on day 1 to maintain residual in the network. Continuous infield testing at reticulation sites and major reservoirs (FAC, Combined chlorine and turbidity) undertaken in three 8h shifts. All infield testing results were favourable and no indications found that a possible intrusion has occurred anywhere in the supply. The only sampling area that we could not reach due to flooding was Marewa South. Sampling was undertaken by two WTHB staff and four NCC staff. No reports on no-water or substantial water pressure loss recorded during flooding.
- D) 2 January 2021 T3 chlorine dosing fault – 17 litres of sodium hypochlorite found in the containment bund. Alarm not coming through most likely due to the pressure sustaining valve on the dosing line. This will be addressed by the IP action #64, adding FAC online monitoring equipment before end 2021.
- E) Major leak on the Cross Country Drainage Reserve, aka Pirimai trunk main, (300mm DI), approximately 500m west of Riverbend Rd detected on 1 September 2020. Pipe was laid in 2007. Repairs complete on 14 September. Sections of the corroded pipes sent to WSP (ex Opus) – report revealed pipe selection should have accounted that the pipes would be partially submerged and that a PE or PVC would be more appropriate.

**Recommendations coming from this assessment on things to consider when updating Annual Plan, the Asset Management Plan for Water Supplies and the Council Long Term Plan:**

Note - these recommendations are not mentioned nor included in the Improvement Plan of the current WSP version (v4.4). Recommendations 1 – 3 are carry-over items from previous year's assessment of the WSP, as they have not been addressed yet.

- 1) Based on risk assessment, an inspection of other two supporting pillars of 450mm water main underneath the Prebensen Drive-SH2 roundabout should be considered.

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- 2) Regarding the future of Thompson 3 (square) reservoir: investigate two options – upgrading the reservoir or taking out of service permanently – preferred option to be included to WSP IP when decision is made.
- 3) If Thompson 3 reservoir is to be taken out of service, consider whether we need to replace it now or in the future. If so, make sure the site is excluded from any future redevelopments outside this objective.
- 4) Taumata Arowai is scheduled to take over regulatory space 1 July 2021. This is also the date when the new DWSNZ, Operations Rules (aka Exposure Drafts) and Water Services Bill are planned to come in force. Our current understanding is all big supplies (Napier included) will have 12 months to achieve full compliance with new legislation. Achieving this might not be straight forward due to physical constraints at some of our bores and the additional treatment (e.g. filtration, UV) needed to meet requirements since the Secure Bore Status will be abolished. Water Planning Lead and Water Quality Lead to produce a programme of works that will deliver the required outcome, which will be the basis of our implemented plan for compliance. Council has been briefed on changes lying ahead at Audit and Risk Committee meeting held on 11 February 2021.
- 5) RFP for Water Safety Plan Rewrite has been published (open market) on Tenderlink on 1 April 2021. Contract to be awarded mid May 2021. Scheduled date to produce a new WSP under the new framework, as well as Source Water Risk Management Plan is end November 2021.



Anze Lencek

**WATER QUALITY LEAD**



# PUBLIC EXCLUDED ITEMS

That the public be excluded from the following parts of the proceedings of this meeting, namely:

## AGENDA ITEMS

1. Road Maintenance and Renewals Contract C1215 - Transition to Alliance

The general subject of each matter to be considered while the public was excluded, the reasons for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution were as follows:

General subject of each matter to be considered.	Reason for passing this resolution in relation to each matter.	Ground(s) under section 48(1) to the passing of this resolution.
1. Road Maintenance and Renewals Contract C1215 - Transition to Alliance	7(2)(g) Maintain legal professional privilege	48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under Section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.

# SUSTAINABLE NAPIER COMMITTEE

## Open Minutes

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Meeting Date:	Thursday 25 March 2021
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Time:	10.00am – 12.55pm
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Venue	Council Chambers Hawke's Bay Regional Council 159 Dalton Street Napier
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Present	Mayor Wise, Councillor Price (In the Chair), Deputy Mayor Brosnan, Councillors Boag, Browne, Chrystal, Crown, Mawson, McGrath, Simpson, Tapine and Taylor
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In Attendance	Chief Executive (Steph Rotarangi) Director Corporate Services (Adele Henderson) Director Community Services (Antoinette Campbell) Director Infrastructure Services (Jon Kingsford) Director City Services (Lance Titter) Director City Strategy (Richard Munneke) Manager Communications and Marketing (Craig Ogborn) Pou Whakarae (Morehu Te Tomo) Manager Property (Bryan Faulknor) Manager Asset Strategy (Catherine Bayly) Manager Design and Projects (James Mear) Investment and Funding Manager (Garry Hrustinsky) Team Leader Parking (Debbie Heal) Team Leader Planning & Compliance (Luke Johnson) Team Leader Building Processing (Ben Ward) Team Leader Transportation (Robin Malley) Principal Transportation Engineer (Tony Mills) Urban Design Lead (Georgina King) Environmental Lead (Andrew Gass) Waste Minimisation Lead (Rhett van Veldhuizen) Environmental Management Officer (Hannah Ludlow)
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Administration	Governance Advisors (Anna Eady and Carolyn Hunt)
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## Karakia

### Apologies

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Councillors Mawson / Simpson

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That the apology from Councillor Wright be accepted.

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Carried

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### Conflicts of interest

Nil

### Public forum

#### Pauline Doyle

Pauline came to talk to agenda item two noting in her opinion:

- As the cost to upgrade the network and maintain the chlorinated status would cost approximately \$178 million it would not cost much more to move to a chlorine free network.
- The Pattle Delamore Partners Ltd (PDP) report estimates it will take 20 years to achieve a chlorine free network, however the peer review of the report says this is an inflated timeframe. Her view is that it is possible in two years.
- She had met with PDP in 2018 when Napier City Council (NCC) was consulting on the Long Term Plan, they showed her a chart of the work they felt was required to move to a chlorine free network. She does not feel they were in touch with the right expertise and the extent of required work was overestimated.
- The 2016 contamination incident in Havelock North should not be applied to every other water network. Hawke's Bay Regional Council's investigation found the bore heads in Havelock North are situated low to the ground and sheep faeces had been washed over them in heavy rains.
- Dutch evidence presented to Council shows disinfectant residuals are not adequately effective against microbes in biofilms on pipe walls. This evidence can be used by NCC in gaining an exemption from using chlorine.
- The Ministry of Health (MOH) has decided that chlorine is the best solution to contamination in drinking water supplies only because it is used elsewhere in the world, but that is not a reason Napier should use it.
- NCC should follow Christchurch City Council's lead and redraft it's water safety plan. It should also move quickly on drilling bores in the right locations to provide safe water to the community, and show the MOH it can provide a safe chlorine free system.
- The peer review company, GHD NZ, could guide NCC on the next steps to achieving a chlorine free network. They have the right contacts to provide Napier with the evidence needed to apply to the MOH for an exemption from chlorine use. They could also put together a work programme and cost it.
- A leak detection programme should include using acoustic sensors and pressure transducers. If a leak is detected the pressure transducer can be used to detect water movement. If the water is not moving then further investigation needs to be made in the form of a water sample. This system would prove to the MOH that NCC knows what it is doing.



### **Diane Evans**

Diane came to talk to agenda item two noting in her opinion:

- Council, in consultation with the community, will make the decision about whether to have a chlorine free water network.
- Option one in the Chlorine Free Drinking Water Draft Report by PDP, to remain with the status quo, is work that needs to be completed in order for NCC to comply with New Zealand drinking water standards and it's Water Safety Plan. This is regardless of a decision to have a chlorine free network.
- The total cost of option one will only be known once the work begins. Also the timeframe to complete this work will only be known once the work begins and the true state of the network is uncovered.
- Dirty water issues are being addressed by Council currently, and Council has been working hard to find a solution to the issues.
- The new Water Services Bill 2020 and the new Drinking Water Authority, Taumata Arowai, will have an impact on whether Napier can go chlorine free. NCC will be able to work with Taumata Arowai to develop a road map to move forward.
- To pay for the work on the water network, water meters and rates increases will be the only option. There are many examples through New Zealand of failing infrastructure and this costs money to address. Research shows that in areas where water meters are introduced water usage falls by up to 40%.
- If the Council and community decide to go chlorine free there will be an additional cost to repairing the current network.
- Accountability for resident's ill health if chlorine is removed is unclear.
- All options need to be considered.
- The decision by central government to put fluoride in drinking water will have been made after consultation with experts. They are the ones with the knowledge so the community and Council needs to listen to them.

### **Announcements by the Mayor**

Acknowledged the passing of Annie Aranui, Ministry of Social Development East Coast Regional Commissioner.

### **Announcements by the Chairperson**

Nil

### **Announcements by the management**

Nil

### **Confirmation of minutes**

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Councillors Boag / Taylor

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That the Minutes of the meeting held on 11 February 2021 were taken as a true and accurate record of the meeting.

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Carried

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# AGENDA ITEMS

*With the agreement of the meeting agenda item 2 was taken out of order.*

## 2. CHLORINE FREE REVIEW

Type of Report:	Information
Legal Reference:	Enter Legal Reference
Document ID:	1293086
Reporting Officer/s & Unit:	Catherine Bayly, Manager Asset Strategy

### 2.1 Purpose of Report

The purpose of this report is to introduce the report - Chlorine-Free Drinking Water Review – Options for the Provision of Safe Drinking Water to Council and to seek approval of the proposed way forward around engaging with the community.

#### At the Meeting

The officer spoke to the report, along with Tony Urquhart and Peter Hillis of PDP, who carried out the review, and Peter Free of GHD NZ, who peer-reviewed the report, noting:

- The water space is very busy now, with central government launching the Three Waters Reform Programme and the Water Services Bill, which will reform the drinking water regulatory system. This bill will require a residual disinfectant in the water network, unless a Council can gain an exemption.
- A thorough procurement process was undertaken to engage PDP, who were tasked with carrying out an extensive external review of Napier's water network and costing two identified options for the delivery of safe water to Napier; to maintain the current planned service delivery in line with the 2018 Water Safety Plan framework, with residual chlorine disinfection as the main safety barrier, and to develop the water network to a standard where residual disinfectant can be removed safely. With either option the aim will be to have a network which will deliver safe drinking water for the next fifty years.
- There have been some misconceptions circulated by media, such as fixing the water issues in Napier will cost \$300 million. This is not true. The dirty water issues will be dealt with separately. NCC has central government funding to put towards a water quality improvement project to find new bore sites which are not high in manganese. The Tamatea and Parklands controlled water area project is due to be completed at the end of April, this is where a mini water network will be created, with water from the Taradale bores and continued pigging, so that water issues should be significantly reduced, if not eliminated.
- There are also a number of water quality and flow monitoring projects happening this year under the three waters reform work, which will lead to a lot more information about the quality and flow of the Napier water network. Pigging will also continue over winter.
- Before chlorine was added to the Napier water network there were dirty water issues and all water networks have dirty water issues at some point. Also if

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Napier does move to a chlorine free network, chlorine will still be needed occasionally, as it is in Holland's chlorine free network.

- The cost for options identified in the report by PDP will be plus or minus thirty percent. This is normal as the true cost of the work will not be known until the work begins and the true state of the network is discovered.
- There were some differences between PDP and GHD, but on the whole they are in agreement about what it will take to bring the network up to standard and also in what it would take to move to a chlorine free network.
- The CEO of Taumata Arowai has to sign off on an exemption that would authorise the removal of residual disinfectant from the network. They will not be providing an exemption pathway, rather a proposal will need to be submitted to them. They have indicated that it will need to be a stringent system with very low leakage levels and thorough, continuous monitoring of the system.
- The majority of the investment will be in the below ground level infrastructure.
- There are gaps in knowledge as the true nature of Napier's water network cannot be known unless the below ground level infrastructure is dug up. Once work begins this will help fill the knowledge gaps and there will be less assumptions.
- The project will take approximately thirty years.
- Holland maintained the chlorine in their system until they had a better understanding of what was happening and the quality of their water, and then they took it out gradually, monitoring constantly to make sure it was safe.
- Out of the three most practical options, status quo, status quo plus, and road to chlorine-free, there are some commonalities. Investment made now to bring the water network in line with the requirements of the Water Services Bill, will align with going chlorine free in the longer term; such as low cost strategies like finding new bore sites or installing manganese treatment plants.
- The review of PDP's report was collaborative. GHD feel it is possible to achieve a chlorine free network but it will take a lot of work. There is a lot of work needed to establish bore security and to assess why the water quality has been poor.
- There will be engagement with the Community about the project with media releases, Facebook Live sessions, community consultation, and involving stakeholders by sending them the report and peer review report. There will be Māori engagement in the form of a cultural assessment of the options in the report, as well as consultation with Mana Whenua entities and seeking the endorsement of NCC's Māori Committee.

In response to questions from Councillors the following points were clarified:

- As part of the three waters reform NCC will need to explain how the water is moving through the network, we have no control over that currently, it flows where the demand is. Eventually bores will feed into reservoirs which will gravity-feed into the network. Also there will be mini networks or controlled water areas to help with leakage. Wet boards will be installed to help with understanding of water quality at certain points in the network.
  - DMA's (district metered areas) will improve understanding of pressure, flow and leakage, but installing these across the whole network is a longer term process.
  - A smart network talked about in the report would include pressure transducers and flow meters. Water flow and pressure are the two major measures of whether a system will be prone to ingress from leakage, and helping to identify when leaks occur.
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- Twenty years to implement the options listed in the report will be challenging. There would be a lot of disruption to the community with areas of the network needing to be shut down to do work, and it will be high cost. An optimistic view would be that it will take ten years. Two to three years is not realistic.
  - To achieve an exemption from Taumata Arowai the network will need to be down to 5% leakage global target. It is predicted for Napier to get to that target 1.5 – 3% of the network will need to be replaced a year, which will be challenging. This target may change as more evidence is collected, and the starting point of leakage for Napier's network is yet to be determined.
  - To achieve an exemption NCC would need to demonstrate it is in control of the network and able to maintain water quality, and from a risk perspective showing a very good understanding of the leak level and the impacts of that will be essential.
  - The new water standards need to be met by next year. The fixes put in place are planned to be long-term fixes.
  - PDP's report is the first step towards an understanding of Napier's water network baseline, but there is still a lot of work to do to confirm this with a monitoring programme to be established.
  - GHD's full peer review report, due within a week, is still to be presented to Council, however as the Chlorine Free Drinking Water Review report was put together in collaboration with GHD a lot of their views are expressed throughout it.
  - GHD were appointed as the peer reviewer due to their skills, local experience and also the local interest in GHD's work in Christchurch.
  - The status quo option is work that has to be done to meet national standards. This will cost approximately \$180 million. This will include things like UV treatment, and potentially filtration, which will become mandatory to install.
  - The current three year leak detection project has found approximately sixty seven leaks around the Westshore and Bayview areas. Where leaks were able to be dealt with straight away they were, but there will also be a list of work to be done to address the other leaks. Over the next two financial years leak detection will be carried out across the rest of the city.
  - Treatment plants will be needed on an ongoing basis as the new drinking water standards will mean Napier loses its bore security status. At the moment treatment plants will be designed for treatment using chlorine, but when designing the plants adding extra things like fluoride can be allowed for. The cost of the treatment component of the total programme is quite small and even if the network becomes chlorine free chlorine may still be needed as a backstop from time to time.

*Councillor Crown left the meeting at 11:21am.*

*Councillor Crown returned to the meeting at 11:23am.*

- Water meters on private water supplies would be ideal to help with measuring and detecting back flow issues into the network. There could also be leaks on the private side of the connection which water meters would help to detect. Installing water meters does not mean the council will start charging for water use.
  - The current dirty water issues should be cleared up in one to two years with establishing new bore sites and being able to close down the old problem bores which are high in manganese.
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- Once mini networks are established it might be possible to go chlorine free in one part of the city before the other part if necessary.
  - The communications and engagement plan is currently high level currently, but work is being done on a trial plan to work through some of what will be required to give the community adequate details over the course of the project.
  - There has not been a correlation established between chlorine and cancer as there is a lack of long-term research in that space. Smoking and diet are still bigger risks than chlorinated water.

**Procedural Motion:**

That under Standing Order 21.1 the Chair agreed to suspend Standing Order 21.6 to allow all Councillors to speak to the Motion.

**Officer's recommendation**

The Sustainable Napier Committee:

- a. Endorse this Chlorine free review paper and the Final Draft Chlorine Free Drinking Water Review
- b. Approve the proposed high level Communications and Engagement Plan for the Chlorine Free Review

**Committee's Substitute recommendation:**

Councillor Brosnan / Mayor Wise

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The Sustainable Napier Committee:

- a. Receive the Chlorine free review paper and the Final Draft Chlorine Free Drinking Water Review.
- b. Note the final peer review report will be circulated prior to council adoption.
- c. Note a more detailed Communications and Engagement Plan for the Chlorine Free Review will be prepared and brought to Council.

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Carried

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*The meeting adjourned at 11.50am*  
*The meeting reconvened at 12.00pm*

## 1. LEASE OF RESERVE - PELEGA O MATUA FANAU CHARITABLE TRUST

<i>Type of Report:</i>	Legal
<i>Legal Reference:</i>	Reserves Act 1977
<i>Document ID:</i>	1288626
<i>Reporting Officer/s &amp; Unit:</i>	Bryan Faulknor, Manager Property Jenny Martin, Property and Facilities Officer

### 1.1 Purpose of Report

To seek Council confirmation for a ground lease with Pelega O Matua Fanau Charitable Trust and to ratify that decision on behalf of the Minister of Conservation in accordance with the delegated authorities.

#### At the Meeting

The officer spoke to the report noting:

- This is a matter which has been before Council before and this recommendation will close off a longstanding issue.

#### Committee's recommendation

Councillors Taylor / Chrystal

The Sustainable Napier Committee:

- a. Resolve:
  - i. To confirm the granting of a ground lease for Pelega O Matua Fanau Charitable Trust for a ten year term with a five year right of renewal for the land occupied by the Early Childhood Education Centre on the Riverbend Road Reserve between Riverbend Road and Latham Street.
  - ii. To ratify that decision on behalf of the Minister of Conservation in accordance with the delegated authorities pursuant to the Instrument of Delegation for Territorial Authorities dated 12 June 2013.

Carried

### 3. PROJECTS UPDATE

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<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1294960
<i>Reporting Officer/s &amp; Unit:</i>	James Mear, Manager Design and Projects

#### 3.1 Purpose of Report

To provide Council with information on Capital Programme Delivery.

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##### At the Meeting

The Officer spoke to the report noting:

- This is an information paper to inform the current state of major projects being delivered by council.
- There are a lot of current projects in the three waters space. The bulk of council projects are in the infrastructure directorate.
- The Kennedy Park ablution block project is complete.
- The Marewa shops project has stalled due to cost to complete exceeding the available budget. A paper will come back to Council about this.
- Ocean Spa upgrade to install a sauna and steam room has not gone through the tender process yet due to limited local market and challenging to access materials for the project.
- Airport sewer pump station renewal project's scope has expanded due to discovering issues that were not initially known.

##### Committee's recommendation

Councillors Mawson / Chrystal

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The Sustainable Napier Committee:

- a. Receive the Project Update report dated 25 March 2021.
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Carried

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#### 4. PROJECT UPDATE: PANDORA INDUSTRIAL WATERWAYS (THAMES & TYNE WATERWAYS) SEDIMENT QUALITY ASSESSMENT

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	Resource Management Act 1991
<i>Document ID:</i>	1295425
<i>Reporting Officer/s &amp; Unit:</i>	Cameron Burton, Manager Environmental Solutions Hannah Ludlow, Environmental Management Officer

##### 4.1 Purpose of Report

The purpose of this paper is to summarise to the Sustainable Napier Committee the purpose of, and the results to date, of the Pandora Sediment Assessment project.

##### At the Meeting

The officer spoke to the report noting that:

- Council was not previously aware of the amount of sediment in the Thames and Tyne waterways. This project has collected sediment core samples and assessed them visually for grain size, gravel inclusions, and fossil densities.
- Some of the samples have also been sent away for analysis of grain size, pesticide concentrations and hydrocarbon testing.
- This analysis will give the picture of the current state of the sediment so when assessing how to deal with the sediment no action will be taken which will release anything harmful into the estuary.
- The analysis of the core samples will inform council of the holistic quality of the system, and will help council to move forwards appropriately. The next stage will be appointment of an independent expert.
- Previous sampling found evidence of the 1931 Napier Earthquake. The new samples were able to be matched to them.
- Sampling over time will help establish a baseline.
- Council will need to consider where it would put anything dredged out of the estuary considering it could have harmful heavy metals in it.

##### Committee's recommendation

Councillors Brosnan / Crown

The Sustainable Napier Committee:

- a. Note the goal of the Pandora Sediment Assessment project, the stage of the project, and the implications of the project's current results.
- b. Acknowledge the purpose of the Pandora Sediment Assessment project in building knowledge of the quality of the Thames and Tyne waterways, allowing Council to make informed decisions on the best practicable option for ecological enhancement of the poor-quality drainage channels.

Carried



## 5. KERBSIDE REFUSE WHEELIE BIN REPLACEMENT FEE AND ADDITIONAL WHEELIE BIN CHARGE FOR NON-PROFIT ORGANISATIONS/REGISTERED CHARITIES

Type of Report:	Operational
Legal Reference:	N/A
Document ID:	1295448
Reporting Officer/s & Unit:	Rhett van Veldhuizen, Waste Minimisation Lead

### 5.1 Purpose of Report

- a. To seek Council's approval for establishing fees for the replacement of council owned wheelie bins which have been stolen, lost or damaged whilst in service.
- b. To seek Council's approval for the cost of a second kerbside refuse collection charge and the provision of an additional wheelie bin to be invoiced to a charity that is run out of a residential premises (i.e. from a home office).

### At the Meeting

The officer spoke to the report noting:

- Up until this point council has issued wheelie bins to new builds and people who were excluded in the initial roll out for free. Wheelie bins which have been defaced, stolen or broken have also been replaced for free.
- Council is looking at implementing a charge for replacement bins of \$85 per bin.
- Council has also been approach for additional bins by some charity or not-for-profit organisations which are run out of private homes, such as assisted living flat situations. There is a register of these organisations so it would be possible to rule out applications that did not come from one.
- 35 – 40 replacements have been done already. There is a limited supply of extra bins which will run out eventually, especially if there are big new developments. Council does not want to create a barrier to a service which is needed, but also wants to implement a deterrent to damaging bins.
- At the beginning of April council staff are going to meet with Kainga Ora to discuss a solution for their client's needs.
- It is possible for council to charge a fee for replacing recycling crates but it has not been used yet due to COVID-19. There are 1200 spare crates in stock.
- The wheelie bins do have chips, so can be returned to the property they are matched with if found in other areas.

### Officer's Recommendation

The Sustainable Napier Committee:

- a. Agree to the establishment of an \$85.00 (incl GST) fee for a replacement wheelie bin supplied in the event of loss, damage or theft.
- b. Agree to a second kerbside refuse collection charge to be invoiced to a charity that is run out of a residential premises.

### Item of business to lie on the table

Councillors Tapine / McGrath

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That pursuant to Standing Order 25.2(d) the item “Kerbside Refuse Wheelie Bin Replacement Fee and Additional Wheelie Bin Charge for Non-Profit Organisations/Registered Charities” lie on the table to enable staff to develop a policy relevant to the replacement of wheelie bins and recycling bins, to further inform this report when it is re-presented to Council.

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Carried

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*Councillor Simpson left the meeting at 12:52pm.*

## 6. STORMWATER COMPLIANCE MONITORING REPORTS - 1 JULY 2019 - 30 JUNE 2020

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	Resource Management Act 1991
<i>Document ID:</i>	1295670
<i>Reporting Officer/s &amp; Unit:</i>	Cameron Burton, Manager Environmental Solutions

### 6.1 Purpose of Report

This report is to inform the Sustainable Napier Committee about the four major stormwater discharge consents' Compliance Monitoring Reports and their associated grading's noting the level of compliance achieved for the period ending 30 June 2020, as received from Hawke's Bay Regional Council (HBRC).

#### At the Meeting

The officer spoke to the report noting:

- This is the first time this sort of report has come to Council.
- In emergency discharge situations where wastewater is discharged to the stormwater network we did not have any non-compliance or low compliance reports within the 1 July 2019 to 30 June 2020 period as discharges were contained and re-routed and there were not any overflows.
- A condition review with Hawke's Bay District Council to accommodate occasional overflows has not been considered yet. We need to control our system the best we can.
- Council applied under the emergency provisions in the Resource Management Act to allow the overflow that occurred during the November 2020 flooding event.

#### Committee's recommendation

Councillors Mawson / Tapine

The Sustainable Napier Committee:

- Note the compliance monitoring report for the discharge of stormwater from the Central Business District (CBD) was graded Full Compliance for the 2019-2020 monitoring period.
- Note the compliance monitoring report for the discharge of stormwater from the Cross Country Drain was graded Full Compliance for the 2019-2020 monitoring period.
- Note the compliance monitoring report for the discharge of stormwater from the Westshore Tidal Gates was graded Low Risk Non-Compliance for the 2019-2020 monitoring period.
- Note the compliance monitoring report for the discharge of stormwater from the Thames Tyne was graded Low Risk Non-Compliance for the 2019-2020 monitoring period.

Carried

## 7. UPDATE ON 3 WATERS REFORM PROGRAMME

Type of Report:	Operational
Legal Reference:	N/A
Document ID:	1296267
Reporting Officer/s & Unit:	Catherine Bayly, Manager, 3 Waters Reform

### 7.1 Purpose of Report

To inform the Council on the progress of the 3Waters Reform Programme within Napier.

#### At the Meeting

The officer spoke to the report and in response to questions noted:

- The low manganese project has been scoped and Council is about to go out to market to get technical advisors to assist with the project, and moving with the wet boards so as to do more monitoring and understand the water quality better.
- Council has not had guidance on a work programme from Taumata Arowai, but have had from Taituarā. In line with other Council's around the country NCC is getting on with its current scheduled programme of work.
- The Department of Internal Affairs (DIA) have undertaken a big piece of work around engaging with local government entities and mana whenua on the Three Waters Reform Programme. NCC's opportunity to engage with the Napier community is through the Long Term Plan.
- The DIA have indicated there will be no new water entities coming into force until 2024.

#### Committee's recommendation

Mayor Wise / Councillor Crown

The Sustainable Napier Committee:

- Receive the update report on 3 Waters Reform Programme dated 25 March 2021.

Carried

# PUBLIC EXCLUDED ITEMS

Councillors Brosnan / Tapine

That the public be excluded from the following parts of the proceedings of this meeting, namely:

1. Lease of Reserve
2. Street light column renewals
3. Land acquisition & road stopping

Carried

The general subject of each matter to be considered while the public was excluded, the reasons for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution were as follows:

General subject of each matter to be considered.	Reason for passing this resolution in relation to each matter.	Ground(s) under section 48(1) to the passing of this resolution.
1. Lease of Reserve	7(2)(i) Enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under Section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.
2. Street light column renewals	7(2)(i) Enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority

		is named or specified in Schedule 1 of this Act, under Section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.
3. Land acquisition & road stopping	7(2)(i) Enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under Section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.

*The meeting adjourned at 12.55pm*

*The meeting reconvened at 3.12pm – 3.40pm*

Approved and adopted as a true and accurate record of the meeting.

Chairperson .....

Date of approval .....