

NORTHLAND REGIONAL COUNCIL

HEARING OF RESOURCE CONSENT APPLICATION BY THE FAR NORTH DISTRICT COUNCIL

MINUTE #2 OF THE HEARING COMMISSIONERS

Introduction

1. A hearing for the application (APP.004007.01.03) lodged by the Far North District Council (**the Applicant**) relating to discharges from the East Coast Bays Wastewater Treatment Plant (**the WWTP**) was held between 24 and 26 June 2019.
2. This Minute outlines a request for further information from Mr A Kurmann (a submitter) and also confirms the timetable for Mr Tait to provide his supplementary statement and for the Applicant to provide its Right of Reply.

Further Information - Mr Kurmann

3. On the second day of the hearing Mr W Parsonson presented evidence on behalf of Mr Kurmann, a submitter on the application. We were advised that Mr Kurmann was overseas and was therefore unable to attend the hearing in person. Mr Parsonson presented, and spoke to, a number of slides which Mr Kurmann had prepared before going overseas. It was agreed that, in the event that we had questions of Mr Kurmann, that we would prepare a Minute containing any such questions.
4. We have determined that we have a number of questions for Mr Kurmann regarding his presentation/evidence. We request that Mr Kurmann provides us with answers to the following ten questions:
 - a) Had you read the four briefs of evidence provided by the Applicant (those being from Dr MacKay, Dr Macdonald, Mr Hegarty, and Mr Somers) prior to preparing the presentation/evidence that Mr Parsonson delivered at the hearing?
 - b) The first aerial photograph of the WWTP in your presentation is dated 7 December 2017. Are the next four photographs, which show the various treatment ponds, enlargements of part of the first photograph and therefore taken on the same date (none of them had date stamps)?
 - c) What was the date of the sixth photograph which shows the coastal waters near the Aurere River mouth (there is no date stamp provided on the photograph)?
 - d) Where within the existing WWTP treatment process would the electrocoagulation (EC) unit be used?
 - e) What is the capital cost estimate for purchasing and installing an EC unit, including any additional associated capital such as a centrifuge, that would be able to treat the predicted wastewater flows and loads at the WWTP?
 - f) What is the annual operational and maintenance cost estimate for an EC unit, including any additional associated capital such as a centrifuge, that would be able to treat the predicted wastewater flows and loads at the WWTP?
 - g) What is the anticipated life of such an EC unit?

- h) We were advised that the EC unit at the WWTP could be operated by way of solar power. We presume that an electricity storage system would need to be provided to power the EC unit during periods when solar power is not able to be generated, is that correct? Would such a solar system be able to run all associated components, for example a centrifuge if that is considered necessary after the EC treatment?
 - i) What is the predicted quality of treated wastewater from an EC unit sized to be able to treat the predicted wastewater flows and loads at the WWTP in terms of:
 - i. Total ammoniacal nitrogen (mg/L);
 - ii. Total nitrogen (mg/L);
 - iii. Total phosphorus (mg/L);
 - iv. Five-day biochemical oxygen demand (mg/L);
 - v. Total suspended solids (mg/L); and
 - vi. Total faecal coliforms (cfu/100 mL).
 - j) Please provide anticipated median and 95th percentile concentrations for each of the above determinands for an EC unit sized to be able to treat the predicted wastewater flows and loads at the WWTP.
 - k) Will such an EC unit be able to deal with high algal loads which may develop within the WWTP? How do high algal loads affect the performance of the EC unit?
5. We are happy for Mr Kurmann to provide answers to the above questions by way of an email. We request that Mr Kurmann provide his response to us, via Ms Sluys (email: alissas@nrc.govt.nz), no later than **5 pm, Wednesday 3 July 2019**.
6. Mr Kurmann's response will be circulated to the Applicant and other submitters by way of Ms Sluys.

Mr Tait's Supplementary Statement

7. As was discussed on the final day of the hearing, Mr Tait is to provide us a written supplementary statement which confirms the matters which he addressed verbally on the final day of the hearing. His statement will also cover the outstanding matters on his 'shopping list'.
8. In addition, he will prepare and provide us with a revised set of recommended conditions with any changes to the version he tabled on the final day of the hearing being clearly identified (e.g. highlighted). Where the changes are substantive, we request that Mr Tait includes an explanation of these changes in his supplementary statement. As we discussed at the hearing, we expect that the recommended conditions be reviewed in their entirety to ensure they meet the 'Newbury test', and also that they are certain and enforceable (this includes ensuring that compliance is able to be determined/measured).
9. Mr Tait's supplementary statement and revised conditions are to be provided to us, via Ms Sluys, no later than **5 pm, Wednesday 3 July 2019**. Note: this date is different to that which we discussed at the hearing, however we feel it is important that Mr Tait has adequate time to prepare his supplementary statement and revised recommended conditions and we have therefore provided him with two additional days.
10. Mr Tait's supplementary statement and revised recommended conditions will be circulated to the Applicant and submitters by way of Ms Sluys.

Applicant's Right of Reply

11. As was discussed on the final day of the hearing, the Applicant is to provide its Right of Reply in writing and will include, *inter alia*, the items on its 'shopping list' as well as any changes (and/or additional conditions) to Mr Tait's revised recommended conditions. Any changes or new conditions shall be clearly identified and an explanation of those changes shall be included in the Right of Reply.
12. We remind the Applicant that we expect its Right of Reply to include details of its future plans and commitments in respect of: a) ongoing consultation; b) upgrades to the WWTP; and c) determining the long-term disposal option for the treated wastewater. As we discussed during the hearing, the Applicant is volunteering specific timeframes for b) and c) and we were provided with little evidence to show it has plans in place, including the associated financial commitments, to ensure the volunteered conditions would be able to be complied with.
13. The Applicant's Right of Reply is to be provided to us, via Ms Sluys, no later than **5 pm, Monday 15 July 2019**. The Right of Reply will then be circulated to the submitters by way of Ms Sluys.

DATED 27 June 2019



Dr Rob Lieffering
Chair