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10 January 2020

Far North District Council  
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Dear Madam

## **S92(1) REQUEST FOR FURTHER INFORMATION**

### **RESOURCE CONSENT APPLICATION APP.003839.01.03 – FAR NORTH DISTRICT COUNCIL – DISCHARGES ASSOCIATED WITH KOHUKOHU WASTEWATER TREATMENT PLANT (WWTP)**

This resource consent application was lodged on 20 May 2016. A Section 37 extension to processing timeframes was requested by the applicant to ‘allow for full consultation with affected marae to occur’. This consultation has not yet taken place.

Given the elapsed time since the application was made and the recent application for renewal of the consents associated with the Omapere/Opononi WWTP, the council considers it is necessary to proceed with the processing of this application. The council has therefore undertaken an initial assessment of the application and considers that the following further information is required, including an assessment of adverse effects on tangata whenua, their values and resources:

- 1 An assessment of the effectiveness of the septic tank maintenance schedule and treatment plant desludging schedule. There are ongoing issues with excessive sludge accumulation in the treatment ponds and wetland of the WWTP. As the purpose of the septic tanks should be to retain the majority of sludge so it does not enter the ponds it is considered that the current five yearly frequency of cleaning and inspection of the septic tanks is not sufficient.

**Reason:** To assess the current effectiveness of the WWTP.

- 2 A report on land disposal options for the wastewater which provides details of the cost and viability for each option. This report should provide a decision on whether land disposal is to be undertaken for this discharge and the reasons for that decision.

**Reason:** This is to meet Policy D.4.3(b) of the Proposed Regional Plan which states a discharge to water will generally not be granted unless “a discharge to land has been considered and found not to be economically or practicably viable”. Policy 23(2)(b)(i) of the New Zealand Coastal Policy Statement also requires that “there

has been adequate consideration of alternative methods, sites and routes for undertaking the discharge”.

- 3 A report on the outcome of quantitative microbiological risk assessment which assesses the level of risk the discharge poses to the health of people contacting the waters of, and consuming shellfish gathered within, the Hokianga Harbour. This report shall identify all recreational swimming and food gathering areas that were included in the assessment. If there is identified to be an unacceptable level of risk to public health, then the assessment shall recommend mitigation measures to reduce this risk to an acceptable level.

**Reason:** To allow council to properly assess the risk to human health from the discharge.

- 4 The application acknowledges the continued operation of the WWTP will affect Maori cultural values, however the application does not present a sufficient assessment of adverse effects on tangata whenua, their values and resources. The application also does not include an assessment of the effects on the Te Rarawa statutory acknowledgment area of the Hokianga Harbour. It is therefore requested that an assessment be undertaken on the effects on tangata whenua values and resources by the discharge. As minimum, this assessment should be undertaken in accordance with the criteria of Policy D.1.2 of the Proposed Regional Plan.

**Reason:** This is to allow the council to determine which tangata whenua are adversely affected by the application in accordance with Policy D.1.3 of the Proposed Regional Plan and to provide potential means of mitigation of any adverse cultural effects. It will also allow council when making a decision on this application to meet the requirements of Policy 23(2)(b)(ii) of the New Zealand Coastal Policy Statement which only allows a discharge of treated sewage to coastal water if it is “informed by an understanding of tangata whenua values and the effects on them”.

- 5 Where the outcome of questions 3 or 4 above identify either an unacceptable level of risk to public health or a minor, or more than minor, adverse effect on Tangata Whenua, then a report on an assessment of the potential upgrade options for the WWTP that would mitigate these effects shall be provided. The report should provide details of the estimated cost of each option and incorporate the outcomes of the assessments required by questions 1 to 4 above.

**Reason:** To allow council to assess what methods are available to the applicant to mitigate any adverse effects. This information is also a requirement of Policy 23(2)(b)(i) of the New Zealand Coastal Policy Statement which requires that “there has been adequate consideration of alternative methods, sites and routes for undertaking the discharge”.

The assessments and subsequent reports required by 1 to 5 shall be undertaken by suitably qualified persons in the field of the requested information.

You have agreed to supply this further information by **Tuesday, 30 June 2020**. The processing of your application will be placed on hold from the date of this letter until

this agreed date, or the date of receipt of the further information, whichever occurs first.

Once the council has received the further information, it will then make a decision on whether your application requires notification or whether it will be processed on a non-notified basis. If the council determines that your application is to be processed on a notified basis, an additional minimum initial fee will be required before the council proceeds any further with your application.

Please note that the council has the ability to decline your application on the grounds that it has insufficient information to determine the application.

The requirements outlined above are binding on you being the applicant, as well as on the council. Your opportunity to clarify or question the reasonableness of this further information request occurs within the next 15 working days, not at some later date.

Please contact me should you have any questions.

Yours faithfully



Katie McGuire  
Consents Officer - Generalist

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