

**Otago Regional Council  
DIRECTION OF THE COMMISSIONER  
Minute 4**

**QUESTIONS FOR THE QLDC WITNESSES**

- [1] I have read the evidence helpfully prepared by the applicant's witnesses. I have a number of questions for the various authors that are attached.
- [2] In order to promote an efficient hearing, it is preferable that these questions are answered in writing prior to the hearing, but if that is not achievable due to time constraints then the answers can be tabled and read out at the hearing.
- [3] Paragraphs 7 and 8 of Minute 1 apply to the written answers.
- [4] I would appreciate receiving a WORD version of Mr Henderson's Appendix 2 (the recommended 'track changes' conditions) prior to the hearing.
- [5] Should the answers to the questions result in Mr Henderson revising the conditions that were attached as Appendix 2 to his evidence, then I would appreciate receiving a further version clearly highlighting any additional changes.
- [6] It appears to me that the references to condition numbers in the body of some of the witnesses' evidence do not align with the condition numbers in Mr Henderson's Appendix 2. I would appreciate all the witnesses checking those cross-references and providing Errata outlining any corrections.

**QUESTIONS FOR THE ORC REPORTING OFFICER(S)**

- [7] I have only two questions arising from the s42A Report at this stage:
- Page 40 – how would a duration of 15 years “hinder the development of any new plans”?
  - Condition 16(a)(iii) – did you mean 50 milligrams per litre or 30 milligrams per litre?
- [8] These questions can be answered when the s42A Report author(s) present to the hearing following the conclusion of the applicant's case. At that time the authors are also welcome to provide their view on any of the matters raised in the questions that I have posed to the QLDC witnesses.
- [9] I would however appreciate receiving WORD versions (or PDF's that can be annotated) of the PDP Appendices to the s42A Report prior to the hearing.

**CORRECTIONS TO MINUTE 3**

- [10] Minute 3 contained several errors. The hearing is on Wednesday 26 January 2022 and the site visit is on the afternoon of Tuesday 25 January. The Minute should have been dated 10 December 2021.



Rob van Voorthuysen  
17 December 2022

**QUESTIONS FOR THE QLDC COUNSEL AND WITNESSES**

All condition numbers refer to the suite of conditions attached as Appendix 2 to the evidence of Ralph Henderson.

<b>Paragraph</b>	<b>Question</b>
<b>Counsel</b>	
1.8	What consent durations have been imposed on other QLDC community WWTP discharge consents?
6.15	Does QLDC have trade waste bylaws (or similar) that require grease traps to be installed on the outlets of restaurants, cafes and commercial food producing facilities that discharge to QLDC reticulated wastewater systems?
6.23	<p>The suggested rewording of condition 10(a) does not enable any ORC regulatory oversight of the appropriateness of the trigger levels. Would it be appropriate to include in the conditions an ORC certification process for the trigger levels that is similar to the management plan approval process included in the FTCA conditions for the ORC consent for the Queenstown Arterial that counsel is familiar with (eg Part D conditions 31A to 33B)?</p> <p>If that is considered appropriate, would you please provide suitable wording?</p> <p>The last sentence of condition 10(a) appears to be incorrectly drafted and its intent is unclear. From Ms Goldsmiths paragraph 6.9, I understand the intent is that the trigger levels should preclude / avoid a reduction in the current water quality state such that the water quality enters a lower NOF band. Please provide alternative wording that reflects that intent.</p>
6.26	<p>Would it be appropriate for the monitoring report required by Condition 26 to identify the need for “additional methods or improvements to the wastewater treatment and disposal system”?</p> <p>If so should that requirement feature in Condition 26?</p>
6.28	Should the conditions impose an obligation on QLDC to implement any “additional methods or improvements to the wastewater treatment and disposal system” that are identified in the Condition 26 monitoring report or the Condition 30 audit report?
6.28	Rather than relying on an ORC s128 review of conditions, would it be more certain and responsible for the QLDC to volunteer an <i>Augier</i> condition whereby it commits to make a s127 application to change any conditions of consent that require amendment arising from implementation of “additional methods or improvements to the wastewater treatment and disposal system” that are identified in the Condition 26 monitoring report or the Condition 30 audit report?
<b>Timothy Court-Patience</b>	
8.5	Will QLDC exercise its LGA 1974 s459 powers to require connection to the new scheme and if not why not?
8.12	ORC is the environmental regulator not the infrastructure service provider. If QLDC wishes existing Kingston residents to join the new wastewater scheme, is it not incumbent on the QLDC to require that under its own statutory functions rather than rely on some future regional plan change?
<b>Brian Neil Ellwood</b>	
5.6	Do oxidation ponds (which rely on biological processes) provide sufficient wastewater treatment during the cold winter months experienced in Kingston?
5.9	Where will the Stage 2 sludge be disposed of?

RM20.164: To Discharge Treated Wastewater to Land for the Purpose of Disposing of  
Wastewater from Kingston Township.

Paragraph	Question
5.20 5.22	If you have based your WWTP and LTA design on a TN concentration of 20 g/m <sup>3</sup> (or 20 milligrams/litre) should that figure be used in Condition 16(b)(iii)?
6.3	Will tertiary filtration be utilised in Stage 1?
6.24	Should your last sentence (increasing the size of the LTA if required) be reflected in the consent conditions?
6.41	Are you referring here to the setback distances in Condition 3(b)(v) which Mr Henderson has recommended be deleted?
8.12 8.28	Given you reference to ammoniacal nitrogen in paragraph 8.28, should the Stage 1 discharge limits (Condition 16(a)) include a limit for ammoniacal nitrogen? I note this is routinely the case for oxidation pond reliant WWTPs in the North Island that I have consented. If so, what should that limit be?
8.24	If a WWTP failure occurs during wet weather (which seems more likely than not) then only 12 hours of emergency storage volume would be available (given that the system design has a wet weather peaking factor of 2). Given the staffing issues that QLDC laments elsewhere (in relation to monthly monitoring frequencies), is 12 hours a long enough time to identify and fix any problem causing the WWTP failure?
8.30	What is the statistical difference between a rolling 12 month mean and compliance with 8 out of 12 samples within a 12-month period? Which is more conservative?
8.39	Please provide condition wording that implements your recommendations.
	Condition 10(a) – should there also be groundwater quality trigger levels and if so: <ul style="list-style-type: none"> <li>▪ for which constituents should they be developed and</li> <li>▪ can you and Mr Henderson please draft suitable condition wording?</li> </ul>
<b>Ruth Johanna Goldsmith</b>	
6.1	What is the environmental benefit of monitoring water quality in the small, land-locked artificial farm pond (site SW6)?
6.2 – 6.3	Can you please provide wording for a consent condition that particularises the monitoring regime for your recommended mid-lake monitoring site, including depth-integrated sampling?
<b>Ralph Robert Henderson</b>	
7.42	What system modifications did you have in mind?
7.50	Has QLDC provided such financial assistance in other situations that you are aware of?
7.108	Are you referring here to the setback distance in Condition 3(b)(v)(7) which you have recommended be deleted?
7.117	Having regard to Mr Ellwood’s evidence, are there six groundwater monitoring sites proposed or three? Having regard to Ms Goldsmith’s evidence, are there eight surface water monitoring sites proposed or seven?
7.129	Do the recommended conditions do that? If not, can you please draft an appropriately worded condition(s)?
7.139	Are you referring here to Condition 4(a)?
13.6	Can you please further explain your rationale for omitting the reference to 450 connections given that your recommended Condition 16 relies on that figure?
13.9	Mr Ellwood does not address Condition 3(a)(iv) (the flow meter) in his paragraph 8.24?
13.11	Rather than deleting the requirement for an alarm, would it be more prudent to require a telemetered alarm to be installed that provides remote notice to QLDC of any WWTP or LTA system failure?
13.17	What is meant by the “details of each LTA zone” in your Condition 5(c)?

RM20.164: To Discharge Treated Wastewater to Land for the Purpose of Disposing of  
Wastewater from Kingston Township.

Paragraph	Question
13.30	Would it be more appropriate for the QLDC to indicate within the assessment report required under Condition 10 that they will implement any remedial actions identified and specify within that report the proposed timing of those remedial actions?
13.36	Do mean “most probable number”?
13.57	Do you mean Condition 30(b)? Would it be more appropriate for Condition 30(b) to refer to achievement of the discharge quality limits imposed under Condition 16?
13.58	Would it be appropriate to impose an obligation on QLDC to implement any “changes, upgrades or remedial works” identified by the Condition 30 audit? In that regard should there be a condition requiring the QLDC to submit a report or memorandum detailing their proposed timing for implementing any “changes, upgrades or remedial works” identified by the Condition 30 audit concurrently with their submission of the audit report to ORC?
	<ul style="list-style-type: none"> <li>▪ Condition 7(b) – is this necessary given that the monitoring bores are already in place?</li> <li>▪ Conditions 23(a) and (b) – should these refer to the reticulated wastewater system specifically associated with this discharge consent?</li> <li>▪ Condition 25(b)(vi) – Mr Ellwood recommended omitting total carbon (his paragraph 8.38). Do you disagree with that?</li> <li>▪ Condition 26(e) – what do you mean by “unexpected effects”? Is that a term that can be consistently interpreted and enforced? Would this be better linked to exceedance of the condition 10 ‘trigger levels’?</li> </ul>