Applicant Information Form 1a
Notified or Non-notified Process

Department of Conservation
Te Papa Atawbai
New Zealand Government

Is this the right application form for me?

This **Applicant Information Form 1a** – Notified or Non-notified Process must be completed for **the following longer term applications** (i.e. not one-off applications):

- Grazing
- Land use: Tenanting and/or using existing DOC facility/structure
- Land use: Use of public conservation land for private commercial facility/structure
- Guiding/Tourism/Recreation: Watercraft activities
- Filming
- Sports events
- Marine reserves application form 11a: Structure in a marine reserve

For other activities use the specific activity application forms that combine applicant and activity information or book a pre-application meeting.

How do I complete this applicant information form?

- Complete all sections of this **applicant information form**.
- In addition, you must complete the **activity application form/s** that you wish to undertake.
- DOC encourages electronic applications (e.g. typed Word document), rather than handwritten applications. Electronic applications are easier to read and less likely to be returned to you for clarification.
- If you need extra space, attach or include extra documents and label them according to the relevant section. Record all attachments in the table at the back of the application information form section **F Attachments**.

How do I submit my application?

Email the following to permissions@doc.govt.nz:

- **Completed applicant information form 1a**
- **Completed activity application form**
- Any other relevant attachments.

If I need help, where do I get more information?

- Check the DOC webpage for the activity you are applying[1] for.

[1] https://www.doc.govt.nz/get-involved/apply-for-permits/apply-for-a-permit/

- Arrange a pre-application meeting (either face to face or over the phone) by contacting the Department of Conservation Office[2] closest to where the activity is proposed. You can use DOC maps[3] to identify which District Office you should contact. Or arrange a meeting with any of our four offices that process concessions[4] – choose the one closest to where the activity is proposed.
- If your application covers multiple districts, contact the office nearest most of the locations you are applying for, or nearest to locations you have a specific question about.

What happens next?

Once your application forms are received, your application will be assessed by DOC. If your application is complete, DOC will begin processing.

If your application is incomplete it will be returned to you for more information.

Why does DOC ask for this information?

The questions in this application information form and the activity application form/s are designed to cover the requirements set out in conservation legislation. Your answers allow us to assess:

- Your most up-to-date details so that DOC can contact you about your application.
- Your qualifications, resources, skills and experience to adequately conduct the activity on public conservation land.
- Your creditworthiness will help determine whether DOC should extend credit to you and set up a DOC customer accounts receivable credit account for cost recovery. To make this assessment DOC will supply your information to a credit checking agency.

Note:

- Personal information will be managed by DOC confidentially. For further information check DOC's privacy and security statements[5].
- Information collected by DOC will be supplied to a debt collection agency in the event of non-payment of payable fees.

What fees will I pay?

You may be required to pay a **processing fee** for this application regardless of whether your application is granted or not. You may request an estimate of the processing fees for your application. If you request an estimate, DOC may require you to pay the reasonable costs of the estimate prior to it being prepared. DOC will not process your application until the estimate has been provided to you. In addition, if you are granted a guiding concession on public conservation land you may be required to pay annual **activity and management fees**. These fees are listed on the DOC webpage for the activity you are applying[6] for.

DOC will invoice your processing fees after your application has been considered. If your application is large or complex, DOC may undertake billing at intervals periodically during processing until a decision is made. If you withdraw your application DOC will invoice you for the costs incurred up to the point of your withdrawal.

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[2] www.doc.govt.nz/footer-links/contact-us/office-by-name/
[3] http://maps.doc.govt.nz/mapviewer/index.html?viewer=docmaps
[4] https://www.doc.govt.nz/get-involved/apply-for-permits/contacts
[5] https://www.doc.govt.nz/footer-links/privacy-and-security/
[6] https://www.doc.govt.nz/get-involved/apply-for-permits/apply-for-a-permit/

Your application will set up a credit account with DOC. See the checklist at the end of the form for the terms and conditions you need to accept for a DOC credit account.

Will my application be publicly notified?

Your application will be publicly notified if:

- It is a license with a term of more than 10 years.
- It is a lease.
- After having regard to the effects of the activity, DOC considers it appropriate to do so.

Public notification will increase the time and cost of processing of your application.

What does DOC require if my application is approved?

If your application is approved DOC requires:

- **Insurance** to indemnify the Minister of Conservation against any claims or liabilities arising from your actions. The level of insurance cover will depend on the activity.
- A copy of your **safety plan** audited by an external expert (e.g. Health and Safety in Employment (Adventure Activity) Regulations 2011 audit or a DOC listed organisation). See the Safety Plan[7] information on the DOC website for further information.

Note: DOC/Minister can vary the concession if the information on which the concession was granted contained material inaccuracies. DOC may also recover any costs incurred.

[7] https://www.doc.govt.nz/get-involved/apply-for-permits/managing-your-concession/safety-plans/

A. Applicant details

Legal status of applicant (tick)	☐ **Individual** (Go to ❶)	
	☐ **Registered company** (Go to ❷)	☐ **Trust** (Go to ❷)
	☐ **Incorporated society** (Go to ❷)	☒ **Other e.g. Educational institutes** (Go to ❷)

❶	**Applicant name (individual)**			
	Phone		**Mobile phone**	
	Email			
	Physical address		**Postcode**	
	Postal address (if different from above)		**Postcode**	

❷	**Applicant name (full name of registered company, trust, incorporated society or other)**	Whangarei District Council		
	Trading name (if different from applicant name)			
	NZBN if applicable (to apply go to: https://www.nzbn.govt.nz)		**Company, trust or incorporated society registration number**	
	Registered office of company or incorporated society (if applicable)			
	Company phone		**Company website**	
	Contact person and role	[redacted]	Consultant Infrastructure Planner, Waters Projects	
	Phone	0800932463	**Mobile phone**	[redacted]
	Email	[redacted]		
	Postal address	Private Bag 9023 Te Mai	**Postcode**	0143

		Whangārei		
	Street address (if different from postal address)	9 Rust Avenue Whangārei	**Postcode**	

B. Pre-application meeting

Have you had a pre-application meeting or spoken to someone in DOC?

No	☐
Yes	☒

- If yes record the:

Date of DOC pre-application meeting	11/08/2025; 08/08/2025; 20/05/2025
Name of DOC staff member	Carole Tilman & Niki Clark; Ops Manager (Rob ?), Matiu, Ilse Corkery, Andrew Townsend, Anh Ngyeyen, Carole Tilman; Carole Tilman, Darcy Liddell, Matiu Mataira, Sarah, Nigel Miller, Evie
Name of person who had the pre-application meeting with DOC	[redacted]

C. Activity applied for

Tick the **activity application form** applicable to the activity you wish to undertake on public conservation land. Complete the applicant information form and the activity application form and email them with any attachments to permissions@doc.govt.nz

ACTIVITY APPLICATION FORM*	FORM NO.	TICK
Grazing	2a	☐
Land use: Tenanting and/or using existing DOC facility/structure	3a	☐
Land use: Use of public conservation land for private/commercial facility/structure	3b	☒
Guiding/Tourism/Recreation: Watercraft activities	4b	☐
Filming	5a	☐
Sporting Events	6a	☐
Marine reserves application form: Structure in a marine reserve	11a	☐
Other activities (not covered in the above forms or in the new activity application forms that combine applicant and activity information)	7a	☐

Note: If the activity is not in this list check the activity on the DOC website to find the correct application form or book a pre-application meeting. Application forms that combine applicant and activity information on the DOC website include:

- Aircraft activities[8]
- Easements[9]
- Land based guiding[10]

[8] https://www.doc.govt.nz/get-involved/apply-for-permits/business-or-activity/aircraft-activities/
[9] https://www.doc.govt.nz/get-involved/apply-for-permits/business-or-activity/access-easements/
[10] https://www.doc.govt.nz/get-involved/apply-for-permits/business-or-activity/land-based-guided-activities/

D. Are you applying for anything else?

Are you submitting any other application forms in relation to this application?

No	☒
Yes	☐

- If yes, state which application forms:

Although a Wildlife Permit is being sought from the Department via our agent, NZ Environmental Ltd.

E. Background experience of applicant

Provide relevant information relating to your ability to carry out the proposed activity (e.g. details of previous concessions, membership of professional organisations, and relevant qualifications).

Whangarei District Council (the Applicant) is a local authority charged with promoting the social, economic, environmental, and cultural well-being of communities in the present and for the future. It has owned and operated the adjacent Ruakākā Wastewater Treatment Plant (RWwTP) consisting of two oxidation ponds and two wetlands together with pipeline infrastructure to the ponds since the early 1980s. Discharge to land nearby at Rama Road (Lot 4 Deposited Plan 419151) has been carried out by the Applicant under the conditions of the Northland Regional Council (NRC) Discharge Permit AUT.021532.05.02 since 2018 alongside the longer-term discharge to land via soakage basin ("Zone 3") within the RWwTP site (Sec 65 Blk VII Ruakaka SD) under the conditions of the NRC Discharge Permit AUT.021532.02.02.

The Applicant has extensive experience in the management and operation of wastewater treatment systems, consistently delivering safe, compliant, and efficient sanitation services that protect public health and the environment. Its wastewater network serves over 25,000 households and businesses across twelve service areas, supported by more than 50,000 individual assets—including pipelines, manholes, pump stations, treatment plants, and discharge infrastructure.

Nine Wastewater Treatment Plants (WwTPs) and over 700 kilometres of pipe networks are operated and maintained by the Applicant. These facilities range in scale from the Whangārei WwTP, which treats an average of 17 million litres of wastewater per day, to the Waiotira WwTP, which services just seven connected properties . This operational diversity demonstrates the Applicants ability to manage systems of varying complexity and scale.

Wastewater services are delivered in accordance with resource consents and budgetary frameworks, with oversight integrated into the broader local authority structure. The Applicant engages regularly with stakeholders to guide system operation, maintenance, and future upgrades. Its approach includes:

- Continuous performance monitoring to ensure regulatory compliance and operational efficiency
- Strategic asset management across the full lifecycle of infrastructure
- Proactive risk management to safeguard environmental and community wellbeing
- Sustainability initiatives that promote resource recovery, energy generation, and advanced treatment technologies.

The Applicant funds its wastewater activity through a combination of:

- Development Contributions: Supporting infrastructure expansion;
- Operational Expenditure: Primarily funded through community rates, covering costs such as depreciation; and
- Capital Expenditure: Financed via reserves and, when necessary, through debt.

This comprehensive and forward-looking approach reflects the Council's commitment to delivering reliable, sustainable, and high-performing wastewater services for its communities.

The RWwTP is approaching the volumetric consent conditions of the resource consent to discharge treated effluent to land and, due to the planned construction of a new RWwTP and long-term discharge option, an interim discharge solution is necessary to temporarily increase discharge capacity to enable connections and remove the current limitation on development in the area.

F. Attachments

Attachments should *only* be used if there is:

- Not enough space on the form to finish your answer
- You have additional information that supports your answer
- You wish to make an additional request of DOC regarding the application.

Label each document clearly and complete the table below.

Section of the application form the attachment relates to	Document title	Document format (e.g. Word, PDF, Excel, jpg etc.)	Description of attachment
Correct example ✓ *D*	*Locations*	*PDF*	*Trust Deed.*
Incorrect example ✗ *Table*	*Doc1*	*Word*	*Table*
A	*Assessment of Environmental Effects*	*PDF*	*Assessment of environmental effects*

G. Checklist

Application checklist	Tick
I have completed all sections of this applicant information form relevant to my application and understand that the form will be returned to me if it is incomplete.	☒
I certify that the information provided in this applicant information form, and any attached additional forms is, to the best of my knowledge, true and correct.	☒
I have completed the **activity application form**.	☒
I have appropriately labelled all attachments and completed section **F Attachments**.	☒
I will email **permissions@doc.govt.nz** my: • Completed applicant information form • Completed activity application form/s • Any other attachments.	☒

H. Terms and conditions for a credit account with the Department of Conservation

Have you held an account with the Department of Conservation before?	**Tick**
No	☐
Yes	☒
If 'yes' under what name	Whangarei District Council
Does your organisation require a purchase order number for invoicing purposes?	☒
If yes, please provide the number here:	WP10017
All invoices related to this Permission will be coded to this purchase order number unless otherwise advised. It is the applicant's responsibility to advise the Department if the purchase order needs to change through the lifetime of the Permission.	

In ticking this checklist and placing your name below you are acknowledging that you have read and agreed to the terms and conditions for an account with the Department of Conservation

Terms and conditions	**Tick**
I/We agree that the Department of Conservation can provide my/our details to the Department's Credit Checking Agency to enable it to conduct a full credit check.	☒
I/We agree that any change which affects the trading address, legal entity, structure of management or control of the applicant's company (as detailed in this application) will be notified in writing to the Department of Conservation within 7 days of that change becoming effective.	☒
I/We agree to notify the Department of Conservation of any disputed charges within 14 days of the date of the invoice.	☒
I/We agree to fully pay the Department of Conservation for any invoice received on or before the due date.	☒
I/We agree to pay all costs incurred (including interest, legal costs and debt recovery fees) to recover any money owing on this account.	☒
I/We agree that the credit account provided by the Department of Conservation may be withdrawn by the Department of Conservation, if any terms and conditions (as above) of the credit account are not met.	☒
I/We agree that the Department of Conservation can provide my details to the Department's Debt Collection Agency in the event of non-payment of payable fees.	☒

Typed applicant name/s	[redacted] on behalf of Whangarei District Council	**Date**	24/10/2025

For Departmental use			
Credit check completed			
Comments:			
Signed		**Name**	
Approved (Tier 4 manager or above)		**Name**	

Concession Application
Form 3b – Private/commercial facility/structures

The Department recommends that you contact the Department of Conservation Office closest to where the activity is proposed to discuss the application prior to completing the application forms. Please provide all information requested in as much detail as possible. Applicants will be advised if further information is required before this application can be processed by the Department.

This form is to be used when the proposed activity is the building or use of any private or commercial facility or structure on public conservation land managed by the Department of Conservation. Examples may include lease of land to erect an information centre; authorisation to erect a weather station; or construct or lease a private/commercial campground or lodge. This form is to be completed in conjunction with either Applicant Information Form 1a (longer term concession) or Applicant Information Form 1b (one-off concession) as appropriate.

Please complete this application form, attach Form 1a or Form 1b, and any other applicable forms and information and send to permissions@doc.govt.nz. The Department will process the application and issue a concession if it is satisfied that the application meets all the requirements for granting a concession under the Conservation Act 1987.

If you require extra space for answering please attach and label according to the relevant section.

A. Description of Activity

Please describe the proposed activity in detail – where the site is located, please use NZTM GPS coordinates where possible, what you intend to use the building for, whether you intend to make any changes to the infrastructure.

Please include the name and status of the public conservation land, the size of the area for which you are applying and why this area has been chosen.

If necessary, attach further information including a map, a detailed site plan and drawings of proposal and label Attachment 3b:A.

The Applicant proposes to install and operate network infrastructure on Poupouwhenua Scenic Reserve (the Land) to dispose of wastewater which has been treated at its wastewater treatment plant at Sime Road, Ruakākā. The Land is identified as Poupouwhenua Scenic Reserve described as Section 2 SO 461691 in the New Zealand Gazette 2015 ln 3675 at or about location co-ordinates 1732708E 6030110 (Zone 6B) and 1732887E 60300417N (Zone 7) as shown in the plan below.

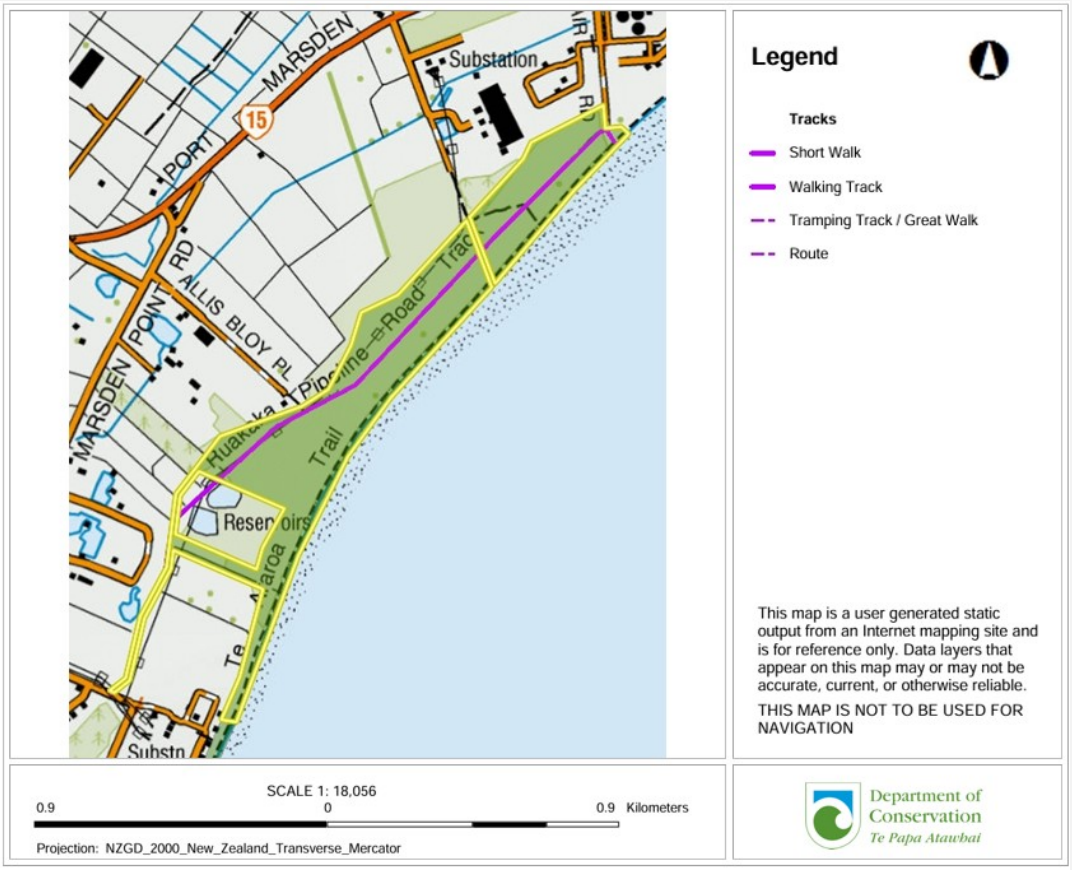

Figure 1: Map of the affected Land.

Further information regarding the affected Land can be found in Attachment 3b:A.

The core concept of the proposal is to utilise the existing wastewater disposal areas at Rama Road and the RWwTP alongside and the new areas in Z6B and Z7. The configuration is proposed as follows:

- Rama Road & Z3: The existing consented discharge limits for Rama Road (up to 1,700 m³/day) and Z3 (660 m³/day for peak flows) will be retained.
- Z6B & 7: New infrastructure will be constructed in these zones to receive an additional flow ranging from

660 to 840 m³/day.

The cartesian discharge areas (excluding buffers) as shown below have been calculated as follows.

Table 1: Cartesian area sizing of discharge to land sites.

Zone	Area (Ha)
Rama Road (30 m buffer on shared boundaries and actual application area in southern pasture)	11.9
Z3	3.6
Z6B (30 m buffer on western boundary, 30m buffer to access road)	1.5
Z7 (30m buffer to access road, 20m buffer to wetland)	5.1

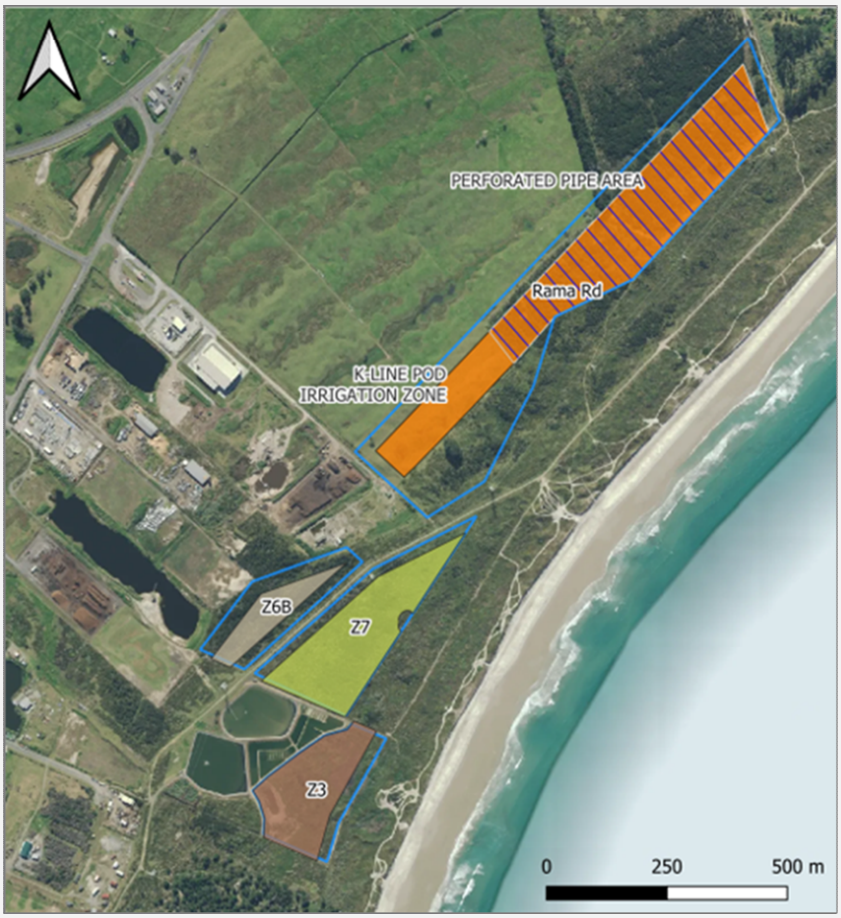

Figure 2: Plan view of all land discharge areas (consented and proposed) required to discharge 2,500 m³/day of treated wastewater.

This approach allows operators to continue using the existing, well-understood Rama Road system while directing the increased wastewater volume to the new zones, providing flexibility to manage flows and maintain compliance.

For further information regarding the Nature of the Activity, Construction Phase, and Operation Phase – see Section 3 of **Attachment 3b:A**.

B. Alternative sites considered

If your application is to **build, extend or add** to any permanent or temporary structures or facilities on public conservation land, please provide the following details:

- Could this structure or facility be reasonably located outside public conservation land? Provide details of other sites/areas considered.
- Could any potential adverse effects be significantly less (and/or different) in another conservation area or another part of the conservation area to which the application relates? Give details/reasons

See Section 3.1 of **Attachment 3b:A**

C. Larger area

Is the size of the area you are applying for **larger** than the structure/facility **YES / ~~NO~~**

If **yes**, please detail the size difference in the box below, and answer the following 3 questions, if **no** please go on to the next section:

Figure 2 above shows the areas of the Land required for the use outlined in Blue, however, the effective discharge area and presence of the actual network infrastructure is limited to the polygon areas and demarcated as;

- Zone 6B: 1.5 hectares
- Zone 7: 5.1 hectares

The Blue outline of Figure 2 indicates the likely arrangement of security fencing around the discharge fields. The additional area is to provide for a buffer for health and safety and for landscape, character, and amenity purposes.

Is this necessary for safety or security purposes? **YES ~~/ NO~~**

Is this necessary as an integral part of the activity? **YES ~~/ NO~~**

Is this essential to carrying on the activity? **YES ~~/ NO~~**

If the answer to any of the above is yes, please provide details and attach supporting evidence if necessary and label Attachment 3b:C.

The Blue outline of Figure 2 indicates the likely arrangement of security fencing around the discharge fields. The additional area is to provide for a buffer for health and safety and for landscape, character, and amenity purposes. See Attachment 3b:A for further information on the use of buffers for health and safety and for landscape mitigations.

D. Exclusive possession

Do you believe you need **exclusive possession** of the public conservation land on which your structure/building is located, ie no one else can use the land during your use of it? **YES / ~~NO~~**
(Exclusive occupation requires a lease which requires public notification of the application)

If **yes**, please answer the following 3 questions, if no please go to the next section:

Is exclusive possession necessary to protect public safety? **YES / ~~NO~~**

Is exclusive possession necessary to protect physical security of the activity? **YES / ~~NO~~**

Is exclusive possession necessary for the competent operation of the activity? **YES / ~~NO~~**

If the answer to any of the above is yes, please provide details and attach supporting evidence if necessary and label Attachment 3b:D.

See Attachment 3b:A

E. Technical Specifications (for telecommunications sites only)

Frequencies on which the equipment is to operate

Power to be used (transmitter output)

Polarisation of the signal

Type of antennae

The likely portion of a 24 hour period that transmitting will occur

Heaviest period of use

F. Term

Please detail the length of the term sought (i.e. number of years or months) and why.

Note: An application for a concession for a period over 10 years must be publicly notified, an application for a concession up to 10 years will not be publicly notified unless the adverse effects of the activity are such that it is required, or if an exclusive interest in the land is required.

7 years

G. Bulk fuel storage

Under the Hazardous Substances and New Organisms Act 1996 (HSNO Act) 'Bulk fuel storage' is considered to be any single container, stationary or mobile, used or unused, that has a capacity in excess of 250 litres of Class 3 fuel types. This includes petrol, diesel, aviation gasoline, kerosene and Jet A1. For more information on Hazardous Substances, go to: http:/www.business.govt.nz/worksafe/information-guidance/legal-framework/hsno-act-1996

Do you intend to store fuel in bulk on the land as part of the activity? ~~**YES /**~~ **NO**

If you have answered yes, then please provide full details of how and where you intend to store the fuel, and label any attachments including plans, maps and/or photographs as Attachment 3b:G. If your concession application is approved you will be required to provide a copy of your HSNO compliance certification to the Department before you begin the activity.

H. Environmental Impact Assessment

This section is one of the most important factors that will determine the Department's decision on the application. Please answer in detail.

In column 1 please list all the locations of your proposal, please use NZTM GPS coordinates where possible. In column 2 list any special features of the environment or the recreation values of that area. Then in column 3 list any effects (positive or adverse) that your activity may have on the values or features in column 2. In column 4 list the ways you intend to mitigate, remedy or avoid any adverse effects noted in column 3. Please add extra information or supporting evidence as necessary and label Attachment 3b:H.

Refer to Steps 1 and 2 in your Guide to Environmental Impact Assessment to help you fill in this section.

Location on public conservation land	**Special feature or value**	**Potential effects of your activity on the feature or value (positive or adverse)**	**Methods to remedy, mitigate or avoid any adverse effects identified**
EG: Tararua Forest Park	*Northern rata - threatened species*	*Damage to the plants by construction*	*Brief construction and maintenance staff of the location and importance of the species; clearly tape off areas with the species to avoid damage*
See Attachment 3b:A			

I. Other

Is there any further information you wish to supply in support of your application? Please attach if necessary and label Attachment 3a:I.

See Attachment 3b:A

Assessment of Environmental Effects

Ruakākā Interim Wastewater Discharge

Resource Consent Applications by Whangarei District Council to Whangarei District Council & Northland Regional Council

Rev 1

Assessment Of Environmental Effects

Project no: PRO23008

Project Name: Ruakākā Interim Wastewater Discharge Resource Consent Applications

Revision: 1

Date: 16 October 2025

Department: Capital Projects

Prepared by: [redacted]

Document History & Status

Rev	Date	Author	Reviewed By	Approved by	Status
-	08/10/2025	[redacted]			D
1	16/10/2025				F

Revision Details

Rev	Date	Author	Details

Executive Summary

Whangārei District Council is seeking resource consents for an interim expansion of the Ruakākā Wastewater Treatment Plant's discharge capacity. This proposal is a direct response to a current limitation on development in the Bream Bay area, which has been stalled because the discharge volumes are approaching the consented operational limits. This project serves as a crucial transitional step to provide the necessary wastewater servicing to unlock planned residential and commercial growth, bridging the gap until a full, long-term plant upgrade is completed around 2030.

The proposal involves discharging an additional 810 m^3/day of treated wastewater to land, bringing the total daily average to 2,500 m^3/day. This will be achieved by constructing new above-ground perforated pipe infrastructure within two zones (Zone 6B and Zone 7) of the Poupouwhenua Scenic Reserve, an area adjacent to the existing wastewater treatment plant. The chosen technology and location leverage existing infrastructure and operational knowledge, providing a resilient and cost-effective interim solution. The project has been developed in a direct partnership with Patuharakeke, tangata whenua and kaitiaki of the area.

This Assessment of Environmental Effects concludes that the actual and potential adverse effects of the proposal can be appropriately managed to be acceptable. Key findings from the specialist assessments include:

- Groundwater Mounding and Water Quality: The primary adverse effect identified is the potential for groundwater mounding to cause "daylighting" (seepage) into a neighbouring industrial pond, with a moderate risk of nutrient enrichment. An adaptive management plan, including sentinel monitoring and clear trigger levels for mitigation, is proposed to manage this risk. Effects on public health from pathogens and on all other receptors are assessed as low to negligible.
- Ecological Values: The project is located within a degraded but ecologically significant dune ecosystem. The design avoids a nationally threatened wetland with a 20-metre buffer. A comprehensive mitigation package, including a Lizard Management Plan, 2:1 replacement planting for any removed "At Risk-Declining" Kānuka, and extensive pest plant control, will be implemented. The project is expected to result in a net gain in ecological value compared to the site's current degraded state.
- Natural Hazards: The proposed discharge sites are located outside of all projected coastal erosion and inundation hazard zones up to the year 2130. While parts of the site are subject to rainwater ponding, the additional wastewater will have a negligible impact on flood levels and will not compromise the integrity of nearby infrastructure.
- Cultural and Amenity Values: The project's design as a land-based discharge aligns with the express preference of tangata whenua to avoid direct discharges to coastal water. Effects on air quality (odour) and public amenity are assessed as less than minor due to the nature of the discharge system and the implementation of buffer zones.

Overall, the proposal is consistent with the relevant statutory and planning documents. With the implementation of the proposed mitigation measures and a robust adaptive management plan, the project represents a sustainable and necessary solution to an existing infrastructure deficit,

providing a significant public benefit by enabling the continued growth of the Bream Bay community.

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Abbreviations/Acronyms

Acronym/Term	Description
RMA	Resource Management Act 1991
AEE	Assessment of Effects on the Environment
Amm-N	Ammoniacal Nitrogen
Applicant	Whangārei District Council (Wastewater Department)
BAF	Bioaccumulation Factors
CIA	Cultural Impact Assessment
CMA	Coastal Marine Area/Common Marine Area
DoC	Department of Conservation
HNZPT	Heritage New Zealand Pouhere Taonga
HNZPTA	Heritage New Zealand Pouhere Taonga Act 2014
LGA	Local Government Act 2002
NESAQ	National Environmental Standards for Air Quality 2004
NESFM	Resource Management (National Environmental Standards for Freshwater Management) Regulations 2020
NESCS	Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011
NPSFM	National Policy Statement for Freshwater Management 2020
NZCPS	New Zealand Coastal Policy Statement 2010
Project/Proposal	Ruakākā Interim Wastewater Discharge Resource Consent Applications
PRPN	Proposed Regional Plan for Northland (February 2024)
WQO	Water Quality Objectives
RWwTP	Ruakākā Wastewater Treatment Plant

Key Terms/Definitions

Term	Definition	Source
Building	Means a temporary or permanent moveable or immovable physical construction that is: a. partially or fully roofed, and b. is fixed or located on or in land, but c. excludes any motorised vehicle or other mode of transport that could be moved under its own power.	WDP
Coastal riparian and foredune management area	1) any land within a horizontal distance of 10 metres landward from the coastal marine area, or 2) the land between the coastal marine area and the bottom of the landward side of the foredune, where the land adjacent to the coastal marine area is vegetated or unvegetated sand dunes.	PRPN
Dominant slope	means the average slope of land above the level of annual fullest flow of a river or lake adjacent to the width or length of the proposed building or major structure. The dominant slope is determined by averaging measurements taken at 2m intervals above the Annual Fullest Flow between projections of the outer dimensions of the proposed building or major structure (see illustration below). When determining building and major structure setbacks from water bodies the dominant slope rule applies only to any river bed that has a width of less than 3m or the bed of a lake under 8ha. For the purposes of determining dominant slope, annual fullest flow in relation to a river is the highest point at which the river can rise without overtopping the bank and in the case of a lake the point at which the waters cover at the highest level without exceeding its margin.	WDP
Earthworks	The mechanical disturbance of earth by excavation, cutting and filling, blading, ripping, contouring, quarrying or placing or replacing earth or cleanfill material and includes associated revegetation, but does not include: 1) construction, repair, alteration or maintenance of bores, or 2) the maintenance of walking and other recreational tracks and farm tracks, or	PRPN

	3) the placement of roading aggregates during road and track works, or 4) directional drilling, boring or thrusting up to 250mm diameter, or 5) digging post holes, or 6) planting trees, or 7) land preparation, or 8) vegetation clearance.	
Facility operator	(a) a network operator (as defined in section 5 of the Telecommunications Act 2001); or (b) the Crown (as defined in section 2(1) of the Public Finance Act 1989); or (c) a Crown agent (as defined in section 10(1) of the Crown Entities Act 2004)	WDP
Flood hazard area	Land that has a one percent chance in any year of being inundated due to high river flows.	PRPN
1% AEP Floodplain	In subclauses (3) and (4), **1% AEP floodplain** means the area that would be inundated in a flood event of a size that has a 1% or greater probability of occurring in any one year.	NESFW
Flood susceptible area	An area which has been assessed as being likely to experience water covering the surface of the land in a 1 in 50 year stormwater flood event. A flood susceptible area does not imply any particular duration or level of flood water but is generally part of a contiguous area of flood susceptibility. It includes areas likely to experience surface water, either ponding or flowing, from heavy rainfall and overflows from rivers, streams, and drainage channels. In areas adjacent to the coast, the flood susceptible area relates to areas which are or are likely to be, subject to permanent or temporary inundation from sea water due to sea level rise, storm tides or tsunami over a planning horizon of 100 years. In the coastal areas there is also the potential for inundation to occur as a result of the combination of stormwater and sea water flood events.	WDP
Hazardous facility	Any activity involving hazardous substances and sites at which these substances are used, stored, handled or disposed of (including on-site movements and the transit storage, for example, in stationary vehicles or containers) for a period of time exceeding one hour.	WDP

High-risk flood hazard area	Land where there is at least a 10 percent chance of river flooding occurring annually.	PRPN
Impervious area	means an area with a surface which prevents or significantly retards the soakage of water into the ground. includes: a. roofs; b. paved areas including driveways and sealed/compacted metal parking areas, patios; c. sealed tennis or netball courts; d. sealed and compacted metal roads; e. engineered layers such as compacted clay; f. artificial playing surfaces or fields; g. excludes; h. grass and bush areas; i. gardens and other landscaped areas; j. permeable paving and green roofs; k. slatted decks.	WDP
Minor upgrading	means an increase in the carrying capacity, efficiency or security of any network utility operation utilising the existing support structures or structures with the effects of a similar scale, character, bulk and form. It includes, in regard to electricity, telecommunication and radio-communication services: • the addition of circuits and conductors; • the reconductoring of the line with higher capacity conductors; • the resagging of conductors; • the addition of longer and more efficient insulators; • the addition of earth wires (which may contain telecommunications lines), earth peaks and lightning rods; • additional telecommunication lines; • the replacement of existing cross arms with cross arms of an alternative design; • the replacement or alteration of existing antennas; • the replacement or alteration of existing masts, poles and associated structures in the same or similar location and in accordance with the relevant New Zealand	WDP

	Standard. minor upgrading shall not include: • additional structures or the replacement of structures with the effects that are not of a similar scale, character, bulk and form.	
Network system	means any building or major structure owned or operated by a network utility operator whose purpose is to provide reticulation from a network system to and from individual properties and structures, including all structures and equipment's owned or used by a network utility operator.	WDP
Official sign	means all signs required or provided for under any statue or regulation, or are otherwise related to aspects of public safety.	WDP
Public tree	means, any tree or trees located on a road reserve, park or reserve administered by Whangarei District Council (excluding any tree or trees within any designated State Highway) greater than 6m in height or with a girth (measured 1.4m above the ground) greater than 600mm, subject to exceptions.	WDP
Road sign	means any signs which is erected for the purpose of traffic control or public road safety, including illuminated and reflective signs where they are designed and operated in accordance with the requirements of the road controlling authority.	WDP
Setback	means the horizontal distance between a building and a water body, boundary or frontage of its site. For the purposes of this definition, intrusions of eaves or guttering of up to 800mm are excluded, except where an eave would overhang an easement or a boundary.	WDP
Site	means: a. area of land comprised in a single record of title under the Land Transfer Act 2017; or b. an area of land which comprises two or more adjoining legally defined allotments in such a way that the allotments cannot be dealt with separately without the prior consent of the Council; or c. the land comprised in a single allotment or balance area on an approved survey plan of subdivision for which a separate record of title under the Land Transfer Act 2017 could	WDP

	be issued without further consent of the Council; or d. despite paragraphs (a) to (c), in the case of land subdivided under the Unit Title Act 1972 or the Unit Titles Act 2010 or a cross lease system, is the whole of the land subject to the unit development or cross lease.	
Specified Infrastructure	means any of the following: (a) infrastructure that delivers a service operated by a lifeline utility (as defined in the Civil Defence Emergency Management Act 2002) (b) regionally significant infrastructure identified as such in a regional policy statement or regional plan (c) any water storage infrastructure (d) any public flood control, flood protection, or drainage works carried out: (i) by or on behalf of a local authority, including works carried out for the purposes set out in section 133 of the Soil Conservation and Rivers Control Act 1941; or (ii) for the purpose of drainage by drainage districts under the Land Drainage Act 1908 (e) defence facilities operated by the New Zealand Defence Force to meet its obligations under the Defence Act 1990 (f) ski area infrastructure. **Under Schedule 1 of the Civil Defence Emergency Management Act 2002, an entity that disposes of sewage is a Lifeline Utility.*	NPSFM
Structure	means any building, equipment, device or other facility, made by people and which is fixed to land; and includes any raft.	WDP
Zone of reasonable mixing	For the purpose of a discharge of a contaminant permitted by a rule in the PRPN is, in relation to flowing surface water bodies, a distance downstream of the point of discharge that is the lesser of:	PRPN

	a) 200 metres if the bed width of the surface water body is greater than 30 metres at the point of discharge, or b) a distance equal to seven times the bed width of the surface water body, but which must not be less than 50 metres from the point of discharge. For the purpose of activities that require resource consent, the zone of reasonable mixing will be determined consistent with the above unless the nature or scale of the discharge requires that a case-by-case basis determination is more appropriate, in which case the extent of departure from the zone defined under the above will be determined in accordance with Policy D.4.4 Zone of reasonable mixing.	
WDP Part 1: Introduction and General Provisions – Relationship between Spatial Layers		
HPW-R7 Application of Activity Definitions	1. Where an activity could be captured by more than one definition grouping classification, the most specifically defined activity and most specific rule shall over-ride the more general definition and rule.	

1 Introduction

1.1 Background

Whangarei District Council (the Applicant) owns and operates the Ruakākā Wastewater Treatment Plant (RWwTP) located within the Bream Bay area of Whangārei (Figure 1).

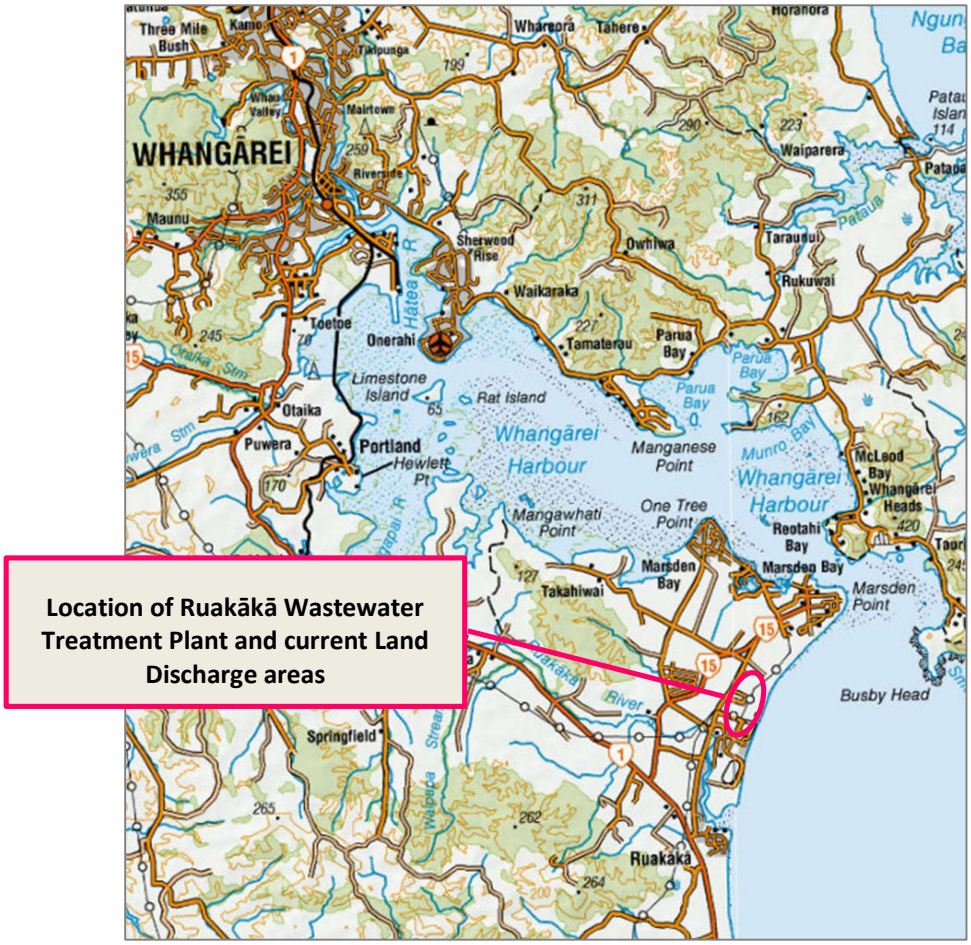

Figure 1: Site locality of current RWwTP and Discharge to Land areas, Ruakāka, Whangārei.

The RWwTP is currently authorised to operate under resource consents issued by Northland Regional Council (NRC) with supporting concessions from the Department of Conservation (DoC) to carry out activities (monitoring bores and pipeline) on the Poupouwhenua Scenic Reserve (Section 2 Survey Office 461691) associated with the operation of the RWwTP.

In the application dated May 2011[1], the Applicant sought a range of resource consents from the NRC to authorise discharges from the RWwTP to meet the substantial growth projected for the Ruakākā and One Tree point areas for a term of 35 years.

[1]MWH New Zealand Limited. May 2011. Ruakaka Wastewater Long-Term Project: Assessment of Effects on the Environment and Resource Consent Applications (Project No.: Z1583510). Whangārei District Council; Whangārei.

Sequential staging of the components of the RWwTP was proposed over time consistent with the wastewater needs resulting from the projected growth. In summary, the 2011 application proposed[2] that wastewater be discharged to the following receiving environments (see Figure 2 for land discharge areas proposed in the 2011 application);

- Zones 6B, and 7 with expiry in 2018 under Resource Consent Authorisation CON200404155 and DoC concession NO-22851-OTH (not replaced);
- Keith Block/Zone 5 with expiry in 2018 under Resource Consent Authorisation CON20061752701 (not replaced);
- New consent to discharge treated wastewater to land at Rama Road for duration of 20 years;
- Replacement consent for CON200404155 to discharge treated wastewater to land at Zone 3 and 6A for duration of 20 years;
- New consent to discharge treated wastewater to land at Roger Hall Memorial Park for duration of 35 years; and
- New consent to discharge treated wastewater via coastal outfall to Bream Bay for a duration of 35 years.

Figure 2: R-WwTP components described in the AEE dated May 2011.

[2] See "Summary Table: Existing Resource Consents and Resource Consents Applied for" in MWH (2011), pg lviii-lix.

The decision to grant the following permits was made by Independent Commissioners on 12 March 2012;

Discharge Permits: These permits relate to the discharge of wastewater, byproducts (like odour), and seepage onto land and into the air. The specific permits granted were for:

- Discharge to Land (Seepage): To discharge up to 63 cubic metres per day of wastewater via seepage from the base of contingency storage ponds at the RWwTP site.
- Discharge to Land (Zone 3): To discharge an annual average of 660 cubic metres per day of treated wastewater to land via rapid infiltration basins at the existing WWTP site.
- Discharge to Land (Roger Hall Memorial Park): To discharge up to 260 cubic metres per day of treated wastewater to land via subsurface irrigation at Roger Hall Memorial Park.
- Discharge to Land (Rama Road Block): To discharge up to 1,700 cubic metres per day of treated wastewater via surface irrigation on the "Rama Road Block".
- Discharge to Air (Odour): Two separate permits were granted to discharge contaminants, mainly odour, to the air from the main RWwTP site and from the irrigation activities at the "Rama Road Block".

Coastal Permits: These permits are associated with the construction and operation of the new ocean outfall into Bream Bay. The specific permits granted were for:

- Discharge to Bream Bay: To discharge up to 16,000 cubic metres per day (average dry weather flow) of treated wastewater into Bream Bay via an ocean outfall.
- Construction of Outfall: To erect and place the approximately 3-kilometre-long ocean outfall structure on and under the foreshore and seabed of Bream Bay.
- Occupation of Coastal Area: To occupy and use the coastal marine area with the ocean outfall structure.

The resource consents commenced on 16 March 2012; a variation was granted on 14 June 2019 and minor amendments were made under Section 133A Resource Management Act 1991 on 3 December 2024. A copy of the current consent is attached as APPENDIX L.

The timeline and progress of the RWwTP has not quite eventuated as anticipated in the 2011 application. Instead, the RWwTP currently utilises two of the consented discharge areas as follows;

- Consented daily average discharge of 660 cubic metres (m^3) to an approximate 1-hectare (ha) basin (Zone 3) on the RWwTP block (Section 65 Block VII Ruakaka Survey District) (AUT.021532.02.02); and
- Consented daily average discharge of 1,700 m^3 (1 October to 31 March inclusive) or 1,300 m^3 (1 April to 30 September) to an approximate 20 ha area at Rama Road (Lot 4 Deposited Plan 419151) (AUT.021532.05.02).

The coastal outfall consents are yet to be exercised and the permit authorising a discharge of treated wastewater to Roger Hall Memorial Park lapsed on 16 March 2022.

The RWwTP is approaching the volumetric consent conditions of the resource consent to discharge treated effluent to land and, due to the planned construction of a new treatment plant and long-term discharge option, an interim discharge solution is necessary to increase discharge capacity to enable connections and remove the current limitation on development in the area.

1.2 Purpose of Report

The Applicant seeks new resource consents from NRC and Whangārei District Council (WDC) for (see Section 5 for further detail on resource consent requirements):

- **Land Use Consents** from WDC for breach of Rule CE-R7 "Earthworks in Sand Dunes" in the Whangārei District Plan (Operative in Part 2022), and Rule NH-R7 "New Infrastructure in a mapped Flood Hazard Area" in Plan Change 1.
- **Discharge Permits** from NRC for breach of Rule C.6.2.2 in the Proposed Regional Plan for Northland (February 2024).

This report has been prepared for the Applicant's proposals in accordance with Section 88 and Schedule 4 of the Resource Management Act 1991 (RMA); it is a combined report to both consenting authorities. The consenting authority prescribed application forms preface this report.

All matters required to be addressed under the RMA are contained in this Assessment of Environmental Effects (AEE), which includes:

- a description of the activity:
- a description of the site at which the activity is to occur:
- the full name and address of each owner or occupier of the site:
- a description of any other activities that are part of the proposal to which the application relates:
- a description of any other resource consents required for the proposal to which the application relates:
- an assessment of the activity against the matters set out in Part 2:
- an assessment of the activity against any relevant provisions of a document referred to in Section 104(1)(b).
- includes the information required by clause 6 of Schedule 4 of the RMA:
- addresses the matters specified in clause 7 of Schedule 4 of the RMA:
- includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.

The following are documents referred to in Section 104(1)(b) RMA which are considered relevant to these resource consent applications;

- Resource Management (National Environmental Standards for Air Quality) Regulations 2004 (NESAQ);
- Resource Management ((National Environmental Standards for Sources of Human Drinking Water) Regulations 2007 (NESHDW);
- Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS);

- Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NESFW);
- Proposed Regional Plan for Northland (February 2024) (PRPN);
- Whangārei Operative District Plan (Operative in Part 2022) (WDP); and
- WDP Plan Change 1: Natural Hazards (PC1).

Other regulatory documents affected which may be reasonably necessary to have regard to;

- Water Services Act 2021;
- Reserves Act 1977 (Reserves Act), including the Northland Reserve Bylaws 2007;
- Conservation Act 1987 (Conservation Act);
- Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA); and
- Wildlife Act 1953.

Other documents which give guidance on the appropriateness of the use and development of natural and physical resources specific to this proposal include;

- National Policy Statement for Freshwater Management 2020 (amended October 2024) (NPSFM);
- National Policy Statement for Indigenous Biodiversity 2023 (amended October 2024) (NPSIB);
- National Policy Statement for Urban Development 2020 (updated May 2022) (NPSUD);
- New Zealand Coastal Policy Statement 2010 (NZCPS);
- Regional Policy Statement for Northland 2016 (RPS);
- Patuharakeke Hapu Environmental Management Plan 2014 (P-HEMP);
- Te Iwi o Ngatiwai Iwi Environmental Policy Documents 2007 (IwiEP);
- Ngāti Hine Iwi Environmental Management Plan 2008 (NH-IEMP);
- Whangārei Future Development Strategy adopted May 2025 (FDS); and
- Northland Conservation Management Strategy 2014-2024 (N-CMS).

2 Description of the Receiving Environment

2.1 General

The RWwTP is located on land designated for wastewater treatment purposes under the WDP (WDC-3). Treated effluent from the RWwTP is currently discharged to an area (Zone 3 ("Z3")) positioned within the eastern extent of the RWwTP site and to a portion of land at Rama Road (Lot 4 Deposited Plan 419151); no change is proposed to the current discharge arrangements.

The proposed discharge areas (Z6B and Z7) are both situated within the Poupouwhenua Scenic Reserve (the part legally described as Section 2 Survey Office 461691) ("the Reserve"). The area is characterised by flat to undulating topography, typical of a New Zealand coastal dune environment. However, the immediate inland environment is primarily industrial with undeveloped land zoned for light and heavy industry.

The Reserve is a total of 84.919 64 (ha) in area made up of two parcels (Sections 1 and 2) covering the dunelands inland of Bream Bay from Sime Road to the south, ending at Mair Road at its northern most extent (Figure 3).

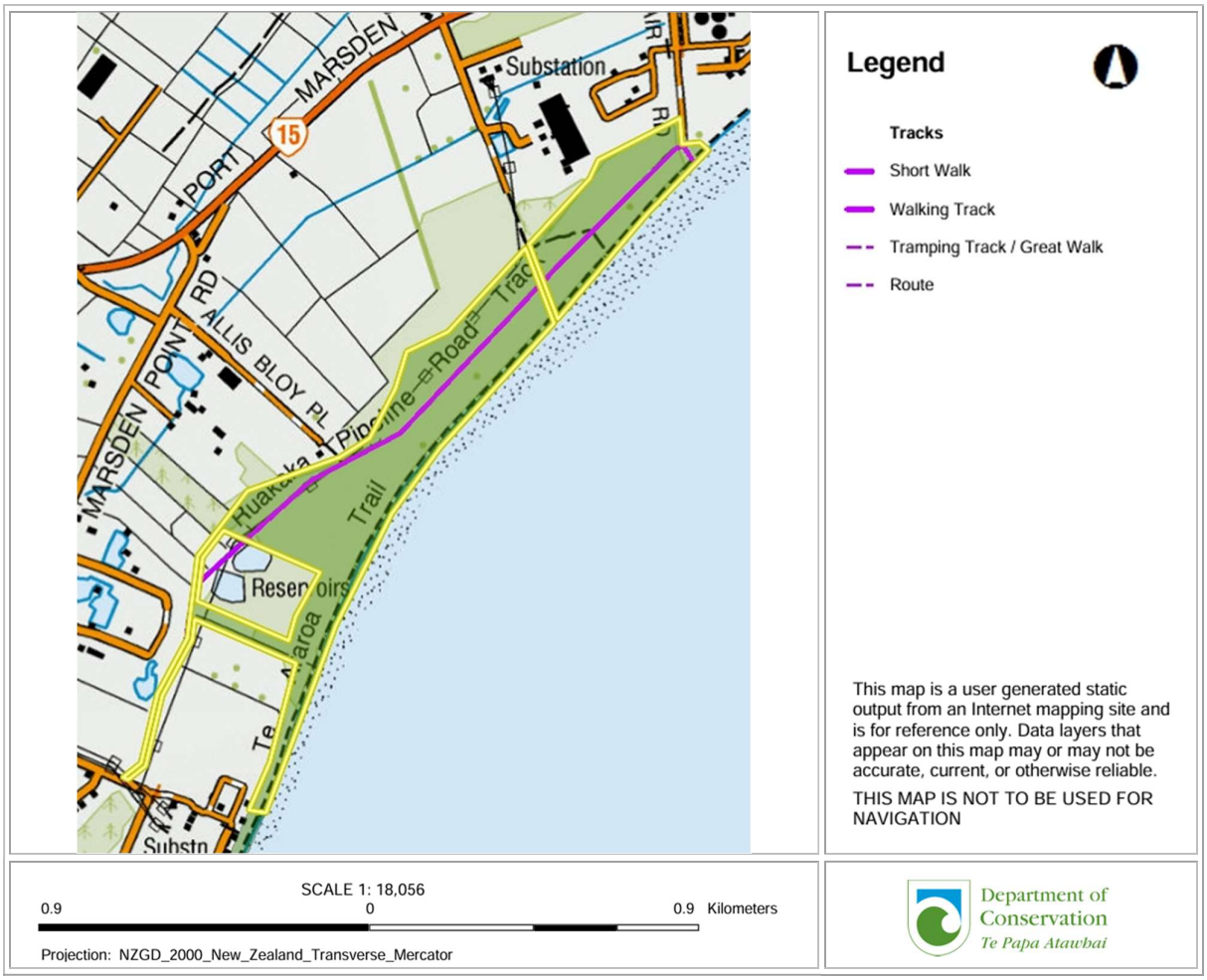

Figure 3: Map of Poupouwhenua Scenic Reserve and Ruakākā Pipeline Track [Source: DoC Maps, accessed 25 September 2025].

The Reserve is the northern-most extent of a strip of reserves covering the dunes at Bream Bay beginning as far south as Waipu Cove with the Waipu Government Purpose Wildlife Refuge Reserve, the Uretiti Scenic Reserve, Uretiti Recreation Reserve, and Ruakākā Scenic Reserve which immediately adjoins the Reserve lands.

The Reserve has dual status being;

- **Scenic Reserve:** it is classified as a scenic reserve under the Reserves Act for the purposes specified in Section 19(1)(b) of the Reserves Act generally described as follows[3];

Scenic Reserve B (Modified s.19(1)(b))

Purpose	A suitable area of land (or land and water) which by development and the introduction of flora, whether indigenous or exotic, will become of significant scenic interest or beauty
Objectives of Management (s.19(1)(b))	Primary • As appropriate to the purpose, preserve the indigenous flora and fauna, biological associations, and natural environment and beauty as far as possible • As appropriate, exterminate exotic fauna and (to the extent consistent with purpose) exotic flora as far as possible • Allow the public freedom of entry and access subject to conditions and restrictions necessary for the protection and well-being of the reserve and for the protection and control of the public using it Secondary • Develop open portions for amenities and facilities where these are necessary to enable the public to obtain benefit and enjoyment from the reserve • Manage and protect historic, archaeological, geological, biological or other scientific features • Maintain value as a soil, water and forest conservation area

- **Conservation Area:** a 2009 gazettal notice for the land specifically states it "is held for conservation purposes," which means it also qualifies as a "conservation area" under Section 2 of the Conservation Act.

While the Conservation Act can be contradictory, the specific wording of the gazettal notice confirms its status as a conservation area, making it subject to the provisions of that Act.

2.1.1 Memorials

Section 2 SO 461691 is subject to an oil supply right of way, cathodic protection cable, gas and oil pipeline easements marked "D", "E", "F", "G", "H", "I", "J", "M", "T", and "U" on SO 461691, created by Deed of Grant 100C/225 (Part *New Zealand Gazette*, 25 June 2009, No. 94, page 2122); copies of relevant memorials are attached as APPENDIX A. The design avoids easement areas and

[3] Source of table https://www.doc.govt.nz/globalassets/documents/about-doc/role/legislation/guide-for-reserve-administering-bodies.pdf

easement owners were consulted during development of the design and will continue to be consulted during detailed design and construction.

2.1.2 Historical Land Use

A Preliminary Site Investigation (PSI) was carried out by a suitably qualified and experienced person (APPENDIX C) and found no evidence that a hazardous activity or industry (HAIL) has occurred in the Z6B and Z7 areas.

Despite Z6B and Z7 not having had a HAIL activity present, the PSI does identify several hazardous activities on nearby properties (see Figure 4 below), including:

- **SLU.804607:** Located immediately north of Z6B and Z7, this facility was involved in chemical manufacturing, bulk storage, and waste recycling. While 2022 soil testing did not detect volatile organic compounds (VOCs) above human health or environmental standards, groundwater testing did show VOC concentrations exceeding Australian and New Zealand guidelines. This indicates a historical potential for soil contamination from solvents and other chemicals on the refinery site itself.
- **SLU.042424:** Situated approximately 80 m north of Z6B, this land was used for persistent pesticide bulk storage or use. Investigations in 2021 and 2022 at this location found that concentrations of metals, VOCs, and organochlorine pesticides (OCPs) were within acceptable limits.
- **SLU.042613** The existing RWwTP operations, including discharge to Z3 and Rama Road, are classified as a hazardous activity related to waste or wastewater treatment.

Figure 4: Locations of selected land uses (HAIL) in relation to Z6B and Z7 [Source: Figure 3 of the PSI].

2.1.3 Zoning

Z6B and Z7 are zoned as Natural Open Space Zone (NOSZ) in the WDP with a Coastal Environment overlay and network utility designations nearby (see Figure 5 and Figure 6 below).

Figure 5: WDP Area Specific Mapping.

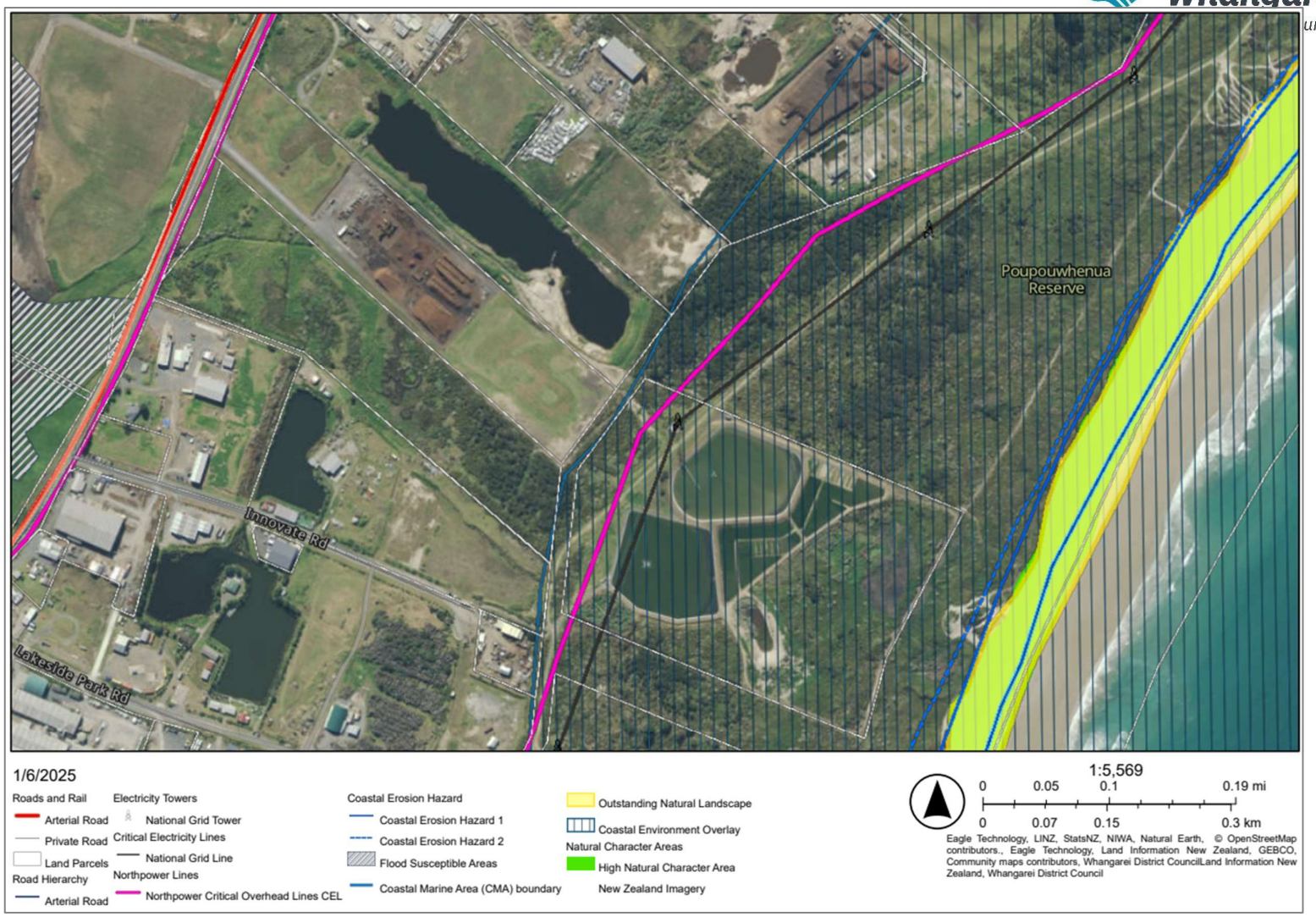

Figure 6: WDP District Wide Mapping.

The primary function of the NOSZ is to identify and manage open space land for the **conservation and protection of natural resources**. These areas, which include bush reserves, headlands, natural wetlands, and parts of the coastline, are recognised for their role in defining Whangārei's natural character and providing a connection to natural heritage. The zone is characterised by its largely undeveloped nature, minimal buildings, and a sense of wilderness and isolation, which are considered important values to protect.

2.1.4 Existing Authorisations

There are no current[4] resource consents issued by the NRC within the Z6B and Z7 areas of the Reserve.

Table 1 below contains summary information of all active WDC concessions issued by DoC within the Reserve. Other entities hold concessions within the Reserve, and these are related to easements[5] (access, power, cables), and leases (structures).

Table 1: Active DoC concessions within the Reserve.

Permission No.	Permission Type	Activities	Concessionaire
NO-21149-OTH	Concession Easement	Sewage Pipes	WDC
NO-33706-OTH	Concession Easement	Water Pipes	WDC
55326-OTH	Concession Licence	Other – Structures (bores)	WDC

2.2 Neighbouring Land Use

Surrounding land use is primarily light to heavy industry; grazed paddocks to the northeast of the Project area are consented to be developed into a Solar Farm with associated ecological restoration areas. The nearest inhabited buildings to the Project site are (see Figure 7 for locations of referenced sites);

- R1: An industrial site of unknown use at 500 Marsden Point Road, located a minimum of 350 m southwest from the Project area.
- R2: An industrial site of unknown use at 560 Marsden Point Road, located a minimum of 250 m northwest from the Project area.
- R3: A recycling depot at 53 Innovate Road, located a minimum of 330 m southwest from the Project area.
- R4: A warehouse at 30 Allis Bloy Place, located a minimum of 400 m northwest from the Project area.
- R5: A warehouse at 77 Allis Bloy Place, which is the closest receptor, located just 30 m west from the Project area.

[4] Filtered by status being "current", "not yet commenced", and "expired – s. 124 protection" in NRC Open Data Portal, August 2025.

[5] Easement information is contained in APPENDIX A.

Figure 7: Inhabited buildings within proximity to the Project area [Source: Figure 1 of the Marshall Day Noise Assessment (2025)].

2.3 Air Environment

The receiving air environment is primarily rural and industrial with a generally low sensitivity to odour. Key Characteristics of the air environment include:

- Location and Land Use: The site is about 1.2 kilometres (km) north of Ruakākā township, bordered by industrial activities like composting and sand mining to the north and west, and the Poupouwhenua Scenic Reserve to the east toward the coast. The disposal fields themselves are zoned as 'Natural Open Space'.
- Sensitive Receptors: The nearest residential dwellings are located 750 m to the west of the disposal fields. The closest sensitive area is the DoC Ruakākā Pipeline Road walking track, which passes between the proposed new discharge zones (6B and 7) and has a moderate-to-high sensitivity.
- Topography and Meteorology: The area is relatively flat and close to the coast, meaning air dispersion is influenced by land and sea breezes. Night-time land breezes tend to push emissions out to sea, away from residential receptors. The prevailing winds are from the north-west and south-west, away from developed areas also.
- Background Air Quality: Odours associated with nearby rural and industrial activities are expected at times. Notably, no odour complaints have been received by WDC in the last five years regarding the existing RWwTP disposal fields.

2.4 Hydrogeology

This section provides summary description of the regional and site-specific geological and hydrogeological setting for the groundwater resource within the Project areas as contained in the Ruakākā WWTP Groundwater Modelling and Assessment Report, prepared by Beca Ltd (2025) (APPENDIX H; herein referred to as the "GW Report").

2.4.1 Characterisation Methodology

The groundwater setting was characterised using a multi-faceted approach that integrated regional data with site-specific investigations. The key sources of information used to build this conceptual and numerical model include:

- **Published Geological Mapping:** The foundational understanding of the regional geology was derived from the GNS Science 1:250,000 geological map of the Whangārei Area. This provided the broad context of the underlying geological units, identifying the Quaternary-aged Karioitahi and Tauranga Group sediments which form the primary aquifer, and the older Waipapa Group greywacke which acts as a low-permeability basement.
- **Borehole and Driller's Logs:** Site-specific subsurface conditions were confirmed through a comprehensive review of available borehole logs. This included logs from historical investigations at the RWwTP site (2007), the Rama Road block (2008), and recent investigations at the adjacent Meridian Energy Limited (MEL) site (2024). These logs provided direct evidence of the lithology, confirming a thick, unconfined sequence of loose, fine to coarse sands extending to depths of at least 20-25 m.
- **Groundwater Level Monitoring:** An extensive network of existing groundwater monitoring bores provides a long-term dataset of groundwater levels and fluctuations. Data was collated from WDC's monitoring network (dating back to 2008) and supplemented with recent, high-frequency data logger information from the MEL site. This combined dataset was crucial for understanding seasonal trends, responses to rainfall events, and for calibrating the groundwater flow model.
- **LiDAR Topographical Data:** High-resolution LiDAR elevation data (2024) was used to accurately define the ground surface, including the undulating dune topography and the location and elevation of surface water features like drains and wetlands. This was essential for establishing boundary conditions in the groundwater model.
- **Hydraulic Conductivity Testing:** Site-specific in-situ testing was conducted in May 2025 to determine the hydraulic conductivity (a measure of how easily water flows through the ground) of the sand aquifer. Rising and falling head tests were performed in three piezometers, and the results were analysed using industry-standard methods (Bouwer & Rice, Hvorslev) to provide key input parameters for the groundwater model.
- **Previous Groundwater Modelling Studies:** The assessment drew upon a history of previous groundwater modelling work undertaken for the site by Voss (2007-2010) and Stantec (2022). These earlier models provided valuable insights and a foundation for the current, updated model.

2.4.2 Geological and Hydrogeological Descriptions

The Project site is situated within the Marsden Ruakākā alluvial aquifer, an unconfined coastal sand aquifer.

The area is underlain by a deep sequence (a minimum of 25-40 m thick) of Holocene-aged windblown dune sands belonging to the Karioitahi Group. These deposits consist of loose to poorly consolidated fine to coarse sands. In the low-lying interdunal areas, minor deposits of mud and peat can be found. These sandy sediments are highly permeable and are underlain by the low-permeability Waipapa Group greywacke, which forms an effective aquitard (a barrier to groundwater flow).

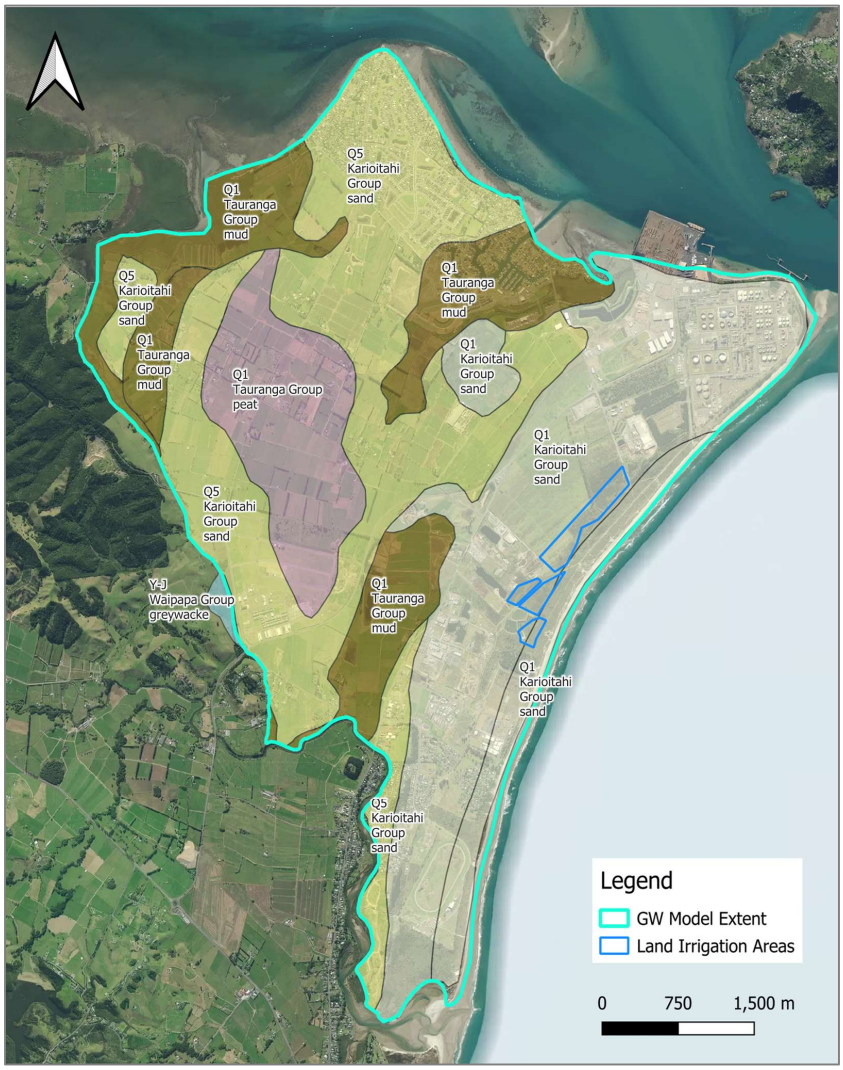

Figure 8: Geology of model extent [Source: Figure 4 from the GW Report].

The aquifer is unconfined, meaning its upper surface is the water table, which is free to rise and fall. It is recharged primarily by direct rainfall infiltration, with a smaller component from upgradient in-aquifer flow. The sandy nature of the geology results in high permeability, with hydraulic conductivity values determined from on-site testing to be in the range of $9x10^{-5}$ to $2x10^{-4}$ m/s.

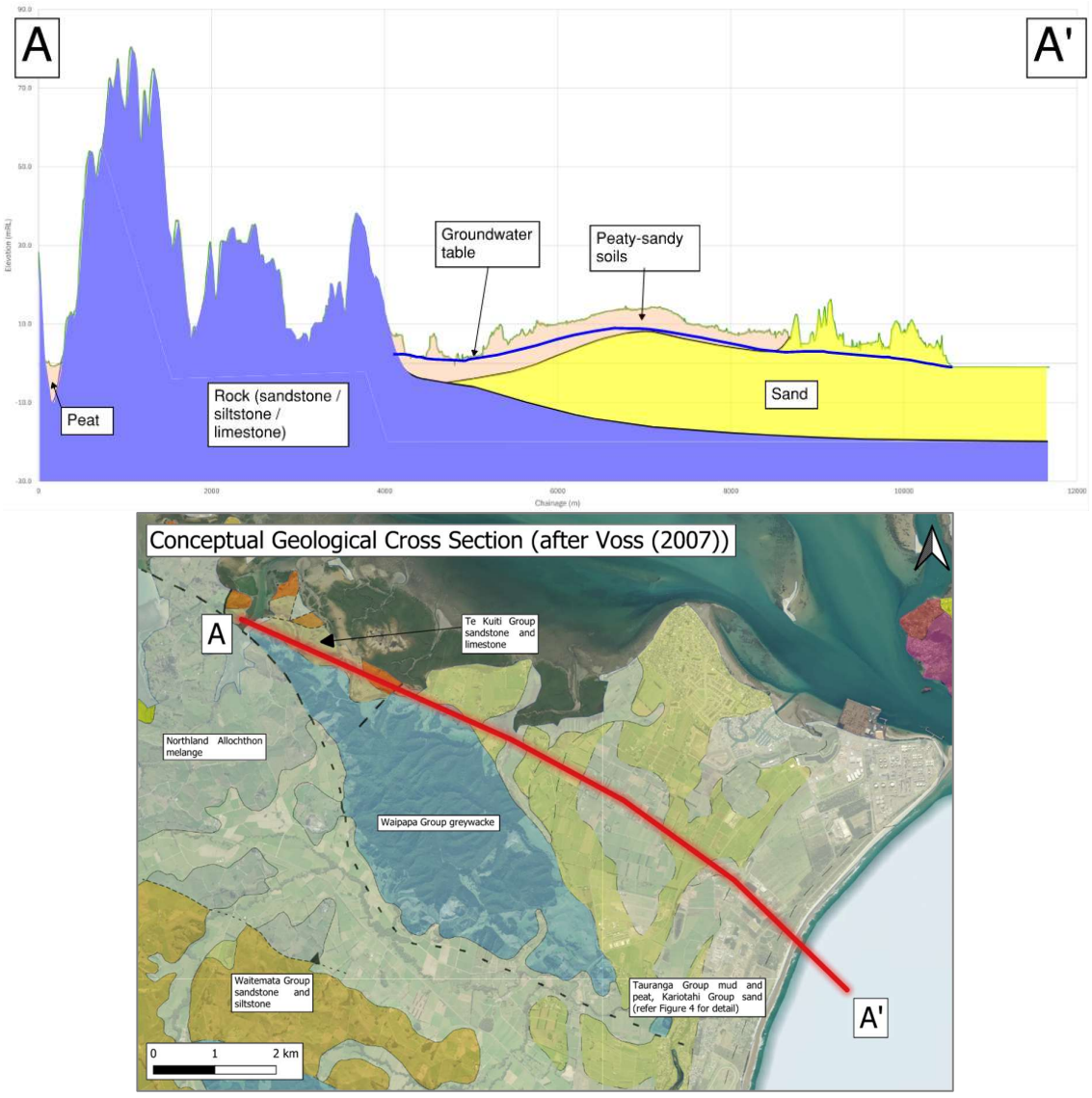

Figure 9: Conceptual Geological Cross Section across the Ruakākā-Marsden Point area (top) and location of cross section (bottom). [Source: Figures 5a and 5b of the GW Report].

Groundwater levels across the site vary depending on topography, ranging from 1 to 7.5 m below ground level. The groundwater table sits at an elevation of approximately 1.2 to 4.1 mRL. The long-term monitoring data shows that groundwater levels respond to seasonal rainfall recharge, with a steady rise observed during the particularly wet period from 2021 to 2023.

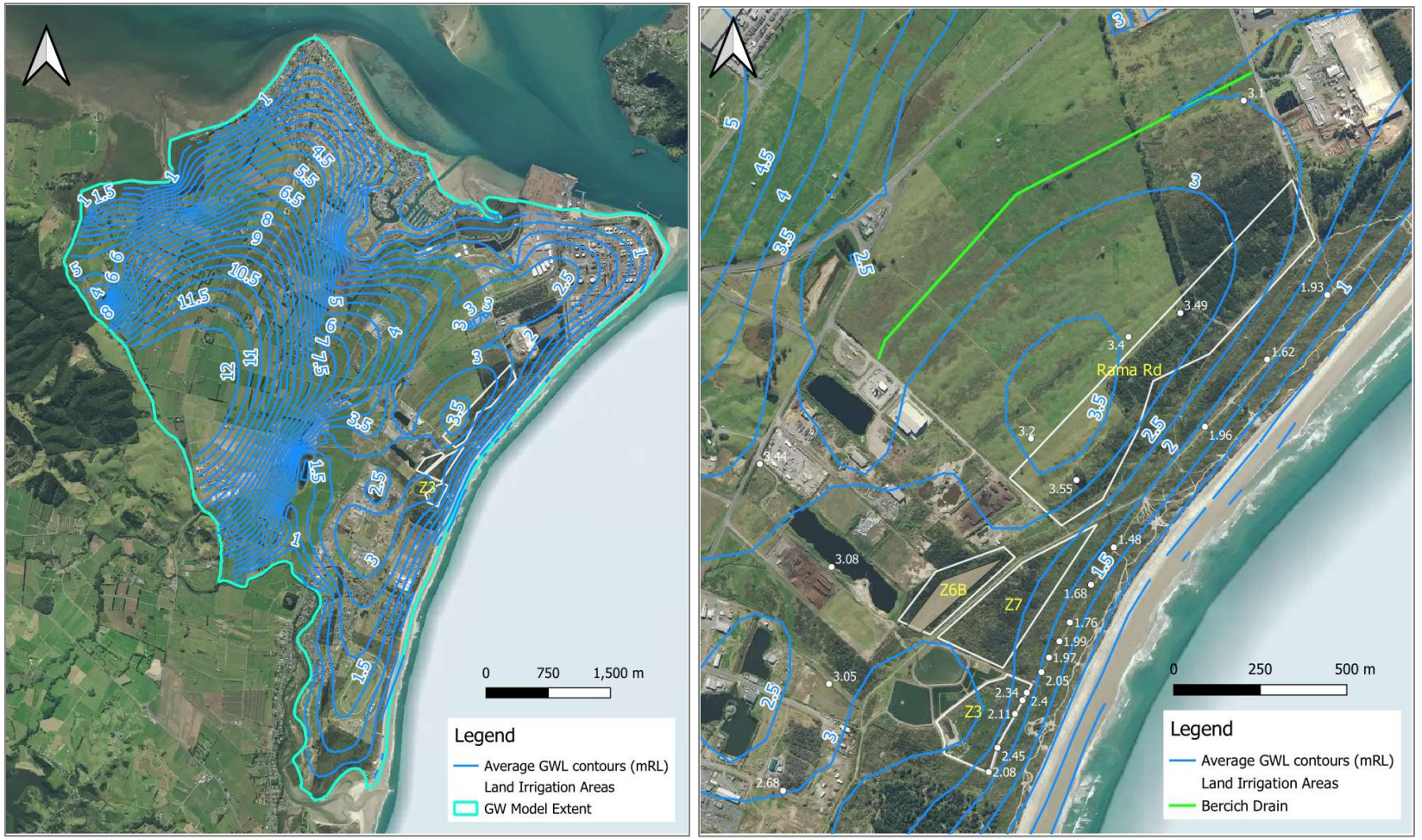

Figure 10: Simulated average groundwater levels from baseline calibrated groundwater model (left) and close up of site (right). [Source: Figures 10a and 10b GW Report].

The dominant groundwater flow direction is from west to east, discharging towards the Bream Bay coastline. However, the hydraulic gradient is relatively flat inland of the coastal dunes, and groundwater modelling indicates the presence of a localised flow reversal inland of the Rama Road block. This complex flow pattern means that while the coast is the primary receptor, some groundwater may also flow west towards inland surface water drains and ponds.

2.5 Landscape

Based on the preliminary landscape assessment (APPENDIX E), the Project environment is situated in a complex coastal landscape near Ruakākā, characterised by a distinct mix of natural features and significant industrial development[1]. This area lies within approximately 500 m of the Bream Bay coastline, which extends from Marsden Point to Paepae-o-Tū/Bream Tail.

2.5.1 Local Landscape Context

The immediate coastal edge is defined by a low-lying dune corridor. Inland from these dunes, the landscape is a patchwork of industrial facilities, the existing RWwTP, a racecourse, and some residential areas. Land to the east of Marsden Point Road is predominantly zoned for Heavy Industrial use, which is reflected in the presence of large-scale operations such as a timber mill, scrap yards, a substation, Northport, and a refinery.

This industrial character contrasts sharply with the narrow corridor of the ocean coastline, which holds significant landscape value. The local landscape's overall value and sensitivity are considered limited due to the extensive industrial activity.

2.5.2 Key Spatial Elements and Zoning

The entire area is subject to a Coastal Environment Overlay, which aims to preserve its natural character while other statutory overlays that define the character of a place, including:

- Outstanding Natural Landscapes (ONL): Applies to the Bream Bay beachscape, recognising the landscape's powerful simplicity, scale, and the graceful curve[6] of the coastline, which is a significant feature on the region's east coast.
- High Natural Character (HNC) Area: This overlay covers the Ruakākā north dune area, valued for its dominant native *spinifex* cover on the foredune and minimal man-made changes[7], apart from beach access tracks.

The internationally recognised Te Araroa Trail, a walking track traversing the entire length of New Zealand, follows the Bream Bay coastline, adding to the area's recreational and associative values. A smaller DoC track, the Ruakākā Pipeline Road Track, transects Z6B and 7 (see Figure 3 above).

Alongside these statutorily recognised natural landscapes and features includes the presence of designations for overhead lines and electricity transmission towers.

2.5.3 Site-Specific Character

Z6B is approximately 3.58 ha in total with an effective discharge area of 1.5 ha. It is located northwest of the existing RWwTP and is separated from the more coastal Z7 by the Ruakākā

[6] Northland Regional Council Landscape Assessment Worksheets, February 2014.

Pipeline Road Track and a transmission corridor. Landscape and character values of this site include:

- **Physical Attributes**: The zone sits on a slightly elevated duneland form and therefore more prominent compared to its surrounds. Its landcover appears recently disturbed, with a dominance of gorse and rank grass, particularly near the track edge, although some Kānuka exists on its high point. It is fenced and appears unused otherwise.
- **Perceptual & Associative Attributes**: The site is visually isolated from the beach itself. Its character is influenced by its proximity to adjacent industrial areas and the visual and auditory presence of overhead powerlines. While part of the Poupouwhenua Reserve, its connection to the natural qualities of the reserve is considered less direct than Z7.

Z7 lies directly north of the RWwTP, covering about 7.37 ha total area with an effective discharge area of 5.1 ha. Z7 is positioned closer to the coast than Z6B and has the following landscape and character values:

- **Physical Attributes**: Z7 features gently undulating duneland terrain that is contiguous with the broader reserve landscape. The land is densely covered in predominantly exotic weed species, with some native species such as Kānuka present. A potential wetland area, indicated by the presence of *Machaerina juncea* sedgeland, has been identified within a topographic depression on the eastern boundary.
- **Perceptual & Associative Attributes**: Z7 is more visually connected to the sensitive coastal environment and offers more readily available views of Bream Bay than Z6B. The experience is one of being in a coastal environment, though the presence of the RWwTP and powerlines limits the sense of complete naturalness. It would be perceived as an open space buffer between the coast and the industrial zone.

2.6 Ecology

This section describes the existing ecological values of the Project area based on the Ecological Impact Assessment (EcIA) prepared by NZ Environmental Management, dated September 2025 (see APPENDIX I).

Z6B and Z7 are situated within the Poupouwhenua Scenic Reserve and the Ruakākā Dunelands Protected Natural Area (PNA). They lie on a stable, mid-back dune system parallel to the coast at Bream Bay and are classified as being within a "Chronically Threatened" and "At-Risk" land environment, where indigenous vegetation cover has been significantly depleted.

2.6.1 Vegetation and Ecosystems

The vegetation across Z6B and Z7 is characteristic of a degraded coastal dune ecosystem, heavily modified and dominated by invasive pest plant species. The primary vegetation communities are a mix of kānuka shrubland, gorse-pampas shrubland, and sedgeland, with a high prevalence of exotic species such as gorse, pampas, climbing asparagus, and smilax throughout the understorey.

Despite the degradation, the site contains ecological features of high value:

- Kānuka Forest (*Kunzea linearis*): The dominant canopy species is a coastal variety of kānuka that is endemic to the northern North Island. This species has a conservation status of "At Risk-Declining." The kānuka present within Z6B and Z7 is generally in poor condition,

showing signs of senescence and competition from invasive species. The presence of this threatened species elevates the ecological value of the vegetation from low to high.

- Threatened Ecosystem: Z6B and Z7 are located on stable sand dunes, which are classified as a naturally uncommon and endangered ecosystem in New Zealand.

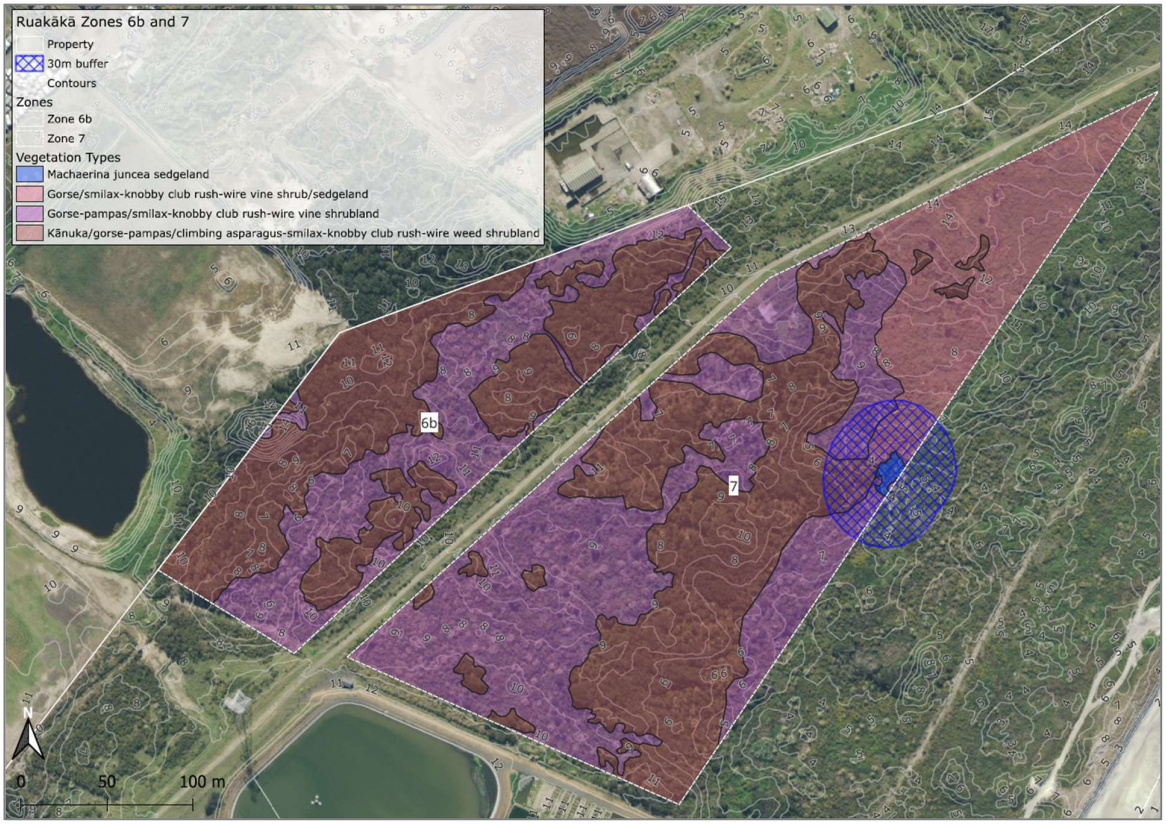

Figure 11: Mapping of vegetation cover based on rapid impact assessment to qualitatively evaluate the vegetation within the project footprint and Machaerina juncea sedgeland wetland delineated using vegetation protocols alone [Source: personal communications, K. Hayhurst, 7 April 2025; EcIA for identification methodology].

2.6.2 Wetlands

A significant ecological feature identified within Z7 is a *Machaerina juncea* sedgeland wetland, occupying approximately 200m² within the project boundary but extending further beyond it.

This feature is classified as an interdunal slack wetland, which is a nationally threatened ecosystem type.

Given that approximately 97% of Northland's original wetland cover has been lost, the presence of this relatively intact native sedgeland is of high ecological significance. The wetland's ecological value is assessed as high due to its rarity, threat status, and representative condition.

2.6.3 Fauna

The mosaic of vegetation, though degraded, provides habitat for a range of native fauna.

The site provides abundant habitat and food resources for common native insectivorous birds such as the grey warbler/riroriro and fantail/pīwakawaka. The habitat is also suitable for the "At

Risk-Declining" New Zealand pipit. The on-site wetland provides potential, though limited, habitat for cryptic wetland species like the fernbird/mātātā ("At Risk-Declining") and banded rail ("At Risk-Declining"). The overall ecological value for birds is considered high due to the availability of habitat for a range of common and potentially at-risk species.

Suitable habitat for native lizards is present, particularly for ground-dwelling skinks and terrestrial geckos. Dense thickets of pōhuehue, rank grasses, and clumping vegetation provide important shelter and resources. The habitat is considered suitable for species such as the copper skink and shore skink, both of which are classified as "At Risk-Declining." The ecological value for lizards is rated as moderate, acknowledging the suitable habitat but also recognising existing pressures from predation and human disturbance.

The area supports common native invertebrates. While the wider Bream Bay area is a known habitat for the "At Risk-Declining" katipō spider, the specific habitat within Z6B and Z7 (dense vegetation, lack of open sand) makes its presence unlikely. The ecological value for invertebrates is considered low-moderate.

No suitable habitat for native long-tailed bats was identified within Z6B or Z7.

2.7 Natural Hazards

The primary hazard identified[8] is localised flooding due to rainfall (see APPENDIX G); Z7, in particular has an undulating landform with low-lying depressions where surface runoff can accumulate. The underlying geology of peat and sand contributes to this.

Flood modelling shows that during 10-year, 50-year, and 100-year storm events, water can pond in some locations to depths of 500 mm to 1000 mm. This ponded water is temporary and does not run off to downstream environments, instead, it will eventually drain into the ground or evaporate.

The proposed disposal sites are located outside the mapped Coastal Erosion Hazard Zones (CEHZ) up to the year 2130. This includes scenarios accounting for significant sea-level rise (high emissions scenario RCP 8.5 H+ median projection).

Even under the most extreme 2130 scenario (CEHZ3), which recommends a setback of 130 m, the closest part of Z7 remains 70 m clear of the hazard zone.

The ground levels at the proposed disposal areas are at or above 5 m New Zealand Vertical Datum (NZVD) whereas the maximum predicted 1% coastal flood level for the location, which accounts for 1.5 m sea-level rise to the year 2130, is 4.6 m NZVD. Because the sites are elevated above the maximum predicted flood level, they are not considered vulnerable to coastal inundation.

[8] Based on Natural Hazards data available from NRC open data https://data-nrcgis.opendata.arcgis.com/maps/27ad27d0e7ef4bc99d91895e710e8f9d/about

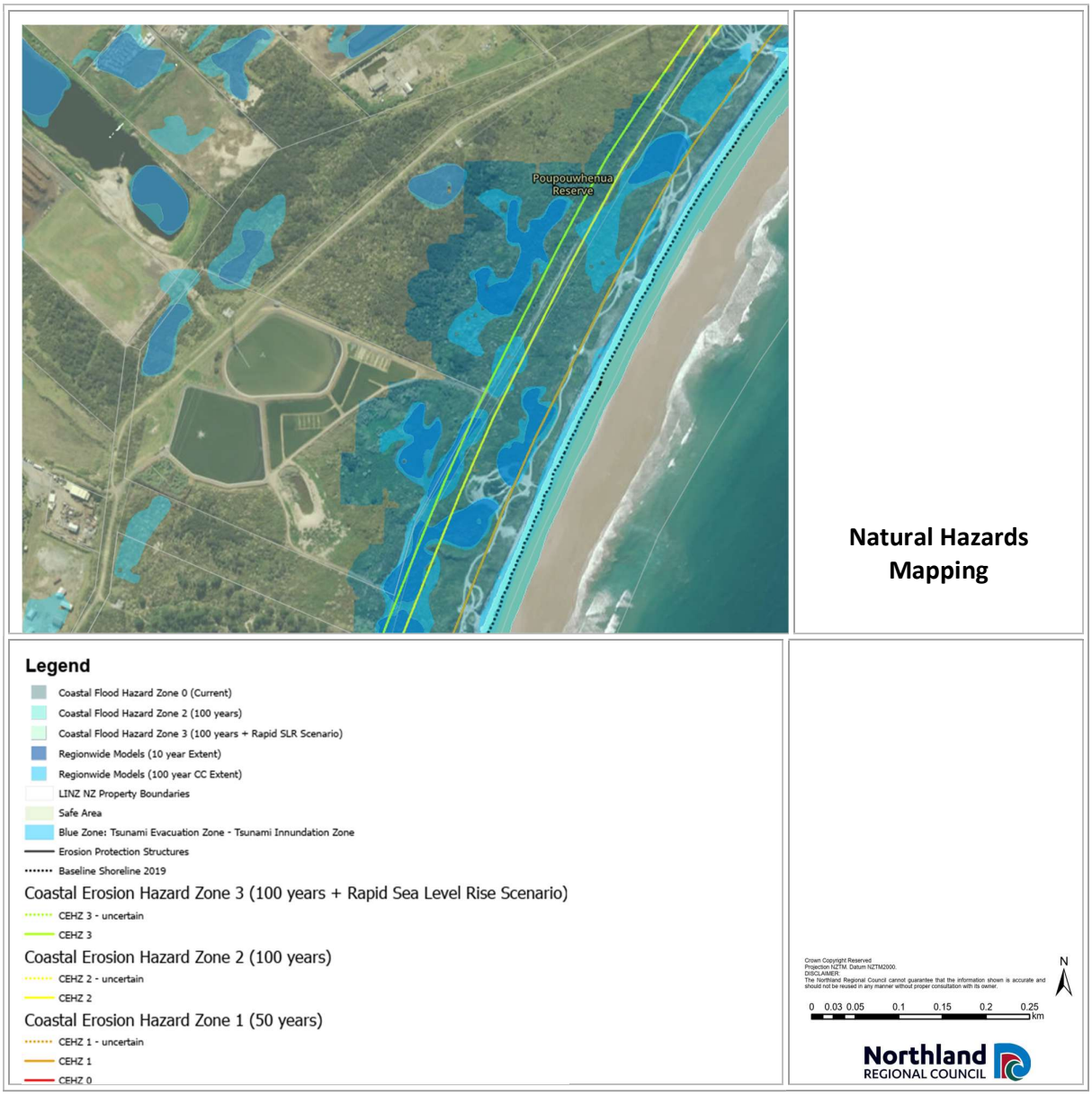

Figure 12: Natural hazards mapping [Source provided in map].

2.8 Culture and Heritage

Based on the Patuharakeke Hapū Environmental Management Plan 2014 (P-HEMP), the relationship of Patuharakeke with their ancestral lands, water, sites, wāhi tapu, and other taonga in the Ruakākā area is profound, holistic, and deeply rooted in whakapapa (genealogy), mana whenua (ancestral authority over land), and kaitiakitanga (guardianship). This connection is an intergenerational responsibility to protect the mauri (life force) of all elements of the environment for future generations.

The Ruakākā area, including the dunes of Bream Bay, is an integral part of the Patuharakeke rohe (tribal domain). Their pepeha (tribal identity statement) identifies Manaia as their maunga (mountain) and Whangārei Terenga Paraoa as their moana, grounding their identity in this specific

landscape. Patuharakeke consider all land within their rohe to be ancestral land, central to their very being. The dunes and coastal areas were historically significant for seasonal migrations, where whānau would establish nohoanga (campsites) to harvest the varied and abundant kaimoana (seafood), waterfowl from nearby wetlands, and important plants like pīngao from the foredunes.

The Ruakākā area is a landscape rich with historical "footprints" that confirm the korero (oral histories) passed down through generations. These wāhi tapu and sites of significance include pā (fortified villages), kāinga (settlements), urupā (burial grounds), trails, and ceremonial areas that place Patuharakeke within their rohe over a long period. The dunes of Bream Bay are part of this wider cultural landscape. For example, the site where whales were buried following a mass stranding in 2006 was demarcated as a wāhi tapu named "Tahuna Tohora". However, development has led to the large-scale physical destruction of wāhi tapu, flattened dune systems, and destroyed extensive mussel and pipi beds.

As kaitiaki, Patuharakeke have a duty to care for their taonga, including the land, water, and all living things. This responsibility has been severely challenged by environmental degradation. The Ruakākā River and estuary, once a vital source of sustenance, have suffered from poor water quality making traditional foods like watercress unsafe to eat and depleting stocks of tuna (eels), inanga (whitebait), and koura (freshwater crayfish). Cultural health monitoring has found the Ruakākā River mouth to be "virtually unusable for gathering kaimoana"[9]. Similarly, the industrialisation of Poupouwhenua has had adverse impacts on the mauri of Whangārei Terenga Paraoa (the Harbour), forever altering the cultural landscape and seascape.

In summary, the relationship of Patuharakeke to the Ruakākā area and the dunes of Bream Bay is one of inseparable ancestral connection and a sacred duty of guardianship. This bond has been disrupted by historical land alienation and ongoing environmental damage, which has undermined their ability to practice their culture, sustain their people, and protect the mauri of their taonga for future generations.

2.9 Archaeology

The Archaeological Assessment (APPENDIX J) advises that the archaeological value of Z6B and Z7 lies in their potential to provide significant evidence about the history of New Zealand, particularly regarding pre-1900 Māori occupation and activity along the coastal landscape of Te Akau.

The wider Ruakākā area is described as a rich cultural landscape. Archaeological sites are concentrated along the coast, near the Ruakākā and Waipu Rivers, and on consolidated inland dunes. These sites include:

- Middens: Evidence of shellfish processing and cooking.
- Pā (fortified settlements): Located on strategic high ground.
- Kāinga (villages) and gardens: While less common in the archaeological record, they were a critical part of the settlement pattern.

Most of the archaeological evidence in the region points to activity post-AD 1500 and suggests a pattern of transient occupation focused on resource gathering along the coastal dune, with more permanent settlements located on the higher ground west of the river.

[9] Page 53 of the PHEMP.

The assessment identifies a small cluster of midden present in the general vicinity of Z6B and Z7 (Figure 13)

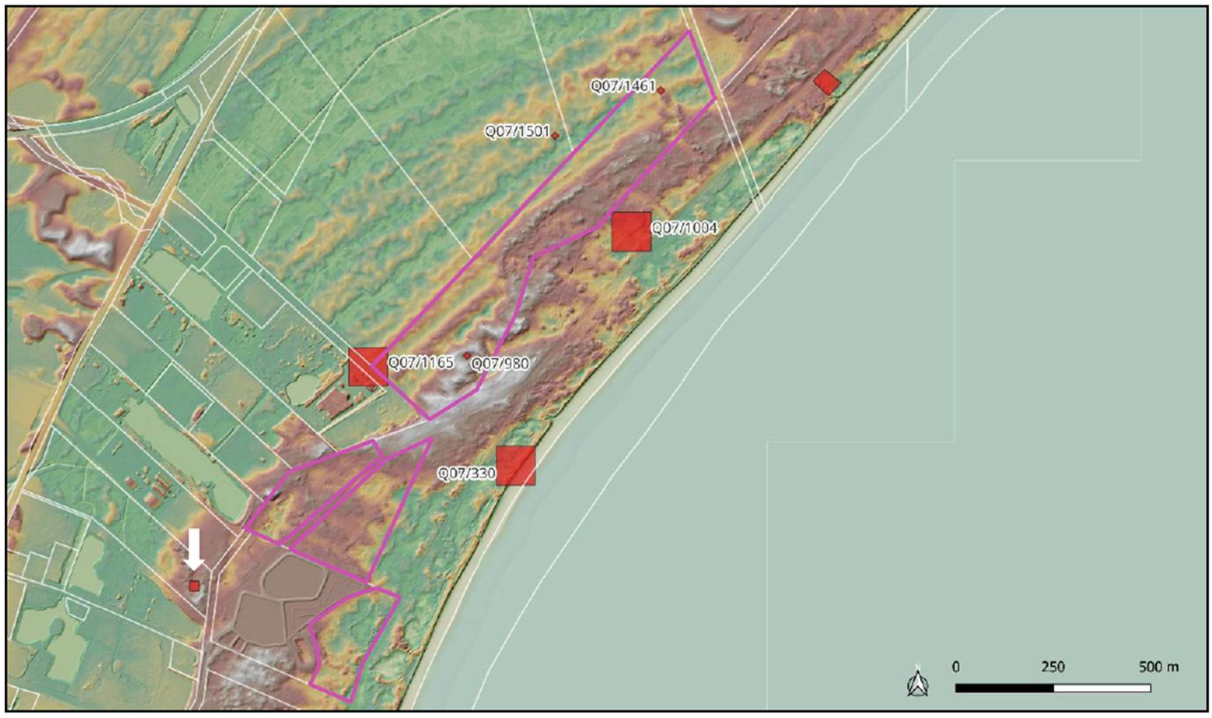

Figure 13: ArchSite map of recorded archaeological sites in the vicinity of Z6B and Z7 [Source: Figure 5 of the Archaeological Assessment (APPENDIX J)].

While there are no currently recorded archaeological sites within Z6B and Z7, the assessment concludes there is a high probability that unrecorded features are present.

3 Description of the Proposal

3.1 Alternatives and Options Analysis

As is required under Schedule 4 RMA, an application seeking to discharge any contaminant must include a description of any possible alternative methods of discharge, including discharge into any other receiving environment.

To identify a feasible interim solution for increasing the land discharge capacity of the RWwTP to 2,500 m^3/day, a two-stage options analysis was undertaken. This process first evaluated suitable disposal methods based on site-specific constraints and then assessed different spatial workstreams for distributing the treated wastewater flow.

3.1.1 Assessment of Disposal Options

Several common methods for land application of wastewater were considered. The primary constraining factor was the quality of the treated wastewater, which has high and variable levels of suspended solids and nutrients. This makes systems prone to clogging unsuitable without significant, costly, and time-consuming pre-treatment upgrades (e.g., a DAF system), which were outside the scope of an interim solution.

The following methods were evaluated:

- **Sub-surface or Surface Drip Irrigation:** Deemed unsuitable due to the high solids content, which would cause blockages in the fine-emitter drip lines.
- **Spray Irrigation (Fixed or K-line):** Considered unsuitable for the new disposal zones (6B and 7) because the dense, low-level scrub vegetation would prevent effective distribution of the spray.
- **Soakage Wells and Soakage Trenches:** Rejected as the high nutrient and pathogen content requires treatment within the topsoil layer, which these methods bypass. They would also be difficult to remove after the interim period.
- **Infiltration Basin:** Determined to be unsuitable for Z7 as it could lead to direct runoff into an adjacent wetland, negatively impacting its water quality. It would also require regular maintenance to prevent algal build-up.
- **Perforated Pipe Distribution:** Selected as the most suitable method. This system, which is already successfully in use at the adjacent Rama Road site, can manage the existing wastewater quality. As an above-ground system, it is also easily removable if no longer needed after the planned WWTP upgrade and minimises disruption to existing vegetation.

3.1.2 Assessment of Disposal Workstreams

Following the selection of the perforated pipe method, three primary workstreams were developed to assess different spatial configurations for distributing the total flow across the available land areas: Rama Road, Z3, Z6B, and Z7. In all options, Z3 was retained for its current use to manage peak wet weather flows.

Table 2: Modelled discharge scenarios.

Scenarios		**Daily Average Discharge Volumes (m^3/day)**				
Scenario Number	**Descriptions**	**Rama Road**	**Z6B**	**Z7**	**Z3**	**TOTAL**
Existing	Current consented discharge volumes	1,030 (Apr-Sept) 1,700(Oct-Mar)	-		660*	1,690 (Apr-Sept) 2,360 (Oct-Mar)
Scenario 1	Increase in discharge volume to Rama Road	1,840	-		660*	2,500 (year-round)
Scenario 2	Remove discharge to Rama Road, new discharge to Z6B and Z7	-	1,840		660*	2,500 (year-round)
Scenario 3	Redistribution of discharge volumes across Rama Road and Z6B and Z7 proportionate to area size	1,180	660		660*	2,500 (year-round)
Scenario 4a	No change to Rama Road consented limits (using winter volumes only)	1,030	810		660*	2,500 (year-round)
Scenario 4b	No change to Rama Road consented limits (using winter and summer volumes)	1,030 (Apr-Sept) 1,700 (Oct-Mar)	810 (Apr-Sept) 140 (Oct-Mar)		660*	2,500 (year-round)
Scenario 5	No discharge to the southern Rama Road K-line pod irrigation area (remove half of the consented winter flows)	515 *(Kanuka block only)*	1,325		660*	2,500 (year-round)
Scenario 6	Maintain current median daily flows to Rama Road of ~800 m3¬	800	1040		660*	2,500 (year-round)
* *Average daily volume for period from 1 April to 31 March of the following year*						

The main difference between the workstreams was the total land area used for disposal, which directly influenced the average wastewater application rate (mm/day).

All scenarios were modelled to preview the potential environmental effects of different flow splits between the disposal zones. This preliminary screening evaluation concluded that **Scenarios 4a and 6** were the most resilient and appropriate option to advance to concept design.

3.2 Preferred Option

The majority of the wastewater treated at the RWwTP will continue to be discharged via perforated pipe to approximately 12 ha of the property legally described as Lot 4 Deposited Plan 419151 at Rama Road; a further 8 ha of this property is spray irrigated using K-line. A further 660 m^3 of treated wastewater flows through to the rapid infiltration basin at Z3 on a daily basis located within the RWwTP site (Section 65 Block VII Ruakaka Survey District). No changes are proposed to the current wastewater disposal methods as part of this Project.

Scenarios 4a and 6 provide the greatest operational flexibility and resilience by utilizing all available disposal areas (Rama Road, Z3, Z6B, and Z7), while minimising new infrastructure investment. The design enables a total average discharge of 2,500 m^3/day to land.

3.2.1 System Configuration and Flow Distribution

The core of the concept is to split the treated wastewater flow between the existing Rama Road disposal area and the new areas in Z6B and Z7. The configuration is designed as follows:

- **Rama Road & Z3:** The existing consented discharge limits for Rama Road (up to 1,700 m^3/day) and Zone 3 (660 m^3/day for peak flows) will be retained.
- **Z6B & 7:** New infrastructure will be constructed in these zones to receive an additional flow ranging from **660 to 1,040 m^3/day**.

The cartesian discharge areas (excluding buffers) as shown in Figure 14 have been calculated by Beca (APPENDIX K) as follows (Table 3).

Table 3: Discharge areas.

Zone	Area (m^2)	Area (Ha)
Rama Road (30 m buffer on shared boundaries and actual application area in southern pasture)	118,639	11.9
Z3	35,851	3.6
Z6B (30 m buffer on western boundary, 30m buffer to access road)	15,107	1.5
Z7 (30m buffer to access road, 20m buffer to wetland)	50,604	5.1

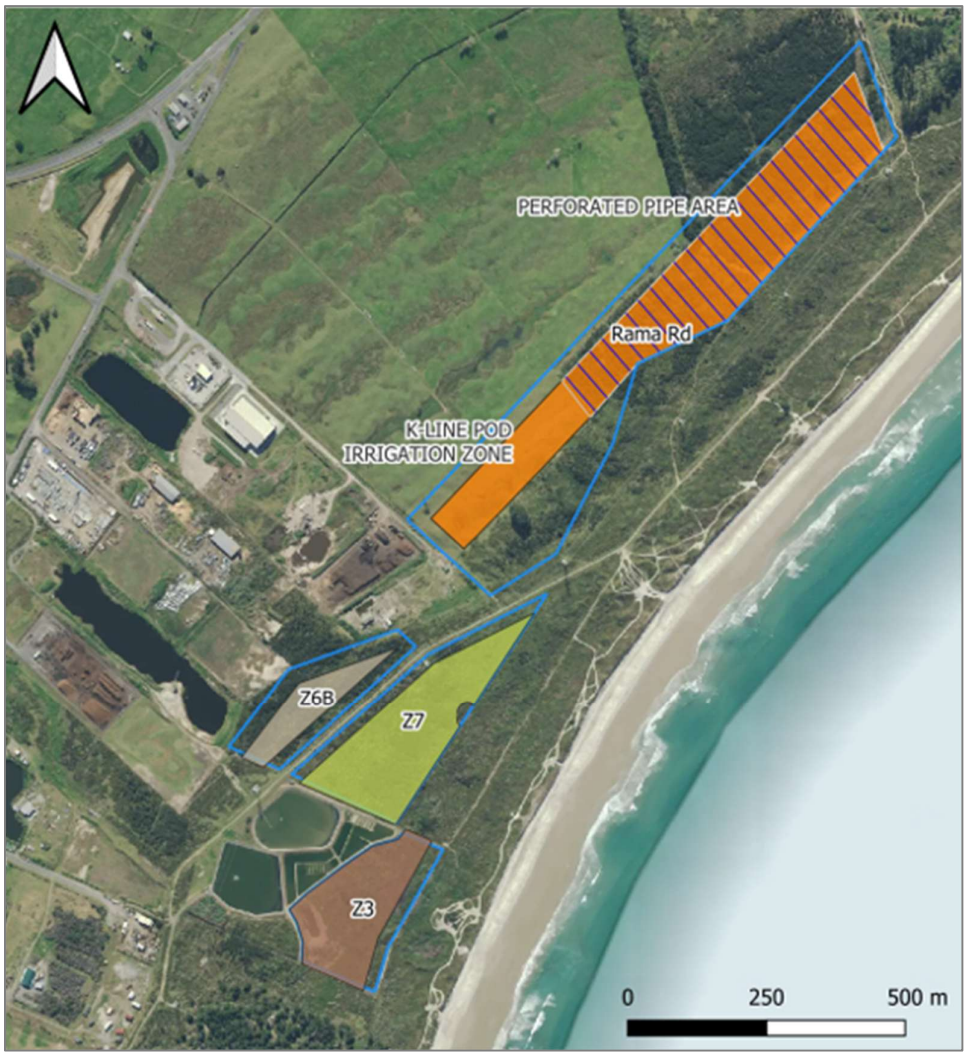

Figure 14: Plan view of all land discharge areas (consented and new) required to discharge. 2,500 m^3/day of treated wastewater.

This approach allows operators to continue using the existing, well-understood Rama Road system while directing the increased wastewater volume to the new zones, providing flexibility to manage flows and maintain compliance.

3.2.2 Disposal Technology and Layout

The chosen disposal method is a perforated pipe distribution system, mirroring the technology already in use in the scrub block area of Rama Road.

The system consists of above-ground 110mm outer diameter PE pipes. Small (2mm) holes are drilled into the top of the pipe at 2-metre intervals, allowing wastewater to be distributed in a low-pressure spray. Flushing valves will be installed at the end of each distribution line to prevent the accumulation of solids and clogging of the holes.

The perforated pipes will be laid out in parallel lines across Z6B and Z7, fed by the existing main pipelines from the irrigation pump station. The layout is designed to achieve even distribution while navigating existing vegetation and utility services.

This technology was selected as it is proven to be effective for the site's wastewater quality, is familiar to the WDC operations team, and minimises ground disturbance.

The concept design incorporates several important features to ensure safe and effective operation:

- **Buffer Zones:** To mitigate potential effects, dedicated buffer zones will be established. This includes a 20 m buffer around the *Machaerina juncea* sedgeland in Z7 and a 30 m buffer along public access tracks.
- **Wind Management:** An automatic high-wind cut-off system will be implemented for the new zones to prevent spray drift.
- **Public Access Control:** The new disposal areas in Z6B and Z7 will be fenced, and signage will be installed to restrict public access for health and safety reasons.

3.2.3 Construction

The construction phase is expected to have a duration of approximately two to three months, commencing after the completion of initial site preparation activities (described below).

The execution of these works will necessitate the use of light-to-medium construction machinery, including but not limited to:

- Small excavators
- Haulage trucks
- Small bulldozers or loaders
- Light utility vehicles

3.2.3.1 Vegetation Management and Site Clearing

Initial works will consist of preparing the designated pipeline corridors mirroring the work undertaken at Rama Road in 2018 and as shown in the Google earth imagery in Figure 15 below.

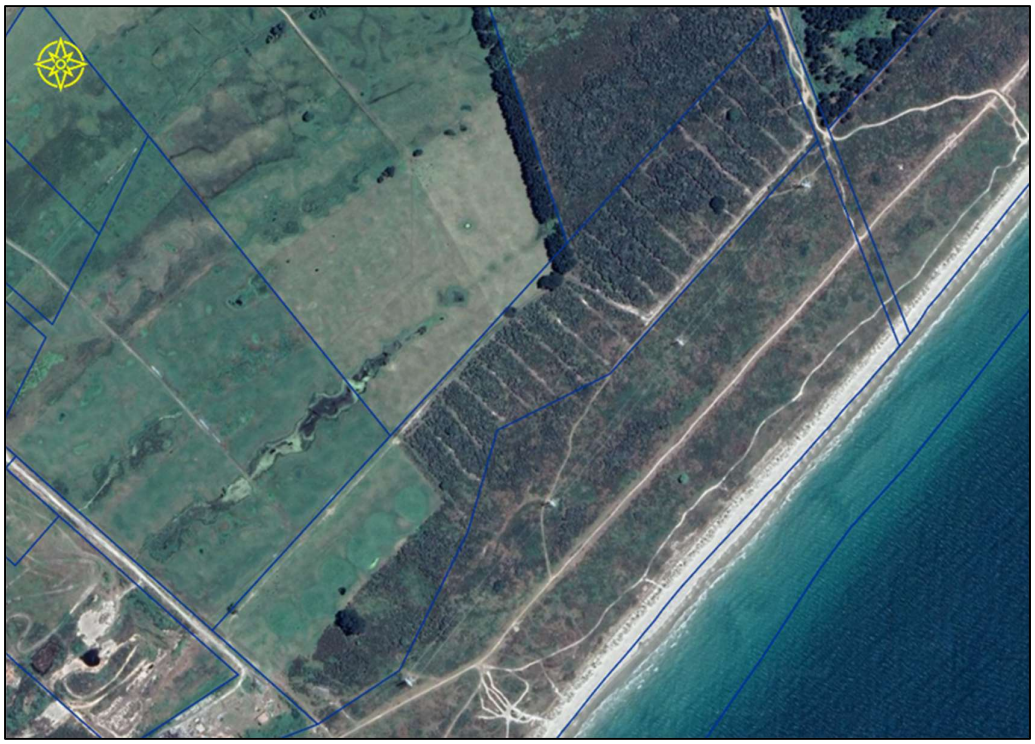

Figure 15: Historical imagery (8 December 2018) of Rama Road showing cleared areas for wastewater disposal lines [Source: Google Earth, accessed 16 September 2025].

This phase includes:

- **Herbicide Application:** The application of a suitable herbicide will be undertaken to control invasive weed species. An assessment will determine the optimal season for this activity to ensure maximum efficacy.
- **Vegetation Removal:** Following herbicide application, selected vegetation will be mechanically cleared. All cleared organic material, particularly from invasive species, will be removed from the site for appropriate disposal to prevent propagation. This work will be performed using a small excavator and haulage truck.

3.2.3.2 Earthworks and Ground Preparation

Minor earthworks shall be conducted to establish a suitable grade for the efficient installation and operation of the pipeline system. This activity will involve a small bulldozer or loader to achieve the design contours, with excavations and fills anticipated to be a maximum of 1 m in depth.

3.2.3.3 Installation of Weed Suppressant Geotextile

A weed suppressant matting will be installed along the prepared pipeline routes. This will inhibit vegetation regrowth and protect the integrity of the disposal system infrastructure. A small, specialised vehicle will be utilised for its placement.

3.2.3.4 Infrastructure Installation

The primary construction activity involves the installation of the wastewater disposal pipework. The system components, including pipelines and associated control valves, are specified for above-ground installation. This phase will require the use of trucks for material delivery and an excavator for pipe placement and minor trenching for ancillary works.

Control cabling for the system's automated valves will be installed in concert with the pipelines. The cabling will be situated in shallow trenches, excavated to a nominal depth of 1 m. A new or upgraded control system will be installed to manage and monitor the expanded distribution network.

3.2.4 Site Restoration and System Commissioning

Upon completion of mechanical and electrical works, areas adjacent to the new pipelines will be planted with low-growing native species. This will provide environmental mitigation and soil stabilisation.

The final stage of the project will be the commissioning of the new infrastructure. This process will involve comprehensive testing of all pipelines, valves, and control systems to verify that the installation meets all operational and design specifications.

3.2.5 Detailed Design Considerations

It should be noted that the final construction methodology is subject to refinements during the detailed design phase. Key considerations requiring further investigation include the precise location of existing utility services, provisions for system maintenance and flushing, and the final design of buffer zones, fencing, and operational signage.

4 Consultation

Schedule 4 of the RMA requires that an Applicant identifies the persons affected by their activity, any consultation undertaken, and any responses to the views of any person consulted. However, it does not oblige an Applicant to consult or create any ground for expecting that the Applicant will consult any person.

Engagement for this Project extended beyond consulting with potentially affected persons and instead sought to shape the preferred option through a mixture of consultation, involvement, and partnership. The following is a summary of the engagement activity, feedback received from those engaged, and the Applicants response to the feedback received. The information does not constitute an analysis of affected persons noting that engagement was much wider in order to generate new ideas for the interim discharge option, to understand perceptions of the options, and utilise local knowledge to gain a full understanding of actual or potential effects. Additionally, the engagement activity sought to increase visibility of this interim Project alongside the longer-term business case project for the new WWTP and discharge options.

4.1 Hapū (Patuharakeke and Te Parawhau)

Patuharakeke are a project partner, delivering the RWwTP Upgrade and Alternative Discharge Options business case in partnership with WDC staff; a workstream of the business case includes this interim proposal given its fundamental importance for transitioning to the new RWwTP and for enabling stalled development through increased capacity. Specifically with regard to these applications, representatives of Patuharakeke attended two technical workshops which served to aid the development of discharge options and guide the effects assessments. Cultural management protocols were promoted by representatives and these have been adopted and put forward as proposed conditions (see APPENDIX M and APPENDIX N).

Engagement with Te Parawhau has occurred through emails, meetings, and invitations were extended to Te Parawhau for a hui-a-hapū held at Takahiwai Marae on 19 August 2025. Te Parawhau has been invited to review resource consent application documentation and to prepare a Cultural Impact Assessment (CIA). In an email dated 7 August 2025, Te Parawhau RMU on behalf of its hapū requested the following terms of engagement with WDC.

> *The WWTP upgrade is not just a technical project—it is a chance to restore relationships between people, place, and wai. Te Parawhau maintains our stance as tāngata whenua to Poupouwhenua and are willing to collaborate with WDC. It is however imperative that our Uara Ahurea o Te Parawhau is upheld. Accordingly, WDC must move beyond procedural engagement and into co-governance, co-design, and cultural integration. The following actions from WDC are therefore required.*
>
> - *Treat Te Parawhau's engagement as essential, not optional, in all phases of the upgrade.*
> - *Allocate funding for cultural engagement, capacity building, and co-governance.*
> - *Ensure that hapū wellbeing is at the core of the project evaluation and success.*

Te Parawhau actions:

- *Te Parawhau will prepare a Cultural Impact Assessment for this project. A fee estimate will be provided.*
- *Te Parawhau will confirm invoice arrangements.*

As at the time of writing this report, Te Parawhau had not been engaged to prepare a CIA.

The hui at Takahiwai Marae was attended by around 30 people. Patuharakeke handled the invitations to the hui, which included Te Parawhau and Ngātiwai. During the hui, attendees raised questions about the monitoring process, suggested a 10-year authorisation period instead of 5 to account for potential delays, and requested eco-sourcing for revegetation efforts. They supported fencing the area but were sceptical about vandalism. Officers were able to discuss monitoring options and noted the support for a longer consent period and agreed to consider all options for vegetation management, including eco-sourcing, and to investigate concerns about nutrient loads with the NRC. Officers also noted that signage about public health hazards could help deter trespassers.

4.2 Adjacent Property Owners

During optioneering, the Applicant's Communications and Engagement representative conducted phone interviews with eight property owners whose land shares a boundary with the proposed discharge areas. One other owner was sent a letter when phone contact could not be made, but did not reply. The purpose of this engagement was to garner the views of neighbours to the discharge scenarios being considered to develop a comprehensive view of the preferred option.

Half of the respondents had no objections in principle to all scenarios being considered. Others raised concerns about the high-water table causing groundwater to seep onto their properties, potential odour during high winds, and spray drift. One business owner was concerned about the impact of truck movements on the road.

Groundwater modelling undertaken does confirm potential for daylighting at the pond at 564 Marsden Road. A tiered approach to managing this potential effect is proposed and includes groundwater quality and level monitoring in sentinel bores alongside adaptive management (see APPENDIX MAPPENDIX F). To address spray drift, a 30 m buffer zone was recommended by the experts. The Applicant noted that odour issues were more likely related to the plant's inlet area, rather than the discharge fields.

4.3 Community and General Public

The general community was engaged through an online survey, social media posts, a community drop-in day, a site visit, and newspaper advertisements.

The views received from these engagement activities included, in summary:

- **Online Survey:** Twelve responses were received. Six respondents said they use the area for walking, beach access, and dog walking. Concerns included the potential for poor quality wastewater to cause nutrient loading, groundwater infiltration, and lasting environmental damage.
- **Community Drop-in Day:** Fourteen members of the public attended. Some attendees expressed concern about pharmaceutical contaminants, seepage onto the beach, and

whether the "interim" solution might become permanent. Others were generally supportive and keen for local development to restart.

- **Social Media:** Discussion was minimal and focused more on the long-term treatment plant upgrade, with comments on the plant's location near the beach and risks to pipi beds and aquifers.

The Applicant clarified that the treated wastewater quality would be the same as the current RWwTP produces and that this does pose risk of nutrient enrichment if not applied as designed in terms of rate and spread. The Applicant committed to a Pest Plant Management Plan and re-vegetating with indigenous species as well as monitoring for spray drift. For the drop-in day, officers noted that most concerns were already covered by the technical investigations being done.

4.4 Community Groups and Associations

The Ruakākā Residents and Ratepayers Association, Bream Bay Coastal Care Trust, and the formal Community Liaison Group were consulted on the Project with a summary of views as follows:

- The Residents and Ratepayers Association raised no concerns.
- The Coastal Care Trust offered to share a recent dune vegetation report and raised concerns about the impact of higher nutrient loads on plant life.
- The Community Liaison Group noted concerns about groundwater "daylighting" (seeping) into a neighbouring property and supported fencing off the discharge areas.

The Applicant agreed to investigate appropriate plants and eco-sourcing with the NRC to address the nutrient concerns. It confirmed that further groundwater modelling was underway to investigate the "daylighting" issue and that a vegetation management plan would be proposed. The Applicant also noted the community support for fencing the area.

4.5 Government Agencies and Infrastructure Owners

Key agencies engaged included the DoC, NRC, and Network Utility owners such as Transpower, First Gas, Meridian Energy Limited, Mercury Energy Ltd, and Channel Infrastructure Limited. The views of these parties, in summary, were;

- DoC, as the administrator of the Reserve, required a Lizard Survey and emphasised the need to adhere to the effects management hierarchy contained in Policy 11 of the NZCPS.
- Network Utility owners such as Transpower, First Gas, and Channel Infrastructure had no objections, provided their construction and access requirements were met. Meridian Energy, an adjacent landowner, raised concerns about potential runoff or daylighting to areas on their properties which will be developed into wetland habitat restoration areas as part of their solar farm resource consents.

The Applicant commissioned the lizard survey work that DoC recommended; the survey results will inform the Wildlife Permit application being lodged concurrently with these applications.

Ongoing communication will take place with Network Utility owners as part of detailed design and construction to ensure all industry clearances are adhered to.

4.6 Developers

Developers operating in the Marsden and Bream Bay area were kept informed through email updates and meetings.

While the Developers were pleased to hear that additional connections to the RWwTP would be enabled through the Project (should all authorisations be granted), they also held reservations as to whether the proposed discharge volumes would be sufficient to cater to the development which had been on hold and for development which could seek connections between now and 2030.

The Council's engagement with developers focused on explaining that the interim solution was specifically designed to provide the necessary capacity to allow development in the area to restart with potential for additional development as well.

4.7 Consultation Conclusions

The Applicant undertook engagement with a wide range of parties including hapū, adjacent property owners, community groups, government agencies, infrastructure owners, and developers.

This consultation identified that while Patuharakeke is a project partner, Te Parawhau has requested a deeper co-governance engagement model, to which a formal response was pending at the time of the report.

The primary environmental concern raised by adjacent landowners, Meridian Energy, and community groups was the potential for groundwater "daylighting" (seepage) onto neighbouring properties which are effects available to the NRC to consider as this is a potential consequence of the discharge. Other key issues included nutrient effects on plant life, protection of native lizards (raised by DoC), and public amenity.

In response, the Applicant commissioned technical assessments, including groundwater modelling and a lizard survey to ensure a robust understanding of these key issues. To address the principal effect of daylighting, a tiered adaptive management approach including monitoring is proposed. Feedback on matters such as eco-sourcing, fencing, and buffer zones has been noted and incorporated into the proposed consent conditions and management plans.

5 Resource Consent Requirements

The RMA contains duties and restrictions on persons seeking to use and develop natural and physical resources at Part 3.

For the proposed disposal of treated wastewater, duties and restrictions as set out at Sections 9, 15, and 16 of the RMA are relevant. These provisions, except for Section 16 of the RMA, apply a hierarchy that restricts use and development by a national environmental standard, followed by rules in a plan and any proposed plan. These restrictions are discussed in further detail in this same hierarchy as follows, with further analysis of all possibly relevant requirements, conditions, or permissions in any rules in a document contained in APPENDIX B.

5.1 National Environmental Standards

5.1.1 Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2010

The NESCS came into effect on 1 January 2012 and sets out nationally consistent planning controls appropriate to district and city councils for assessing potential human health effects related to contaminants in soil. The regulation applies to specific activities on land where an activity included on the Ministry for the Environment's Hazardous Activities and Industries List (HAIL) has occurred and where activities covered by the NESCS (i.e. soil disturbance, land use change, subdivision) are proposed.

Based on the PSI (APPENDIX C), no significant soil contamination has been identified within the proposed new discharge areas (Z6B and Z7). As such, there are no activities regulated under the NESCS.

5.1.2 Resource Management (National Environmental Standards for Freshwater) Regulations 2020

The NESFM deals with functions of regional councils under Section 30 of the RMA and contains Regulations for farming activities (Part 2) and for other activities that relate to freshwater (Part 3); only Part 3 is relevant to this Project.

Part 3 is separated into three sub-parts; sub-part 1 regulates activities affecting natural wetlands, sub-part 2 regulates reclamations of rivers, and sub-part 3 regulates structures which affect the passage of fish. Only sub-part 1 of Part 3 of the NESFM is relevant to the Proposal and is assessed as follows.

5.1.2.1 Subpart 1 – Natural Inland Wetlands

A *Machaerina juncea* sedgeland wetland has been identified on the edge of the proposed Z7 disposal area and occupies approximately 200 m². The wetland is a natural inland wetland as defined in the NPSFM (see Key Terms/Definitions above). The wetland was considered when developing the concept design and a 20 m buffer from active disposal lines has been recommended by the Beca design team (APPENDIX K).

5.1.2.1.1 Construction of specified infrastructure

The disposal network is specified infrastructure (see Key Terms/Definitions above); therefore Regulation 45 of the NESFM applies to the activities associated with constructing the disposal network and, if applicable, activities could be classified as Discretionary. Regulation 45 is assessed as follows (Table 4):

Table 4: Regulation 45 NESFM analysis

Reg	Regulation	Assessment
45(1)	*Vegetation clearance within, or within a 10 m setback from, natural inland wetland is a discretionary activity if it is for the purpose of constructing specified infrastructure.*	No vegetation clearance is proposed within a 10 m setback from the natural inland wetland.
45(2)	*Earthworks or land disturbance within, or within a 10 m setback from, a natural inland wetland is a discretionary activity if it is for the purpose of constructing specified infrastructure.*	No earthworks are proposed within, or within a 10 m setback, from the natural inland wetland.
45(3)	*Earthworks or land disturbance outside a 10 m, but within a 100 m, setback from a natural inland wetland is a discretionary activity if it—* *(a) is for the purpose of constructing specified infrastructure; and* *(b) results, or is likely to result, in the complete or partial drainage of all or part of the natural inland wetland.*	Earthworks will be required within a 100 m setback from the natural inland wetland but will not result or would not likely result in the complete or partial drainage of all or part of the natural inland wetland.
45(4)	*The taking, use, damming, or diversion of water within, or within a 100 m setback from, a natural inland wetland is a discretionary activity if—* *(a) the activity is for the purpose of constructing or upgrading specified infrastructure; and* *(b) there is a hydrological connection between the taking, use, damming, or diversion and the wetland; and* *(c) the taking, use, damming, or diversion will change, or is likely to change, the water level range or hydrological function of the wetland.*	No taking, use, damming, or diversion of water within or within a 100 m setback from the inland wetland is proposed as part of constructing the infrastructure.
45(5)	*The discharge of water into water within, or within a 100 m setback from, a natural inland wetland is a discretionary activity if—*	No hydrological connection would be present between construction water discharges given the high permeability of the sandy soils, undulating topography, and site controls. No

Reg	Regulation	Assessment
	(a) the discharge is for the purpose of constructing or upgrading specified infrastructure; and *(b) there is a hydrological connection between the discharge and the wetland; and* *(c) the discharge will enter the wetland; and* *(d) the discharge will change, or is likely to change, the water level range or hydrological function of the wetland.*	change in water level range or hydrological function of the wetland is anticipated.
45(6)	*A resource consent for a discretionary activity under this regulation must not be granted unless the consent authority has first—* *(a) satisfied itself that the specified infrastructure will provide significant national or regional benefits; and* *(b) satisfied itself that there is a functional need for the specified infrastructure in that location; and* *(c) applied the effects management hierarchy.*	Not applicable.

The assessment confirms that construction of the wastewater disposal network does not contravene a standard under Regulation 45 NESFM, therefore no resource consent is required for the regulated activities.

5.1.2.1.2 Maintenance and operation of specified infrastructure or infrastructure

Once constructed, the network infrastructure operates as a discharge network, therefore the discharge of treated wastewater through the perforated pipeline qualifies as the operation of specified infrastructure and as such must first be evaluated under Regulation 46, or under Regulation 47 if there is any breach of a standard in Regulation 46. Furthermore, the regular removal of pest plants along the lines may be required to maintain access for servicing the discharge pipes, and this activity is considered "maintenance" under either Regulation 46 or 47 as well. Analysis against the matters in Regulation 46 NESFM is as follows (Table 5):

Table 5: Analysis of Regulation 46 NESFM.

Reg	Regulation	Assessment
46(1)	*Vegetation clearance within, or within a 10 m setback from, a natural inland wetland is a permitted activity if it—* *(a) is for the purpose of maintaining or operating specified infrastructure or other infrastructure; and*	No vegetation clearance or earthworks are proposed within, or within a 10 m setback, from the natural inland wetland as part of maintenance of the specified infrastructure.

Reg	Regulation	Assessment
	(b) complies with the conditions.	
46(2)	*Earthworks or land disturbance within, or within a 10 m setback from, a natural inland wetland is a permitted activity if it—* *(a) is for the purpose of maintaining or operating specified infrastructure or other infrastructure; and* *(b) complies with the conditions.*	
46(3)	*The taking, use, damming, diversion, or discharge of water within, or within a 100 m setback from, a natural inland wetland is a permitted activity if—* *(a) the activity is for the purpose of maintaining or operating specified infrastructure or other infrastructure; and* *(b) there is a hydrological connection between the taking, use, damming, diversion, or discharge and the wetland; and* *(c) the taking, use, damming, diversion, or discharge will change, or is likely to change, the water level range or hydrological function of the wetland; and* *(d) the activity complies with the conditions.*	Discharge of treated wastewater is proposed (i.e., water) within a 100 m setback of the natural inland wetland, however, the Beca groundwater assessment (APPENDIX H) did not highlight any daylighting at this wetland suggesting there should be no hydrological connection of the discharge with the wetland while the Beca concept designer advises that the discharge should not enter the wetland via overland flow due to the 20 m buffer provision and ground conditions which favour rapid infiltration to ground.
46(4)	*The conditions are that—* *(a) the activity must comply with the general conditions on natural inland wetland activities in regulation 55…* *(b) the activity must not be for the purpose of increasing the size, or replacing part, of the specified infrastructure or other infrastructure unless the increase or replacement is to provide for the passage of fish in accordance with these regulations; and* *…* *(f) if the activity is a discharge of water, it must not be a restricted discretionary activity as described in regulation 47(3A).*	Because the discharge will take place within a 100 m setback of the natural inland wetland, compliance with the relevant conditions at Regulation 46(4) must be determined. These are assessed as follows: (a) The Applicant will comply with Regulation 55 matters as; (i) It will provide the NRC with the information required under Regulation 55(2) at least 10 working days before starting the activity. (ii) None of the effects outlined in Regulation 55(3)(a) are expected to eventuate as a result of the discharge and a monitoring and adaptive management regime is proposed as a precautionary measure given the significance of the wetland; (iii) The Coastal and Flood Hazard Assessment (see APPENDIX G) advises

Reg	Regulation	Assessment
		that mapped modelled extent of flooding are low-lying depressions where surface runoff tends to accumulate as opposed to being part of a floodplain. As such, it is anticipated that the matters in Regulations 55(3)(b), and 55(4) are not relevant as no "floodplain" would be inundated. (iv) The GW Report concludes that the discharge will have no interaction with the wetland during average conditions such that it will not alter the natural movement of water into, within, or from the natural inland wetland. As such Regulation 55(3)(c) is met. (v) No taking or discharging water to or from the natural inland wetland is proposed therefore Regulation 55(3)(d) is not relevant. (vi) Regulation 55(e) is not relevant as no sediment generating activities (earthworks and vegetation clearance) are Regulated. (vii) Regulation 55(4) – see commentary on Regulation 55(3)(b). (viii) Regulations 55(5)-(9) and (12) are not relevant as the activity is for the operation of specified infrastructure and not for construction activities; only the discharge is a Regulated activity. (ix) The discharge is not expected to destroy, damage, or modify a site(s) of historic heritage therefore Regulations 55(10)-(11) are not relevant. (x) Regarding Regulation 55(13), the operation of the specified infrastructure; • is to be undertaken to the extent necessary to achieve the purpose of discharging an overall volume of 2,500 m^3 of treated wastewater per day to land. • Does not involve the use of fire or explosives.

Reg	Regulation	Assessment
		• The operation of the specified infrastructure does not prevent the public from accessing the natural inland wetland noting that there is currently no formal access and generally where there is formal access within the dunes, it is taken advantage of by unauthorised use of vehicles. • Does not generate any debris or litter. (b) The specified infrastructure is a new installation therefore the operation will be new so does not seek to increase or replace any existing specified infrastructure. (c) Discharge of treated wastewater is proposed (i.e., water) within a 100 m setback of the natural inland wetland, however, the GW Report (APPENDIX H) did not highlight any daylighting at this wetland suggesting there should be no hydrological connection of the discharge with the wetland while the Beca concept designer advises that the discharge should not enter the wetland via overland flow due to the 20 m buffer provision and ground conditions which favour rapid infiltration to ground.

The assessment confirms that the operation and maintenance activities do not contravene the relevant standards of Regulation 46 NESFM.

5.1.2.1.3 Other activities

Ongoing removal of pest plant species may be necessary to carry out ecological mitigation or offset requirements beyond the maintenance envelope of the specified infrastructure. While these actions are essential components of the Project's effects management strategy, they are not classified as maintenance or operation of specified infrastructure.

Importantly, no mitigation-related vegetation clearance is planned within 10 m of the natural inland wetland. As a result, there is no breach of Regulation 54 NESFM, and this activity is not subject to regulation under the NESFM.

5.2 Regional Plans

The PRPN has been prepared by NRC in accordance with its functions under the RMA. It is a combined regional air, land, water and coastal plan, and contains rules for the sustainable management of natural and physical resources of the Northland Region.

Now that all appeals have been resolved, all rules in the PRPN must now be treated as operative, in accordance with Section 86F of the RMA (and any previous rule as inoperative). Table 6 contains analysis of the resource consent requirements of the PRPN while APPENDIX B contains an analysis of any relevant requirements, conditions, or permissions in any rules of the PRPN.

Table 6: PRPN resource consent requirements.

Activity	Rule	Classification
Discharges of treated wastewater to land or water not currently provided for by the RWwTP resource consent, and discharge of any associated discharge of odour into air. For the avoidance of doubt, this rule covers the following RMA activities: • Discharge of treated wastewater from a wastewater treatment plant into water or onto or into land where it may enter water and any associated discharge of odour into air (s15(1)). • Discharge of treated wastewater from a wastewater treatment plant onto or into land and any associated discharge of odour into air (s15(2)(A)).	C.6.2.2 PRPN	Discretionary

One application for resource consent can be made under this bundled rule. However, an application under a bundled rule would still result in separate consents being granted for each RMA permission required.

5.3 Section 127 RMA

New resource consents are required from NRC to authorise the discharge of treated wastewater to Z6B and Z7and associated discharges to air (mainly odour) as assessed above (Section 5.2).

However, administrative variations are also proposed to conditions of AUT.021532 to add the new resource consents for Z6B and Z7 to the AUT.021532 resource consent document. The reason for this approach is because the Z6B and Z7 consents still need to rely on the effective operation of the RWwTP which is already addressed by conditions of AUT.021532; combining the resource consents avoids duplication of these conditions making it much simpler for the Operators to lawfully exercise the consents.

Pursuant to Section 127(3) RMA, an application to vary or cancel conditions of consent is to be treated as if it were an application for a resource consent for a Discretionary activity.

5.4 District Plans

The WDP is the primary document that manages land use and development within the WDC's territorial boundaries and contains Rules to achieve the sustainable management of these resources within the district, this may involve their use, development, or protection.

As of 4 December 2024, the rules in Plan Change 1: Natural Hazards (PC1) had legal effect because decisions have been made on submissions however PC1 is not yet operative and therefore PC1 rules alongside those of the WDP must be considered. Plan Change 3 is a Private Plan change and not relevant to this Project.

Table 7 below contains analysis of the resource consent requirements of the WDP and PC1 while APPENDIX B contains an analysis of any relevant requirements, conditions, or permissions in any rules of the WDP and PC1.

Table 7: WDP resource consent requirements.

Activity	Commentary	Rule/ Plan	Classification
New wastewater reticulation and disposal Infrastructure constructed in areas mapped as a 10 and/or 100-year Flood Hazard Area.	Wastewater reticulation and disposal Infrastructure may need to be constructed in areas mapped as a 10 and/or 100-year Flood Hazard Area (see pp1-2 PC1) but is not specifically provided for as a permitted activity under this rule. District Planner, Robert Burgoyne, has advised that the development and operation of wastewater discharge Infrastructure isn't provided for as a permitted activity under this rule.	PC1 NH-R7	Restricted Discretionary
Earthworks within Sand Dunes	Intermediate District Planner, Eden Wynne, has advised that the term "Sand Dune" takes on the general meaning from the Oxford Dictionary (9th Ed.) which is: *n. a mound or ridge of sand formed by the wind.* Both the Landscape (Beca) and Ecology (NZEM) assessments describe the Project area as a dunescape environment therefore it is assumed that this rule applies to the proposed earthworks despite the scale being relatively minor. Earthworks associated with implementing the Pest Plant Management measures alongside any earthworks associated with maintenance of the pipeline infrastructure are assessed as being permitted under this rule (see (b) and (f) of this rule) and as such the application for Land Use consent	CE-R7	Discretionary

Activity	Commentary	Rule/ Plan	Classification
	under this rule is for the construction activities only.		

5.4.1 Resource Consent Requirement Conclusions

No aspects of the Project contravene a relevant standard in an NES, however, resource consents are required under the PRPN (see Table 6) and WDP (Table 7). An application to vary an existing consent(NRC only) is also being made.

5.5 Other Authorisations

It may be necessary for the consenting authorities to understand the nature of other authorisations required to implement the requested resource consents. As such, the following provides a brief summary of the other authorisations being sought by the Applicant.

5.5.1 Reserves Act 1977 & Conservation Act 1987

As indicated earlier (see Section 2.1), the Reserve holds dual status as a Scenic Reserve (s 19(1)(b) Reserves Act), and Conservation Area (s 2 Conservation Act). Despite this duality, Section 59A Reserves Act gives the Minister powers to grant a concession in respect of any reserve vested in the Crown and that, "*Part 3B of the Conservation Act 1987 shall apply as if references in that Part to a Conservation Area were references to such a reserve and with any other necessary modifications".*

Part 3B of the Conservation Act sets out the provisions dealing with concessions; Section 17O(2) states that no activity shall be carried out in a conservation area unless authorised by a concession. As the interest in the land includes the installation of fixed structures and exclusive possession of the land, a lease is required under the Conservation Act and is being applied for consecutively with these applications.

5.5.2 Heritage New Zealand Pouhere Taonga Act 2014

While there are no currently recorded archaeological sites within Z6B and Z7, the Archaeological Assessment concludes there is a high probability that unrecorded features are present. This conclusion is based on the landscape context and the proximity to other known sites. The potential unrecorded features are expected to relate to Māori occupation of the frontal dune system. If discovered, these sites would hold medium to high archaeological value as they would add substantially to the body of knowledge about how Māori lived and utilised this specific coastal environment. The report also notes the possibility of encountering kōiwi (human remains).

Therefore, given the potential to destroy or modify all or any part of an archaeological site, an authority is being sought from Heritage New Zealand Pouhere Taonga.

5.5.3 Wildlife Act 1953

DoC has a mandate under the Wildlife Act to authorise or decline and impose conditions on any salvage and transfer activities that involve absolutely protected wildlife, which includes most

species of indigenous fauna (lizards, birds, and invertebrates); only lizards were considered to be at most risk of not being absolutely protected by the work[10].

Surveys for lizards were conducted between August and September 2025 to contribute to the Lizard Management Plan being submitted as part of a Wildlife Permit application; the application is due to be lodged before December 2025.

[10] The EcIA considered that the risk that absolute protection of avifauna and invertebrates could not be achieved was low and so permits have not been deemed necessary for these species. However, onsite supervision of work may identify the need for permits dependent on presence of species and the ability to work around them.

6 Notification Considerations

6.1 Public Notification

A consent authority must follow the steps set out in Section 95A RMA, in the order given, to determine whether to publicly notify an application for a resource consent. This process is summarised below in Table 8, together with an assessment of this application against each step.

Table 8:Steps for determining whether to publicly notify resource consent applications.

Step	RMA Section	Response	Comment
ONE: **Mandatory public notification in certain circumstances**	95A(3)(a) the applicant requests public notification of the application.	No	The Applicant does not request public notification
	95A(3)(b) public notification is required after a s.92 request for further information as stipulated in section 95C.	No	Not relevant at this stage.
	95A(3)(c) an application is being jointly made to exchange recreational reserve land under section 15AA.	No	Not relevant to this application.
TWO: **Public notification precluded in certain circumstances**	95A(5)(a) the activity or activities are subject to a rule or national environmental standard which precludes public notification.	No	Neither the WDP or PRPN, nor a relevant national environmental standard precludes public notification in this instance. Rule NH-R7 of PC1 precludes notification in accordance with NH-R1.
	95A(5)(b)(i) the application is a controlled activity.	No	No application is made for a controlled activity to either of the consent authorities.
	95A(5)(b)(ii)	-	Repealed as of 30 September 2020.
	95A(5)(b)(iii) the application is a restricted discretionary activity, or non-complying activity, but only if the activity is a boundary activity.	No	The proposal is not for a boundary activity.
	95A(5)(b)(iv)	No	Repealed as of 30 September 2020.

Step	RMA Section	Response	Comment
THREE: **Public notification required in certain circumstances**	95A(8)(a) the application is for a resource consent for one or more activities, and any of those activities is subject to a rule or national environmental standard that requires public notification	No	There is no rule in the WDP, PC1, or PRPN nor a national environmental standard requires public notification in this instance.
	95A(8)(b) the consent authority decides, in accordance with section 95D, that the activity will have or likely to have adverse effects on the environment that are more than minor.	No	Neither the Land Use consent (WDC) nor Discharge Permit (NRC) activities are assessed as having adverse effects on the environment that are more than minor (see assessment of effects at Section 7 of this report).
FOUR: **Public notification in special circumstances**	95A(9)	No	There is nothing exceptional or out of the ordinary with the proposals for Land Use consents (from WDC) and Discharge Permits (from NRC) that would constitute a special circumstance to warrant public notification

The notification assessment provided above in Table 8 confirms that it is appropriate for the applications to both WDC and NRC to be processed without the need for public notification.

6.2 Limited Notification

A consent authority must follow the steps set out in Section 95B RMA, in the order given, to determine whether to limited notify an application for a resource consent. This process is summarised below in Table 9, together with an assessment of the applications against each step.

Table 9:Steps for determining whether to limited notify resource consent applications.

Step	RMA Section	Response	Comment
ONE: **Certain affected groups and parties must be notified**	95B(2) there is an affected protected customary rights group or affected customary marine title group.	No	No work is required within the common marine area therefore no customary rights groups or customary marine title group will be affected in the context of these proposals.

Step	RMA Section	Response	Comment
	95B(3) whether the land is adjacent to, or may affect, land that is subject to a statutory acknowledgement.	No	There are no statutory acknowledgements active on the subject site or that will be affected by the proposal
TWO: **Limited notification precluded in certain circumstances**	95B(6)(a) the activity or activities are subject to a rule or a national environmental standard which precludes limited notification.	No	Neither the WDP or PRPN, nor a relevant national environmental standard precludes limited notification in this instance. Rule NH-R7 of PC1 precludes limited notification in accordance with NH-R1.
	95B(6)(b) the application is for a controlled activity under a District Plan (excluding subdivision)	No	No application for a Controlled activity under a district plan has been made.
THREE: **Certain other affected persons must be notified**	95B(7) in the case of a boundary activity, determine in accordance with section 95E whether an owner of an allotment with an infringed boundary is an affected person.	No	The activity is not for a boundary activity.
	95B(8) in the case of any other activity, determine whether a person is an affected person in accordance with section 95E	No	Subject to adherence to the proposed conditions (see APPENDIX M and APPENDIX N), no persons are considered affected in a minor or more than minor manner.
FOUR: **Further notification in special circumstances**	95B(10) determine whether special circumstances exist in relation to the application that warrant notification of the application to any other persons not already determined to be identified eligible for limited notification under this section.	No	There is nothing exceptional or out of the ordinary in this application that would constitute a special circumstance to warrant limited notification

6.2.1 Affected Persons

Section 95E of the RMA states that for the purpose of giving limited notification of an application for a resource consent for an activity to a person under section 95B(4) and (9) (as applicable), a

person is an affected person if the consent authority decides that the activity's adverse effects on the person are minor or more than minor (but are not less than minor). It also states that, in assessing an activity's adverse effects on a person, the consent authority, in accordance with Section 95B(4) RMA—

a) may disregard an adverse effect of the activity on the person if a rule or a national environmental standard permits an activity with that effect; and	Not relevant for this application.
b) must, if the activity is a controlled activity or a restricted discretionary activity, disregard an adverse effect of the activity on the person if the effect does not relate to a matter for which a rule or national environmental standard reserves control or restricts discretion; and	NH-R7 is a restricted discretionary activity and is subject to NH-R1 which states that there shall be no requirement for the written consent of affected persons nr notification or limited notification unless WDC decides that special circumstances exist. All other matters are Discretionary but are not so fundamentally linked that the activities would need to be bundled, and therefore, possibly override the preclusions in NH-R7. This is because the activities address functionally different resource management issues and therefore it is most appropriate to assess them separately.
c) must have regard to every relevant statutory acknowledgement made in accordance with an Act specified in Schedule 11.	There are no known statutory acknowledgements over the subject site.

In addition, Section 95E(3) states that a person is not an affected person in relation to an application for a resource consent for an activity if—

d) the person has given, and not withdrawn, approval for the proposed activity in a written notice received by the consent authority before the authority has decided whether there are any affected persons then they are not an affected person in relation to an application for resource consent; or	No written approvals have been obtained for the proposals at this time.

e) the consent authority is satisfied that it is unreasonable in the circumstances for the applicant to seek the person's written approval	The conclusion of this assessment, and in particular noting the proposed conditions, is that there should be no affected person's.

Alongside Section 95E, Section 127(4) RMA states that for the purposes of determining who is adversely affected by a change or cancellation, the consent authority must consider, in particular, every person who—

(a) made a submission on the original application; and
(b) may be affected by the change or cancellation.

The following is an assessment of persons who may be deemed to be affected by the proposals taking these matters into account.

6.2.1.1 Tangata Whenua

The PRPN prioritises notification of tangata whenua as affected persons as per Table 16 PRPN under Policy D.1.3, replicated below.

Person	Resource or activity
The tāngata whenua identified in an analysis of the effects undertaken in accordance with policy D.1.2 'Requirements of an analysis of effects on tāngata whenua and their taonga'.	Cultural resources or activities identified in an analysis of effects undertaken in accordance with Policy D.1.2.
The committee of management of a taiāpure.	Taiāpure
The Māori committee, marae committee or the kaitiaki with responsibility for the mataitai.	Mataitai
The tangāta kaitiaki / tiaki appointed by the provisions of the Fisheries (Kaimoana Customary Fishing) Regulations 1998 for the relevant rohe moana.	Non-commercial Māori fisheries.

The WDP does not contain similar specific provisions for prioritisation of tangata whenua affected persons. However, the explanation to policy TWP-P4 states that the WDC will encourage applicants to consult with tangata whenua where tangata whenua make Council aware that they are an affected party.

This AEE has been prepared without an analysis of effects undertaken in accordance with Policy D.1.2 as Patuharakeke has been pivotal in shaping and guiding the interim option and application as a Project partner. Te Parawhau were unable to prepare an analysis of effects at the time of preparing this report. The intent of Policies D.1.2 and D.1.3 of the PRPN and TWP-P4 of the WDP is to ensure meaningful engagement with tangata whenua, including identification of effects on cultural values and adopting techniques and measures to avoid, remedy, or mitigate adverse effects on them. It is anticipated that the partnership model for delivering the project adheres to this intent.

6.2.1.2 Adjacent Owner/Occupiers of Land

The expert analysis concludes that, for the most part, actual or potential adverse effects on adjacent owners and/or occupiers of land will be less than minor, including effects which may be experienced by neighbours such as adverse effects on;

1) the character and amenity of the Coastal Environment,
2) extent or severity of mapped Natural Hazards,
3) air quality; and
4) water resources.

There is a possible exception to the less than minor threshold as a result of the potential adverse effects of nutrient inputs to the artificial pond at 564 Marsden Road (see Section 7.2.1.3 below for location of the pond). The pond is situated on land owned by JB & KM Keith Trustees Limited (Lot 3 Deposited Plan 465548 held in Record of Title 620270).

6.2.1.3 Submitters on Original Application (s 127 only)

The 2011 applications to NRC (AUT.021532.01-09) were publicly notified on 7 July 2011 and twenty-four submissions were received at the close of the submission period on 4 August 2011. Four submitters provided blanket support for the application, fourteen others indicated support for land disposal only and opposed the ocean outfall. The remaining six submitters either opposed the application on other grounds or raised specific issues but did not clearly state support or opposition to the proposal.

The principal issue of concern for those in opposition to the application was the proposed ocean outfall with some submitters pointing out issues with the performance of the current treatment plant and disposal system.

The changes sought to the current resource consents (AUT.021532.01-06) will not fundamentally change the nature or scale of the consent nor any commitments to stakeholders contained as conditions of consent. In fact, the proposed variations seek to ensure that discharge to Z6B and Z7 is carried out in a similar manner to current discharges in terms of informing and consulting with stakeholders through the Liaison Group. Therefore, it is considered that every person who made a submission on the original application will not be affected by the change or cancellations sought and therefore no requirement exists to limited notify these persons.

6.3 Notification Conclusions

Taking into account the Section 95 assessment above, and the actual and potential adverse effects (see Section 7 below), public notification is not required, and, subject to the consent conditions proposed, no persons are considered affected in a minor or more than minor manner and therefore limited notification is also not required.

7 Assessment of Environmental Effects

The following sections contain an assessment of the activity's effects on the environment that—

(a) includes the information required by Clause 6 of the RMA; and
(b) addresses the matters specified in Clause 7 of the RMA; and
(c) includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.

The term 'environment' in Section 2 of the RMA is reasonably easy to distinguish with components that are tangible. However, terms such as "receiving environment" and "existing environment" are not defined within the RMA, they are concepts developed to assist practitioners to prepare appropriate assessment of effects on the environment which is taken to mean;

- the environment as it actually exists now, including the effects of past resource use (by whomever);
- the environment as it is likely to be in the future taking into account the permanent and non-transitory effects of use of the resource; and
- the environment as it is likely to be from time to time, taking into account further effects of past activity and further effects of existing consented activity.

The existing state of the environment has been outlined in Section 2 of this report and this assessment of effects is consequently based upon this.

In addition to the concept of "existing environment", Section 104(2) of the RMA allows for a consent authority to disregard any adverse effect of an activity on the environment if a plan permits an activity with that effect, referred to as the "permitted baseline". The permitted baseline is a term that has evolved to mean the level of environmental effect that would be generated by a permitted activity which consent authorities may choose to apply such that only the adverse effects arising from the proposal over and above the permitted baseline are relevant when assessing who may be affected and when forming an opinion on actual and potential effects on the environment of allowing the activity. Given that the RMA takes an 'effects-based' approach to resource management, the activities are assessed as a whole as it would be difficult to separate the effects of the permitted baseline from the effects of the exceedance of the permitted baseline in this instance.

Finally, the following assessment has been split into two categories to separately address WDP and PRPN resource consent requirements as there is no real benefit to assessing the matters together.

7.1 District Plan Matters

The WDP and PC1 resource consent requirements include, earthworks within a Sand Dune as a Discretionary activity under Rule CE-R7 WDP and establishing new infrastructure in areas mapped as a 10 and/or 100-year Flood Hazard Area) as a Restricted Discretionary activity pursuant to Rule NH-R7 of PC1 to WDP.

Bundling resource consent activities is generally considered appropriate where the activities for which consents are being sought overlap to such an extent that they cannot be realistically or properly separated. When bundling applies, the activities are assessed together as a whole, based on the most stringent activity classification.

Bundling has not been applied to these activities as the relevant WDP rules seek to regulate functionally separate activities. As such, separate analysis is provided as follows.

7.1.1 Earthworks within Sand Dunes

The coastal environment, including its dune systems, has been significantly modified over the years. Dune vegetation has largely been replaced by other land uses. This creates pressure on the remaining natural coastal environment, making it crucial to manage development to ensure its special character and values are not compromised. Aside from these resource management issues, there is not much more guidance as to the effects which should be addressed for applications for resource consent made under rule CE-R7 WDP. As such, a fairly broad assessment has been given in the following sections covering effects on natural hazard resilience and the effects of climate change, character, and terrestrial ecology.

7.1.1.1 Coastal Hazards and Effects of Climate Change

Sand dunes are identified in the WDP as critical natural features and formations to the defence of land against coastal hazards and the effects of climate change.

The proposed earthworks are limited in scale -affecting approximately 0.1 hectares of a 5.1-hectare site -and involve only "slight recontouring." Because the works will not alter the overall landform or stability of the dune system, they are not expected to diminish the dune's ability to act as a natural defence or increase the risk from coastal hazards.

7.1.1.2 Natural Character

The proposal will result in a minor modification to the dune landform, including the habitat which forms a part of its character. The effects of construction also have the potential to adversely affect the natural character and amenity of the sand dune environment. The actual and potential effects of both temporary and longer-term impacts are discussed as follows.

7.1.1.3 Temporary Effects of Construction

Construction to recontour, lay pipework, and connect to existing lines is estimated to take 2-3 months to complete. Heavy vehicles, plant, and machinery will be used during this time.

7.1.1.3.1 Noise and Vibration

The primary sources of construction-related noise will include vegetation clearance, minor earthworks, and the installation of disposal infrastructure, including pipework and control systems.

Based on the assessment by Marshall Day (APPENDIX D), five potentially noise-sensitive receptors were identified (R1-R5 in Figure 7) and assessed. The acoustic assessment indicates that daytime construction noise levels are projected to remain within the permissible thresholds established by the WDP. Specifically, the closest identified receiver (R5), situated approximately 30 m from Z6B, is expected to experience noise levels below the 75 dB LAeq limit applicable to industrial and commercial zones during standard daytime hours (7:30 am to 6:00 pm).

Regarding the potential for vibration effects, no high-vibration activities (e.g., pile driving or blasting) are planned and therefore vibration levels are expected to comply with relevant standards, and no adverse effects are anticipated.

7.1.1.3.2 Dust and Construction Stormwater

The construction activities have the potential to discharge dust beyond the Project boundaries if site controls are not implemented. Adverse effects from the discharge of dust include;

- Health Impacts: Irritation of breathing passages and other adverse health effects.
- Amenity and Nuisance Effects: Loss of amenity due to dust deposits on surfaces, soiled washing, and disruption of outdoor activities. Dust deposition on land or structures beyond property boundaries.
- Environmental Impacts: Contaminated dust deposited in waterways or land, potentially affecting streams or coastal marine areas. Adverse effects on water supplies and horticultural crops.

Similar, construction activities also have the potential to generate sediment laden stormwater which can cause nuisance effects on neighbouring properties while also posing significant environmental harm to aquatic ecosystems.

The actual or potential adverse effects of emissions of dust and generation of stormwater during construction can be managed and would be mitigated through environmental controls detailed in a Construction Environment Management Plan required to be submitted to the WDC at least 3-months prior to work commencing.

7.1.1.3.3 Construction Traffic

All construction activity will take place within the Reserve and may require the temporary closure of the Pipeline Track at times to ensure people are kept away from potentially hazardous activities such as earthworks.

Plant and equipment will be transported to site and, during construction, may be left within the RWwTP compound overnight for security reasons. If plant and equipment cannot be stored within the RWwTP, it will need to be transported back to the depot due to security concerns. This will require more daily traffic movements but cannot be avoided due to the value of the plant and equipment. Other than this, utility vehicles will likely be accessing the site daily but would not be dissimilar to the types of vehicles which use Innovate Road daily.

Overall, the type and number of traffic expected to be generated by the Project will not be dissimilar to traffic accessing Marsden Metals Group at the end of Innovate Road (see Figure 16), therefore, no adverse effects are anticipated from construction machinery and vehicles on a temporary basis.

Figure 16: Photo of Marsden Metals depot at Innovate Road [Source: https://marsdenmetalsgroup.co.nz/bulk-metal-recycling/, accessed 20 September 2025].

7.1.1.4 Ongoing Effects of Construction

7.1.1.4.1 Ecological Impacts

The ecological character of the proposal area is mixed. The ecosystem is significantly degraded and fragmented, with a high prevalence of invasive pest plants. However, it retains features of high ecological value, including a threatened kānuka species (Kunzea linearis), a nationally threatened interdunal wetland, and important habitat for a variety of native birds and at-risk lizard species.

Based on the EcIA, the proposed construction activities are expected to result in several direct ecological effects. These unmitigated effects are summarised as follows.

Loss of Threatened Kānuka Trees

The most significant ecological concern is the potential removal of kānuka (*Kunzea linearis*), a native species classified as "At Risk–Declining". This impact arises from the need to clear pathways through dense gorse thickets using small machinery. In some areas, kānuka trees may be directly removed, while others may suffer root damage from machinery movement, leading to indirect loss.

Given the species' conservation status and its declining presence in the Ruakākā duneland system, the EcIA identifies this as a high-magnitude effect. The loss of kānuka not only affects individual trees but also contributes to broader ecosystem degradation in a sensitive dune environment.

Harm and Disturbance to Native Fauna

Construction activities pose a moderate risk to native fauna, particularly through physical disturbance and habitat disruption.

The site provides suitable habitat for indigenous lizard species such as the copper skink and shore skink, both classified as “At Risk–Declining”. While population density is expected to be low, machinery movement could result in injury or mortality.

Nesting birds may be disturbed or harmed during vegetation clearance, with potential impacts on eggs and fledglings.

Mobile invertebrates are unlikely to be significantly affected. Notably, the katipō spider -a protected species -is considered unlikely to inhabit the immediate construction zone.

Overall, the potential harm to fauna is assessed as a “moderate-magnitude effect”, primarily due to the presence of multiple at-risk species and the direct nature of the disturbance.

Loss of General Habitat

Vegetation clearance for pipeline installation will result in the permanent removal of habitat along the construction corridor. However, the EcIA characterises this habitat as low-quality, dominated by invasive species such as gorse.

The surrounding duneland system contains extensive areas of higher ecological value, and natural regeneration of ground cover is expected over time, as observed at nearby sites like Rama Road. Consequently, the habitat loss is assessed as a “low-magnitude effect” for fauna.

Anticipated Effects After Management

Following the implementation of recommended mitigation measures, the overall ecological impact is expected to be significantly reduced. These measures include:

- Ecologist supervision during vegetation clearance;
- Targeted management plans for lizards and birds;
- Ecosourcing and replanting kānuka at a 2:1 ratio; and
- Pest plant control and fencing to reduce human disturbance.

With these actions in place, the EcIA concludes that the residual ecological effect will be low. Moreover, the Project may deliver net ecological benefits, particularly through habitat restoration and improved protection of surrounding areas.

Therefore, in its unmanaged state, the project poses high to moderate ecological risks, particularly to kānuka trees and native fauna. However, with robust mitigation strategies, these risks are expected to be effectively managed, resulting in a low overall impact and potential ecological gains meaning any potential adverse effects on ecological values will be less than minor.

7.1.1.5 Effects of Earthworks within Sand Dunes (Rule CE-R7 WDP) Conclusion

In conclusion, the proposed earthworks are of a very limited scale, involving only slight recontouring on a small area of the Reserve. While located in a sensitive coastal environment where dunes are a critical defence against coastal hazards, the Project will not alter the overall landform or diminish the stability of the dune system.

The modification to the area's natural character is considered minor. Through the implementation of standard best-practice controls, particularly the immediate re-vegetation of disturbed areas, any potential adverse effects on dune stability and visual amenity will be appropriately managed

and any adverse effects will be less than minor. Therefore, the proposal is consistent with protecting the special character and values of the coastal environment.

7.1.2 Flood Hazard Areas

The following assessment addresses those matters for which discretion has been reserved under Rule NH-R7 of PC1.

NH-R7 is an enabling rule for the construction or significant upgrade of essential infrastructure in a natural hazard area where it can be proven to be necessary, resilient, and designed to ensure risks to people, property, and the environment are managed; it creates a specific pathway for infrastructure.

7.1.2.1 Functional and/or Operational Need

The proposal has a clear functional need to be in this location. The project is an interim expansion of the existing RWwTP's discharge capacity. The chosen sites (Z6B and Z7) are directly adjacent to the existing treatment plant and its associated infrastructure, making them operationally efficient for an expansion.

The expansion is operationally necessary to remove a limitation on commercial and domestic land development in the Bream Bay area, which was imposed because the RWwTP is approaching its current resource consent limits for land discharge. The additional capacity is required to service planned growth until a full plant upgrade is completed around 2030.

7.1.2.2 Practicable Alternative Locations

The Concept Design Report evaluated three main workstreams for discharge:

1. Increasing discharge solely to the existing Rama Road and Z3 sites.
2. Discharging entirely to the new Z6B and Z7 (plus Z3).
3. A combined approach splitting discharge across Rama Road, Z6B, and Z7 (plus Z3).

The preferred option is a variation of the combined approach, which utilises existing infrastructure at Rama Road while adding new capacity in Z6B and Z7. This was chosen to provide operational flexibility and minimise new infrastructure investment for the interim period. Using a perforated pipe system, similar to what is already operating, was also selected for its proven effectiveness and lower operational complexity. The original 2008 concession considered a rapid infiltration system and drip irrigation, but these were ultimately not pursued.

7.1.2.3 Exacerbation of Hazards

The Natural Hazards Assessment concludes that the project will not exacerbate existing hazards. The sites are located outside of all coastal erosion hazard zones for scenarios up to the year 2130 and are situated at elevations above the maximum predicted coastal inundation level. While some parts of the disposal sites are subject to temporary rainwater ponding during flood events, the report states that the additional wastewater loads will have a negligible impact on these ponding levels.

The site's geology consists of Holocene windblown sand deposits and peat. There is no information in the provided reports (Natural Hazards Assessment and GW Report) to suggest the proposed

activity - which involves minimal earthworks and primarily above-ground pipes - would create a new land instability hazard.

7.1.2.4 Integrity and Function During a Hazard Event

The infrastructure is located outside the coastal erosion hazard zones and above the coastal inundation flood level, meaning its integrity and function are highly unlikely to be compromised by these events.

In a significant rainfall event, some disposal areas may experience temporary ponding. The system is designed for land discharge, and while ponding may temporarily saturate the ground and reduce infiltration efficiency, the fundamental infrastructure (pumps, pipes) is not expected to lose integrity. The system can be managed by redirecting flows to different zones as needed.

7.1.2.5 Evacuation Routes and Emergency Access

The Project is located within the Poupouwhenua Scenic Reserve, an area with limited public infrastructure. The main access is via the Ruakākā Pipeline Road Track, an unsealed road that runs between the discharge zones. This track is not a primary public evacuation route. The Project does not alter this track or any other emergency access routes. Fencing will be installed to restrict public vehicle access into the discharge zones themselves for health and safety reasons, but this does not impact designated emergency routes.

7.1.2.6 Hazardous Substances

The substance being discharged, is treated wastewater. While it contains contaminants such as nutrients, pathogens, and suspended solids, it is not classified as a "hazardous substance" in the same way as industrial chemicals.

The Coastal and Flood Hazard Assessment confirms the sites are not at risk from coastal erosion or inundation, minimising the risk of a large-scale, uncontrolled release due to these hazards. The main management measure is ensuring the discharge is contained within the identified land areas and treated through soil processes, with buffers in place to protect sensitive areas like the nearby wetland.

7.1.2.7 Public Benefits

The Project's purpose is to remove an existing limitation on commercial and domestic land development in the wider Bream Bay and Ruakākā area. By providing necessary wastewater infrastructure interim capacity, the Project directly enables planned housing and economic growth, which is a key public benefit.

7.1.2.8 Impact on Existing Infrastructure

Due to the undulating, swamp-like topography, flood modelling indicates that rainwater ponding during storm events can already reach depths of 500mm to 1000mm in certain areas. This water typically infiltrates the ground or evaporates on-site over time. While the site contains existing utility infrastructure - including 220kV overhead transmission lines and an underground gas pipeline - these, along with other potentially vulnerable activities, are located upstream of Z6B and

Z7. As a result, the introduction of wastewater does not significantly alter the existing flood dynamics or increase the risk profile of these low-lying areas.

7.1.2.9 Impacts on Cultural Values

According to the P-HEMP, the mauri of water (Wai Māori and Tangaroa) would be adversely affected where wastewater is entrained in flood waters where it would otherwise be discharged to land and the mauri restored; discharge of human effluent, whether treated or untreated, directly to water is considered "culturally repugnant" to Patuharakeke. Additionally, installing critical infrastructure in an area with a known flood hazard could potentially undermine the responsibility of Patuharakeke as kaitiaki.

A full Cultural impact assessment has not been undertaken for this proposal. With Patuharakeke being a Project Partner, their detailed input specifically to this matter has not been fully explored at this time with their experts covering a number of major infrastructure projects in their rohe currently. However, Patuharakeke representatives have been a part of the development and decision-making on the preferred interim discharge option and are supportive of the option to discharge to Z6B and Z7 as it avoids floodplain hazard areas noting that the mapped flood hazards within or near to the zones represent land depression areas that have the potential to pool with water during high-rainfall. This represents the capability for the wastewater to continue to be restored through land-contact.

7.1.2.10 Level of Detail for Hazard Assessment

The Coastal and Flood Hazard Assessment is based on detailed hazard zone modelling prepared for Northland Regional Council by Tonkin and Taylor Ltd. This includes specific coastal erosion hazard zone setbacks for multiple climate change scenarios (RCP8.5 M and H+) and timeframes (2020, 2080, 2130). It also uses specific coastal inundation flood levels (RL 4.6 m NZVD) and pluvial flood modelling for 10, 50, and 100-year ARI events. This level of detail is considered sufficient and appropriate for assessing the risks to this type of infrastructure.

7.1.2.11 Recommendations from Site Suitability Reports

While some parts of the disposal sites are subject to temporary rainwater ponding during flood events, the Natural Hazards report (APPENDIX G) states that the additional wastewater loads will have a negligible impact on these ponding levels therefore the activity is not incompatible with the identified hazard.

7.1.2.12 Flood Hazard Effects (Rule NH-R7 PC1) Conclusion

In conclusion, the proposed wastewater discharge infrastructure has a clear functional and operational need. It is strategically located adjacent to the existing plant for efficiency and is essential for enabling planned commercial and domestic development in the Bream Bay area until a full upgrade is completed in the near future.

A review of practicable alternatives confirms the chosen combined approach is the most efficient, utilising existing infrastructure while providing necessary operational flexibility.

Crucially, a detailed hazard assessment demonstrates that the infrastructure will not exacerbate existing risks. The chosen sites are located outside of all projected coastal erosion and inundation

hazard zones and are elevated above maximum flood levels. While the area is subject to rainwater ponding, the assessment concludes that the additional wastewater discharge will have a negligible impact on flood levels and will not compromise existing infrastructure, such as nearby transmission lines or gas pipelines. The integrity of the new infrastructure is therefore highly unlikely to be compromised during a hazard event, and it does not affect any public evacuation or emergency access routes.

The overall goal of Rule NH-R7 is to implement a risk-based approach that does not sterilise hazard-prone land from necessary infrastructure development. It seeks an outcome where the district's essential services can be reliably provided and upgraded, while ensuring that the infrastructure itself does not pose an undue risk or become a liability when a natural hazard event occurs. The project represents a necessary and low-risk solution to an existing infrastructure limitation, providing a significant public benefit by allowing for the continued growth of the community.

7.1.3 Overall Effects Assessment of District Plan Matters

Addressing matters of the WDP, including PC1, all actual and potential adverse effects with respect to works within sand dunes and new infrastructure within a flood hazard area have been assessed to be less than minor.

7.2 Regional Plan Matters

Resource consents to discharge contaminants (treated wastewater) to land in a manner which may enter water, and to air, are required under Rule C.6.2.2 of the PRPN. These activities are classified as Discretionary and as such, any matter that is relevant or necessary (to the discharge activities[11]) shall be considered in an assessment of effects on the environment. Such analysis is given in the following sections.

7.2.1 Effects on Groundwater

An assessment of effects on groundwater has been prepared by Beca Ltd (APPENDIX H). The assessment uses a calibrated MODFLOW groundwater model to analyse the potential effects of discharging treated to wastewater at Z6B and Z7 cumulative to the discharges at Z3 and Rama Road. The assessment focuses on groundwater mounding, travel times, and subsequent impacts on water quality and public health at potential receptors.

Based on the GW Report (APPENDIX H), the actual and potential receptors for the wastewater discharge are the Bream Bay coastline, several nearby constructed industrial ponds, and the wider drain network connected to the Ruakākā River, discussed further as follows:

7.2.1.1 Receptors

7.2.1.1.1 Coastal

The Pacific Ocean coastline is the primary downgradient receptor, located approximately 177 m east of Z7 and 360 m east of Z6B. Bream Bay is used for recreational activities, including bathing.

[11] No assessment of the effects of construction is contained in this part of the AEE (PRPN matters) as all construction related activities have been assessed to be permitted or not regulated by a national environmental standard, or a rule in a plan or proposed plan.

Groundwater modelling indicates that the principal direction of groundwater flow is towards the Coast, with travel times from the discharge zones estimated to be between 4 and 14 months.

7.2.1.1.2 Freshwater

Several constructed ponds on neighbouring industrial properties to the west of the discharge zones are identified as potential receptors. These are likely fed by a combination of groundwater and surface water runoff. A small natural inland wetland has also been identified on the edge of Z7 but is not considered a likely receptor due to the modelled depth to groundwater (~1.5 m) under existing conditions; a 20 m setback to wastewater lines is also proposed from this wetland further reducing the likelihood of a hydraulic connection.

Summary information on the surface water receptors assessed by Beca is provided as follows, with Figure 17 showing the positions of these sites in relation to Z6B and Z7:

- Pond at **546 Marsden Point Road:** This constructed pond is the most significant potential receptor due to its proximity and elevation. It is located approximately 61 m west of Z6B and is about 3 m lower in elevation to Z6B. A resource consent exists to take groundwater and stormwater from this pond for sand washing.
- 18 Allis Bloy Place: There are two constructed ponds located at 18 Allis Blow Place; an **Eastern Pond** from which up to 500 m^3/day of groundwater is consented to be taken for sand washing and a **Western Pond** with consent to take water at a rate of 50 m^3/day (limited to 18,000 m^3 annually). These ponds are located further from the new discharge zones but are potential receptors for groundwater that reverses direction and flows inland.
- Pond at **500 Marsden Point Road**: Located approximately 500 m to the west of Z7 and has a consent to take from a stormwater attenuation lake at this property to supply a timber treatment plant.
- **Ruakākā River**: The industrial ponds are connected via a network of surface drains that ultimately discharge to the Ruakākā River to the south. This makes the river a potential downstream receptor, though it would receive water only after significant dilution in the ponds and drains.

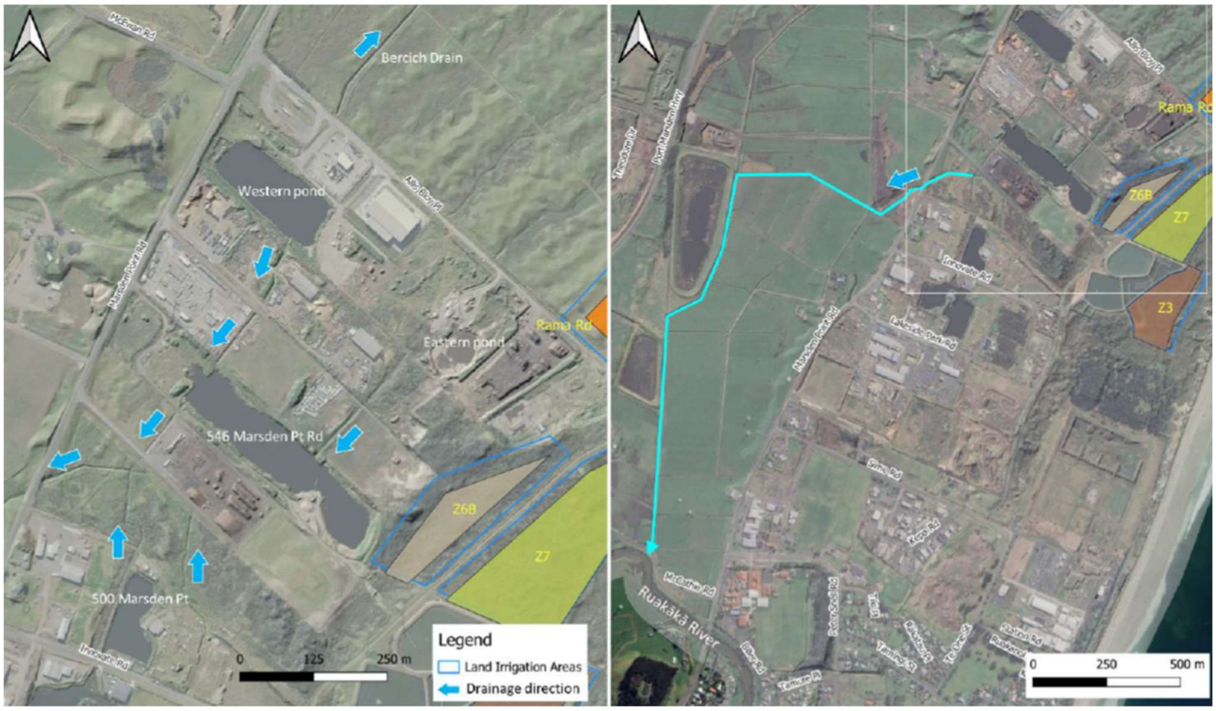

Figure 17: LiDAR 1m DEM and aerial imagery showing inferred drainage directions from constructed ponds (left). Connection to drainage network that report to Ruakākā River (right) [Source: Beca GW Report (2025), Figures 11a & 11b].

7.2.1.2 Physical Effects: Mounding and daylighting

Applying treated wastewater to the ground surface adds a significant volume of water that infiltrates and raises the natural groundwater table. This rise is referred to as groundwater mounding.

7.2.1.2.1 Magnitude and Location of Mounding

Predictive groundwater modelling shows that applying additional wastewater to Z6B and Z7 will cause the water table to rise by 1.2 to 1.6 m beneath the discharge areas, with the peak of the mound occurring primarily under Z7 (see Figure 18, Figure 19, and **Error! Reference source not found.** containing replication of Figures 19a, 19b, and 22b of the Beca GW report).

The assessment also considered a worst-case scenario involving unseasonably high rainfall over a six-month period. In these conditions, modelling indicates that additional surface ponding may develop in natural low-lying depressions, particularly west of the existing Rama Road discharge area as indicated in Figure 21 and Figure 22 below (Figures 21 and 24 of the Beca GW Report). However, the report clarifies that this ponding is already accounted for within the "consented envelope of effects" for the existing Rama Road discharge. Furthermore, modelling shows that ponding in these areas would likely occur during such rainfall events even without the application of treated wastewater; the discharge merely exacerbates a natural process rather than creating a new effect.

Base Condition (average conditions)

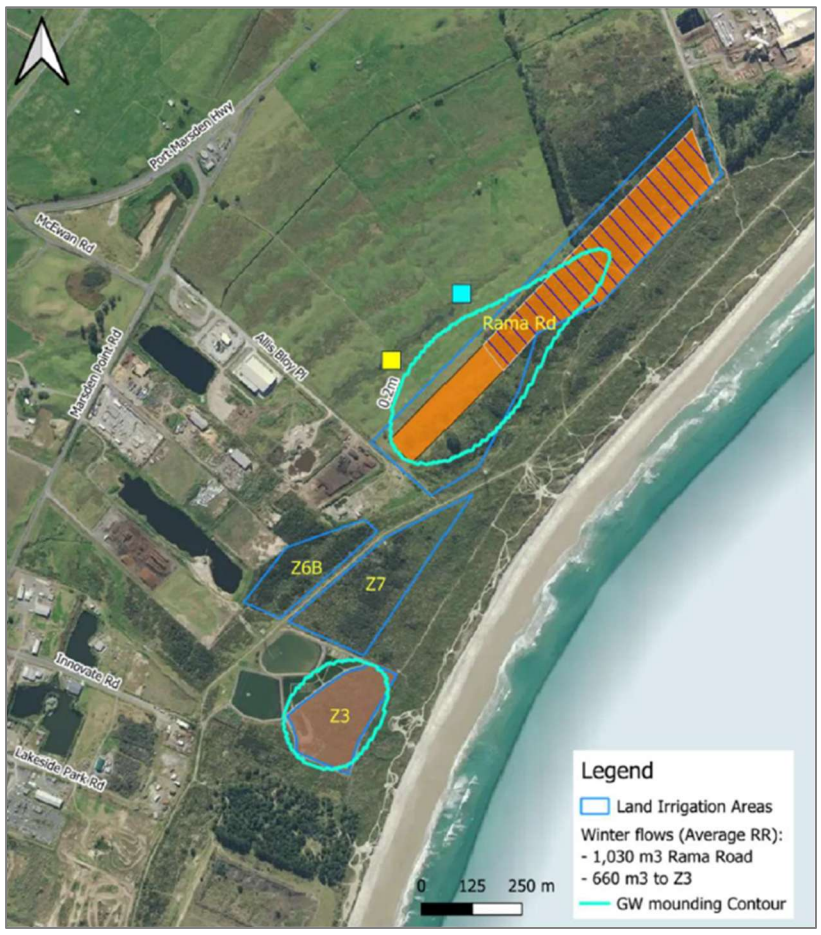

Figure 18: Simulated groundwater level mounding (m) relative to existing groundwater level conditions due to application of consented winter discharge of 1,030 m^3/d to Rama Road and 660 m^3/d to Z3 during average recharge conditions. Square markers indicate areas of ponding or seepage due to current treated wastewater application (yellow), ponding or seepage under consented winter discharge volumes (cyan).

Scenario 4a (average conditions)

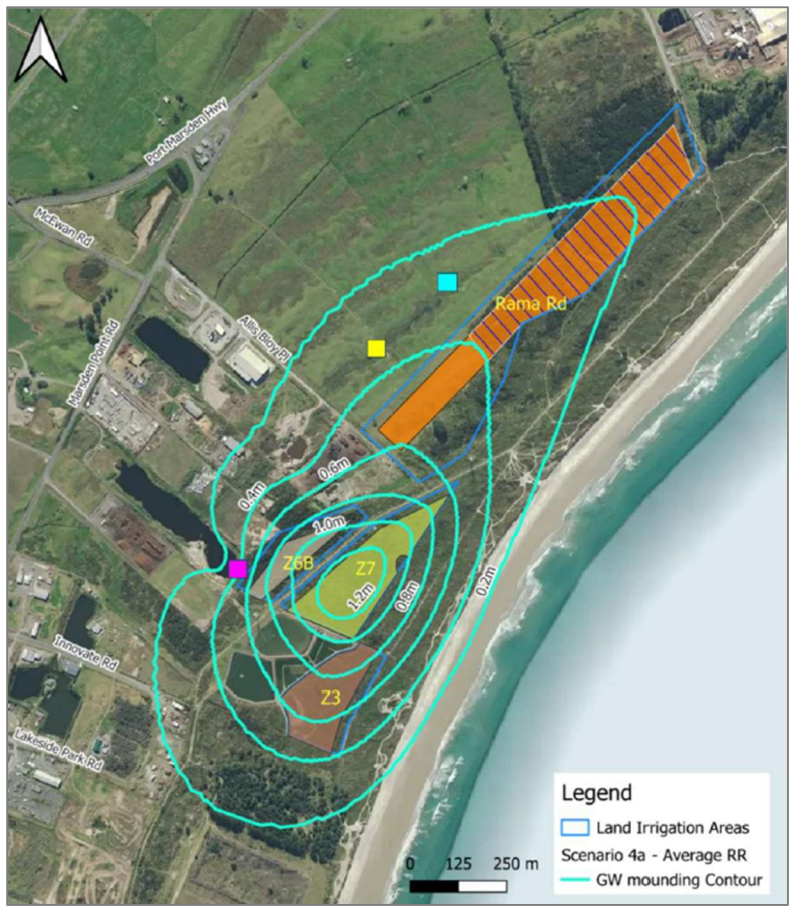

Figure 19: Scenario 4a – Simulated groundwater level mounding due to application of 1,030 m^3/d to Rama Road, 810 m^3/d to Z6B and Z7, and 660 m^3/d to Z3 during average recharge conditions. Square markers indicate areas of ponding or seepage due to current application (yellow), ponding or seepage under consented winter discharge volumes (cyan) and seepage due to additional proposed discharge at Z6B and Z7 (magenta).

Scenario 6 (average conditions)

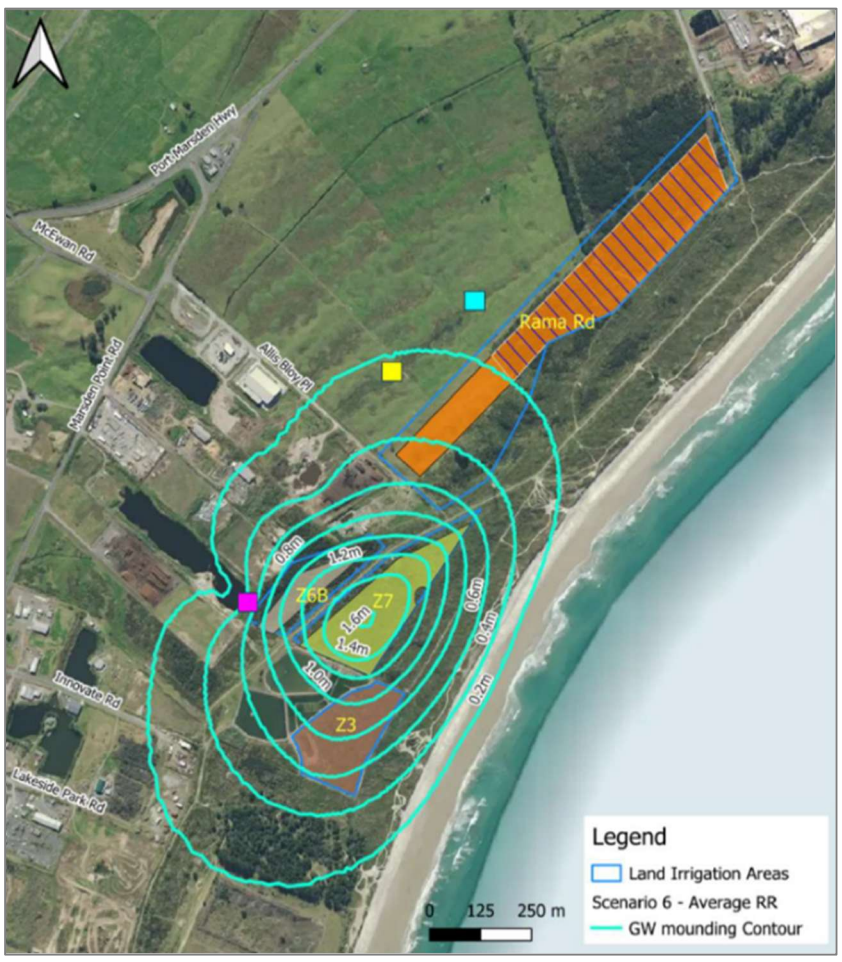

Figure 20: Simulated groundwater level mounding (m) due to application of 800 m3/d to Rama Road, 1,040 m3/d to Z6B and Z7, and 660 m3/d to Z3 during average recharge conditions. Square markers indicate areas of ponding or seepage due to current application (yellow), ponding or seepage under consented winter discharge volumes (cyan) and seepage due to additional proposed discharge at Z6B and Z7 (magenta).

Scenario 4a (high recharge conditions)

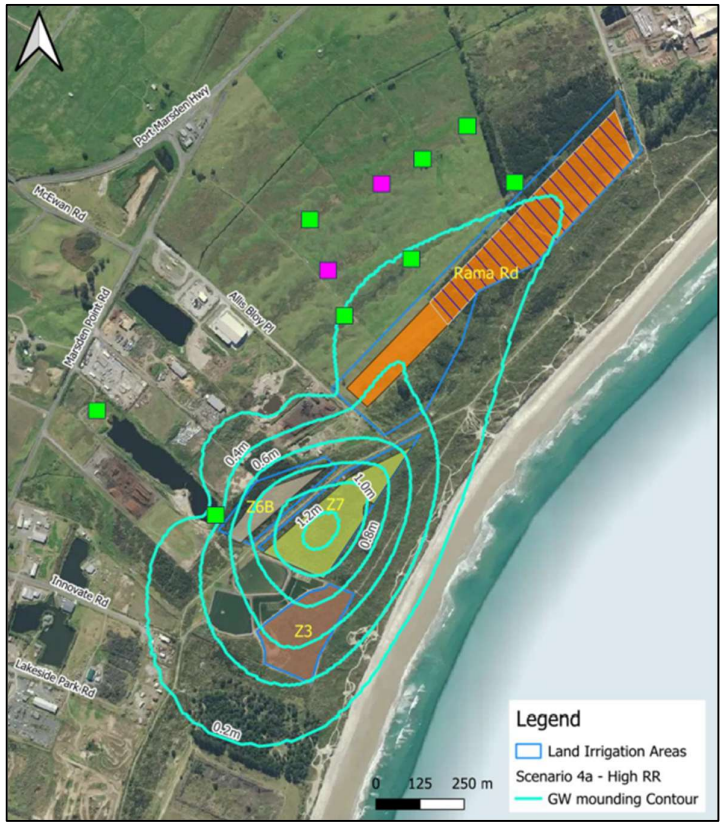

Figure 21: Simulated groundwater level mounding (m) due to application of 1,030 m^3/d to Rama Road, 810 m^3/d to Z6B and Z7, and 660 m^3/d to Z3 during high recharge conditions. Green markers indicate areas of ponding or seepage that may develop under high recharge conditions without any application of treated wastewater while magenta markers indicate areas of ponding or seepage that only develop during application of treated wastewater under high recharge conditions.

Scenario 6 (high recharge conditions)

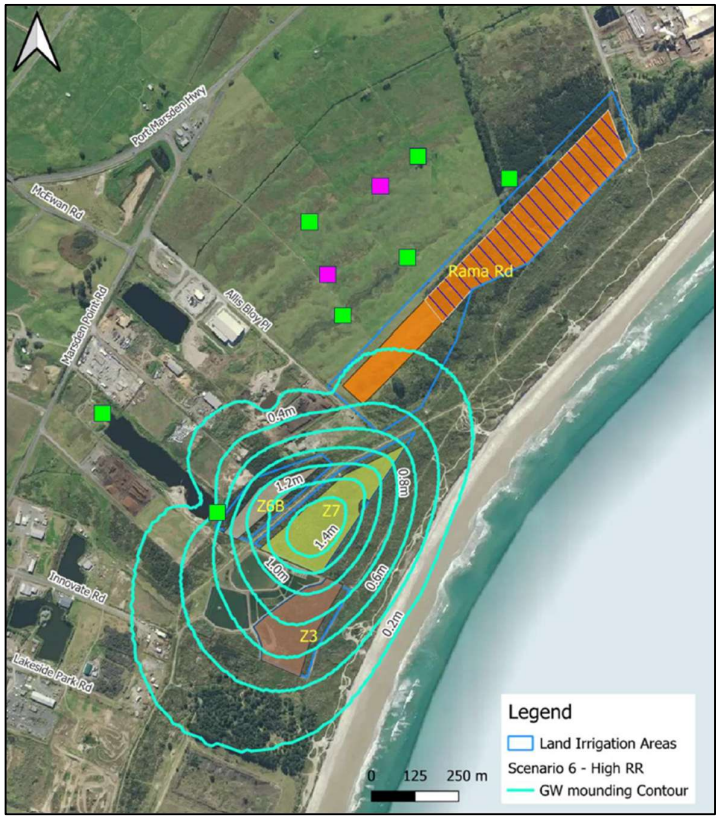

Figure 22: Scenario 6 - Simulated groundwater level mounding (m) due to application of 800 m^3/d to Rama Road, 1,040 m^3/d to Z6B and Z7, and 660 m^3/d to Z3 during high recharge conditions. Green markers indicate areas of ponding or seepage that may develop under high recharge conditions without any application of treated wastewater while magenta markers indicate areas of ponding or seepage that only develop during application of treated wastewater under high recharge conditions

A potential effect identified is that the mounding from the discharge may cause groundwater to "daylight," or emerge at the surface, at a specific off-site location. This is predicted to occur as a seepage face into a constructed industrial pond located at the neighbouring property at 546 Marsden Point Road. This pond is vulnerable because it is approximately 61 m west of Z6B and sits at a lower elevation, making it a natural discharge point for the raised groundwater table. The models for both preferred discharge scenarios (Scenarios 4a and 6) consistently identify this potential effect.

Although modelling indicates the potential for groundwater to daylight into the industrial pond at 546 Marsden Point Road, this effect is not expected to cause significant adverse effects. The pond is already situated in a natural discharge zone, and the predicted seepage represents an exacerbation of an existing hydrological process rather than the creation of a new one as outlined in the Beca GW Report. Importantly, the system is designed to accommodate the proposed discharge volumes, and the effect has been identified early through modelling, allowing for proactive monitoring and adaptive management.

These measures ensure that any changes in groundwater behaviour can be addressed promptly, minimising risk to 546 Marsden Point Road and maintaining compliance with the consented envelope of effects as outlined in the sections below. As such, with appropriate mitigation measures identified within the GW Report, such as monitoring and adaptive management, any potential adverse effects on 546 Marsden Point Road will be minor.

7.2.1.3 Water Quality and Public Health Effects

The Beca GW report (APPENDIX H) analysed the potential for key contaminants in the treated wastewater—primarily pathogens (as indicated by *E. coli*) and nutrients (Total Nitrogen and Total Phosphorus)—to travel through the groundwater and affect downstream receptors. The level of effect varies significantly depending on the contaminant type and the distance to the receptor.

7.2.1.3.1 Effects from Pathogens

The risk to public health and the environment from pathogens is assessed as **Low** to **Negligible**. This conclusion is based on calculating the natural treatment capacity of the soil and aquifer and comparing the final predicted pathogen concentrations to established health-based standards.

The assessment uses the method outlined in Scott (2012)[12], which relies on empirical pathogen removal rates from Pang (2009)[13], to calculate the "log reduction" of bacteria as it travels through the topsoil, vadose zone, and aquifer.

Even at the closest receptor—the pond at 546 Marsden Point Road—the predicted *E. coli* concentration is approximately 2 cfu/100 mL. This is significantly below the key health and safety thresholds of:

[12] Scott, M. (2012). *Memorandum: Separation distances between discharges and wells. Environment Canterbury.*
[13] Pang, L. (2009). Microbial removal rates in subsurface media estimated from published studies of field experiments and large intact soil cores. *Journal of Environmental Quality.*

- The Microbiological Water Quality Guidelines for Marine and Freshwater Recreational Areas "Acceptable/Green Mode," which has a guideline of no single sample greater than 260 E. coli/100 mL for swimming[14]; and
- The ANZECC (2000)[15] guideline value for stock drinking water, which is 100 E. coli/100 mL.

For all other receptors, such as the Bream Bay coastline, predicted concentrations are even lower (<1 cfu/100 mL), and the long travel times (4 to 14 months) provide further confidence that pathogens will not pose a risk. Therefore, the actual or potential effects of pathogens on receiving waters are assessed to be less than minor.

7.2.1.3.2 Effects from Nutrients

The primary water quality risk identified in the GW Report (APPENDIX H) relates to nutrient enrichment. The assessment of this effect is based on calculating nutrient transport and dilution and comparing the resulting concentrations to baseline conditions and relevant guidelines.

The nutrient transport calculation assumes a reduction of 25% for Total Nitrogen (TN) and 50% for Total Phosphorus (TP) during infiltration through the soil, based on typical values reported by the United States Environmental Protection Agency[16]. The resulting concentrations are then diluted based on the volume of groundwater flow predicted by the MODFLOW model.

The effect on the closest receptor, the pond at 546 Marsden Point Road, is assessed as **Moderate** due to its close proximity and shorter groundwater travel times (as low as 53 days). This limits natural attenuation, leading to predicted groundwater concentrations of up to 10.48 mg/L for TN and 0.78 mg/L for TP reporting to the pond. These levels are elevated compared to baseline conditions, leading to the "Moderate" effect assessment and a recommendation to investigate mitigation measures. An adaptive management approach is proposed to manage the potential effect of nutrient enrichment on this pond and includes sentinel monitoring with adaptation such as taking Z6B offline and applying treated wastewater to Z7 alone or installing interceptor drains.

For more distant receptors, the effects are assessed as Low or Negligible. The significantly longer travel times (e.g., 10 months to over 16 years for other ponds) allow for much greater attenuation and dilution. Predicted nutrient concentrations at these locations and at the Bream Bay coastline are therefore substantially lower and not considered a significant risk when assessed against guidelines such as those in the PRPN and the ANZG (2018) guidelines[17].

As such, with appropriate mitigation measures identified within the GW Report, such as monitoring and adaptive management, any potential adverse nutrient effects on the pond at 546 Marsden Point Road and downstream environments, will be minor.

[14] See https://environment.govt.nz/publications/microbiological-water-quality-guidelines-for-marine-and-freshwater-recreational-areas/
[15] https://www.waterquality.gov.au/anz-guidelines/resources/previous-guidelines/anzecc-armcanz-2000
[16] United States Environmental Protection Agency (USEPA). (2002). Guidelines for microbial water quality risk assessment. *Office of Water*, EPA 822-R-02-047.
[17] See https://www.waterquality.gov.au/anz-guidelines/resources/previous-guidelines/anzecc-armcanz-2000 and https://www.waterquality.gov.au/anz-guidelines/guideline-values/default/water-quality-toxicants/search

7.2.2 Ecological Effects (Discharge)

The discharge of untreated or poorly treated wastewater can severely degrade the ecological health of aquatic and terrestrial environments, including wetlands. For example, excessive nutrients like nitrogen and phosphorus often found in wastewater can trigger eutrophication on land and in water, leading to algal blooms that deplete dissolved oxygen creating areas where aquatic life cannot survive. The discharge can also alter the natural hydrology of wetlands by changing water flow and levels, disrupting the habitat of native species. Furthermore, physical changes such as increased solids can smother critical habitats, reduce water clarity, and impact photosynthesis in aquatic plants. The introduction of these contaminants interferes with essential ecological functions, such as nutrient cycling and the natural filtering capacity of wetlands, ultimately leading to a significant loss of biodiversity as sensitive species are eliminated. This cumulative degradation also diminishes the natural character and recreational value of the affected areas. To counteract these widespread impacts, it is essential to implement mitigation measures ensuring that discharges do not exceed the assimilative capacity of the receiving environment.

The most significant ecological features within the zones according to the EcIA (APPENDIX I) are:

- Kānuka (*Kunzea linearis*): This plant species is listed as "At Risk-Declining" and is noted to be in regional decline.
- Coastal Bird Habitat: The area provides abundant habitat for common native birds and has the potential to be used by more cryptic and threatened species.
- *Machaerina juncea* Sedgeland: This nationally threatened duneslack wetland is considered to be of high ecological value.
- Habitat for Lizards and Invertebrates: The zones contain habitat for threatened lizards and common invertebrates.

Overall, the ecological values of the zones range from low to high. The existing ecosystem is compromised by invasive pest plant species that are altering soil conditions and vegetation diversity.

Without management, the potential ecological effects of the wastewater discharge and associated construction range from low to high. These include:

- Increased degradation of threatened ecosystems due to nutrient enrichment from the wastewater, which could accelerate the dominance of pest plants.
- Alteration of the *Machaerina juncea* sedgeland through potential nutrient input from spray drift or groundwater contamination, which could lead to eutrophication and a shift in plant species composition.

A series of management actions have been recommended to mitigate these effects:

- **Avoidance:** The wetland and a 20 m setback will be completely avoided by construction and discharge activities.
- **Restoration:** Fencing will be erected to protect human health while also assisting to reduce human disturbance. Planting with native species is primarily proposed to mitigate adverse effects of construction, however, will also compliment the management of the wastewater discharge. Pest plant control will also be undertaken as part of establishment and maintenance.

- **Wetland Monitoring:** A wetland management and monitoring plan will be implemented for at least five years to track vegetation health, with adaptive management measures to be taken if negative changes are detected.

With these management measures in place, the overall level of ecological effects of discharging the treated wastewater to Z6B and Z7 is expected to be low. The Project is anticipated to have some positive outcomes, including a reduction in human disturbance due to fencing, which will benefit native fauna and flora. The planting and pest plant management will enhance native biodiversity and support the resilience of the ecosystem. It is expected that there will be no residual adverse effects, with the potential for a net gain in ecological value compared to the current state. As such, any potential adverse effects on ecological values will be less than minor.

7.2.3 Air Quality Effects

The air quality assessment (APPENDIX F) concludes that the adverse effects from the proposed wastewater discharge to Z6B and Z7 will be less than minor, with odour and spray drift being adequately managed through buffer distances and operational controls.

7.2.3.1 Odour Effects

The primary potential air quality effect is odour, but the report assesses this risk as very low for reasons including that;

- The treated wastewater has a low organic content (BOD), meaning only low levels of odour are expected to be generated in the first place. The odour's character is described as "earthy organic" and is not considered highly offensive, unlike odours from anaerobic wastewater.
- The use of a low-pressure, perforated pipe system minimises the release of odour compounds into the air, especially when compared to high-pressure spray methods.
- The nearest residential dwellings are 750 m away, and no odour is expected to be observed at this distance. For the nearby Pipeline Walking Track, a minimum 30 m buffer will be maintained between it and the discharge lines, which is considered sufficient to mitigate any potential odour effects.

The assessment of magnitude of effect is supported by the fact that no odour complaints have been received in the last five years regarding the existing, similar disposal operations at Rama Road.

Overall, the report concludes that any odour will be localised and contained within the disposal field boundaries and will not be offensive or objectionable to the public. As such, any potential adverse effects from odour will be less than minor

7.2.3.2 Spray Drift Effects

There is a low potential for spray drift (aerosols), which is a human health consideration due to pathogens in the treated effluent. However, the proposed mitigation measures are considered sufficient to manage this risk and include:

- The key mitigation measure is the 30 m buffer distance between the discharge lines and the Pipeline Walking Track. This separation is considered sufficient to prevent users of the track from being exposed to spray drift.
- A high wind speed cut-off currently used will also be implemented for operating Z6B and Z7, automatically stopping the discharge when the 10-minute average wind speed exceeds 12 m/s to prevent spray from travelling long distances.

If spray drift is observed on the Pipeline Track, the air quality assessment recommends contingency actions, such as establishing a vegetative barrier or temporarily disusing the lines closest to the track.

The assessment concludes that with these measures in place, the potential effects from spray drift are considered to be less than minor.

7.2.4 Effects on Cultural Values

According to the P-HEMP, the mauri of water (Wai Māori and Tangaroa) would be adversely affected where wastewater is discharged directly to water as opposed to a discharge to land where the mauri may be restored; discharge of human effluent, whether treated or untreated, directly to water is considered “culturally repugnant” to Patuharakeke.

A full Cultural impact assessment has not been undertaken for this proposal, and despite Patuharakeke being a Project Partner, their detailed input specifically to this matter has not been fully explored at this time with their experts covering a number of major infrastructure projects in their rohe currently. However, Patuharakeke representatives have been a part of the development and decision-making on the preferred interim discharge option and are supportive of the option to discharge to Z6B and Z7 as it is an efficient use and development of the resource through co-location with existing wastewater facilities, avoids major hazard areas which could increase the likelihood of the treated wastewater entering water, and promotes ecological enhancement and protection of an area under threat from pest plants and animals and unauthorised use of vehicles in a sensitive dune environment.

7.3 Effects of Varying a Current Consent (s 127 RMA)

The proposed variation is administrative in nature. Its sole purpose is to incorporate the new resource consents—which authorize the discharge of treated wastewater to two new land areas, Z6B and Z7—into the existing parent consent document for the RWwTP.

The proposed administrative change will not result in any new or different adverse effects on the environment beyond those already identified and assessed in the applications for the new discharge permits for Z6B and Z7.

The variation itself does not authorize any new physical works, increase the volume of the discharge, or alter the method of treatment or disposal as is currently consented.

The variation is intended to streamline compliance by consolidating all operational conditions into a single, cohesive document. This avoids duplication and ensures that the new discharge areas are subject to the same established operational, monitoring, and management protocols that govern the existing RWwTP whilst also being bespoke to the anticipated effects which must be managed for the new discharges to Z6B and Z7.

In concluding, the effects of the proposed variation are considered to *de minimus*. The change is purely administrative and serves to improve the clarity and efficiency of the consent documentation without altering the environmental outcomes of the activity.

8 Statutory Considerations

The following sections provide analysis of matters for which the consenting authorities must have regard to when considering applications for resource consent.

8.1 Part 2 RMA

Section 104 RMA directs decision makers to have regard to a range of matters subject to Part 2 of the statute while Schedule 4 RMA also requires that applications for resource consent include an assessment of the activity against the matters set out in Part 2 (containing Sections 5-8 being the Purpose and Principles of the RMA).

The overriding purpose of the RMA at Section 5 is *"to promote the sustainable management of natural and physical resources"* (Section 5). The broader principles (Sections 6 to 8) are to inform the achievement of that purpose.

Section 104 of the RMA (considered below) is expressly subject to Part 2 of the RMA. Case law findings have directed that decision makers should now only have recourse to Part 2 of the RMA, including higher order policy documents, if it is determined that:

1. Any part or the whole of the relevant plan(s) are invalid;
2. The relevant plan(s) did not provide complete coverage of the Part 2 matters;
3. There is uncertainty of the meaning of provisions as they affect Part 2.

In essence this means that decisions makers only need to 'go back to' Part 2 of the RMA if the relevant planning documents have not fully addressed the Part 2 matters. If a Regional or District Plan has not fully addressed the Part 2 matters, then decision makers can 'go up the tree' in terms of national, regional, and district planning documents in relation to any Part 2 matters.

It is considered that the relevant regional and district plans give appropriate effect to the relevant higher order policy documents such that a separate Part 2 analysis is unlikely to add any value to the evaluative exercise.

Based on the assessment of the proposal against the objectives and policies as set out in the following Sections (Sections 8.2 to 8.4) the proposal is consistent with Part 2 of the RMA.

8.2 Section 104(1)(a) and (ab) RMA

The actual and potential effects on the environment of allowing the activity have been assessed above in Section 7 where it was concluded that adverse effects of the activities would be avoided, remedied, or mitigated. Furthermore, the EcIA suggests that, subject to the protection and restoration measures being implemented, there could be potential for a net gain in ecological value compared to the current state.

8.3 Section 104(1)(b) RMA

Schedule 4 of the RMA requires that an assessment of the activity is made against the matters set out in Part 2 of the RMA and any relevant provisions of a document referred to in Section 104(1)(b) RMA.

The following assessment fulfils these Schedule 4 matters.

8.3.1 National Environmental Standards

8.3.1.1 Resource Management (National Environmental Standard for Air Quality) Regulations 2004

Resource consent under the NESAQ is not required (see APPENDIX B for a full analysis). There are no other relevant provisions contained in the NESAQ for which regard must be had.

8.3.1.2 Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007

Clauses 6, 7, 8, 12, and 13 of the NESDW apply to water and discharge permits issued by regional councils.

A search of the Drinking-water Register[18] (suppliers and self-supplied) shows that there are no such supplies located downstream[19] of the discharge.

8.3.1.3 Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2010

Resource consent under the NESCS is not required (see APPENDIX B for a full analysis). There are no other relevant provisions contained in the NESCS for which regard must be had.

8.3.1.4 Resource Management (National Environmental Standard for Freshwater) Regulations 2020

Resource consent under the NESFM is not required (see Section 5.1.2 above for a full analysis). There are no other relevant provisions contained in the NESFM for which regard must be had.

8.3.2 Other Regulations

There are no other Regulations with matters of relevance to this Proposal.

8.3.3 National Policy Statements

8.3.3.1 National Policy Statement for Freshwater Management 2020

The NPSFM recognises *Te Mana o te Wai* and contains one objective and various policies that direct local authorities on how they are to manage freshwater. It contains one objective and various policies that are relevant to considering applications for resource consents in an integrated manner. It contains one Objective (at Clause 2.1) and fifteen Policies (at Clause 2.2), which are preceded by an in-depth description of the fundamental concept of '*Te Mana o te Wai*' that underpins freshwater management in New Zealand, including six principles relating to the roles of tangata whenua and the wider community in the management of freshwater. However, Section 104(2F) of the RMA was amended on 25 October 2024 stating that, '[w]*hen considering an application and any submissions received, a consent authority must not have regard to clause*

[18] https://hinekorako.taumataarowai.govt.nz/publicregister/supplies/, accessed 25 September 2025.
[19] "downstream" in this case is based on groundwater flow moving primarily to the coast noting that while there is potential for groundwater to reverse inland, it would be very rare.

1.3(5) or 2.1 of the NPSFM 2020 (which relates to the hierarchy of obligations in the NPSFM 2020).' This amendment fundamentally changes the policy landscape for this application. It effectively removes the requirement for the consent authority to strictly subordinate the proposals economic benefits to the health of freshwater bodies. While the broader policies of the NPSFM still apply, this change significantly lowers the policy hurdle, allowing the proposals economic necessity to be weighed more directly against its environmental effects without being automatically relegated to the lowest priority. With this in mind, the following analysis is given.

8.3.3.2 Tangata Whenua Partnership and Involvement

The NPSFM places a strong emphasis on the active involvement of tangata whenua in freshwater management (Policy 2) and the application of Te Mana o te Wai (Clause 3.2). The proposal has had a mixed outcome in fulfilling these requirements. Patuharakeke, as ahikā and through the Mana Whakahono a Rohe, are a project partner, having been pivotal in developing the business case and the interim proposal itself. This deep level of collaboration is a clear and successful implementation of the principles for engagement and involvement of tangata whenua in determining how Te Mana o te Wai applies to the affected waterbodies and freshwater ecosystems. In contrast, Te Parawhau has not contributed a narrative to assist with the determination of how Te Mana o te Wai applies to the affected waterbodies and freshwater ecosystems due to reasons beyond the scope of these applications for resource consent.

While the partnership with Patuharakeke is exemplary, the unresolved status of engagement with Te Parawhau represents a gap in complete conformance with the tangata whenua provisions of the NPSFM. The proposal therefore would partially meet the NPSFM's directives for tangata whenua involvement.

8.3.3.3 Protection of Natural Inland Wetlands

The Project is adjacent to a *Machaerina juncea* sedgeland, which is classified as a nationally threatened interdunal slack wetland and is of high ecological significance. This makes Policy 6 ("no further loss of extent of natural inland wetlands, their values are protected, and their restoration is promoted") and the specifications in Clause 3.22 of the NPSFM central to the assessment.

The Proposal is considered to be consistent with this policy through a three-pronged approach:

1. Avoidance of Extent: The proposed design incorporates a 20 m buffer, ensuring no construction or discharge infrastructure is placed within the wetland itself, thereby avoiding any direct loss of its physical area.

2. Protection of Values: The primary risk to the wetland's values is indirect, through potential nutrient enrichment from spray drift or contaminated groundwater. The proposal relies on a Wetland Management and Monitoring Plan to manage this risk. This involves baseline and ongoing monitoring, with triggers for adaptive management (e.g., enhancing wastewater treatment) if negative changes are detected.

3. Promotion of Restoration: the proposal offers a significant opportunity for ecological enhancement. The existing ecosystem is degraded by invasive pest plants. The proposal includes fencing, active pest plant control, and re-vegetation with native species, which is expected to result in a net gain in ecological value compared to the current state.

The proposal aligns well with the "avoidance of extent" and "promotion of restoration" components of Policy 6. The "protection of values" component relies on a precautionary and adaptive management approach rather than a guarantee of no effect. Given that wastewater infrastructure is considered "specified infrastructure" under the NPSFM, it can be consented under the exception in Clause 3.22(1)(b)[20], provided it delivers significant regional benefits (which it does by enabling development within an important service area for Tai Tokerau) and applies the effects management hierarchy. The proposed mitigation and restoration package constitutes a robust application of this hierarchy.

8.3.3.4 Water Quality and the National Objectives Framework (NOF)

The NPSFM requires that water quality is managed to at least maintain the baseline state, with improvement required in some cases (Clause 3.11). The GW Report identifies a key policy tension in relation to nutrient management.

- Pathogens: The risk to public health from pathogens like *E. coli* is assessed as Low to Negligible. Predicted concentrations at all receptors, including the closest neighbouring pond and the Bream Bay coastline, are well below relevant health guidelines. This represents a positive outcome.

- Nutrients: The primary water quality risk is nutrient enrichment. The groundwater modelling predicts a “Moderate” adverse effect at a neighbouring industrial pond at 546 Marsden Point Road, with possible elevated concentrations of TN and TP. Although the pond itself is an artificial installation, it sits within a connected drainage network ultimately discharging to the Ruakākā River. Therefore, this predicted outcome represents a degradation from the baseline state of that freshwater body irrespective of whether current degradation exists within any freshwater body or not. This is inconsistent with the directive in Clause 3.11(2) of the NPSFM to set target attribute states at or above the baseline.

To manage this direct policy conflict, a tiered adaptive management approach has been proposed. This includes establishing a network of sentinel monitoring bores to establish a baseline for groundwater levels and quality.

Interim trigger values[21] have been assigned in the proposed conditions to provide a necessary safeguard while factual triggers are being developed to provide for the ongoing adaptive management of the discharge. It is possible that the interim trigger values may need to be adjusted to accurately reflect the actual baseline condition and significance levels for the monitored parameters[22]. Any exceedance of a trigger value, whether interim or ongoing, will require analysis of the exceedance (such as attribution) and must include recommended actions necessary for an exceedance to cease such as taking one of the new discharge zones offline or installing interceptor drains.

This approach effectively shifts the policy burden from proving *no adverse effect* at the time of consent to a commitment to *monitor and manage* the effect should it arise. While permissible, it

[20] The infrastructure is classified in this way but the discharge is most likely not.
[21] Based on conditions from (expired) Discharge Permit CON20040415501.
[22] this will have to be undertaken as a variation and is noted as such in an advice note in the proposed conditions.

places significant weight on the robustness and enforceability of the proposed monitoring and mitigation conditions hence the detailed nature of proposed conditions (see APPENDIX M).

8.3.3.5 NPSFM Analysis Conclusions

The RWwTP interim discharge proposal presents a complex case under the NPSFM. Its consent ability is significantly strengthened by the October 2024 legislative amendment that removes the strict Te Mana o te Wai hierarchy from consent decision-making. The proposals key strengths are its clear alignment with regional development goals, a strong partnership with Patuharakeke, the direct avoidance of a significant wetland, and the high potential for net ecological gain through active restoration.

However, two primary areas of policy tension remain:

1. Incomplete Tangata Whenua Engagement: The absence of input from Te Parawhau means the proposal does not fully achieve the broad expectations of tangata whenua involvement under the NPSFM. However, the guidance of Patuharakeke is that the proposal is the best practical option considering its temporary nature.

2. Predicted Water Quality Degradation: The modelled "Moderate" adverse nutrient effect on groundwater and the Ruakākā River is inconsistent with the NPSFM's "maintain or improve" directive and relies heavily on a proposed adaptive management plan to be resolved post-consent.

Overall, the proposal is likely to be consistent with the NPSFM framework, particularly given the exceptions available for regionally significant infrastructure. However, any consent granted would need to include robust and enforceable conditions that detail implementation of the adaptive management plan for water quality.

8.3.4 National Policy Statement on Urban Development 2020 – Updated May 2022

The NPSUD applies to all urban environments and requires Councils to plan well for growth and ensure well-functioning urban environments for all people, communities, and future generations. It categorises urban environments into three tiers that were informed by population size and growth rates which allows the more directive policies to be targeted towards the largest and fastest growing urban centres. Whangārei is a Tier 2 urban environment in accordance with the NPSUD indicating that it has a reasonably sized urban population that is projected to grow; Ruakākā is recognised in the FDS and so has been assumed to form a part of the Tier 2 urban environment of Whangārei.

The NPSUD is mostly focused on opening up more development capacity so that more homes can be built in areas accessible to jobs, amenities, and support services to enable people to provide for their social, economic, and cultural wellbeing (Objective 1). By removing the current wastewater constraint, the Project directly enables WDC to meet this obligation in a key growth area where currently it is unable to do so.

The NPSUD specifies that development capacity must be infrastructure-ready (Clause 3.4). This means adequate development infrastructure (including wastewater) must be funded and identified in the WDC's long-term plans (Objective 6). The Project is a direct implementation step

to make the zoned land in Ruakākā infrastructure-ready, thereby unlocking development in waiting, as envisioned by the FDS and achieving the key thrust of Objective 6 of the NPSUD.

Objective 6 of the NPS-UD also requires that decisions on urban development are "integrated with infrastructure planning and funding decisions". The FDS (land use plan) identifies Ruakākā for growth and flags the need for the RWwTP upgrade (infrastructure plan). This Project executes an integrated approach that the NPS-UD is designed to encourage; it does so through accommodating current demand for growth while also providing discharge capacity to supplement the transition from the current RWwTP and discharge to a new one.

By facilitating planned residential and business growth in a designated urban centre, the interim discharge contributes to the creation of a "well-functioning urban environment" over a short-term horizon to enable stalled planned development to commence while also providing a necessary support system for the longer-term RWwTP upgrade as required by Policies 1 and 2 of the NPSUD.

The Project is consistent with the NPSUD especially given its dual function of support for planned urban growth and development.

8.3.5 National Policy Statement for Indigenous Biodiversity 2023

The NPSIB provides direction to councils to protect, maintain and restore terrestrial indigenous biodiversity requiring at least no further reduction of indigenous biodiversity nationally.

The NPSIB has a primary focus on identification and protection of SNAs; while the Project site qualifies as a Significant Natural Area (SNA) under the NPS-IB criteria due to the presence of a threatened plant species (*Kunzea linearis*), a nationally threatened interdunal wetland ecosystem, and its location within a Protected Natural Area, no SNA's have been identified in the WDP.[23] Therefore provisions relating to SNAs in the NPS-IB are not relevant and this assessment focuses on the provisions of the NPS-IB that refer to the maintenance of indigenous biodiversity outside of SNAs.

Policy 8 of the NPSIB signals that maintenance of indigenous biodiversity outside SNA's is important and must be provided for. The unmanaged effects of the proposal, particularly the risk of decline of a threatened plant and potential impacts on a threatened ecosystem, are considered "significant adverse effects". This triggers the requirement under Clause 3.16(1) to apply the full effects management hierarchy while all other adverse effects must be managed to give effect to the objective and policies of the NPSIB under sub-clause (2).

Clause 3.16 of the NPS-IB sets out a two-tiered approach for managing effects on indigenous biodiversity outside of SNAs. The first step is to determine if the proposal will have "significant adverse effects."

An effect is typically considered "significant" if it impacts rare or threatened species or ecosystems, or results in a notable reduction in habitat or ecological function. According to the

[23] and the changes made pursuant to the Resource Management (Freshwater and Other Matters) Amendment Act 2024 (the Amendment Act) mean that the NPSIB provisions relating to the identification and notification of SNAs will not apply for the three years after the commencement of the Amendment Act (i.e., until 25 October 2027).

EcIA (APPENDIX I), the unmanaged effects of the Project are likely to be considered significant for the following reasons:

- **Nutrient Enrichment of the Terrestrial Ecosystem:** The discharge will introduce additional nutrients to the dune ecosystem, which could accelerate the current trajectory of dominance by exotic, nitrate-fixing plant species over native vegetation.
- **Potential Eutrophication of the Wetland:** Nutrients from the discharge could enter the adjacent Machaerina juncea sedgeland wetland via spray drift or lateral groundwater flow. This could cause eutrophication, potentially shifting the wetland's community structure from a native sedgeland to a more nutrient-tolerant system, such as raupō reedland.
- **Alteration of Fauna Microhabitats:** Increased soil moisture and nutrients could alter the microclimatic conditions and invertebrate communities within the discharge zones, which may indirectly affect native lizard populations.
- **Alteration of Kānuka Ecosystem:** The Kānuka ecosystem is already transitioning due to the dominance of nitrate-fixing invasive species (e.g., gorse, acacia, lupins), which alter soil conditions and suppress native regeneration. The application of wastewater nutrients could accelerate the ecological trajectory of the Kānuka ecosystem, further altering soil conditions and potentially increasing the dominance of invasive species. This could negatively impact the health and regeneration of Kānuka, which relies on low-nutrient sandy soils typical of coastal dune environments.

The proposed management measures detailed in the EcIA directly address the discharge-related effects in alignment with the effects management hierarchy and the precautionary principle, demonstrated as follows:

1. **Avoid:** Direct discharge into the wetland is avoided through the application of a 20-metre setback for all spray lines. This is the most critical step in protecting the wetland.
2. **Minimise:** The risk of indirect nutrient input is minimised through implementation of the high-wind cutoff to prevent spray drift towards the wetland during particularly windy conditions.
3. **Remedy and Manage (The Precautionary Approach)**: The core of the management strategy is the proposed Wetland Management and Monitoring Plan. This plan is a direct application of the precautionary principle and is designed to:
    (i) Establish a baseline: Data on soil nutrients and vegetation health will be initially collected before discharge commences with a further round taking place in the alternate season when only small volumes of discharge would be occurring, providing a reasonable benchmark for measuring change.
    (ii) Monitor for Effects: Quarterly monitoring of soil nutrients and vegetation composition will be undertaken in both the affected wetland and a "control" wetland area outside the impact zone.
    (iii) Enable Adaptive Management: If monitoring indicates that the wetland is showing signs of a negative trajectory change, adaptive management measures can be implemented. These could include enhancing wastewater treatment to reduce nutrient loads or increasing interception planting to improve buffering.

Even for effects that are not significant, Clause 3.16(2) requires that they are managed to give effect to the overall objective and policies of the NPSIB.

The core objective (2.1) is to ensure "at least no overall loss in indigenous biodiversity". The comprehensive management package, particularly the pest control, fencing, and 2:1 Kānuka replacement, is designed to ensure this standard is met and potentially exceeded.

The EcIA acknowledges uncertainty regarding long-term groundwater effects on the wetland. The proposed Wetland Management and Monitoring Plan is a direct application of the precautionary approach required at Policy 3, allowing for monitoring and adaptive management if negative trends are detected.

Policy 10 requires that activities that contribute to New Zealand's social, economic, cultural, and environmental wellbeing are recognised and provided for in a manner that is consistent with the NPSIB while Clause 3.5 states that the maintenance of indigenous biodiversity does not preclude land use and development in appropriate places and forms. The proposal is consistent as it represents an activity essential for the community's social and economic wellbeing. Furthermore, it satisfies the balancing test of Clause 3.5 by being located for clear operational reasons and, most importantly, by taking a form that is appropriate for its sensitive environment. The design's emphasis on avoiding the highest-value ecological features and including active restoration measures demonstrates that the protection of indigenous biodiversity is not precluding this necessary development; rather, the two objectives are being integrated.

The proposal actively promotes restoration by committing to ongoing pest plant control and planting new native vegetation, which will improve the ecological integrity of the site over time and positively engaging Policy 13.

8.3.6 New Zealand Coastal Policy Statement

The Project site is located within the Poupouwhenua Scenic Reserve and the coastal environment as defined and mapped in both the RPS and WDP. This location makes the NZCPS a primary statutory document for consideration.

8.3.6.1 Natural Character, Features, and Landscapes

Policy 13 of the NZCPS requires the preservation of the natural character of the coastal environment, avoiding significant adverse effects and avoiding, remedying, or mitigating other adverse effects while Policy 15 seeks to protect natural features and landscapes from inappropriate development. The Landscape Assessment identifies the Project site as part of the backdune area of Bream Bay, which contributes to the natural character of the Poupouwhenua Reserve. However, both the Landscape Assessment and the EcIA note that the existing environment is significantly degraded by invasive weed species, with the EcIA advising that increased nutrient input could accelerate this transition of the coastal scrub ecosystem.

The Project includes a Landscape Mitigation Plan that incorporates management of invasive weed species and the re-establishment of indigenous back-dune planting. The EcIA concludes that ongoing pest plant management will reduce the dominance of invasive species and support the resilience of the indigenous ecosystem. This active restoration is a key component that works to

enhance the site's natural character over time, consistent with the intent of Policy 14 which promotes the restoration or rehabilitation of natural character.

8.3.6.2 Indigenous Biological Diversity

Policy 11 of the NZCPS provides strong direction to protect indigenous biodiversity, requiring the avoidance of adverse effects on threatened species and ecosystems.

The EcIA identifies several high-value ecological features within the project zones, including:

- A *Machaerina juncea* sedgeland wetland, identified as a nationally threatened interdunal slack wetland ecosystem.
- Stands of Kānuka (*Kunzea linearis*), a native tree species classified as "At Risk-Declining".
- Habitat for coastal birds and threatened lizards, including shore skink and copper skink.

The Project directly responds to Policy 11 through a hierarchical approach to effects management:

1. Avoidance: The highest value feature, the wetland, has been completely avoided. The project design incorporates a 20 m setback from the wetland edge, in line with best practice, ensuring no infrastructure enters this sensitive zone. This is the most effective method of complying with Policy 11(a).
2. Minimisation & Mitigation: For effects that cannot be avoided, specific management is proposed.
    - To address the potential loss of threatened Kānuka, the project ecologist will supervise clearance to minimise damage, and any trees that must be removed will be replanted at a 2:1 ratio.
    - To protect fauna, vegetation clearance will be undertaken outside of the primary bird breeding season (August-February). A comprehensive Lizard Management Plan (LMP) will be implemented to salvage and relocate native lizards prior to construction noting that only Plague Skink were identified during survey.

By first avoiding the most significant ecological feature and then proposing robust, expert-led mitigation for other effects, the proposal demonstrates a thorough and effective response to the directives of Policy 11.

8.3.6.3 Discharge and Water Quality

Policy 23 of the NZCPS manages the discharge of contaminants into the coastal environment, requiring particular regard for the sensitivity of the receiving environment and the capacity for assimilation.

The proposal involves a discharge to land, which allows for further treatment of the wastewater via soil processes before it enters groundwater. This is generally a preferred method over direct discharge to coastal water.

The EcIA notes uncertainty regarding potential nutrient enrichment of the nearby wetland via groundwater movement. To address this, the report recommends a wetland management and monitoring plan be implemented for at least five years to track water quality and vegetation health. The plan includes triggers for adaptive management, such as enhancing buffer planting, if

negative changes are detected, and additional nutrient reduction options can be considered at the RWwTP also. This represents a precautionary approach consistent with the NZCPS.

8.3.6.4 Balancing Development with Protection

Objective 6 of the NZCPS acknowledges the need to enable communities to provide for their social and economic wellbeing through use and development, recognising that some infrastructure has a functional need to be in the coastal environment. This must be balanced with Objective 1, which seeks to safeguard the integrity and resilience of the coastal environment.

The RWwTP interim upgrade is a direct response to an infrastructure deficit that is constraining planned housing and commercial development in the Bream Bay area. The Project is therefore critical for the social and economic wellbeing of the community, aligning with Objective 6.

The Landscape Assessment and EcIA both demonstrate that this enabling of development does not come at an unacceptable cost to the environment. The EcIA concludes that once all management measures are undertaken, the overall ecological effects are expected to be Low, with some positive effects and potential net gains. These gains stem from fencing the area to prevent vehicle damage, active pest plant control, and restoration planting. This outcome shows that the Project successfully balances the directive to enable development (Objective 6) with the imperative to safeguard and restore the coastal environment (Objectives 1 and 2, and Policy 14).

The RWwTP discharge expansion proposal is situated within the coastal environment and has the potential for adverse effects on natural character and indigenous biodiversity. However, the proposal incorporates a comprehensive suite of management and mitigation measures that directly address the requirements of the NZCPS. By avoiding the most sensitive feature (the wetland), minimising harm to threatened species, and including significant restoration and enhancement components, the Project demonstrates a robust adherence to the policy framework. The long-term outcomes, including improved native biodiversity and protection from vehicle damage, are likely to result in a net environmental benefit for the site.

8.3.7 Regional Policy Statement & Plans

The RPS was made operative in 2016 and promotes sustainable management of Northland's natural and physical resources through policies and methods to achieve integrated management of the region's resource management issues. The RPS describes itself as enabling. It balances improving the economy and using resources wisely with managing and investing in the environment to achieve our future aspirations for improvement in Northland and our wellbeing. It is effects-based.

In September 2017, NRC notified the PRPN to replace three existing regional plans with provisions that were developed to give effect to the policies and methods of the RPS. As such, the policies and objectives of the RPS and PRPN respond to the same resource management issues and for this reason, the two documents are assessed in combination in this section.

While all appeals on the PRPN were resolved by October 2023, until such time as the PRPN is made fully operative by NRC, the objectives and policies of the operative Regional Plans must be considered where it is reasonable to do so. Determining whether and what weight to place on an operative plan policy framework relies on the coherence of the pattern of the framework in that

plan compared to that which is presented in the proposed policy framework. In this respect, only provisions of the RPS and PRPN have been assessed in this AEE for the following reasons;

- The PRPN gives effect to the RPS, in particular its methods unlike predecessor Regional Plans which were prepared before the RPS was notified and made operative; and
- Turning to predecessor plans would not be of any benefit to this evaluative exercise and may in fact cause an incoherence of analysis of the key documents.

The PRPN policy chapters are preceded by the following guidance:

1) *Regard must be had to all the relevant objectives and policies in this Plan when considering an application for a resource consent.*
2) *Where policies in this plan are in conflict, the more directive policies shall prevail.*
3) *Regard must be had to any relevant provisions of the Regional Policy Statement and National Policy Statements, and where appropriate Part 2 of the RMA, when considering an application for a resource consent.*

This guidance has been applied in the following analysis.

8.3.7.1 Enabling Economic Well-being and Infrastructure Development

The proposal strongly aligns with the strategic objectives of both the RPS and PRPN regarding enabling economic well-being and supporting critical infrastructure.

The core purpose of the interim expansion is to remove an existing constraint on residential and commercial development in the Ruakākā and Bream Bay area, directly supporting RPS Objective 3.5 (Enabling economic wellbeing) and PRPN Objective F.1.5. The project is necessary to enable connections and remove the current limitation on development.

The RWwTP is identified as regionally significant infrastructure under Appendix 3 of the RPS. This status is critical, as it engages a specific set of policies designed to recognise its importance, including:

- RPS Objective 3.7 seeks to recognise and promote the benefits of regionally significant infrastructure.
- RPS Policy 5.3.2 requires that particular regard be had to these benefits when considering proposals.

The Project is also consistent with RPS Objective 3.8, which promotes ensuring new infrastructure is resilient and meets the reasonably foreseeable needs of the community. The options analysis confirms the chosen approach is a flexible and efficient interim solution until a long-term upgrade is completed.

8.3.7.2 Tāngata Whenua Partnership and Values

The Project's engagement with tangata whenua and its effects on cultural values are central to the policy framework, which seeks to recognise and provide for the kaitiaki role of tangata whenua.

RPS Objective 3.12 and PRPN Objective F.1.9 both require that the kaitiaki role of tangata whenua is recognised and provided for in decision-making. The proposal has had a mixed outcome in fulfilling these requirements, described above at Section 4.1. Patuharakeke are engaged as a

project partner and have been pivotal in shaping the interim discharge option. This deep collaboration aligns well with the partnership principles of the Treaty of Waitangi as referenced in the RPS and PRPN. Te Parawhau engagement requests have not been able to be addressed as part of the development of these resource consent applications.

The project site is located within a wider cultural landscape of profound importance to Patuharakeke, whose relationship with their ancestral lands, water, and taonga has been disrupted by historical development and environmental degradation. This directly relates to RPS Issue 2.6, which identifies the decline of the mauri of natural resources and the decline of mahinga kai as issues of significance to tangata whenua. The proposal must navigate these sensitivities noting that a CIA from Te Parawhau would supplement the capability of doing this alongside the constant guidance being provided by Patuharakeke. Therefore while an analysis of effects on tangata whenua values and their taonga has not been carried out as per Policy D.1.1, the guidance and oversight of Patuharakeke on the development of options and consent conditions gives effect to the intent of Policies D.1.1, D.1.2, and D.1.4 PRPN.

8.3.7.3 Water Quality Management

The proposal involves a land discharge where contaminants may enter water, making the policies for maintaining and managing water quality highly relevant.

RPS Objective 3.2 and PRPN Objective F.1.2 both seek to improve the overall quality of Northland's fresh and coastal water, safeguard ecosystem health, and ensure kai is safe to harvest. The GW Report identifies that nutrient enrichment at nearby surface water receptors is a key challenge in meeting these objectives.

The project proposes to manage the localised nutrient risk through an adaptive management approach as described in Sections 8.3.3.1, 8.3.5, and 8.3.6 above and adopted as Proposed Consent Conditions in APPENDIX M, consistent with PRPN Policy D.2.4 and D.4.1. This precautionary method is an appropriate response to the identified risk and aligns with the RPS goal of improving overall water quality while managing localised effects.

The proposal's use of a land-based discharge system is also consistent with the hierarchy in PRPN Policy D.4.3, which prefers land application over direct discharge to water.

8.3.7.4 Indigenous Biodiversity and Natural Character[24]

The project's location within a Scenic Reserve, a Protected Natural Area, and the coastal environment triggers strong protective policies for biodiversity and natural character from both the RPS and PRPN.

Several high-value ecological features have been identified, including "At Risk-Declining" Kānuka, a nationally threatened wetland ecosystem, and habitat for threatened birds and lizards. The proposed approach to managing effects on these features directly reflects the tiered protection framework outlined in RPS Policy 4.4.1 and PRPN Policy D.2.18. The design completely avoids the highest-value feature—the *Machaerina juncea* wetland—by incorporating a 20 m setback for all

[24] Although only discharge relevant policy is necessary for the Discharge Permit applications to the NRC, regard has been given to the physical effects of construction on indigenous biodiversity to supplement the Land Use Consent applications made to WDC.

construction and discharge activities. This is the most effective method for complying with the strong directive in RPS Policy 4.4.1(1) to avoid adverse effects on significant habitats.

For effects that cannot be avoided, robust mitigation is proposed. This includes ecologist supervision to minimise Kānuka loss with 2:1 replacement planting, timing works to avoid the bird nesting season and implementing a Lizard Management Plan.

The proposal has the potential for a net ecological gain compared to the current degraded state according to the EcIA. This is a significant outcome that strongly aligns with RPS Objective 3.15 (Active management) and RPS Policy 4.7.1, which encourage and positively recognise activities like pest control, re-vegetation with indigenous species, and exclusion of stock (in this case, exclusion of public vehicles and disturbance through fencing). The fencing and pest plant management will reduce ongoing human disturbance and support the resilience of the native ecosystem.

8.3.7.5 Natural Hazard Risk Management

The proposal demonstrates a low-risk profile in relation to natural hazards, aligning with the objectives of both planning documents.

RPS Objective 3.13 aims to minimise the risks and impacts of natural hazard events which is achieved as described in the detailed hazard assessment, including that:

- The project sites are located outside of all projected coastal erosion hazard zones up to the year 2130.
- The sites are elevated above the maximum predicted coastal inundation flood level.
- While subject to some rainwater ponding, the additional wastewater discharge will have a “Negligible Impact” on flood levels and will not compromise existing infrastructure.

Furthermore, RPS Policy 7.1.5 allows for regionally significant infrastructure to be located in hazard areas if there is a demonstrated functional need and risks are appropriately managed. As the proposal has a clear operational need for its location and the hazard risk is assessed as low, it is consistent with this policy framework.

8.3.7.6 Safeguarding Public Health and Amenity from Air Discharges

The proposal aligns with Objective 3.5 RPS, which seeks to manage resources in a way that improves the "economic wellbeing of Northland and its communities". A key component of community wellbeing is the protection of health and amenity from adverse environmental effects, such as offensive odour. The proposals careful management of air discharges supports this objective. The PRPN gives specific effect to this through its air quality provisions:

Objective F.1.13 aims to ensure that "Human health, ambient air quality, ... [and] amenity values ... are protected from significant adverse effects caused by the discharge of contaminants to air" while Policy D.3.2 directly implements this by requiring the management of cross-boundary effects on "dust, odour, smoke and spray-sensitive areas".

The Air Quality Assessment for the proposal directly addresses these provisions. It concludes that odour effects will not be "offensive or objectionable beyond the property boundary" and that spray drift effects on the public will be "less than minor" due to mitigations proposed. By demonstrating that effects on health and amenity are not significant, the proposal is consistent with both the high-level objective of the RPS and the detailed protective policies of the PRPN.

8.3.7.7 Analysis of PRPN and RPS Conclusions

The RWwTP interim discharge expansion proposal successfully navigates the complex policy framework of the RPS and PRPN. The proposal shows strong alignment with strategic regional goals by enabling economic well-being through the provision of regionally significant infrastructure.

The approach to managing effects on indigenous biodiversity and natural character is a key strength. By strictly following the mitigation hierarchy—prioritising the avoidance of the most significant ecological feature and implementing robust mitigation and restoration for other impacts—the proposal demonstrates a clear commitment to the region's protective policies. The potential for a net ecological benefit through active management is a significant positive outcome.

The primary tensions with the policy framework relate to water quality and tangata whenua partnership. The predicted moderate adverse water quality effect on a single, localised receptor is appropriately addressed through a proposed adaptive management plan. Fully realising the objective of a true partnership with tangata whenua will require the applicant to formally resolve the outstanding engagement requests from Te Parawhau.

Overall, with the diligent implementation of the proposed mitigation and adaptive management measures, the project is consistent with the integrated and sustainable management of Northland's resources as envisioned by the regional policy framework.

8.3.8 District Plans

The WDP is operative, however, PC1 (as a relevant plan change) is currently in progress. PC1 has legal effect but is not yet operative, as such objectives and policies of both the operative WDP and PC1 must be considered in accordance with Section 104(1)(b)(vi) RMA. In considering the different objectives and policies, the weight given to each depends on the progress of each plan change.

The WDP sets out objectives and policies on a topical basis which has been followed for the following assessment.

8.3.8.1 Natural Open Space Zone

The proposal to establish new wastewater discharge infrastructure in the Natural Open Space Zone (NOSZ) aligns with the zone's objectives and policies, primarily because it incorporates significant mitigation and restoration measures that protect and enhance the natural values the zone seeks to preserve.

The core issue identified for the NOSZ is the need to manage areas of open space primarily for the conservation and protection of natural resources. The zone is characterised by minimal buildings, largely undeveloped areas, and high ecological, landscape, and cultural values that provide a sense of wilderness. The WDP seeks to limit the scale and intensity of activities to ensure minimal adverse effects and modification to the environment.

Objective NOSZ-O1 requires that the natural, ecological, landscape, cultural and heritage values of the NOSZ are protected and enhanced by following the direction given in Policies NOSZ-P1 and NOSZ-P2.

Policy NOSZ-P1 aims to identify and protect open spaces with high natural, ecological, and landscape values while Policy NOSZ-P2 seeks to manage adverse effects by limiting the use, scale, and design of buildings and structures. By carefully siting the infrastructure, avoiding the most sensitive ecological features, and implementing a robust restoration plan, the proposal actively protects and enhances the natural values of the area, achieving Objective NOSZ-O1.

Objective NOSZ-02 seeks to ensure that any structures associated with recreational, educational, cultural, or conservation activities complement and do not compromise the values and qualities of the NOSZ, it is supported by the intent of Policy NOSZ-P3 which can be interpreted to require that new infrastructure is appropriate for the setting.

The wastewater infrastructure is not for visitor use, but it is regionally significant infrastructure essential for the community's well-being. There is a functional need for its location adjacent to the existing RWwTP and its design has been assessed as having a low impact in the receiving landscape setting ensuring that the activity does not permanently compromise the zone's conservation values and, in fact, contributes to them in the long term. The project, therefore, achieves Objective NOSZ-O2 by integrating essential infrastructure in a way that provides a net environmental benefit, thereby complementing the zone's primary conservation purpose.

The proposal to expand the RWwTP discharge into Z6B and Z7 within the Reserve is consistent with the objectives and policies of the Natural Open Space Zone. Although introducing infrastructure into a conservation area is inherently in tension with the zone's purpose, the proposal successfully demonstrates that through low impact design and restoration efforts, significant adverse effects can be avoided alongside generation of a net ecological gain.

8.3.8.2 Coastal Environment

The proposal is consistent with the WDP Coastal Environment chapter. It achieves the plan's objectives by strategically locating essential infrastructure within a modified area and implementing a comprehensive restoration program that results in a net ecological benefit.

The central issue of the chapter is managing development to protect and restore the coastal environment's natural character, which has been degraded by historical use. The proposal directly addresses the primary objective, CE-O1 (Natural Character), by serving as a "catalyst for environmental enhancement" in a modified landscape. This is achieved through a robust restoration plan that gives effect to multiple policies simultaneously: Policy CE-P14 (Restoration and Rehabilitation) and Policy CE-P19 (Protecting Indigenous Vegetation) are advanced through active pest plant control and re-vegetation with native species.

Effects on the qualities protected by Policy CE-P1 (Natural Character, Natural Features, and Natural Landscapes) are managed by avoiding a threatened wetland with a 20 m buffer and replacing any removed "At Risk-Declining" Kānuka at a 2:1 ratio.

This integrated approach is expected to result in a net gain in ecological value, directly fulfilling the plan's goal of enhancing the natural environment.

The provisions of the chapter also seek to manage coastal hazards and protect water quality. The proposal is consistent with objectives CE-O7 (Coastal Hazards), CE-O8 (Natural Defences), and CE-O5 (Water Quality) as Policy CE-P18 (Earthworks in Sand Dunes) is satisfied because the proposed earthworks are minor and will not diminish the dune's ability to act as a natural defence against

coastal hazards. The Natural Hazards assessment confirms the site is safely located outside of projected erosion and inundation zones.

Lastly, Policy CE-P17 (Coastal and Fresh Water Quality) is addressed through the use of best-practice site controls and immediate re-vegetation of disturbed areas to prevent erosion and sedimentation.

The proposal aligns with the provisions of the Coastal Environment chapter by coupling necessary development with significant environmental restoration. By avoiding sensitive features, mitigating impacts on biodiversity, and actively enhancing the degraded site, the project successfully gives effect to the plan's policies and achieves its core objective of protecting and improving the coastal environment.

8.3.8.3 District Growth and Urban Form

The proposal is strongly consistent with the District Growth and Development and Urban Form and Development chapters.

The primary purpose of the project is to provide the necessary wastewater infrastructure capacity to remove a current limitation on development in the Ruakākā and Bream Bay area. This directly achieves the strategic objectives of both chapters, including:

- DGD-O3 (Growth): The project accommodates future growth by enabling urban consolidation in a key growth node.
- DGD-O8 (Infrastructure): It ensures the efficient development and operation of infrastructure needed to service the community.
- UFD-O1 (Residential and Business Demand): It provides sufficient opportunities for development to meet demand.
- UFD-P1 (Housing and Business Capacity): The project is a direct action to ensure land zoned for development is serviced with the required infrastructure.

By unlocking planned growth, the proposal is a critical implementation step for the district's strategic direction.

8.3.8.4 Network Utilities

The proposal is consistent with the Network Utilities chapter, which seeks to enable the provision of essential services while managing their environmental effects.

Wastewater disposal is an essential network utility, and the plan recognises that its location can be restricted by operational requirements. The proposal achieves the objective of providing for the efficient operation, maintenance, and upgrading of network utilities (NU-O1) and gives effect to policies that support their establishment (NU-P1) while managing adverse effects on the surrounding environment (NU-P2). This balance is demonstrated through:

- The selection of a site adjacent to the existing treatment plant for operational efficiency.
- The comprehensive mitigation package, including extensive ecological restoration and avoidance of sensitive features, which manages potential adverse effects on visual amenity and natural character.

8.3.8.5 Natural Hazards

The proposal is consistent with the Natural Hazards chapter by demonstrating that risks to and from the infrastructure are appropriately managed.

The project aligns with the key objectives of managing development in hazard-prone areas (NH-O1, NH-O2) and specifically enabling resilient infrastructure (NH-O4B). It gives direct effect to Policy NH-P7, which allows for new infrastructure in hazard areas where there is a functional need and risks are managed. The supporting hazard assessment confirms:

- The sites are located outside all coastal erosion and inundation hazard zones for scenarios up to the year 2130.
- The additional wastewater discharge will have a negligible impact on existing rainwater ponding and will not exacerbate flood risk.
- The infrastructure is designed for resilience, and its integrity is not expected to be compromised during a hazard event.

8.3.8.6 Ecosystems and Indigenous Biodiversity

The proposal is consistent with the Ecosystems and Indigenous Biodiversity chapter by protecting significant ecological values and providing for a net environmental gain.

The project addresses the core issue of biodiversity loss and achieves the objective of protecting significant indigenous vegetation and habitats (EIB-O1). It gives effect to policies requiring the avoidance, remediation, or mitigation of adverse effects (EIB-P1, EIB-P2) and the promotion of restoration (EIB-P5). The Ecological Impact Assessment confirms this through a clear mitigation hierarchy:

- Avoidance: The nationally threatened *Machaerina juncea* wetland is completely avoided with a 20 m setback.
- Mitigation: Any removed "At Risk-Declining" Kānuka will be replaced at a 2:1 ratio, and a comprehensive Lizard Management Plan will be implemented.
- Enhancement: The proposed fencing, pest plant control, and native revegetation are expected to result in a net gain in ecological value compared to the site's current degraded state.

8.3.8.7 Natural Features and Landscapes

The proposal is consistent with the Natural Features and Landscapes chapter by avoiding adverse effects on the values of nearby protected areas.

The project site is located near, but not within, the Bream Bay beachscape ONL and the Ruakākā north dune HNC Area. The proposal achieves the objective to protect these landscapes from inappropriate development (NFL-O2) and gives effect to Policy NFL-P3, which seeks to avoid adverse effects on ONFLs within the coastal environment. This is accomplished because:

- The works are contained within a degraded back-dune area that is visually separate from the highly-valued beachscape and foredune.

- The comprehensive landscape and ecological restoration plans will enhance the natural character of the site over time, ensuring the project does not detract from the qualities of the adjacent ONL and HNC area.

8.3.8.8 Tangata Whenua Policies

The proposal gives effect to the Tangata Whenua Policies chapter by actively involving tangata whenua in the project's development and decision-making processes.

The chapter's objectives (TWP-O1, TWP-O2) and policies (TWP-P1, TWP-P2, TWP-P4) focus on protecting Māori cultural values, recognising kaitiakitanga, and ensuring tangata whenua participation. The proposal demonstrates a strong commitment to these principles through:

- A direct partnership with Patuharakeke, who have been pivotal in shaping and guiding the interim proposal from its inception as part of the wider wastewater upgrade business case. This partnership model is an exemplary implementation of the plan's intent for meaningful engagement.
- Consultation with Te Parawhau, who have been invited to review documentation and prepare a CIA. While their request for a deeper co-governance model was pending at the time of writing, there is still a commitment to engage Te Parawhau to prepare a CIA in acknowledgement of their status as tangata whenua, alongside Patuharakeke.

8.3.8.9 Sites and Areas of Significance to Māori

The proposal acknowledges the requirements of the Sites and Areas of Significance to Māori chapter and has a clear pathway for compliance.

While there are no recorded sites of significance within the project boundaries, the Archaeological Assessment identifies a high probability that unrecorded features are present and as such the Applicant is proactively seeking an archaeological authority from HNZPT prior to works commencing which will ensure that potential sites of significance are managed appropriately, having regard to the customs and values of tangata whenua and the advice of Kaitiaki.

8.4 Section 104(1)(c) RMA

In accordance with Section 104(1)(c) of the RMA, the consent authority must have regard to any other matter considered relevant and reasonably necessary to determine the application. To ensure a full and complete application is submitted, such matters are assessed as follows.

8.4.1 Water Services Act 2021

The Water Services Act 2021 establishes a new, comprehensive regulatory framework that works in conjunction with the RMA to protect public health and the environment. The reforms are not yet law, therefore the RWwTP interim discharge must be decided under the current, legally operative planning framework, including the RPS and PRPN. However, the proposed reform is an important "other matter" under Section 104(1)(c) of the RMA and may in fact be in effect whilst the application is in process. It signals the imminent future direction of wastewater regulation in New Zealand. A consent authority can, and should, have regard to it as important context, at least until it is in effect and is stated to apply to applications in process.

For a wastewater network operator planning a new discharge, the Act introduces several key layers of regulation and new responsibilities. While this application is being considered, and potentially granted, under the current planning framework, it will likely be operating when the new national standards become law, or could potentially be considered under it if it is given effect to during the processing period.

It is unclear at this stage whether the proposed discharge would be captured under the wastewater standards, however, situations such as these have been addressed through insertion of a number of transitional provisions to the RMA, including;

- Sections 104(2D) and 104(2DA) RMA which state that while a consent authority must not grant a consent contrary to a wastewater environmental performance made under s 138 of the Water Services Act 2021, it may do so under some exceptions.
- s 128(1)(bc) RMA which states, "*in the case of a resource consent for an activity that is regulated by a wastewater environmental performance standard or a stormwater environmental performance standard, when the environmental performance standard has been made or amended; or…*"

As such, a decision to grant the consent applications would not interfere with the effective implementation of new national environmental performance standards if these, once in effect, are relevant to the RWwTP interim discharge.

8.4.2 Whangārei Future Development Strategy 2025

The FDS is fundamentally a strategy to manage and enable growth.

The proposal's role as an interim solution is a critical factor that demonstrates its strong alignment with the Whangārei Future Development Strategy (FDS) 2025. The project acts as an essential first step to unlock stalled growth and serves as a vital and timely transition towards the long-term infrastructure upgrades envisioned by the strategy.

The proposal is explicitly framed as an "interim discharge solution" designed to remove an immediate constraint to development in the Marsden Strategic Growth Area directly engaging one of the FDS's key "Transformational Moves". The FDS identifies that growth in this area is dependent on infrastructure upgrades. By providing the necessary interim capacity, the proposal immediately unlocks development potential that was stalled, allowing the strategic growth prioritised by the FDS to commence without delay.

The proposal is not the full, long-term WWTP upgrade, but it plays a crucial transitional role that aligns perfectly with the FDS's implementation phasing. The FDS identifies the "Ruakākā Wastewater Treatment Plant upgrade and disposal starts" as a key project for the short-term (Years 1-3) phase. This interim solution represents that essential "start"; it bridges the gap by servicing planned growth until a full plant upgrade is completed around 2030. This demonstrates that the proposal is a correctly sequenced and necessary component of the broader, long-term infrastructure pathway required to support the FDS.

Crucially, even as an interim measure, the proposal upholds the core cultural and environmental principles of the FDS. The FDS incorporates the "Hapū Collective Aspiration Statement," which specifies a clear preference that "Wastewater and stormwater infrastructure discharges are to land". By adopting a land-based discharge method, the proposal adheres to this key cultural directive from the outset, rather than deferring it to a future stage.

The FDS vision is for growth that leads to the "betterment of our environment," with a strategic objective of "Lifting the mauri (lifeforce) of the taiao (environment)". The proposal uses this interim need as an opportunity to achieve a "net gain in ecological value" by actively restoring a degraded part of the Reserve.

This commitment to core principles demonstrates that the proposal is not just a stop-gap measure, but a purposeful and well-considered step that aligns with the FDS's values at every stage.

8.4.3 Development Contributions

The Local Government Act 2002 requires WDC to have a policy outlining how it intends to fund additional or new infrastructure which is required by growth. The Local Government Act 2002 provides for the collection of Development Contributions to fund a fair share of the cost of expanding the capacity of existing Council-owned infrastructure to cope with additional demand from new development or activity. This policy is contained in the WDC's '*Development Contributions Policy 2024'*.

While the proposal includes an application to develop land in contravention of a rule in the WDP, the policies of this document are not directed at this type of development as it does not result in demand on WDC infrastructure that is not already planned for within the Long-Term Plan 2024-2034 (LTP).

8.4.4 Mana Whakahono a Rohe

The 2020 Mana Whakahono a Rohe (MWAR) agreement between the Whangārei District Council and the Patuharakeke Iwi Trust Board establishes the formal framework for Patuharakeke participation in resource management activities; the proposal has been developed in direct alignment with the principles and processes set out in this agreement.

The MWAR's purpose is to ensure Patuharakeke participation in resource management through principles such as `mahi tahi` (effective collaboration) and the exercise of `kaitiakitanga` (guardianship).

The proposal gives direct effect to this agreement through an established project partnership, confirming that Patuharakeke was not just consulted but was "intimately involved" in developing the and shaping the interim discharge option. This deep collaboration, which included a hui at Takahiwai Marae, fulfils the MWAR's core intent for meaningful engagement.

The agreement's direct relevance is further underscored by its specific reference to Poupouwhenua—the location of the proposed works—as an area of importance to Patuharakeke.

Because the proposal is a direct outcome of the collaborative process defined in the MWAR, the agreement is essential for the consenting authorities to understand the context of the application and how the Applicant has fulfilled its partnership obligations to tangata whenua.

8.4.5 Iwi/Hapū management plans

The location of the proposed activities falls within the rohe of the following Iwi/Hapū management plans:

- Patuharakeke Hapū Environmental Management Plan 2014 (P-HEMP)
- Te Iwi o Ngatiwai Iwi Environmental Policy Document 2007 (TIoN-IEP)

- The Ngāti Hine Iwi Environmental Management Plan 2008 (NH-IEMP)

Although both the TIoN-IEP and NH-IEMP express the exercise of mana whenua and mana moana over their rohe which extends over Whangārei, only specific regard has been had to the P-HEMP as being reasonably necessary to determine the applications.

The P-HEMP is a strategic document that articulates hapū' values, principles, and policies for the sustainable management of the natural environment within their ancestral rohe. Its primary purpose is to ensure Patuharakeke can participate effectively in the resource management planning and decision-making processes of councils and other agencies.

The P-HEMP establishes that Patuharakeke participation in resource management should be as a partnership, enabling them to exercise their `kaitiakitanga` (guardianship) and `mana whenua` (authority over the rohe). The proposal gives direct effect to this through the project partnership with Patuharakeke, and specifically with regard to the guidance and assistance shaping the proposal from its inception. This collaborative approach moves beyond simple consultation and aligns with Objective 2.7(b) and Policy 3.1.3(a) of the P-HEMP, which call for a partnership role and recognition as kaitiaki.

The P-HEMP is unequivocally opposed to the direct discharge of human effluent to water, stating it is "culturally repugnant" and that all such discharges should instead be put to land treatment processes. The proposals core design as a discharge to land is therefore critical to its consistency with the P-HEMP. This approach directly aligns with the strong directive in Policy 6.3(e) (Wai Māori) and Policy 9.1.3(d) (Tangaroa). Furthermore, by using the discharge to support a comprehensive native revegetation program, the project is consistent with Policy 5.7.3(b), which encourages innovative infrastructure such as using effluent to support indigenous forestry. This works toward the P-HEMP's mission to revitalise the `mauri` (life force) of `taonga tuku iho` (treasures).

The P-HEMP provides critical context for the proposal location, identifying Poupouwhenua as a 5,000-acre block of land illegally confiscated from Patuharakeke. It details how industrialisation at this significant site has caused immense environmental damage and forever altering the cultural landscape. The proposal attempts to address this historical context by turning a necessary infrastructure project into an opportunity for environmental enhancement. By locating the discharge in a degraded part of Poupouwhenua and committing to active restoration—including pest control and native planting—the proposal aligns with objectives to protect and enhance waahi tapu and areas of customary value (Objective 8.2(a)) and policies that support positive biodiversity initiatives (Policy 7.3(b)). This approach helps remedy some of the historical degradation at Poupouwhenua, as lamented in Section 9.6 of the P-HEMP.

Overall, the proposal's consistency with the P-HEMP is clear and founded on three key pillars: a genuine partnership model, the choice of a land-based discharge system that avoids culturally offensive practices, and a commitment to ecological restoration at a site of immense cultural and historical significance to Patuharakeke.

8.5 Section 105 RMA

Section 105(1) of the RMA sets out the matters that a consent authority must have regard to when considering a resource consent for a discharge permit. In addition to the matters set out in section 104(1), the NRC must have regard to—

(a) *the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and*

(b) *the applicant's reasons for the proposed choice; and*

(c) *any possible alternative methods of discharge, including discharge into any other receiving environment.*

The nature of the discharges and the sensitivity of the receiving environments are described in Sections 3.2, 7.2.1, 7.2.1.3 and 2 of this report.

The reasons for the proposed option have been discussed throughout this report, while alternative methods of managing the discharge have been identified and discussed in Section 3.1 of this report.

8.6 Section 106A RMA

Section 106A of the RMA allows a consent authority to refuse a land use consent if it determines there is a "significant risk from natural hazards". This assessment requires a combined evaluation of the likelihood of natural hazards, the potential for material damage, whether the proposal would worsen such damage, and any adverse effects on people's health and safety. However, Section 106A RMA does not apply to the construction, upgrade, maintenance, or operation of infrastructure and only applies to land use consents.

8.7 Section 107 RMA

Section 107(1) of the RMA places restrictions on the grant of a permit to discharge a contaminant onto or into land in circumstances which may result in that contaminant entering water, if, after reasonable mixing, the contaminant or water discharged (either by itself or in combination with the same, similar, or other contaminants or water), is likely to give rise to all or any of the following effects in the receiving waters—

(c) *The production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials;*

(d) *Any conspicuous change in the colour or visual clarity;*

(e) *Any emission of objectionable odour;*

(f) *The rendering of fresh water unsuitable for consumption by farm animals;*

(g) *Any significant adverse effects on aquatic life.*

Based on the assessment given in Section 7.2.1.3, the discharge of treated wastewater as proposed is unlikely to give rise to any of the effects described in s107(c) - (g) beyond the zone of reasonable mixing in receiving waters.

Sections 107(2)-107(3) of the RMA are intended to provide avenues to grant consent where the activity is in contravention of Section 107(1). Given the matters in s 107(1) are not engaged, these provisions are not relevant, however, it should be noted that the proposed discharge is a temporary measure to enable development while a new WWTP is constructed and a decision on a long-term discharge option is made and is an exceptional circumstance that can be applied for a consent authority to consider granting the application to discharge contaminants onto or into land in a manner which may enter water.

8.8 Sections 108 and 108AA RMA

Section 108 RMA confirms that a resource consent may be granted on any condition that the consenting authorities consider appropriate, including any condition of a kind referred to in subsection (2) of Section 108 RMA. Section 108AA RMA outlines requirements for conditions of resource consents, including that a condition is directly connected to an adverse effect of the activity on the environment, and/or an applicable district or regional rule, or a national environmental standard.

Notwithstanding Sections 108 and 108AA RMA, for a condition to be valid, it must meet established legal tests: it must be for a resource management purpose, fairly and reasonably relate to the activity, be certain in its terms, and be reasonable. The proposed conditions in APPENDIX M and APPENDIX N clearly meet this standard. They are directly related to managing the potential environmental effects of constructing and operating the wastewater discharge system.

An adaptive management approach is proposed; the starting point for adaptive management is whether the precautionary approach requires an activity to be "prohibited" (or non-viable) until further information is available or whether an adaptive management approach is possible thereby allowing the activity to proceed (as per *Sustain our Sounds et al v Marlborough District Council* (known as King Salmon)). The necessary features of adaptive management are;

1. Existing environment is established by robust baseline monitoring;
2. Interim trigger levels are in place;
3. There are clear and strong monitoring, reporting, and audit mechanisms in place so that steps can be taken before adverse effects eventuate;
4. Resource consent conditions requiring certain criteria to be met before the next stage proceeds;
5. Ability to remove all or some of the development that has occurred if the monitoring results warrant it.

The proposed adaptive management plan is an acceptable method for managing the project's environmental risks, particularly potential groundwater contamination. It is consistent with the RMA because its conditions are directly tied to managing the specific environmental effects of the wastewater discharge. Key Components of the approach include:

- **Direct Monitoring:** The plan uses sentinel monitoring bores to track groundwater quality. This directly addresses the main identified risk—nutrient enrichment of a neighbouring pond—and is therefore directly connected to an adverse effect, as required by the RMA.
- **Clear Triggers:** It establishes defined trigger levels for action. If monitoring shows contaminant levels exceeding these triggers, specific mitigation is required. This provides the certainty and enforceability necessary for a valid consent condition. Wetland triggers are yet to be established, however, the risk of interaction of the discharge with the wetland within the baseline monitoring period is low and therefore, setting of triggers at a later stage would not be a disproportionate risk.

- **Proportional Response:** The required actions are proportional to the risk. If a trigger is breached, the response would be to adjust the discharge operations, for example, by taking one of the new discharge zones offline or installing interceptor drains. These actions are fair and reasonable as they directly relate to the activity causing the effect.
- **Resource Management Purpose:** The entire plan serves a clear resource management purpose: to protect water quality while allowing for necessary infrastructure development, thereby aligning with the goals of the NPSFM, NPSIB, RPS, and PRPN.

8.9 Sections 123 and 125 RMA

Pursuant to Section 123(1)(d) of the RMA, the period for which a Discharge Permit is granted is the period not exceeding 35 years, and if no period is specified, is 5 years from the date of commencement of the consent. Alternatively, the period for which a Land Use Consent is granted is unlimited unless specified in the consent as stated at s 123(1)(b).

Section 125 RMA sets out the lapsing provisions which apply to resource consents that have not been exercised; the default lapse period under the RMA is 5-years. Section 125 RMA ensures that resource consents are given effect to within a reasonable timeframe given that they form part of the existing environment upon which future resource use and development would need to consider. Where they are not given effect to, they will lapse, unless an application is made, and the consenting authority decides to grant an extension to the lapse date.

8.9.1 Discharge Permits

Disposal of treated wastewater is proposed to be carried out for a period of up to 5-years to coincide with the expected date for commissioning of the new WWTP and long-term discharge (or reuse) solution. However, a consent duration of 7-years is requested for the discharge permits to accommodate minor delays in the upgrade programme. The resource consent can be surrendered earlier if the upgrade is operational within 5-years. Policy D.2.14 PRPN sets out the matters for which particular regard must be had when determining the expiry date for a resource consent; the proposal is consistent with this Policy as;

- The project is an interim upgrade to Regionally Significant Infrastructure, and the 7-year term provides the security needed to justify the capital investment required.
- While there is some uncertainty regarding groundwater effects, a robust adaptive management plan is proposed to manage this risk. The term is short enough to reflect this uncertainty, yet long enough to allow the monitoring plan to be effectively implemented and assessed.
- The term provides a realistic timeframe for the applicant to transition to the full, long-term WWTP upgrade planned for around 2030. This avoids the administrative burden of needing to re-apply for another interim consent if the main project is delayed.

Given urgency to provide an interim expansion to discharge capacity, a specific lapsing condition is not considered necessary on either the Discharge Permits or the Land Use Consents as the resource consents would be given effect to well within the default period given under the RMA.

8.9.2 Land Use Consents

Land Use Consents are necessitated because of development rules in the WDP (earthworks in sand dunes and new infrastructure in a Flood Hazard Area); the use of the land once the infrastructure

has been constructed is otherwise permitted under the WDP (see APPENDIX B for analysis). However, the actual and potential adverse effects of earthworks in the sand dunes requires a longer-term commitment to implement the mitigation and remediation measures recommended. As such, it is possibly most appropriate for the consent to remain silent on duration and to rely on the lapse provisions of s 125 RMA for these activities alone.

8.10 Section 128 RMA

Pursuant to Section 128 of the RMA, a consent authority may review the conditions of a resource consent.

Review conditions are contained in the Proposed Consent Conditions and are considered to be suitably robust and appropriate for the activities proposed.

9 Conclusion

The Ruakākā Wastewater Treatment Plant interim discharge expansion is a necessary and well-considered project that will provide a vital infrastructural bridge to support the planned growth of the Bream Bay community. Extensive consultation, particularly through a direct partnership with Patuharakeke, has shaped a proposal that is both operationally efficient and culturally and environmentally sensitive.

This Assessment of Environmental Effects demonstrates that the proposal's adverse effects are well understood and can be appropriately managed to be acceptable. The project's design avoids the most significant ecological features, such as the nationally threatened wetland, and incorporates a comprehensive suite of mitigation measures that are expected to result in a net ecological gain for the degraded Reserve. While a moderate risk of groundwater daylighting and nutrient enrichment at a single off-site receptor has been identified, a robust and precautionary adaptive management plan will be implemented to monitor and manage this effect. All other effects on the environment - including natural hazards, air quality, and public health - have been assessed as being less than minor.

The proposal is consistent with the objectives and policies of the relevant statutory planning documents. It represents a temporary and reversible activity that provides a significant public benefit by removing a critical barrier to development, thereby aligning with the strategic growth objectives for the district. Based on this comprehensive assessment, it is concluded that the proposal promotes the sustainable management of natural and physical resources, and that the resource consents sought can be granted, subject to the proposed conditions of consent.

For these reasons, a decision to grant consent for the following activities is anticipated:

- **Under Section 104B RMA** for:
    - **Land Use Consent from WDC** to carry out earthworks within the sand dunes (Poupouwhenua Scenic Reserve) at Bream Bay as a Discretionary activity pursuant to Rule CE-R7 “Earthworks in Sand Dunes” WDP; and
    - **Discharge Permits from NRC** to discharge treated wastewater from the Ruakākā Wastewater Treatment Plant into or onto land in a manner that it may enter water on Sec 2 SO 461691 (Zones 6B and 7) and to discharge contaminants (mainly odour) to air from discharge of treated wastewater onto Sec 2 SO 461691; and
- **Under Section 104C RMA** for **Land Use Consent from WDC** to install and operate new wastewater disposal infrastructure within a Flood Hazard Area as a Restricted Discretionary activity pursuant to Rule NH-R7 “New Infrastructure in a mapped Flood Hazard Area” in Plan Change 1 to the WDP;

  Subject to the conditions contained in APPENDIX M and APPENDIX N and Landscape Mitigation Plan at APPENDIX O.

APPENDIX A Property Information

APPENDIX B Assessment of Relevant Requirements, Conditions, or Permissions

APPENDIX C Preliminary Site Investigation (Contamination), Ruakākā Wastewater Treatment Plant Interim Discharge Options, prepared by Beca Ltd, dated 3 September 2025

APPENDIX D Ruakākā WWTP Discharge, Construction Noise and Vibration Assessment, prepared by Marshall Day Acoustics, dated 2 September 2025

APPENDIX E Ruakākā Wastewater Treatment Plant Land Discharge, Landscape Assessment Report, prepared by Beca Ltd, dated 25 August 2025

APPENDIX F Ruakākā Wastewater Treatment Plant – Air Quality Assessment – Discharge of Treated Effluent to Land, prepared by Beca Ltd, dated 5 September 2025

APPENDIX G Ruakaka Wastewater Treatment Plant Land Discharge, Coastal and Flood Hazard Assessment, prepared by Beca Ltd, dated 1 September 2025

APPENDIX H Ruakākā WWTP Interim Discharge Options and Applications, Groundwater Assessment of Environmental Effects, prepared by Beca Ltd, dated 24 September 2025

APPENDIX I Ecological Impact Assessment: Ruakākā Wastewater Treatment Plant, Zones 6B and 7 (Rev 1), prepared by NZ Environmental Management Ltd, dated 2 October 2025

APPENDIX J Desk-based Archaeological Assessment of Proposed Ruakākā Wastewater Treatment Plant Land Discharge, prepared by Horizon Archaeology Ltd, dated 25 August 2025

APPENDIX K Ruakākā Wastewater Treatment Plant Land Discharge, Concept Design Report, prepared by Beca Ltd, dated 5 September 2025

APPENDIX L NRC Ruakākā Wastewater Consents (AUT.021532.01-09)

APPENDIX M Proposed Conditions: NRC Discharge Permits and Section 127 Variation to Resource Consents AUT.021532.01-06

APPENDIX N Proposed Conditions: WDC Land Use Consents

APPENDIX O Landscape Mitigation Plan