

Decisions on comments received on the Interim Consent Conditions for the Greytown and Martinborough WWTPs

GREYTOWN WWTP INTERIM CONDITIONS			
Condition			Commissioner's Decision
Regional Public Health Comments			
Schedule 1: 31 Schedule1: 38(e)	For accuracy the wording consult with Wairarapa Public Health be altered to read Regional Public Health.		Accept. Minor correction.
Federated Farmers Comments			
Schedule 1: 40	Add new clause consistent with RMA s128(1)(b).		Reject. That matter is already provided for in the Act.
Applicant Comments		GWRC Response	
General	Need to replace various incorrect references to Martinborough with Greytown. (search and replace)	Agree	Accept. Minor correction.
Schedule 1: 1	<ol style="list-style-type: none"> 1. The decision is for a 35 year term of consent. Accordingly assuming commencement in 2016, the expiry date should be amended to 2051. 2. For the avoidance of doubt, this condition should also include reference to; <i>"any additional information and changes to the proposal provided by the Applicant by way of written evidence or submissions."</i> 	<ol style="list-style-type: none"> 1. Agree - expiry date will be dealt with on the covering page of the consent certificate which GWRC will issue once the appeal period closes OR once any appeals lodged have been resolved. 2. Disagree 	<ol style="list-style-type: none"> 1. Accept. 2. Reject. The reference sought is too vague and would be problematic to implement throughout the term of the consent.
Schedule 1: 2	The Consent holder cannot be required to consult before carrying out any works on site and I assume that this was not the intention accordingly define <i>contingency works</i> along the following lines: <i>"works carried out for the purpose of implementing one of these consents and any other activities within the scope of these consents" ... are required... whether a change to a management plan or variation to the consents</i>	This condition was proposed by SWDC in the AEE and was accepted by GWRC. It was not disputed at any stage during the process of evidence exchange nor discussed at the hearing. GWRC does not believe it is necessary to define contingency works because any controls are for works in association with the consents.	Reject for the reasons outlined in the GWRC response.
Schedule 1: 5	Advice Note 2 "or" should be "and".	Agree	Accept. Minor correction. We have made the same change to the Martinborough conditions.

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Schedule 1: 7	The costs of dispute resolution should be shared equally because that is fairer and provides greater encouragement to GWRC to try and avoid such dispute.	Disagree – this is a consent holder expense.	Reject for the reasons outlined in the GWRC response.
Schedule 1: 7(b)	Amend to: <i>Except with the written approval of the Consent Authority, activities which are subject to a plan shall not commence until the plan has received technical certification.</i> This may avoid unnecessary delays to desirable works.	Disagree – GWRC does not want to see any activities (subject to a plan) undertaken until the plans have been prepared and received technical certification	Reject. The use of management plans avoids the need for detailed conditions. However, we agree that those plans must be certified prior to the activities to which they relate commence.
Schedule 1: 10	Should refer to <i>“person or persons”</i> .	Agree.	Accept. Minor correction.
Schedule 1: 20	See under Condition 22	See under Condition 22	See under Condition 22.
Schedule 1: 22	The <i>“within three months of the commencement of these consents”</i> referred to in Condition 22 does not align with the six months in Condition 20. It is impractical and unnecessary to have a telemetered data logger installed within 6 months of commencement. SWDC is able to provide a temporary standalone logger within that time frame that is not linked to GWRC directly but downloaded and sent to them in 6 months with the telemetry in by Aug 2018 to coincide with the UV treatment plant. (In contrast SWDC is happy to bring forward the telemetry in Martinborough where it already has infrastructure in place.)	Disagree - this condition was proposed by GWRC in the Section 42A report as being installed within 3 months. The condition was discussed at length between Nicola Arnesen and Kerry Geange (and between Kerry Geange and Bill Sloan, SWDC) during evidence exchange, and SWDC asked for this to be extended to 6 months. GWRC accepted the 6 month proposal by SWDC. GWRC does not wish to re-litigate this condition and see this timeframe extended yet again. It is important to have real time data for compliance monitoring purposes, and to allow SWDC to closely monitor the discharge.	We acknowledge the inconsistent timeframes. We have amended Condition 20(b) to <i>“three months”</i> to align with Condition 22. The hearing was held in June 2015. SWDC has already had nine months to install the discharge outflow measuring and monitoring equipment. If that has not already occurred we consider an additional three months provides ample time.
Schedule 1: 26(l)	Replace <i>“all”</i> with <i>“the”</i> . There may be some date where trend analysis is impractical or unnecessary.		Accept. Minor clarification.
Schedule 1: 40(d)	SWDC does not consider that this is a reasonable, necessary or lawful provision. The purpose of a review condition is to address (usually significant) adverse effects which were not anticipated by the decision maker at the time the consent was granted.	The wording of Condition 40(d) was proposed by SWDC (Kerry Geange) during the preparation of the joint set of conditions. GWRC does not agree that this should be altered at this stage during the process. If the Commissioners are of a	Accept in part. We acknowledge the GWRC response. However, to provide greater certainty we find the condition should link back to the Annual Report and read as follows:

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	That purpose is already addressed by Condition 40(a). If the panel is minded to include this paragraph then in my submission it requires modification as follows: <i>"to require remediation measures to be undertaken if adverse effects from the activity are greater than anticipated in the application and evidence provided by the Applicant to the Commissioners at the time consent was granted and are giving rise to a significant adverse effect on the environment."</i>	mind to omit this, then remediation needs to be covered under one of the other conditions of this consent.	<i>"to require remediation measures to be undertaken if the Annual Report prepared under Schedule 1: Condition 26 documents that unanticipated adverse effects are occurring from the exercise of these consents"</i>
Schedule 1: 42(e)	Amend to <i>"commissioning of Stage 1B"</i>	Agree	Accept. Minor correction.
Schedule 1: 42(f)	Insert the words <i>"(including an assessment of the effects of Stage 1B in terms of any changes to each of the parameters listed in Schedule 2: Condition 2)"</i> at the end of the clause. This is already implicit in Condition 42(b), but the additional wording makes the requirement clearer. The reference to changes, makes it clear that efficacy will include assessment of the degree of improvement (if any) in relation to each parameter. In other words, the focus is not solely on whether or not a monitoring parameter has been achieved, but the extent to which the upgrade has or has not improved environmental quality as indicated by these parameters.		Reject. We consider the existing wording is sufficiently clear and certain.
Schedule 1: 43	Replace <i>"independent"</i> with <i>"The report shall be prepared by a suitably qualified person or persons. In the event that the report is prepared by a person not independent of the Council or the operator of the plant, the report shall be peer reviewed by a suitably qualified independent person"</i> at the end of the condition.		Reject. The report must be independent. However, we have inserted the words <i>"prepared by a suitably qualified and experienced person or persons"</i> as that improves the condition.

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Schedule 2: 2(f)	<p>SWDC would prefer that this [QMCI] parameter not be applied to Stage 1B. The evidence was that the parameter may not be achieved at Stage 1B. The conditions as worded would require an assessment of that anticipated effect even if the difference is only 1 percentile. The Commissioners declined to find that the existing exceedance of this parameter amounts to a significant adverse effect on aquatic life. It is illogical to then require that a (presumably lesser exceedance than present) would require a further assessment off effects. The other difficulty is that this potentially penalised the consent holder for riparian management which may improve upstream conditions.</p> <p>The options are to (preferably) amend this condition by adding the words. <i>Within 6 months of the commencement of stage 2A...</i></p> <p>Or</p>	<p>GWRC does not wish to enter into a debate around QMCI at this stage of the process. GWRC wishes to see this condition remain as it is for Stages 1B, 2A and 2B</p>	<p>Reject. This is a substantive issue that was addressed at the hearing and in our decision. The Schedule 2: Condition 2 parameters are all considered necessary as indicators of potential adverse effects.</p>
Schedule 2: 3	<p>Add a proviso to Condition 3 as follows: <i>"...demonstrates any of the Schedule 2: Condition 2 monitoring parameters are exceeded (other than 2f during stage 1b)..."</i></p>	<p>GWRC wishes to see this condition remain as it is for Stages 1B, 2A and 2B</p>	<p>Reject for the same reasons as in relation to Condition 2(f) above.</p>
Schedule 2: 3	<p>SWDC also suggests that Condition 3 be amended as follows: <i>"taking into account the likely effects of upstream contamination and having regard to the extent of any improvements in QMCI and MCI upstream and downstream of the discharge since the consents commenced."</i> This makes it explicit that the improvements from the upgrade and riparian management will be</p>	<p>GWRC has provided its own comments on this condition in the draft interim conditions. As stated above, GWRC does not wish to enter into a debate around QMCI at this stage of the process.</p>	<p>Reject. As stated in our Decision the Schedule 2: Condition 2 monitoring parameters are to assist GWRC in deciding whether or not to initiate a s128 review of conditions. There is no need to further qualify or constrain the existing wording.</p>

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	factored into the report. SWDC also suggests that the <i>advice note</i> be amended as follows: " The extent of any exceedence of any ... "		
Schedule 3: 2 Schedule 3: 3	For the sake of clarity amend as follows: "... <i>at or beyond the boundary of the respective wastewater discharge areas (but excluding any effects from discharge to land with the boundary of the designated WWTP site).</i> "	This condition was proposed by SWDC in the AEE and was accepted by GWRC. It was not disputed at any stage during the process of evidence exchange nor discussed at the hearing. We do not wish it to be altered at this stage of the process.	Reject. We accept the GWRC response and we also note that the SWDC amendment would render the conditions meaningless.
Schedule 4: 5(d)(iii)	The reference to boom height should be amended to <i>nozzle height</i> . (The boom is likely to be 2-4 meters above ground.)	This condition was proposed by SWDC during evidence exchange. GWRC is happy to accept this change so long as it does not result in any additional effects which are required to be assessed.	Accept. It is the nozzle height that is relevant.
GWRC Comments		Applicant Response	
Schedule 1: 5	Replace the word "each" with the words " <i>Prior to formal submission of the final document required under Condition 4, each ..</i> "		Accept. Minor clarification.
Schedule 1: 9(a)(iii)	Amend " <i>At all times avoid</i> " to " <i>Avoid</i> "		Accept. Minor clarification.
Schedule 1: Table 4 Site Flooding Management Plan Clause (h)	Amend " <i>How inconsistencies ..</i> " to " <i>Ensure consistency ...</i> "	SWDC disagrees. The Scheme Plan is not an absolute requirement. The words " <i>or mitigated</i> " should be added after " <i>avoided</i> ". If GW does not accept the proposed measures then there is a consultation process to address this.	Reject both amendments. The Waiohine River Scheme Plan was not presented to us in evidence and so we are unable to find that it is appropriate to " <i>ensure consistency</i> " with that Plan. We do not see the need for the word " <i>mitigated</i> " because as SWDC notes there is a process to follow if there is disagreement.
Schedule 1: Table 4 Discharge to Land Management Plan	GWRC believe there needs to be something which covers what happens if there is groundwater contamination.	This does not need to be in the Management Plan. If contamination occurs then GWRC has enforcement and review powers. I am also unsure as to whether GWRC proposed such a requirement at the hearing.	Reject for the reasons stated in the Applicant's response.

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Schedule 1: 15	Inset the words " <i>discharge and influent</i> " after " <i>wastewater</i> " in the first line.		Accept. Minor clarification.
Schedule 1: 26(k)	Insert the words " <i>and wastewater</i> " after words " <i>influent</i> ".		Accept. Minor clarification.
Schedule 1: 42	Insert the words " <i>required by Condition 41</i> " after the word "report" in the first line.		Accept. Minor clarification.
Schedule 1: 42(e)	GWRC believe this needs to be linked to Schedule 2: Conditions 2 and 3.		Reject. The intent is simply to record discharge data.
Schedule 1: 46	GWRC believe this condition needs to be strengthened to guarantee independence. There are a couple of options to do this: Option 1 – prepared by suitably qualified independent expert and peer reviewed Option 2 prepared by a panel of experts – one from GWRC, one from SWDC and one chosen by both parties. See also comments under Schedule 2 Conditions 2 & 3 regarding the ability to initiate a review when certain parameters not met.		Reject. However, see our decision on Schedule 1: Condition 43 under the Applicant comments above.
Schedule 2: 2	GWRC wishes to note it has major concerns in how this relates to the decision, Condition 26(m) and Condition 42, and GWRC's ability or indeed inability to initiate a review under Condition 46. There is a lack of clarity and certainty about how these parameters are to be used in this consent in relation to Conditions 26(m), 42, and 46.	SWDC disagrees that the intent is unclear. GWRC could initiate a review if it considers that the discharge is causing a significant adverse effect on the environment beyond the effects anticipated by the panel. I could not initiate a review simply based on non-achievement of one or more of the monitoring parameters, without a proper assessment of " <i>significance</i> ". SWDC has proposed some changes to Conditions 2(f) and 3 in its separate comments	Reject. These are substantive matters that were thoroughly addressed in our decision.
Schedule 2: 3	GWRC: Should this read Condition 2. Also while the conditions ask to investigate it is silent on remediation/actions to be taken if parameters not being met – apart from the fact that GWRC may initiate a review.	The Panel accepted that the monitoring parameters should be used to <u>assist</u> with GWRC decision making regarding enforcement and review, rather than be a trigger for remediation. This was a key	Accept regarding the referencing error. Reject regarding the substantive issue. Our decision was clear that the Condition 2 parameters are intended to guide GWRC's future decisions

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		issue at the hearing. GWRC sought that these parameters be compliance triggers. SWDC strongly opposed that approach and the Panel rejected that approach.
Schedule 2: 9	GWRC strongly believes that clarification on what 'normal operating conditions' means is required. This could be achieved either by an advice note or could be covered by a bullet point in a relevant management plan.	SWDC has no difficulty with either approach. Alternatively the reference to normal operating conditions could be deleted. If there is an emergency discharge then it may or may not be covered by statutory exceptions which do not need to be and should not be specified in the consent.
		regarding the appropriateness of a s128 review of conditions.
		Accept. We have inserted an additional matter in Schedule 1: Table 4 for the WWTP Operations and maintenance Manual accordingly. We have made the same change to the Martinborough conditions for the sake of consistency.

MARTINBOROUGH WWTP INTERIM CONDITIONS		
Condition		Commissioner's Decision
Regional Public Health Comments		
Schedule 1: 40(e)	For accuracy the wording consult with Wairarapa Public Health be altered to read Regional Public Health.	Accept. Minor correction.
Federated Farmer's Comments		
Schedule 1: 42	Add new clause consistent with RMA s128(1)(b).	Reject. That matter is already provided for in the Act.
Applicant Comments		GWRC Response
Schedule 1: 1	<ol style="list-style-type: none"> The decision is for a 35 year term of consent. Accordingly, assuming commencement in 2016, the expiry date should be amended to 2051 For the avoidance of doubt, this condition should also include reference to; <i>"any additional information and changes to the proposal provided by the Applicant by way of written evidence or submissions."</i> 	<ol style="list-style-type: none"> Agree - expiry date will be dealt with on the covering page of the consent certificate which GWRC will issue once the appeal period closes OR once any appeals lodged have been resolved. Disagree
		<ol style="list-style-type: none"> Accept. Reject. The reference sought is too vague and would be problematic to implement throughout the term of the consent.

MARTINBOROUGH WWTP INTERIM CONDITIONS			
Condition		Commissioner's Decision	
Schedule 1: 2	The Consent holder cannot be required to consult before carrying out any works on site and I assume that this was not the intention accordingly: Define <i>contingency works</i> along the following lines: <i>"works carried out for the purpose of implementing one of these consents and any other activities within the scope of these consents" ... are required... whether a change to a management plan or variation to the consents</i> ".	This condition was proposed by SWDC in the AEE and was accepted by GWRC. It was not disputed at any stage during the process of evidence exchange nor discussed at the hearing. GWRC does not believe it is necessary to define contingency works because any controls are for works in association with the consents.	Reject for the reasons outlined in the GWRC response.
Schedule1: 4	SWDC is of the view that there is no justification for or need for a full prohibition on discharge to the adjacent land and that such a prohibition goes beyond the purpose stated in the advice note. That purpose should be better reflected in the condition. The advice note is ok as is. There are practical and environmental benefits to continue to use the adjacent land for secondary discharge, so as to maximise discharge to land. This would also reduce the deferred storage volumes and associated costs at Stage 2B. From recollection there was no evidence suggesting that limited secondary (non-preferential) irrigation at the adjacent land would give rise to any adverse environmental effects. Nor from recollection did the application or evidence propose a complete cessation of discharge from Stage 2A. Suggest amending as follows or similar: <i>'From 31 March 2031, any discharges to land at the "Martinborough WWTP Adjacent" block, shall be limited to any volumes of wastewater which cannot be discharged at the Pain Farm site in accordance with the management plans for that site.'</i>	This was discussed at the Hearing. The AEE proposed that the discharge to land on the adjacent block during Stage 1B would cease at the commencement of Stage 2A. All of the effects assessments undertaken by GWRC experts were based upon this cease of discharge. This 'cease of discharge' was of high importance to GWRC and so clarification was sought from the applicant (Kerry Geange) that this was indeed to be the case. As a result, Mr Geange clarified in his evidence that this cease of irrigation on the adjacent block would indeed occur at the end of Stage 1B. GWRC does not want to see this now altered and for SWDC to be allowed to continue to irrigate on this block during Stage 2A. This type of alteration to the proposal would require experts to reconsider the effects of the discharge.	Reject. This is a substantive matter that was addressed during the hearing and in our decision. We also endorse the GWRC response.

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Schedule 1: 5	SWDC suggests that the last item be changed to 18 months so that the plan is completed before irrigation commences on 1 November 2017 (otherwise irrigation could not commence by that date).	GWRC originally proposed (in the Section 42A report) that this plan take 27 months to prepare so that meaningful data (on ground and soil monitoring) could be obtained, upon which the discharge designs could be based. This monitoring will need to span a full range of seasons hence the 27 months requirement. GWRC would not like to see this plan timeframe be reduced, for monitoring to then be rushed, meaningful data not obtained, and a system designed which does not take into account site constraints.	Accept. The Discharge to land Management Plan should be completed prior to discharge to land occurring under Stage 1B (Condition 3, Table 1).
Schedule1: 8(a)	The costs of dispute resolution should be shared equally because that is fairer and provides greater encouragement to GW to try and avoid such dispute.	Disagree – this is a consent holder expense	Reject for the reasons outlined in the GWRC response.
Schedule 1: 8(b)	Amend to: <i>Except with the written approval of the Consent Authority, activities which are subject to a plan shall not commence until the plan has received technical certification.</i> This may avoid unnecessary delays to desirable works.	Disagree –GWRC does not want to see any activities (subject to a plan) undertaken until the plans have been prepared and received technical certification	Reject. The use of a management plan avoids the need for detailed conditions. However, we agree that those plans must be certified prior to the activities to which they relate commence.
Schedule 1: 11	Should refer to " <i>person or persons</i> "	Agree	Accept. Minor correction.
Schedule 1: 42(d)	SWDC does not agree that this is a reasonable, necessary or lawful provision. The purpose of a review condition is to address (usually significant) adverse effects which were not anticipated by the decision maker at the time the consent was granted. That purpose is already addressed by Condition 42(a). If the panel is minded to include this paragraph then it in my submission it requires modification as follows: " <i>to require remediation measures to be undertaken if adverse effects from the activity</i>	The wording of Condition 42(d) was proposed by SWDC (Kerry Geange) during the preparation of the joint set of conditions for GWWTP process. GWRC does not agree that this should be altered at this stage during the process. If the commissioners are of a mind to omit this, then remediation needs to be covered under one of the other conditions of this consent.	Reject. We acknowledge the GWRC response. However, to provide greater certainty we find the condition should link back to the Annual Report and read as follows: <i>"To require remediation measures to be undertaken if the Annual Report prepared under Condition 26 documents that unanticipated adverse effects are occurring from the exercise of these consents"</i>

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	<i>are greater than anticipated in the application and evidence provided by the Applicant to the Commissioners at the time consent was granted and are giving rise to a significant adverse effect on the environment."</i>		
Schedule 2: 4	Condition 4 should be amended as follows: <i>"taking into account the likely effects of upstream contamination and having regard to the extent of any improvements in QMCI and MCI upstream and downstream of the discharge since the consents commenced."</i> This makes it explicit that the improvements from the upgrade and riparian management will be factored into the report. SWDC also suggests that for the sake of clarity, the advice note be amended as follows: <i>"The extent of any exceedence of any..."</i>	GWRC has provided its own comments on this condition in the draft interim conditions. As stated above, GWRC does not wish to enter into a debate around QMCI at this stage of the process.	Reject. As stated in our decision the Schedule 2: Condition 4 monitoring parameters are to assist GWRC in deciding whether or not to initiate a s128 review of conditions. There is no need to further qualify or constrain the existing wording.
Schedule 3: 2 Schedule 3: 3	For the sake of clarity amend as follows: <i>"...at or beyond the boundary of the respective wastewater discharge areas (but excluding any effects from discharge to land with the boundary of the designated WWTP site)."</i>	This condition was proposed by SWDC in the AEE and was accepted by GWRC. It was not disputed at any stage during the process of evidence exchange nor discussed at the hearing. We do not wish it to be altered at this stage of the process.	Reject. We accept the GWRC response and we also note that the SWDC amendment would render the conditions meaningless.
Schedule 4: 1	SWDC is of the view that the maximum rates required by this condition are unnecessary. Dry weather conditions may allow for higher rates and if that is the case then there are clear environmental benefits in maximising the discharge to land. The maximum rate of discharge will in practice be controlled via the Discharge to Land Management Plan requirements and Condition 2 (hydraulic loading). Provided that these are met along with Condition 3 there should be no adverse	This condition was proposed by the applicant in the AEE. During the course of evidence exchange SWDC requested that Condition 1(a) be increased to 795m ³ /day from 650m ³ /day. GWRC agreed to this and then at no other time during evidence exchange was this condition disputed. It was upon these flows in the AEE and proposed conditions, that all the assessments of effects undertaken by GWRC experts were based. GWRC does	Reject. This is a substantive matter that was addressed during the hearing. We also endorse the GWRC response. We also note that while consistency between the Martinborough and Greytown consents is desirable, the respective conditions need not be identical in all regards.

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	effects from discharging in excess of the rates specified in the interim condition. Accordingly the limit is unnecessary and counterproductive to the core objective. The preferred and clearer option would be to delete this condition. (There is no such restriction in the Greytown consent). Alternatively (but less preferably) it could be amended along the following lines: <i>"Except as allowed for in the Discharge to Land Management Plan ..."</i>	not wish to see these flows or this condition altered at this late stage in the process without experts having chance to assess the effects of the change and then discuss.	
Schedule 4: 6(d)(iii)	The reference to boom height should be amended to <i>nozzle height</i> or <i>irrigation height</i> . The boom could be 2-4 meters above ground.	This condition was proposed by SWDC during evidence exchange. GWRC is happy to accept this change so long as it does not result in any additional effects which are required to be assessed	Accept. It is the nozzle height that is relevant.
GWRC Comments		Applicant Response	
Schedule 1: 1	Add two documents to the list. These two pieces of information formed part of the AEE as they were in response to Section 92 requests – this is why they were included in the conditions of the 42A report and the joint planners conditions	SWDC has no difficulty with the additions, however as noted in its comments the latest information is as provided in evidence and as after the hearing. SWDC also again records its view that this condition relates to: <i>the location, design concepts and parameters, implementation and/or operation ...</i> rather than the effects of the activity. Ideally that should be more clearly specified in the advice note.	Accept in part. We are concerned at the vagueness of the suggested additions which lack proper references. We have therefore inserted a reference to <i>"further information"</i> but not to an unreferenced email. We decline to amend the Advice Note. It is already sufficiently clear and certain.
Schedule 1: 6	Replace the word "each" with the words <i>"Prior to formal submission of the final document required under Condition 4, each ..."</i>		Accept, noting that the reference should be to Condition 5.
Schedule 1: 9 Table 3 Discharge to Water Management Plan Clause (a)	GWRC believe this should be removed – there was never any question on SWDC's ability to meet the discharge regime proposed in the AEE. The AEE referred to no discharge below half median flow and all of the assessment of effects was conducted on that	SWDC considers that this is a sensible matter to have covered in the Plan. It is simply providing the BPO <i>to achieve the outcomes specified in Schedule 1: Condition 10(a)</i> . In particular the Plan will define the rivers flows at which discharge	Reject for the reasons outlined in the Applicant's response.

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Condition			Commissioner's Decision
	basis. We believe this is relevant for Greytown WWTP but not for Martinborough WWTP	will be precluded. That is of critical importance.	
Schedule 1: 26(b)	This condition should refer to Schedule 2, Condition 3		Accept. Minor clarification.
Schedule 1: 26(k)	Insert the words " <i>and wastewater</i> " after words " <i>influent</i> ".	Agree. The quality of the discharge has to be monitored and reported on in any event so the report can refer to that.	Accept. Minor clarification.
Schedule 1: 42(e)	GWRC believe this needs to be linked to Schedule 2: Condition 3.	SWDC disagrees. The GWRC assessment of whether the discharge is causing significant adverse effects on the river will be based upon the monitoring. It can use the degree of exceedance of any of the parameters in Schedule 2: Condition 3 to assist its decision. (that is already provided for and could be done in any event) However, the Panel did intend that the non-achievement of one or more of those parameters would be indicative on its own of "significant adverse effects".	Reject. The intent is to refer to monitoring data that is required to be collected.
Schedule 2: 4	Did you want the applicant to remediate if it is found that there are issues? Condition only asks them to investigate.	The Panel accepted that the monitoring parameters should be used to assist with GWRC decision making regarding enforcement and review, rather than be a trigger for remediation. This was a key issue at the hearing.	Reject for the reasons outlined in the Applicant's response.
Schedule 2: 15	Should this also read Condition 3	Agreed.	Accept. Minor clarification. We have made a similar change to the Greytown conditions for the sake of consistency.