DUNEDIN CITY COUNCIL | kaunihera a-rohe o Ōtepoti

22 October 2026

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Kia ora,

DCC SUBMISSION ON PROPOSED WASTEWATER ENVIRONMENTAL PERFORMANCE STANDARDS TRANCHE TWO

Introduction

1 The Dunedin City Council (DCC) thanks the Water Services Authority-Taumata Arowai for the opportunity to make a submission on proposed wastewater environmental performance standards.

2 This submission begins with background information on the DCC wastewater network to provide context for the DCC's submission points. It then goes on to provide feedback on the proposals set out in the document 'Consultation on tranche two of the wastewater environmental performance standards: Discussion document', published 10 September 2026 (discussion document).

3 In summary, the DCC supports the proposal to introduce standards for regulating discharges to air and discharge of metals to water from public wastewater systems ***in principle***. However, the DCC considers the current proposals outlined in the discussion document require refinement before they are given effect. The DCC feedback and recommendations are intended to be constructive and to assist Taumata Arowai as the development of draft standards progresses.

Context: DCC wastewater network

4 The DCC provides wastewater collection, treatment and disposal services to connected properties across urban Dunedin.

5 The DCC operates seven wastewater treatment plants (WWTP): three 'metropolitan' WWTPs at Tahuna, Green Island and Mosgiel, and four 'community' WWTPs servicing smaller populations at Middlemarch, Waikouaiti/Karitāne, Seacliff and Warrington.

6 The DCC holds multiple resource consents that authorise WWTP activities, including permits for discharges to the coast, land (including discharges to land in a manner that may enter water) and air. The majority of these consents expire in 2032, however some expire sooner or later than this date. The consents include a range of conditions, including conditions related to discharge quantity and quality limits, and monitoring and reporting requirements.

7 Compliance with wastewater discharge consents is regularly audited by the Otago Regional Council (ORC).

8 Drawing on its experience as a wastewater network operator, the DCC has actively participated in the development of national and regional planning and policy instruments that contribute to managing the environmental effects of discharges from public wastewater systems. These include the National Policy Statement for Freshwater Management 2020, the Otago Regional Policy Statement 2021, changes to the Regional Plan: Water for Otago, and tranche one of the wastewater environmental performance standards. The DCC has advocated for policy approaches that appropriately balance environmental, mana whenua and other community values with affordability considerations and a holistic, system-wide approach to three waters infrastructure planning.

9 The DCC has recently completed a holistic, system-wide strategic planning exercise to inform future investments in its three waters network. An overarching purpose of the exercise was to ensure that the investments in three waters network are properly prioritised to achieve optimal outcomes (including environmental outcomes and giving effect to mana whenua values) from a system-wide point of view.

10 The holistic, system-wide approach recognises the interconnected nature of three waters network and seeks to avoid investment decisions being made on a narrow, case-by-case basis. For example, it seeks to avoid investment decisions being driven solely by regulatory factors such as consent expiry, or by a narrow focus on one part of the system.

11 The DCC's three waters strategic planning work was undertaken in partnership with mana whenua and was underpinned by objectives that relate to a range of drivers, including levels of service, Te Mana o te Wai, cultural values, affordability, regulatory compliance and responding to impacts of climate change and population growth. The exercise incorporated an adaptive planning approach designed to provide flexibility in the DCC's plans to adjust to changes in the operating environment (including, for example, regulatory and policy changes, changes in community expectations, and climate change).

DCC submission points

12 The DCC understands that the next step following the current consultation is for Taumata Arowai to prepare draft wastewater environmental performance standards and present them to Ministers for approval.

13 The DCC is concerned that there does not appear to be any plan for further public consultation on the proposals once they are at a more detailed stage of development. The DCC considers further public consultation prior to Ministerial review and approval is warranted by the scale and potential significance of the proposals.

14 The DCC notes that the four 'tranche one' standards were amended in August 2026 to address technical errors, drafting issues, ambiguities and operational problems. The DCC suggests that consultation on draft standards could reduce the likelihood of amendments being required for the tranche two standards after they come into effect. Taking the time for appropriate consultation during the drafting phase provides an opportunity for potential issues to be addressed prior to Ministerial approval.

15 The tranche one wastewater environmental performance standards have established the framework for the tranche two standards to sit within. The DCC remains concerned about the implementation of the standards if the details are not refined through appropriate public consultation, as there could be potential compromise of environmental outcomes and/or lead to outcomes inconsistent with cultural values and other values. The tranche one standards are still relatively new and untested.

16 Council considers a rigorous process should be followed to make the standards, to reduce the potential for standards to cause adverse effects once implemented.

17 The DCC **recommends** Taumata Arowai consults the public on draft wastewater environmental performance standards before draft standards are provided to Ministers for approval.

Discharge to air/odour

Potential requirement for multiple consents

18 It is yet not fully clear to the DCC how consenting discharge to air from WWTPs would work in practice under the proposed regime. For example, the discussion document indicates that the proposed standard for discharges to air is only for odour and that other discharges to air are managed through other processes.

19 Current discharge consents for several of DCC's larger WWTPs, for example, manage discharge to air for odour and combustion emissions from biosolids incinerator, diesel generator, or biogas flare.

20 It appears that if odour will be addressed via separate consents that would mean that the water service provider could be required to seek two consents for the same discharge activity in parallel.

21 If this is the case, the DCC considers that the approach is unlikely to achieve the intended efficiency and cost-saving benefits for water service providers and communities at the consenting stage.

22 The DCC **recommends** that Taumata Arowai carefully considers how consenting discharges for odour will work in conjunction with other discharges to air and other WWTP consents and makes appropriate improvements to the proposals to address the issues raised.

Proposed management-based framework

Contributes to answering **Question 2:** Do you agree with using the proposed management-based framework for odour?

23 Overall, the proposed management-based framework for odour seems sensible and is reasonably consistent with the approach in current consents – e.g. approach of lower-risk plants having basic planning, complaints, and reporting requirements; while higher-risk plants have more detailed requirements. Improvement planning for high-risk plants is a reasonable requirement.

Risk classification threshold

Contributes to answering **Question 3:** Do you agree with the proposed odour risk categories, thresholds, and definitions?

24 The consultation document (Table 1, page 11) sets out the proposed trigger for the medium risk classification category as being any WWTP that does not fit in any of the other categories listed. This approach may make it difficult or frustrating for water service providers to determine which category applies to their WWTP.

25 The DCC **recommends** that Taumata Arowai remove ambiguity by providing clearer trigger statements for the medium risk category.

Triggers for odour improvement plan

Contributes to answering **Question 6:** Do you agree with the proposed odour improvement plan triggers and the review requirement?

26 The consultation documentation (Table 6, page 16) indicates that one of the triggers for requiring an odour improvement plan are the number of complaints received in specified time period (i.e. three or more complaints in a three month period; or eight or more complaints received in a 12 month period).

27 It is unclear if multiple complaints about the same 'event' or issue would count as multiple individual complaints toward the trigger total, or if complaints on the same event / issue would count as one complaint for the purpose of the trigger.

28 The consultation documentation also specifies that the trigger relates to verification of those complaints by the consenting authority. Clarity is need as to what a verified complaint is (e.g. complaint investigated by the consenting authority and determined to be a breach of consent limits or wastewater standards), and how the consent authority receives the information (e.g. is it only complaints received by the consent authority from the public, or complaints the consent authority is advised about by consent holder notification or reporting?).

29 Complaints may not be an appropriate primary trigger.

30 The DCC **recommends** that Taumata Arowai provide clarity on these triggers to remove ambiguity and address the issues raised in this submission.

Consideration for dust

Contributes to answering **Question 8:** Do you agree with the focus on odour for the proposed discharge to air standard, or are there other aspects of discharge to air that should be considered, for example dust generated by treatment processes?

31 DCC considers that management of dust is likely to be appropriately managed through any land use consents or designations in place for a WWTP site, and so does not consider that wastewater environmental performance standards for discharges to air should manage dust. However, the DCC considers incorporating combustion-related contaminants generated by use of diesel generators and biogas flares into a discharge to air standard could be beneficial if these are common activities at WWTPs around New Zealand.

Discharge of metals to water

Natural environmental metal levels

Contributes to answering **Question 10**: Do you agree with using the proposed risk-based framework for metals? and **Question 11**: Do you agree with the proposed discharge risk triggers and receiving environment risk factors?

32 The proposed control levels for metals are based the discharge risk and receiving environment risk. A risk-based framework provides a more proportionate approach than applying the same requirements uniformly across all WWTPs. Having one risk-based approach across the country provides consistency of standards with consideration of environment types but does not take into account the specific chemical make-up of individual receiving environments or the 'zero state'. Natural levels of metals, such as arsenic, may be high in the receiving environments and national maximum limits may not allow capacity for discharges of naturally occurring metals from WWTPs.

33 In Otago, and other areas, the types of rocks present in the environment can impact mineral levels in groundwater, stormwater and other runoff that enters waterways. This may impact the minerals or metals occurring natural in the environment making the zero state of the environment different to other places.

34 Although water services providers can seek to control trade waste discharge to the wastewater network, metals in stormwater may also enter WWTPs through inflow and infiltration (I&I). A source control approach may be a more appropriate option than discharge controls.

35 The proposed approach outlined in the discussion document could result in water service providers being penalised for naturally occurring environmental levels of metals that they have no control over, or for metals inadvertently entering the wastewater network that may elevate discharge levels and exceed limits.

36 The DCC **recommends** that Taumata Arowai consider an effects-based approach where the naturally occurring metal levels can be taken into consideration along with the type of receiving environment and discharge risk.

37 The DCC **recommends** that Taumata Arowai consider applying source control measures in addition to discharge control measures. This could assist in the control of trade wastes

entering the wastewater network and would therefore assist in controlling the discharge to the environment.

Metal control levels

Contributes to answering **Question 12**: Do you agree with the proposed metals control levels?

38 The consultation document (Table 10, page 22) refers to monitoring of 'relevant metals' for discharges classified as 'control level 2'. The document lacks clarity about what relevant metals are being referred to, i.e. Is there a total list of metals in Appendix B? Does the same list of relevant metals apply in all areas? How are the lists of relevant metals chosen and by whom?

39 The requirements for level 2 control also refer to numerical values that "may be used" as investigation triggers. This creates some ambiguity as to when the 'may' applies and will trigger investigations. It is unclear what the intentions of this are.

40 The consultation document refers to the use of total suspended solids and total phosphorus as surrogate indicators for lower risk discharges or in lower risk receiving environments. No indication is provided for what the anticipated levels for these indicators will be. As calculations are based on levels of these surrogate indicators it would be appropriate to provide an indicator value to enable informed review of the proposal.

41 For very small WWTPs that are very low risk, because they do not receive any trade waste, it may be appropriate to not require any monitoring of metals at all. A risk assessment is appropriate, however, there could be high monitoring or treatment costs that would not achieve any additional protection of the environment.

42 The DCC **recommend**s that Taumata Arowai provide clarity about what relevant metals are and how this approach will work with consideration of the concerns raised.

43 The DCC **recommend**s that Taumata Arowai provide a limit/value for total suspended solids and total phosphorus to be used as surrogate indicators for lower risk discharges or in lower risk receiving.

Monitoring

Contributes to answering **Question 13**: Do you agree with the monitoring proposals for discharge of metals to water?

44 The consultation documentation outlines a distinction between information monitoring, surveillance monitoring, compliance monitoring (plus possible receiving environment monitoring), based on risk. This approach is supported by DCC.

45 The consultation document (section 5.3, Table 12, pages 23-24) outlines that the numerical metal limits would apply to dissolved metals because dissolved metals are generally more bioavailable and more relevant to toxicity. The DCC holds two discharge consents that include requirements to monitor total metals in the discharge, and that have discharge quality compliance limits set on total metals. As a result, DCC has baseline data for total metals in the

discharge but not for dissolved metals. This creates difficulty in making a comparison between current consent limits for metals for the DCC and the dissolved metals limits included in the proposal.

46 Regional and national environmental reporting indicates that dissolved metals – particularly dissolved copper and zinc – are commonly used where monitoring is intended to assess ecological toxicity. However, metals are not consistently included in routine regional State of the Environment programmes, and some monitoring and consent datasets use total metals. Existing total metals data may therefore not provide a direct baseline for standards expressed as dissolved concentrations.

47 The DCC **recommends** that Taumata Arowai should clearly explain the rationale for the selected metals analysis type and provide for paired total and dissolved monitoring during implementation.

48 The DCC **recommends** that Taumata Arowai consider existing metals-related data and ability to baseline from existing data. If proceeding with setting limits based on dissolved instead of total metals, make sure the rationale is clear and practical.

49 The DCC **recommends** that Taumata Arowai collects relevant data on total metals and dissolved metals to determine the correlation between the total metals data that may already be held by some water service providers or regional councils. This data would assist in determining the appropriateness of the proposed limits for dissolved metals.

Numerical limits

Contributes to answering **Question 14**: Do you agree with the proposed numerical limits and when they would apply?

50 The proposed numerical limits generally appear to be reasonable and fair. However, the proposed limits may be difficult to achieve for larger WWTPs in low energy environments.

51 Some of the proposed limits are more restrictive than the limits currently contained in the DCC consents, whereas for others the existing DCC consent limits are more stringent, depending on the classification of the receiving environment.

52 In the consultation document (Appendix B, page 28) there are two references in the wording to marine arsenic limits being included in Table B2. However, at present, Table B2 does not contain the numerical limits for arsenic.

53 The DCC **recommends** that Taumata Arowai provide clarity and certainty around the marine arsenic limits.

Other Feedback

54 The DCC supports a further amendment to the Water Services (Wastewater Environmental Performance Standards) Regulations 2025 to bring forward the commencement date for subpart 2 of Part 2. This would enable water service providers like the DCC to make use of the standard for bypasses of wastewater treatment plants sooner than 19 December 2028, which is the current commencement date set for that standard.

Conclusion

55 The DCC thanks Taumata Arowai once again for the opportunity to make a submission on the tranche two proposed wastewater environmental performance standards.

56 The DCC would welcome an opportunity to speak to this submission at any hearings held. The DCC would also welcome the opportunity to collaborate with Taumata Arowai and other interested parties more directly as the next phase of the development of draft standards progresses.

Kā mihi



Cherry Lucas
DEPUTY MAYOR OF DUNEDIN