Consent Evaluation Report

Comprehensive Stormwater Discharge Consents

Applicant : Thames Coromandel District Council

File Number:
60 00 01A, 60 53 59A, 61 21 98A, 60 53 60A, 61 21 99A, 61 22 00A, 60 53 58A, 61 22 01A

Address of site:	**Project code:**	**Application No:**
Thames Urban Area	RC9222	122521
Pauanui Urban Area	RC3286	105661
Coromandel Urban Area	RC3288	105663
Tairua Urban Area	RC3289	105664
Whitianga Urban Area	RC3290	105665
Onemana Urban Area	RC3291	105666
Whangamata Urban Area	RC3292	105667
Thames Coast Urban Area	RC3293	105668

Consent type:
Discharge permit - Discharge to water

Executive Summary

The Thames Coromandel District Council (TCDC) has applied for Comprehensive Stormwater Discharge Consents (CSDCs) to divert and discharge municipal urban stormwater runoff and associated contaminants, at multiple locations to land and surface water bodies within the Thames Coromandel urban areas.

CSDCs are essentially blanket consents. They are also enabling consents. They authorise multiple municipal stormwater diversion and discharge activities within specified urban areas. They also authorise the continued 'use' of stormwater discharge outlet structures. CSDCs do not, however, authorise stormwater discharge outlet structures in their physicality, or any other structures or activities that require consents under sections 9, 12, 13, 14 or 15 of the Resource Management Act (1991) or the Waikato Regional Plan or Waikato Regional Coastal Plan.

This Consent Evaluation Report summarises the application supporting information and provides a detailed overview of the application process undertaken. This includes the consultation initiatives carried out by TCDC with potentially affected parties, a review of the issues raised and the various process matters relating to the application.

The actual and potential environmental effects of the municipal stormwater diversion and discharge activities are assessed, along with the relevant objectives and policy provisions of the Regional Council Policy Statements, Waikato Regional Plan, Waikato Regional Coastal Plan, New Zealand Coastal Policy Statement and the statutory provisions of the Resource Management Act (1991).

It is subsequently concluded that in order to address the actual and potential adverse effects of municipal stormwater diversion and discharge activities, a two pronged management approach must be applied. The first part involves implementing a range of best practicable management measures to avoid and otherwise minimise the types of 'stormwater quality', 'stormwater quantity' and 'aquatic ecosystem' effects associated with urban stormwater. These management measures range from existing operation and maintenance initiatives through to new, yet to be established, management measures that will be defined and implemented over the term of consents – via a Stormwater Management Plan and Catchment Management Plans respectively.

The second part of the management approach involves receiving environment monitoring. The ecological assessments undertaken by Kessels and Associates in 2001 form the basis of an appropriate Monitoring Programme moving forward. Monitoring initiatives are expected to focus predominantly on the larger Thames Coromandel urban areas, and particularly on the higher risk commercial and industrial catchments which drain into sensitive receiving environments such as the Firth of Thames, Whitianga Harbour, Otahu River, Whangamata Harbour, Tairua Harbour and the Coromandel Harbour.

It is finally concluded that provided the municipal stormwater diversion and discharge activities are undertaken and managed in accordance with the recommended consent conditions in Schedule A and the Resource Consent Certificates attached to this report, they will not be inconsistent with the objectives and policies of the Waikato Regional Council planning documents, the New Zealand Coastal Policy Statement nor the statutory provisions of the Resource Management Act (1991).

WRC staff met with TCDC staff on a number of occasions to discuss a draft set of proposed consent conditions. Acceptance confirmation in respect to the final draft proposed consent conditions, was received from TCDC on 31st March 2011.

For these reasons it is recommended that the application for CSDCs be granted, subject to a 20 year term of consent with opportunities to review the effectiveness of consent requirements and, if necessary, amend consent requirements throughout this term.

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1 Introduction

The Thames Coromandel District Council (TCDC) has applied to the Waikato Regional Council (WRC) for Comprehensive Stormwater Discharge Consents (CSDCs), to authorise the diversion and discharge of urban stormwater runoff and associated contaminants from the TCDC municipal stormwater networks. The complete consent descriptions are as follows:

Consent No: 122521 Divert and discharge urban stormwater runoff and associated contaminants at multiple locations to land, the Karaka Stream, Waiatahi Stream, Hape Stream, Moanataiari Stream, Kauaeranga River and Firth of Thames and such other locations as may be covered by this consent in the future in accordance with the conditions of this consent, and use discharge structures in the general vicinity of Thames Urban Area that is reticulated by the Thames Coromandel District Council municipal stormwater network.

Consent No: 105661 Divert and discharge urban stormwater runoff and associated contaminants at multiple locations to land, the Pauanui Stream and tributaries, the Tairua Harbour and such other locations as may be covered by this consent in the future in accordance with the conditions of this consent, and use discharge structures in the general vicinity of Pauanui Urban Area that is reticulated by the Thames Coromandel District Council municipal stormwater network.

Consent No: 105663 Divert and discharge urban stormwater runoff and associated contaminants at multiple locations to land, the Whangarahi Stream, Whakanekeneke Stream, Taumatawahine Stream, Karaka Stream, Driving Creek, Coromandel Harbour, Oamaru Bay and such other locations as may be covered by this consent in the future in accordance with the conditions of this consent, and use discharge structures in the general vicinity of Coromandel Urban Area that is reticulated by the Thames Coromandel District Council municipal stormwater network.

Consent No: 105664 Divert and discharge urban stormwater runoff and associated contaminants at multiple locations to land, the Pepe Stream, Grahams Stream, Tairua Harbour and such other locations as may be covered by this consent in the future in accordance with the conditions of this consent, and use discharge structures in the general vicinity of Tairua Urban Area that is reticulated by the Thames Coromandel District Council municipal stormwater network.

Consent No: 105665 Divert and discharge urban stormwater runoff and associated contaminants at multiple locations to land, the Tarapatiki Stream, Taputapuatea Stream, Karina Creek, unnamed modified streams, Whitianga Harbour and such other locations as may be covered by this consent in the future in accordance with the conditions of this consent, and use discharge structures in the general vicinity of Whitianga Urban Area that is reticulated by the Thames Coromandel District Council municipal stormwater network.

Consent No: 105666 Divert and discharge urban stormwater runoff and associated contaminants at multiple locations to land, the Onemana Stream and tributaries and such other locations as may be covered by this consent in the future in accordance with the conditions of this

consent, and use discharge structures in the general vicinity of Onemana Urban Area that is reticulated by the Thames Coromandel District Council municipal stormwater network.

Consent No: 105667 Divert and discharge urban stormwater runoff and associated contaminants at multiple locations to land, the Te Weite Stream, Waikiekie Stream, Moana Anu Anu River Estuary, Otahu Estuary, Whangamata Harbour and such other locations as may be covered by this consent in the future in accordance with the conditions of this consent, and use discharge structures in the general vicinity of Whangamata Urban Area that is reticulated by the Thames Coromandel District Council municipal stormwater network.

Consent No: 105668 Divert and discharge urban stormwater runoff and associated contaminants at multiple locations to land, the Pupurakau Stream, Otohi Stream, Te Puru Stream, Waiomu Stream, Pohue Stream, Otuturu Creek, unnamed modified streams, Te Mata River, Tapu River, the Firth of Thames and such other locations as may be covered by this consent in the future in accordance with the conditions of this consent, and use discharge structures in the general vicinities of the Thames Coast Urban Areas that are reticulated by the Thames Coromandel District Council municipal stormwater network.

These activities are mainly existing activities, already taking place within and around the Thames Coromandel urban areas. The consent application also provides for new activities that are likely to take place in both urbanised and developing catchments during the term of consents.

This report assesses the consent application and the associated effects of municipal stormwater diversion and discharge activities on the environment, and recommends whether consents should be granted.

Application Documents

The consent application is supported by a variety of technical documents and s92 information request letter responses. These include:

- *'TCDC Resource Consent Application Assessment of Environmental Effects - Comprehensive Stormwater Discharge Consents, Thames'* (TCDC, 2001);
- *'TCDC Resource Consent Application Assessment of Environmental Effects - Comprehensive Stormwater Discharge Consents, Pauanui'* (TCDC, 2001);
- *'TCDC Resource Consent Application Assessment of Environmental Effects - Comprehensive Stormwater Discharge Consents, Coromandel'* (TCDC, 2001);
- *'TCDC Resource Consent Application Assessment of Environmental Effects - Comprehensive Stormwater Discharge Consents, Tairua'* (TCDC, 2001);
- *'TCDC Resource Consent Application Assessment of Environmental Effects - Comprehensive Stormwater Discharge Consents, Whitianga'* (TCDC, 2001);
- *'TCDC Resource Consent Application Assessment of Environmental Effects - Comprehensive Stormwater Discharge Consents, Onemana'* (TCDC, 2001);
- *'TCDC Resource Consent Application Assessment of Environmental Effects - Comprehensive Stormwater Discharge Consents, Whangamata'* (TCDC, 2001);
- *'TCDC Resource Consent Application Assessment of Environmental Effects - Comprehensive Stormwater Discharge Consents, Thames Coast'* (TCDC, 2001);

- *'Future Development Potential of Thames – An Assessment of the Growth Potential of Thames out to 2026'* (TCDC, 2005);

- *'Future Development Potential of Whitianga – An Assessment of the Growth Potential of Thames out to 2026'* (TCDC, 2005);

- *'Future Development Potential of Coromandel – An Assessment of the Growth Potential of Thames out to 2026'* (TCDC, 2005);

- *'Future Development Potential of Tairua – An Assessment of the Growth Potential of Thames out to 2026'* (TCDC, 2005);

- *'Future Development Potential of Pauanui – An Assessment of the Growth Potential of Thames out to 2026'* (TCDC, 2005);

- *'Future Development Potential of Whangamata – An Assessment of the Growth Potential of Thames out to 2026'* (TCDC, 2005);

- *'Coromandel Stormwater Catchment Management Study – Issues and Options Report, Draft Version 1'* (Opus International Consultants Ltd, 2003);

- *'Whitianga Stormwater Catchment Management Study – Issues and Options Report, Draft Version 1'* (Opus International Consultants Ltd, 2005);

- *'Tairua Stormwater Catchment Management Study – Issues and Options Report, Draft Version 2'* (Opus International Consultants Ltd, 2003);

- *'Pauanui Stormwater Catchment Management Study – Issues and Options Report, Draft Version 1'* (Opus International Consultants Ltd, 2005);

- *'Onemana Stormwater Catchment Management Study – Issues and Options Report, Draft Version 1'* (Opus International Consultants Ltd, 2005);

- *'Whangamata Stormwater Catchment Management Study – Issues and Options Report, Draft Version 2'* (Opus International Consultants Ltd, 2005);

- *'Further Information for Comprehensive Stormwater Discharge Consent Application, Thames Coast'* (TCDC, 2002);

- Letter from Thames Coromandel District Council dated 29 June 2001, titled *'Comprehensive Stormwater Discharge Consent Applications'*;

- Letter from Thames Coromandel District Council dated 23 July 2001, titled *'Comprehensive Stormwater Discharge Consents'*; and

- Letter from Thames Environmental Consultancy dated 12 April 2010, titled *'Comprehensive Stormwater Consents: Thames Coromandel District Council'*.

2 Background to Comprehensive Stormwater Discharge Consents

CSDCs have been developed and administered by WRC for over ten years. They were initially developed in response to the 1st October 2001 expiry of 'existing use rights' and the transitional

provisions of the Resource Management Act (1991)[1]. However, this event coincided with a growing awareness of various stormwater issues specific to urban areas and the operation of municipal stormwater networks. Ten years on these issues are well documented in the literature, and CSDCs are being successfully implemented by territorial authorities around the Waikato Region to address these issues.

2.1 Scope of Comprehensive Stormwater Discharge Consents

It is widely recognised that municipal stormwater networks are constructed to provide considerable social, economic and public health benefits to communities by reducing the potential for flooding of land and buildings, and by enabling community facilities, businesses and private residences to operate under adverse weather conditions. However, the types of stormwater issues associated with the operation of municipal stormwater networks can be diverse and complex. These issues are often considered generically in terms of 'stormwater quality', 'stormwater quantity' and 'aquatic ecosystem' issues. They relate to various types of effects such as those pertaining to stormwater receiving water quality, stream channel stability, aquatic habitat viability and flooding of downstream properties.

In terms of regional planning guidance the Waikato Regional Plan (WRP) describes 'stormwater' as *"artificially channelized rainwater prior to its point of discharge to land or water"*. The point of compliance in terms of a discharge is generally considered to be the point at which control over a discharge is lost. In the case of stormwater, this may be the point where stormwater enters a managed reticulation network or discharges to the natural environment (most commonly a natural surface water body).

CSDCs are essentially blanket consents. They are also enabling consents. They authorise multiple municipal stormwater diversion and discharge activities and associated contaminants[2], within specified urban areas. They also authorise the continued 'use' of stormwater discharge outlet structures. CSDCs do not, however, authorise stormwater discharge outlet structures in their physicality[3], or any other structures or activities that require consents under sections 9, 12, 13, 14 or 15 of the Resource Management Act (1991) (RMA) or the WRP or Waikato Regional Coastal Plan (WRCP). Nor do they authorise any private stormwater diversion and discharge activities such as those relating to new subdivision developments in urbanised or developing catchments, or direct discharges to receiving water bodies from commercial, industrial and community facilities.

With regard to existing municipal stormwater diversion and discharge activities in urbanised catchments, CSDCs require Stormwater Management Plans. These plans are the primary management tools through which 'best practicable stormwater management measures' are defined and implemented to avoid, remedy or mitigate the adverse effects of existing stormwater activities on the environment. For new, yet to be established stormwater diversion and discharge activities in developing catchments, CSDCs require approved Catchment Management Plans. These plans determine and adopt 'integrated catchment management approaches' to avoid as far as practicable and otherwise minimise, the cumulative adverse effects of new activities in developing catchments.

The requirement for approved Catchment Management Plans as a prerequisite to new municipal stormwater diversion and discharge activities, is intended to encourage the preparation and

[1] TCDC applied for consents more than three months prior to the 1st October 2001 expiry of its 'existing use rights'. WRC has subsequently allowed TCDC to operate its municipal stormwater networks in accordance with these and the WRC Transitional Regional Plan (1991), as per section 124 of the RMA.

[2] One of the fundamental issues with urban stormwater is that it contains a variety of contaminants that become entrained in runoff as it flows overland to reticulated stormwater networks. It is also acknowledged that in all urban areas there are a range of contaminants that find their way or are actively discharged, to stormwater networks through activities such as washing and various substance disposal. While it is the intention of the WRC to minimise such discharges it is recognised that these types of discharges do occur. As such CSDCs authorise a level of 'non-stormwater' but nevertheless 'routine contaminant discharges' on the basis that they are managed via recommended consent conditions and consent holder Stormwater Management Plan(s).

[3] All stormwater discharge outlet structures that were 'existing lawfully established structures' prior to the date of notification of the Waikato Regional Plan (28th September 1998), or prior to the Waikato Regional Coastal Plan becoming operative (27th October 2005) are permitted activities subject to the relevant permitted activity rule conditions of the plan.

widespread implementation of Catchment Management Plans in developing catchments. As well as guiding well considered and coordinated infrastructure and development, a key incentive for Catchment Management Plans is that all new municipal stormwater diversion and discharge activities can be authorised and administered under the CSDC(s). This prevents ring fencing CSDC(s) to the municipal stormwater diversion and discharge activities in existence at the commencement of consent, and accumulating several site specific discharge consents from thereon[4].

3 Description of the Proposal

A complete and detailed description of the proposal is provided in the application supporting documents, listed in Section 1 of this report. The reports titled *'TCDC Resource Consent Application Assessment of Environmental Effects - Comprehensive Stormwater Discharge Consents …'* (TCDC, 2001), are the main documents to refer to. These reports also contain catchment drawings which delineate the main urban areas by land use zonings, municipal stormwater networks and receiving water bodies (as at June 2001).

A brief summary of the proposal is presented below.

3.1 Scope of the Application

TCDC has applied to WRC for CSDCs[5]. The scope of the application includes the following activities which are generally shown on the catchment drawings appended to the main application documents:

- All 'existing' municipal stormwater diversion and discharge activities, including associated contaminants, to land and surface water bodies within and around the Thames Coromandel urban areas, as at commencement of the CSDCs;

- All 'new' municipal stormwater diversion and discharge activities, including associated contaminants, to land and surface water bodies within the Thames Coromandel urban areas, which are established over the term of the CSDCs. These activities will take place in both 'urbanised catchments' and 'developing catchments' (as defined in the glossary of terms section of Schedule A of this report); and

- The 'use' of all stormwater discharge outlet structures which are associated with the municipal stormwater diversion and discharge activities.

Further to Section 2.1 of this report, it is noted that the application for CSDCs does not provide for stormwater discharge outlet structures in their physicality, or any other structures or activities that require consents under sections 9, 12, 13, 14 or 15 of the RMA or the WRP or the WRCP.

3.2 Thames Coromandel Urban Areas & Municipal Stormwater Networks

3.2.1 Thames Urban Area

Thames is the largest and most developed of the TCDC townships. The urban area of Thames is made up of a series of relatively small parallel sub-catchments. In terms of topography the Thames area can be divided into two main areas, the steep eastern area and the low-lying western area. The eastern area and the northern and southern portions of the western area are predominantly residential in nature, while the central portion of the catchment in the eastern area is undeveloped and bush covered hill slope. The Waihou and Kauaeranga Rivers in the south have very large

[4] The decision regarding the preparation of CMPs for new stormwater diversion and discharge activities in developing catchments, sits squarely with CSDC holders. However, if CSDC holders choose not to prepare CMPs they forfeit the future opportunity to incorporate these activities in the CSDC(s).

[5] Refer to Section 2.1 of this report for a complete description of CSDCs.

catchments that meet with the Firth of Thames. Clay soils and a high water table characterise most of the Thames township, and TCDC advise that stormwater disposal to ground soakage is not practicable.

The majority of urban catchments in Thames are residential in nature with medium to high density development. Commercial and light industrial land uses characterise the central western area. Much of the eastern catchment area is moderately to steeply sloping towards the west, however, the hill topography features many localised gullies and depressions which act as overland flow paths and ponding areas in extreme rain events. The western catchment area is predominantly flat.

A comprehensive municipal stormwater network has been developed for the Thames community and comprises kerb and channelling, open drains and large scale reticulated pipe systems. These divert and discharge to various receiving water bodies including the Karaka, Waiatahi, Hape and Moanataiari Streams, the Kauaeranga River and the Firth of Thames. TCDC is responsible for the operation and maintenance of the municipal stormwater network in Thames. However, this system excludes the major flood control infrastructure within the lower reaches of the main stream channels in Thames which is operated and maintained by WRC River and Catchment Services for flood protection purposes.

3.2.2 Whitianga Urban Area

Whitianga is the second largest township, well established and consisting of a series of small sub-catchments which make up five main stormwater catchments. Excluding the Moewai Road industrial area, there is a comprehensive stormwater network comprising kerb and channelling, open drains and reticulated pipe systems. The five main stormwater catchments include:

Moewai Road Industrial Area
The Moewai Road industrial area is located at the southern end of Whitianga and provides for commercial and light industrial land use activities. This area is serviced by a single open drain and the Ngaruhutunoa Stream, both of which drain to the inner Whitianga Harbour.

Central Whitianga Business Area
This area consists of medium to high density residential, commercial and light industrial land use activities. It is characterised by flat sandy soils and is fully reticulated to the White Street, Tennis Court Creek and Kareena Creek water bodies. These drain to the Whitianga Harbour.

Buffalo Beach Foreshore
This area consists of mostly residential and commercial accommodation facilities. The municipal stormwater network is a mixture of piped gravity feed, pumped, and open drainage systems which discharge either into the Taputapuatea Stream or via an overland flow path directly to the Whitianga foreshore (Buffalo Beach). The area extending west behind Buffalo Beach is a mixture of new medium density residential development and rural land use activities. There are several open drains and reticulated pipe systems that run through this area and discharge to the Taputapuatea Stream and Buffalo Beach respectively.

Centennial Heights
The Centennial Heights area is a steep residential area at the northern end of Whitianga. It has a relatively new piped reticulation system which discharges to small gully systems and the Whitianga foreshore (Brophy's Beach).

Whitianga Waterways
Whitianga Waterways is a residential lifestyle development located behind the Central Whitianga Business Area and the northern and eastern residential areas of Whitianga. It is a relatively new development that consists of several complete stages and canal systems. The developer of

Whitianga Waterways currently holds resource consents to discharge stormwater directly to the canal systems. As such the CSDC for Whitianga Urban Area will not provide for these activities.[6]

As a general rule (and this applies to most of the TCDC townships) the Whitianga municipal stormwater network serves only roadways, with private properties disposing stormwater by way of available ground soakage.

3.2.3 Whangamata Urban Area

Whangamata is bordered by the Otahu River to the south and the Whangamata Harbour to the north where the Wairoa Stream and Wentworth River meet the sea. Whangamata is also divided by the Te Anu Anu Estuary which runs along the western side of the township.

The urban area of Whangamata is well established and consists of medium density residential, commercial and light industrial land use activities. The majority of the township lies on flat sandy soils and has very good soakage. However, there are also some areas that lie upon silty clay and Waihi ash soils which have less soakage potential.

The municipal stormwater network is relatively small and fragmented. There is a piped reticulation network to service roadways, and the principal pipe network runs along Ocean Road and Williamson Road to a stormwater detention pond at Williamson Park. Apart from the steeper areas of the township, stormwater from private property is required to be disposed of on-site.

3.2.4 Tairua Urban Area

Tairua is dissected by two large river catchments – the Pepe Stream to the south of the township and Grahams Creek to the north. Both catchments drain to the Tairua Harbour.

The urban area of Tairua is well established and is made up of four main drainage catchments. These include the Tairua heights residential area to the south of Pepe Stream, the commercial and residential area to the north of Pepe Stream, the residential area north of the Manaia Road bridge and the Paku Hill residential area. The residential areas of these catchments are generally low to medium density.

Similar to Whangamata, the municipal stormwater network in Tairua is relatively small and fragmented and mainly services roadways.

3.2.5 Pauanui Urban Area

Pauanui is situated just south of Tairua with the Tairua Harbour to its west and Pauanui Beach to its east. The urban area of Pauanui is reasonably well established and consists of low to medium density residential development.

Pauanui divides into a series of small catchments which predominantly drain to the Tairua Harbour and the Pauanui Beach area. A small municipal stormwater network services the roadways while stormwater from private property is disposed by way of available ground soakage.

3.2.6 Onemana Urban Area

Onemana is a small settlement that is characterised by its rolling to steep contour. Low density residential development predominates with a few centrally located commercial premises.

[6] If at some point in the future TCDC were to own and operate the Whitianga Waterways stormwater network, it could seek to include the associated stormwater diversion and discharge activities in the Whitianga Urban Area CSDC, subject to the technical certification requirements of Condition 4 / Schedule A of consent.

A small municipal stormwater network primarily services roadways. However, there are also several properties that discharge stormwater directly to the kerb and channel in the steeper areas of the township. Stormwater is reticulated to the Onemana Stream in the southern catchment and two stormwater detention ponds in the northern catchment.

3.2.7 Coromandel Urban Area

Coromandel is made up of a series of small catchments that divide into four areas. These include the central area of Coromandel, Wyuna Bay, Long Bay and Oamaru Bay.

The central area of Coromandel generally slopes to the west and features many localised gullies and depressions that act as overland flow paths and ponding points in extreme rain events. The majority of this area comprises low to medium density residential development and a small commercial area in the lower catchment. Much of the area is serviced by a small municipal stormwater network of reticulated pipe and open drain systems. These discharge to various receiving water bodies, including the Whangarahi and Karaka Streams and the Coromandel Harbour.

The three bay areas also have small reticulated stormwater networks that discharge to the Coromandel Harbour and Oamaru Bay respectively.

3.2.8 Thames Coast Urban Areas

The small settlements that make up the Thames Coast Urban Areas include Ngarimu Bay, Te Puru, Waiomu, Ruamahunga, Tapu and Te Mata. All of these settlements are situated on the foreshore of the Firth of Thames at the base of the Coromandel Ranges.

The municipal stormwater networks that service these settlements are all very small and fragmented. They comprise reticulated pipe and open drain systems that discharge to the small streams and rivers and the Firth of Thames foreshore.

4 Status of Activities under the Plans

4.1 Existing Authorisations

TCDC currently hold existing use authorisations for some of its stormwater networks, along with several site specific discharge consents (some of which are listed in the main application documents). TCDC also hold a CSDC for Thames Urban Area (Consent #105660) which was granted in June 2007[7].

These authorisations will either expire or be surrendered on commencement of the CSDCs that are subject to this particular consent process.

4.2 Status of Activities

The diversion and discharge of stormwater to land and water within the Waikato Region is regulated through the following provisions of the WRP and WRCP:

Table 1: Relevant WRP & WRCP Provisions

Activity	Applicable Rule	Activity Status
Discharge of Stormwater to Water	3.5.11.4	Permitted (subject to conditions)
Discharge of Stormwater Onto or Into Land	3.5.11.5	Permitted

[7] TCDC is seeking to replace CSDC #105660 with CSDC #122521 to ensure that a consistent stormwater management approach is applied to all its municipal stormwater diversion and discharge activities.

		(subject to conditions)
Discharge of Stormwater Onto or Into Land	3.5.11.6	Controlled
Discharge of Stormwater into Water	3.5.11.7	Controlled
Discharge of Stormwater	3.5.11.8	Discretionary
Existing Lawfully Established Diversions & Discharges	3.6.4.11	Controlled
Stopbanks, Diversions and any Associated Discharges of Water (including the use of structures)	3.6.4.13	Discretionary
Stormwater Discharges into the Coastal Marine Area	16.3.5	Permitted
Stormwater Discharges into the Coastal Marine Area	16.3.6	Controlled

It is noted that whilst some of the municipal stormwater diversion and discharge activities might meet the 'permitted activity rule' provisions of the WRP if assessed site specifically, the application is for CSDCs which authorise all municipal stormwater diversion and discharge activities within the Thames Coromandel urban areas.

It is also noted that whilst several of the existing municipal stormwater diversion and discharge activities could meet the 'controlled activity rule' provisions of the WRP, some of them would not. Consequently, the application for CSDCs is assessed in accordance with discretionary activity rules 3.5.11.8 and 3.6.4.13 of the WRP, and controlled activity rule 16.3.6 of the WRCP respectively.

5 Consultation / Affected Party Approvals

5.1 Iwi

TCDC staff have consulted with Iwi with regard to the application. Initial contact and letters were sent to Ngati Maru, Ngati Tamatera, Ngati Whanaunga, Ngati Paoa, Ngati Hei and Ngati Puu. These Iwi have been identified as tangata whenua for the various Thames Coromandel urban areas.

With regard to Iwi consultation, this has been considered in accordance with the WRC's procedures for consulting with Iwi (which are set out in Resource Use Group Practice Note B7 "Iwi Consultation Principles and Practices").

5.2 Other Parties

TCDC staff have also consulted with other parties. These include the various Community Boards, Department of Conservation (DOC) and the Fish and Game Council. As a result of this consultation the Fish and Game Council wrote a letter to TCDC on 19th September 2001 approving the application. No other responses were received.

In addition to these initiatives TCDC staff have also met with WRC staff on a number of occasions to discuss the CSDC process and the information requirements relating to the application. TCDC staff have also attended a number of WRC workshops that have been held to assist District Councils with the preparation of CSDC applications.

5.3 Notification / Non-notification

In a process separate to the preparation of this report, and which was completed prior to the completion of this report on 1st April 2011, it was recommended to not publicly notify CSDC application's #122521 (Thames Urban Area), #105661 (Pauanui Urban Area), #105663 (Coromandel Urban Area), #105664 (Tairua Urban Area), #105666 (Onemana Urban Area), #105667 (Whangamata Urban Area) and #105668 (Thames Coast Urban Areas) as directed in section 94 of the Resource Management Act (RMA) (1991), for the following reasons:

1. The adverse effects of the activities on the environment will be minor (sections 93(1), 93(2) and 94(1) do not apply); and

2. Written approvals have been obtained from all parties likely to be affected by the proposed activities (section 94(2)).

With regard to CSDC application #105665 (Whitianga Urban Area), this application was notified in the Hauraki Herald on 31st October 2006 with a closing date for receipt of submissions being 28th November 2006. Individual notification letters were also sent to Iwi and other interested/potentially affected parties, and several notification signs were placed in visible public locations within and around the township.

At close of the submission period WRC had received two submissions. These were as follows:

Table 2: Submissions Received on CSDC Application #105665 - Whitianga Urban Area

Name	Support / Oppose	Wish to be Heard
Whitianga Marina Society	Oppose	Yes
Department of Conservation	Neutral	No

Subsequent to receiving these submissions, the Whitianga Marina Society withdrew its submission on 4th April 2007, advising that the issue raised in its submission had been fully resolved. No further consideration of the Whitianga Marina Society submission is given in this assessment.

With regard to the DOC submission, a number of general issues associated with urban stormwater were identified. DOC stated that it did not wish to be heard in support of its submission but sought the following relief:

- *"Any culverts, pipes, armouring or any other structure associated with the stormwater system do not impede fish passage in situations where indigenous fish species would have previously accessed upstream habitat, or that where such structures do impede fish passage, appropriate mitigation is carried out;*

- *Regular monitoring of any structures providing fish passage is undertaken to ensure fish passage is maintained;*

- *Discharge structures do not cause adverse effects due to erosion, and that regular monitoring is undertaken to check any erosion that might occur;*

- *Appropriate mitigation works are undertaken, including riparian planting to enhance habitat, where erosion has occurred;*

- *Best practice stormwater treatment and detention methods are used in order to minimise the discharge of contaminants and peak flood flows;*

- *Regular monitoring is undertaken of contaminant loads, especially where significant vegetation or significant habitat for indigenous fauna occurs in the receiving environment, with the monitoring linked to review of the stormwater treatment systems in use should loads exceed standards appropriate for the receiving environment."*

The types of stormwater management, monitoring and mitigation initiatives sought by DOC are considered in Section 7.1.2 and Section 8.1 of this report respectively.

WRC / TCDC Consultation

Further to the above consultation initiatives and notification / non-notification procedures, WRC staff met with TCDC staff on a number of occasions. These meetings concluded with the

formulation of a draft set of proposed consent conditions which were circulated to TCDC staff for review and comment, and formed the basis of detailed meeting discussions on 10th February 2011.

Following the February meeting WRC staff circulated an amended set of draft proposed consent conditions to TCDC staff for further review and comment, on 18th March 2011. These draft conditions included the various amendments which were discussed and agreed at the February meeting. General acceptance confirmation in regard to these conditions was received from TCDC staff on 31st March 2011 (email correspondence from Steve de Laborde to Brian Richmond). Following some further minor amendments to these conditions as requested by TCDC staff, a final draft set of proposed consent conditions was completed on 31st March 2011 (WRC Doc #1962850). These proposed consent conditions are recommended throughout this report and are included in Schedule A and the Resource Consent Certificates which are attached to this report.

6 Process Matters

CSDC application's #105661 (Pauanui Urban Area), #105663 (Coromandel Urban Area), #105664 (Tairua Urban Area), #105665 (Whitianga Urban Area), #105666 (Onemana Urban Area), #105667 (Whangamata Urban Area) and #105668 (Thames Coast Urban Areas) were received as complete by WRC on 29th June 2001, and were placed 'on hold' pursuant to Section 37(5)(a) of the RMA (with TCDC's permission) pending detailed review.

As a result of this review it was concluded that additional information was required regarding the nature of the municipal stormwater diversion and discharge activities, the effects they were having on the environment and the views of potentially affected parties. This information was requested on 3rd September 2001 and the application was placed 'on hold' in accordance with s92(1) of the RMA.

Following a prolonged period awaiting the requested information, site visits with TCDC staff were undertaken in March 2006 to observe the municipal stormwater diversion and discharge activities taking place. A revised information request was subsequently made to TCDC on 11th September 2001, and the application remained 'on hold' in accordance with s92(1) of the RMA.

On 12th September 2006 a revised cost guide for processing the application was forwarded to TCDC.

On 31st October 2006, CSDC application #105665 (Whitianga Urban Area) was publicly notified in the Hauraki Herald. Submissions closed on 28th November 2006, and the application was placed back 'on hold' in accordance with Section 92(1) of the RMA on 5th December 2006.

Following a meeting with TCDC staff on 4th February 2010 to discuss the previously requested information, a revised information request was made to TCDC on 5th March 2010. A response to this request was received from TCDC on 12th April 2010 and the application was then placed 'on hold' pursuant to s37(5)(a) of the RMA (with TCDC's approval) to enable completion of the application assessment. This included further consultation with TCDC staff regarding draft proposed consent conditions.

Acceptance confirmation in respect to the draft proposed consent conditions, was received from TCDC on 31st March 2011 (email correspondence from Steve de Laborde to Brian Richmond).

With regard to CSDC application #122521 (Thames Urban Area), this was received as complete by WRC on 18th February 2011 and was placed 'on-hold' pursuant to Section 37(5)(a) of the RMA (with TCDC's permission) in order for it to be processed as part of the main application. Given that TCDC already hold a CSDC for Thames Urban Area (CSDC #105660), the reason for it lodging a new application is to ensure that a consistent stormwater management approach is applied to all its municipal stormwater diversion and discharge activities. The current consent for Thames Urban Area (CSDC #105660) will therefore be surrendered by TCDC on the granting of the replacement CSDC (CSDC application #122521).

7 Statutory Considerations

CSDC application's #105661 (Pauanui Urban Area), #105663 (Coromandel Urban Area), #105664 (Tairua Urban Area), #105665 (Whitianga Urban Area), #105666 (Onemana Urban Area), #105667 (Whangamata Urban Area) and #105668 (Thames Coast Urban Area) were lodged with WRC on 29th June 2001. Consequently, the statutory provisions of the Resource Management Amendment Act 2003, Resource Management Amendment Act 2005 and Resource Management Amendment Act 2009 do not apply to these applications. They are therefore assessed in accordance with the RMA as it was at the time of lodgement.

With regard to CSDC application #122521 (Thames Urban Area), this application was lodged with WRC on 18th February 2011 and the statutory provisions of the Resource Management Amendment Act 2003, Resource Management Amendment Act 2005 and Resource Management Amendment Act 2009 do apply to this application. It is further considered in accordance with section 104B of the Act which has regard to the determination of applications for discretionary and non-complying activities.

All of the applications are also assessed in accordance with Discretionary Rules 3.5.11.8 and 3.6.4.13 of the WRP, and Controlled Activity Rule 16.3.6 of the WRCP.

7.1 Assessment of Environmental Effect

Subject to Part II of the RMA, the WRC is required to have regard to the matters outlined in section 104 of the RMA when considering a consent application and any submissions received. These matters include:

(a) "Any actual and potential effects on the environment of allowing the activity;
(b) Any relevant regulations;
(c) Any relevant national policy statement, New Zealand coastal policy statement, regional policy statement, and proposed regional policy statement;
(d) Any relevant objectives, policies, rules, or other provisions of a plan or proposed plan;
(e) Any relevant district plan or proposed district plan, where the application is made in accordance with a regional plan;
(f) Any relevant regional plan or proposed regional plan, where the application is made in accordance with a district plan;
(g) Any relevant water conservation order or draft water conservation order;
(h) Any relevant designations or heritage orders or relevant requirements for designations or heritage orders;
(i) Any other matters the consent authority considers relevant and reasonably necessary to determine the application"

Where an application is for a discharge permit to do something that would otherwise contravene s15 of the RMA, section 104(3) of the RMA requires the consent authority to have regard to:

(a) "The nature of the discharge and the sensitivity of the proposed receiving environment to adverse effects and the applicants reasons for making the proposed choice; and
(b) Any possible alternative methods of discharge, including discharge into any other receiving environment."

These matters are considered below.

Existing Environment

Section 104(1)(a) provides that when considering a consent application, the consent authority must, subject to Part II, have regard to the actual and potential effects on the environment of allowing the activity. Case law has determined that the "environment" must be read as the environment which exists at the time of the assessment and as the environment may be in the future as modified by the utilisation of permitted activities under the plan and by the exercise of resource consents which are being exercised, or which are likely to be exercised in the future. It does not include the effects of resource consents which might be sought in the future nor any past reversible effects arising from the consent being considered.

The majority of TCDC's municipal stormwater networks have been established for several decades. They have also extended into the growth areas of the larger townships to facilitate the development which has more recently taken place in these areas. Consequently many sections of streams that are within urban areas have been piped or severely modified. These modifications are likely to be irreversible, particularly where such modifications have allowed further development to occur where open and flood prone water bodies once existed.

It is also noted that if the application was not granted, modified water bodies would not naturally revert back to their previous 'natural' state. To recreate original stream forms and ecosystems in many cases would be practically very difficult, if not impossible. Therefore, where a significant portion of a stream has been piped or highly modified, such that there is little or no original stream left, these modifications are considered to reflect the existing environment.

Section 104(2) provides that when forming an opinion about the actual or potential effects of the activity, the consent authority may disregard an adverse effect of the activity on the environment if the regional plan permits an activity with that effect. This is often referred to as the "permitted baseline" and calls for a discretionary decision to be exercised by the consent authority as to whether or not to discount such permitted effects. This provision, introduced into the legislation in 2003, codifies previous case-law which, as a mandatory requirement, held that the consideration of effects required:

> *"an assessment of the proposal on the environment as it exists or would exist if the land were used in a manner permitted as of right by the plan."* (Bayley v Manakau CC).

This was expressed in further case law (Arrigato v ARC) as:

> *"the existing environment overlaid with such relevant activity (not being a fanciful activity) as is permitted by the plan. Thus, if the activity permitted by the plan will create some adverse effect on the environment, that adverse effect does not count in the s104 or s105 assessments…it is deemed to be already affecting the environment…The consequence is that only other or further adverse effects emanating from the proposal under consideration are brought to account."*

Of relevance to the application, the WRP permits certain modified water body effects (subject to conditions) through Permitted Activity Rule 3.6.4.7 - *'Existing Lawfully Established Diversions & Discharges'*. These effects have therefore been discounted and are not further addressed through this consent process. However, the effects of municipal stormwater diversion and discharge activities on existing open streams and other receiving water bodies, are considered through this consent process and are to be managed via appropriate consent conditions.

Meaning of 'Effect'

According to section 3 of the RMA, the term "effect" means:

(a) Any positive or adverse effect; and
(b) Any temporary or permanent effect; and
(c) Any past, present, or future effect; and
(d) Any cumulative effect which arises over time or in combination with other effects- regardless of the scale, intensity, duration, or frequency of the effect, and also includes-
(e) Any potential effect of high probability; and
(f) Any potential effect of low probability which has a high potential impact.

Having considered the nature of the municipal stormwater diversion and discharge activities and reviewed the technical information supporting the application, I consider the main actual and potential environmental effects on the environment of allowing these activities to be:

Positive Effects

- Social, economic and public health benefits through reducing the potential for flooding of land and buildings, and by enabling community facilities, businesses and private residences to operate under adverse weather conditions;

- Provision for urban growth and development.

Adverse Effects

- Altered catchment hydrology – reduced groundwater recharge, increased stormwater runoff and altered stream flows;
- Accelerated stream bed and bank erosion;
- Degraded water and sediment quality;
- Loss and degradation of available aquatic habitat;
- Impaired ecosystem functioning and reduced aquatic biodiversity;
- Reduced amenity values;
- Public health risks associated with contact recreation and drinking water supplies; and
- Diminished 'mauri' or life force of receiving water bodies.

All of these actual and potential adverse effects are to greater or lesser extent, interrelated with one another. As such TCDC has approached its assessment of environmental effects on a stormwater receiving water basis, undertaking some broad-based assessments for all of the Thames Coromandel urban areas. These have included desktop assessments of estimated discharge volumes and annual contaminant loads to receiving water bodies (based on the rational formula and NIWA publication *"Urban Runoff Data Book – 2nd Edition"* (1993) respectively), visual inspections of stormwater outlets and receiving water bodies, and preliminary ecological assessments of receiving water bodies that were undertaken by Kessels & Associates Ltd in June 2001.

7.1.1 Summary of Main Assessment Findings

The findings of the assessment of environmental effects are presented in the main application documents (described above), and to avoid repetition are not repeated in this report. However, in order to provide the necessary background context to the stormwater management considerations and recommended consent conditions discussed further-on in this report, a summary of the main assessment findings are provided below.

Thames Urban Area

The assessment findings for the Thames Urban Area have been previously considered and are discussed in an earlier consent evaluation report (refer to WRC Doc #1190809). Since that assessment occurred there have not been any reported changes to the municipal stormwater network that would alter the stormwater activities already authorised, and I therefore consider that any additional discussion or assessment of these activities is unnecessary.

Whitianga Urban Area

The main assessment findings for the Whitianga Urban Area include:

- All streams inspected by Kessels & Associates Ltd were considered to be in a relatively healthy state, and, for the most part, supported good populations of pollution sensitive aquatic invertebrates with aquatic plant composition suggesting low nutrient inputs;

- Build up of contaminants in estuarine sediments may be causing localised pollution within some parts of Whitianga Harbour, however, sediment testing would be required to confirm this;

- Notwithstanding the above findings, stormwater discharges are expected to be subject to relatively rapid dispersion, flushing and sediment movement due to the dynamic nature of the coastal receiving environment;

- Any visible effects of stormwater discharges such as erosion and sedimentation, or discolouration of receiving water bodies, are likely to be mitigated naturally within a short time period;

- Parts of the municipal stormwater network are vulnerable to blockage from sand and debris accumulation, and this can limit operational capacity and cause localised flooding effects during rain events.

In addition to the above findings it is widely reported that the existing municipal stormwater network has limited capacity in some catchment areas, and needs to be upgraded to support intensifying development (refer to the document titled *'Draft Whitianga Stormwater Catchment Study - Issues and Options Report'* - Opus International Consultants Ltd, 2005). However, issues concerning network capacity and related flooding effects are beyond the scope of this consent application (and CSDCs generally), and should be resolved by TCDC through its relevant planning processes, engineering standards and 'levels of service' provisions. This applies to all of the Thames Coromandel urban areas that are subject to this consent process.

Whangamata Urban Area

The main assessment findings for the Whangamata Urban Area include:

- All streams inspected by Kessels & Associates Ltd were considered to be in a relatively healthy state, and, for the most part, supported good populations of pollution sensitive aquatic invertebrates with aquatic plant composition suggesting low nutrient inputs, apart from some reaches of the Te Weite Stream;

- Build up of contaminants in estuarine sediments may cause localised pollution within some parts of Whangamata Harbour and the lower reaches of the Otahu River, however, sediment testing would be required to confirm this;

- Notwithstanding the above findings, stormwater discharges are expected to be subject to relatively rapid dispersion, flushing and sediment movement due to the dynamic nature of the coastal receiving environment;

- Any visible effects of stormwater discharges such as erosion and sedimentation, or discolouration of receiving water bodies, are likely to be mitigated naturally within a short time period;

- Parts of the municipal stormwater network are vulnerable to blockage from sand and debris accumulation, and this can limit operational capacity and cause localised flooding effects during rain events.

Tairua Urban Area

The main assessment findings for the Tairua Urban Area include:

- Both Grahams and Pepe Streams have estuarine regions which are comparatively little modified, with extensive areas of mangrove and saltmarsh vegetation;

- Build-up of contaminants in the estuarine sediments may cause localised pollution within some parts of Tairua Harbour, however, sediment testing would be required to confirm this;

- Notwithstanding the above findings, stormwater discharges are expected to be subject to relatively rapid dispersion, flushing and sediment movement due to the dynamic nature of the coastal receiving environment;

- Vegetation is clogging stormwater drains in and around the stream below Ailsa Place where it flows into the Pepe Stream estuary. While this restricts the flow of sediment and nutrients into the estuary, it may restrict the capacity of the stormwater network;

- Stormwater appears to be contributing to the growth of *Zostera* at the Grey Road site. While this is generally regarded as a desirable species, it does indicate that nutrient levels from stormwater can be significant, at least locally. In the context of the region as a whole the impact of stormwater appears to be minor;

- Any visible effects of stormwater discharges such as erosion and sedimentation, or discolouration of receiving water bodies, are likely to be mitigated naturally within a short time period;

- Parts of the municipal stormwater network are vulnerable to blockage from sand and debris accumulation, and this can limit operational capacity and cause localised flooding effects during rain events.

Pauanui Urban Area
The main assessment findings for the Pauanui Urban Area include:

- The exact ecological effect of stormwater contaminants is difficult to ascertain as very few freshwater streams are actually affected. The assumption is that while effects may not be visually significant, long-term adverse effects on the estuarine biota directly below stormwater discharge outlets may be occurring;

- Notwithstanding the above findings, stormwater discharges are expected to be subject to relatively rapid dispersion, flushing and sediment movement due to the dynamic nature of the coastal receiving environment;

- Any visible effects of stormwater discharges such as erosion and sedimentation, or discolouration of receiving water bodies, are likely to be mitigated naturally within a short time period;

- Parts of the municipal stormwater network are vulnerable to blockage from sand and debris accumulation, and this can limit operational capacity and cause localised flooding effects during rain events.

Onemana Urban Area
The main assessment findings for the Onemana Urban Area include:

- The Onemana Stream is significantly modified, mainly due to urban related flood channel works and development. High levels of algae growth in some reaches of the stream is of concern. This may be due to high nutrient inputs, but unlikely to be from the township itself as the urban stormwater pipes are located ~ 20m downstream of the mats. The two stormwater retention ponds are of use in this regard as they are likely to be filtering nutrients and other contaminants;

- Koi carp found in the lower pond are very likely to be an illegal liberation and, while this is not a stormwater issue, should be removed and destroyed to prevent the spread of this species on the Coromandel Peninsula.

Coromandel Urban Area
The main assessment findings for the Coromandel Urban Area include:

- All streams inspected by Kessels & Associates Ltd were considered to be in a relatively healthy state, and, for the most part, supported good populations of pollution sensitive aquatic invertebrates with aquatic plant composition suggesting low nutrient inputs, apart from some reaches of the Whangarahi Stream;

- Build up of contaminants in estuarine sediments may cause localised pollution within some parts of Coromandel Harbour, however, sediment testing would be required to confirm this;

- Notwithstanding the above findings, stormwater discharges are expected to be subject to relatively rapid dispersion, flushing and sediment movement due to the dynamic nature of the coastal receiving environment;

- Any visible effects of stormwater discharges such as erosion and sedimentation, or discolouration of receiving water bodies, are likely to be mitigated naturally within a short time period.

Thames Coast Urban Areas

The main assessment findings for the Thames Coast Urban Areas include:

- All streams inspected by Kessels & Associates Ltd were considered to be in a relatively healthy state, and, for the most part, supported good populations of pollution sensitive aquatic invertebrates;

- Aquatic plant, invertebrate and fish populations were all considered to reflect good habitat opportunities in the Waikawau, Te Mata, Otuturu, Pohue, Waiomu, Te Puru, Pokopokorua, Otohi, Pupurakau and Hongikore streams respectively;

- Stormwater runoff is unlikely to be causing any significant adverse ecological effects on in-stream life at all the sites viewed;

- Build up of contaminants in estuarine sediments may cause localised pollution. However, the small volumes of stormwater involved and the large dilution rates suggest that effects will be no more than minor;

- Any visible effects of stormwater discharges such as erosion and sedimentation, or discolouration of receiving water bodies, are likely to be mitigated naturally within a short time period.

With regard to the desktop assessments of stormwater contaminant loads to the various receiving water bodies of the Thames Coromandel urban areas, the results of these assessments are tabled in the appendices of the main application documents. These results are derived from the average annual load values (kg/Ha/Yr) as stated in the NIWA publication *"Urban Runoff Data Book – 2nd Edition"* (1993). They are also representative of the 'typical' contaminant loads that are routinely associated with urban stormwater runoff in New Zealand and overseas.

The results of these assessments show low to average annual contaminant load volumes - as would be expected for the Thames Coromandel urban areas given their relatively small urban footprints and the low level of commercial and industrial land use activities taking place within these areas. However, with the exception of Thames Urban Area, TCDC has not undertaken any receiving water body monitoring (such as sediment sampling) to determine the fate of these contaminant loads and their subsequent environmental effects. Therefore, consistent with TCDC's own assessment findings as summarised above, I consider that some receiving environment monitoring is necessary – particularly within the higher risk commercial and industrial catchments which drain into sensitive receiving environments such as the Firth of Thames, Whitianga Harbour, Otahu River, Whangamata Harbour, Tairua Harbour and the Coromandel Harbour. This monitoring is further discussed in Section 8.1 of this report and a recommended consent condition requiring TCDC to retain appropriately qualified and experienced persons to prepare a monitoring programme, is included in the attached Resource Consent Certificates.

In addition to the more routine types of stormwater contaminant discharges discussed above, it is the 'non-routine contaminant discharges' that are likely to present the most significant risk to stormwater receiving water bodies. These types of discharges generally derive from accidental spills on roads or commercial/industrial sites, or are intentionally released to municipal stormwater networks through activities such as vehicle washing or the tipping of waste substances directly into stormwater drains. Appropriate management responses such as undertaking commercial/industrial site investigations, implementing stormwater management measures and incident response monitoring are further discussed in Sections 7.1.2 and 8.2 of this report respectively.

Recommended consent conditions which specifically address non-routine contaminant discharges are also included in Schedule A and the Resource Consent Certificates attached to this report.

7.1.2 Stormwater Management Measures

TCDC has not provided comment on possible alternative methods of discharge (including discharge into any other receiving environment) for the existing municipal stormwater diversion and discharge activities. Given the established nature of these activities I am satisfied that such an analysis is not necessary. However, there are several stormwater management measures which can be implemented to avoid, remedy or mitigate the actual and potential adverse effects associated with these activities. Some of these measures are already well established and are implemented by TCDC through regular operation and maintenance activities and development requirements (such as ground soakage where soil types permit). Other measures have been discussed by TCDC and WRC staff on various occasions, and are subject to the pending outcomes of this CSDC process.

7.1.2.1 Stormwater Management Measures for Existing Stormwater Activities

The majority of existing municipal stormwater diversion and discharge activities are located in established urban catchments. TCDC manages these activities through a variety of measures which can be described as 'regulatory controls', 'source controls', 'treatment' and 'education'. An overview of some of these measures is provided in the main application documents.

In terms of regulatory controls, these include TCDC District Plan provisions and specific engineering standards that are set out in the TCDC Code of Practice for Subdivision and Development Manual (Development Manual). Source controls include measures such as regular street sweeping, catchpit cleaning and refuse collection. These measures are aimed at capturing litter and other routine contaminants prior to entering stormwater networks.

For those contaminants which do enter the stormwater networks, treatment devices such as baffle or filter bag catchpit inserts are already being employed in some urban areas, particularly in the more recently developed areas where treatment devices have been required of developers via site specific WRC consents. Where major upgrade works to the urban streetscape and infrastructure are programmed, these works present excellent opportunities to include retrofit treatment devices such as swale systems and rain gardens which filter stormwater prior to its entry to the main stormwater networks. The Whitianga Waterways development and road reserve areas within Pauanui, provide very good examples of these types of treatment device applications.

All of these stormwater management measures (including the ones not mentioned but described elsewhere in the application documents) go some way to avoiding and otherwise minimising the actual and potential adverse effects of existing stormwater activities on the environment. As such a series of recommended consent conditions are included in Schedule A and the Resource Consent Certificates attached to this report, which require these measures to be continued. These conditions range from general conditions which, for example, have regard to the operation and maintenance of the stormwater networks (and other TCDC asset management activities), through to 'stormwater quality', 'stormwater quantity' and 'aquatic ecosystem' related conditions which provide for the various actual and potential adverse stormwater effects discussed in Section 7.1.1 of this report.

<u>Stormwater Management Plan</u>

There is also a recommended consent condition for a Stormwater Management Plan (SMP). This plan will record the way in which the municipal stormwater networks are operated, and include best practicable management measures to avoid, remedy and/or mitigate the adverse effects of stormwater on the environment. The SMP is very much an operational document through which the operation of the stormwater networks and the various effects based management measures, are defined and implemented. As such I regard the SMP as an essential management tool that will assist TCDC to meet the various condition requirements of the CSDCs.

As part of the application, TCDC has already provided a draft SMP for each urban area[8]. While these draft SMPs are currently very basic and necessitate further development prior to completion, they do identify several stormwater management issues, objectives and management measures that TCDC is proposing to undertake. These measures are set out in Table 3 below:

Table 3: TCDC Draft SMPs - Key Issues and Implementation Strategy

Stormwater Management Issue	***Implementation Strategy / Management Measures***
Loss of habitat quality & quantity:	- *Undertake riparian restoration on Parks, Drainage Reserves & other Council owned land;* - *Ensure replacement of appropriate species when undertaking riparian weed control;* - *Plan any timing of work in streams in their driest period when fish are not migrating;* - *Promote the use of contractors who have appropriate erosion & sediment control qualifications;* - *Produce information & educational materials about aquatic habitats & ways to protect & enhance them;* - *Weight options that minimise interference with natural stream channels;* - *Ensure all culverts are laid flat and below streambed level;* - *Identify and remove barriers to fish passage;* - *Investigate 'daylighting' streams with good upstream habitat potential as part of Catchment Management Planning;* - *Be mindful of maintaining natural attributes of streams when undertaking stormwater works.*
Point source contamination:	- *Promote and implement clean up measures after wastewater overflows;* - *Eliminate overflows from wastewater pump stations that cause adverse effects on the environment or public health;* - *Control infiltration into the sewer system to minimise sewer overflows;* - *Undertake aftercare to mitigate effects of contamination from former landfill sites;* - *Enforce the HSNO Act legislation;* - *Ensure regular cleaning of septic tanks;* - *Promote the use of high-tech septic tanks;* - *Identify the major potential sources and areas vulnerable to contamination from accidental contaminant spills;* - *Continue education initiatives, including marking all stormwater drains as "Rainwater Only";* - *Regular emptying of litter bins.*
Non-point source contamination:	- *Install cut-off drains at the ends of driveways in areas where there is no stormwater reticulation;* - *Promote the use of least toxic agrichemicals and application methods;* - *Encourage the use of swales and vegetative strips within road reserves;* - *Investigate techniques for treating stormwater runoff from roads;* - *Aim to provide some stormwater treatment in roads used as primary or secondary flow paths;* - *Place consent conditions on building consents to address sediment runoff;*

[8] It is envisaged that the draft SMPs will be developed as one document and provide for all Thames Coromandel urban areas. This will avoid duplication and improve ease of reference.

	- *Place consent conditions on building consents to monitor earthworks;* - *Provide information on sediment control in the Development Manual;* - *Undertake regular kerb & channel & catchpit cleaning.*
Flooding:	- *Minimise the number of flood hazards affecting people and property;* - *Determine freeboard requirements as part of Catchment Management Plans;* - *Consider relocating or raising houses in floodplains before undertaking major engineering works;* - *Maintain a current flood hazard register;* - *Check for secondary flow paths before approving subdivision plans or building consents;* - *Place easements over secondary flow paths in new subdivisions;* - *Promote the use of permeable and semi permeable surfaces in subdivisions and development, where appropriate.*
Erosion:	- *Implement earthworks strategies to help prevent erosion;* - *Use sedimentation ponds;* - *Use bioretention and grassy swales;* - *Use attenuation ponds to limit rates and velocities of runoff;* - *Design outfalls to prevent erosion.*

All of these proposed stormwater management measures are considered to reflect good management practice, and will assist in avoiding, remedying or mitigating some of the actual and potential adverse environmental effects. However, in order to fully bring about best practicable management solutions that will address the types of 'stormwater quality', 'stormwater quantity' and 'aquatic ecosystem' effects associated with urban stormwater, the SMP will need to provide greater guidance on how this will be achieved. For example, the SMP will need to be more detailed and specific in terms of the range of management measures to be applied or undertaken within particular urban areas and catchments (for example the range of source controls and treatment devices to manage stormwater quality effects in higher risk commercial and industrial catchments which drain into sensitive receiving environments such as the Firth of Thames, Whitianga Harbour, Otahu River, Whangamata Harbour, Tairua Harbour and the Coromandel Harbour).

The SMP will also need to determine key performance measures through which to assess performance and determine if management objectives are being met. These matters are further informed and provided for in the various sub-conditions of the recommended SMP condition.

Overall, provided TCDC undertakes its existing municipal stormwater diversion and discharge activities in accordance with the recommended consent conditions, I am satisfied that the associated actual and potential adverse effects on the environment will be avoided as far as practicable and otherwise minimised. In terms of its application to this CSDC process, the term *"practicable"* means 'affordable' (given the financial implications) 'technically feasible' (given the current state of technical knowledge), and 'appropriate' (having regard to the nature and degree of adverse effect on the environment).

7.1.2.2 Stormwater Management Measures for New Stormwater Activities

Similar to existing stormwater diversion and discharge activities, stormwater management measures for new stormwater activities which are established during the term of consents, include 'regulatory controls', 'source controls', 'treatment' and 'education'. The main regulatory controls include the TCDC District Plan provisions, the Development Manual, Structure Plans, Catchment

Management Plans, site specific resource consents for land development, and adherence to regional plans and urban growth strategies.

Catchment Management Plans

Whilst it will be particularly important for the relevant TCDC District Plan provisions, Development Manual and resource consents for land development to align with the CSDCs, it is through Catchment Management Plans (CMPs) that the provision of 'low impact' and sustainable municipal stormwater activities will mainly come about (particularly in the larger Thames Coromandel urban areas where growth and development is anticipated). CMPs are prepared specifically to guide new stormwater diversion and discharge activities in developing catchments. In the preparation of a CMP a series of assessments are undertaken, relating to matters such as the current status of the catchment (for example in terms of its existing natural and physical attributes) and the potential environmental effects of new stormwater activities within the catchment. These assessments then form the basis from which an 'integrated catchment management approach' is determined, and this informs all key stakeholders on how to progress key stormwater infrastructure and site specific stormwater activities within the catchment.

Like the SMP for existing municipal stormwater activities, I consider that CMPs will be essential in assisting TCDC to meet the various condition requirements associated with new stormwater activities in developing catchments. Recommended consent conditions which specifically require CMPs as a prerequisite to new stormwater diversion and discharge activities in developing catchments, are included in Schedule A and the Resource Consent Certificates attached to this report.

In terms of other management measures, these comprise Low Impact Urban Design (which essentially adopts design and development practices that utilise natural systems and low-impact technologies), maintenance of pre-development hydrological characteristics of catchments wherever possible, promotion of standard design parameters and procedures, and stormwater management devices. Ultimately all of these management measures are expected to be determined through catchment specific CMPs.

For new municipal stormwater diversion and discharge activities in existing urban catchments, a similar approach to that for the existing activities is required and will be determined on a site by site basis. These activities will also require site specific resource consents, separate to the CSDCs, unless it can be demonstrated by TCDC that the new activities will be consistent with the conditions of the relevant CSDC and not result in any additional actual or potential adverse effects on the environment[9]. Recommended consent conditions which provide for this aspect of the CSDCs, are included in Schedule A and the Resource Consent Certificates attached to this report. Further reference to these conditions and the administrative process for incorporating new activities into the CSDCs, is provided in Appendix 1 of this report.

In the absence of accepted local design criteria for stormwater management devices, TCDC subscribe to the former Auckland Regional Council's Technical Publication 10 (ARC TP10). The main design criteria for treating stormwater as provided in ARC TP10 includes:

- Matching peak flows for the 2 year, 10 year 24 hour duration return period events;
- Considering the implications of stormwater discharges on flooding in the 100 year return period event;
- The removal of 75% of suspended sediments on a long term average basis; and
- The provision of flow control to protect downstream stream channels from erosion.

These criteria are generally supported by WRC who also utilise ARC TP10 in the absence of Waikato Region specific guidelines. If or when regional or Thames Coromandel specific design criteria are developed in the future, these will need to be reviewed and technically approved by WRC staff prior to their use as an alternative to ARC TP10 under the CSDCs.

[9] Relevant site investigation and assessment information will be required to demonstrate consistency with the relevant CSDC.

For CSDC purposes, all of the above stormwater management measures will contribute to avoiding and otherwise minimising the actual and potential adverse effects of new stormwater activities on the environment. A series of recommended consent conditions are therefore included in Schedule A and the Resource Consent Certificates attached to this report, ranging from technical certification requirements for new stormwater activities through to CMPs and the implementation of Low Impact Urban Design measures and stormwater management devices in reticulated catchments.

Provided new municipal stormwater diversion and discharge activities are established in accordance with the recommended consent conditions, I am satisfied that the associated actual and potential adverse effects of these activities on the environment will be avoided as far as practicable and otherwise minimised. In the event where new municipal stormwater diversion and discharge activities are not established in accordance with the recommended consent conditions, these activities will remain as 'stand alone' activities and will not be authorised by the CSDCs[10].

7.2 Policy Statements & Plans

7.2.1 New Zealand Coastal Policy Statement (1994)

The New Zealand Coastal Policy Statement 1994 (NZCPS) is no longer applicable to this application.

- The preservation of the natural character of the coastal environment by taking into account the potential effects of subdivision, use, or development on the values relating to the natural character of the coastal environment, both within and outside the immediate location and avoiding cumulative adverse effects of subdivision, use and development in the coastal environment;
- The protection of landscapes, seascapes and landforms;
- The preservation of the natural character of the coastal environment to protect the integrity, functioning and resilience of the coastal environment in terms of the dynamic processes and features arising from the natural movement of sediments, water and air;
- The restoration and rehabilitation of the natural character of the coastal environment where appropriate;
- Use of the coast by the public should not be allowed to have significant adverse effects on the coastal environment, amenity values, nor on the safety of the public nor on the enjoyment of the coast by the public;
- Adverse effects of use in the coastal environment should be avoided as far as practicable. Where complete avoidance is not practicable, the adverse effects should be mitigated and provision made for remedying those effects, to the extent practicable;
- Provision is to be made to ensure that the cumulative effects of activities, collectively, in the coastal environment are not adverse to a significant degree;
- The ability of natural features such as sand dunes to protect uses should be recognised and maintained and where appropriate steps should be required to enhance that ability;
- The maintenance and enhancement of public access to and along the coastal marine area unless a restriction is necessary; and
- The recognition and facilitation of the special relationship between the Crown and tangata whenua as established by the Treaty of Waitangi.

7.2.2 New Zealand Coastal Policy Statement (2010)

The New Zealand Coastal Policy Statement (2010) is applicable to this application. Relevant policies within the NZCPS include:

Policy 1 Extent and characteristics of the coastal environment
Policy 2 The Treaty of Waitangi, tangata whenua and Māori heritage
Policy 3 Precautionary approach
Policy 4 Integration

[10] These activities will retain and be governed by site specific resource consents.

Policy 5 Land or waters managed or held under other Acts
Policy 6 Activities in the coastal environment
Policy 7 Strategic planning
Policy 11 Indigenous biological diversity (biodiversity)
Policy 13 Preservation of natural character
Policy 14 Restoration of natural character
Policy 15 Natural features and natural landscapes
Policy 16 Surf breaks of national significance
Policy 18 Public open space
Policy 21 Enhancement of water quality
Policy 22 Sedimentation
Policy 23 Discharge of contaminants
Policy 24 Identification of coastal hazards
Policy 25 Subdivision, use and development in areas of coastal hazard risk
Policy 26 Natural defences against coastal hazards
Policy 27 Strategies for protecting significant existing development from coastal hazard risk
Policy 28 Monitoring and reviewing the effectiveness of the NZCPS
Policy 29 Restricted Coastal Activities

These policies have been taken into account when assessing the application.

7.2.3 Waikato Regional Policy Statement

The Waikato Regional Policy Statement (RPS) was proposed in October 1993 and became operative in October 2000. The RPS provides an overview of the resource management issues in the Waikato Region, along with objectives and policies to achieve integrated management of the natural and physical resources of the Region. The objectives and policies that are considered to be most relevant to the CSDC applications are found within the following sections of the RPS:

- Section 2.1.5 Tangata Whenua Relationship With Natural and Physical Resources;
- Section 2.2.1 Achieving Integrated Management;
- Section 3.3.7 Accelerated Erosion;
- Section 3.3.8 Soil Contamination;
- Section 3.4.5 Water Quality;
- Section 3.4.6 Flow Regimes;
- Section 3.4.10 Mauri;
- Section 3.5.4 Natural Character & Coastal Processes;
- Section 3.5.5 Coastal Water Quality;
- Section 3.5.6 Integrated Management;
- Section 3.9.3 Liquid Wastes;
- Section 3.10.3 Storage, Transportation, Use and Disposal of Hazardous Substances;
- Section 3.11.4 Maintenance of Biodiversity.

The application's degree of consistency with the objectives and policies of the RPS is discussed below:

Section 2.1.5 – Tangata Whenua Relationship with Natural & Physical Resources

The objective of this section seeks to recognise the relationship tangata whenua have with natural and physical resources. This is achieved by ensuring that the relationship tangata whenua have with their ancestral lands, water, sites, waahi tapu and other taonga is recognised and provided for in resource management decision making (Policy 1).

As discussed in Section 5 of this report, TCDC has consulted with various Iwi who are recognised as tangata whenua in Thames Coromandel. Although no particular issues have been raised through this process, I am satisfied that the relationship tangata whenua have with their ancestral lands and water bodies are provided for in the recommended consent conditions.

Section 2.2.1 – Achieving Integrated Management

Policy 1 of section 2.2.1 provides for the following matters that should be recognised and provided for when managing the use and development of natural and physical resources:

> *"a) the interconnected nature of all elements of the environment*
> *b) the inter-relationships between natural and physical resources*
> *c) the potential for adverse environmental effects to occur*
> *d) the range of social, cultural and economic values within the Region."*

Policy 2 of section 2.2.1 goes on to say that inter agency integration and consideration of cross boundary processes in the management of natural and physical resources should be ensured.

CSDCs recognise and provide for all of these matters. By granting CSDCs, the integrated management of natural and physical resources as influenced and affected by municipal stormwater diversion and discharge activities, will be greatly enhanced and provided for.

Section 3.3.7 – Accelerated Erosion

The objective of this section seeks a net reduction in the effects of accelerated erosion. This is to address issues such as downstream sedimentation resulting in degradation of water quality, aquatic ecosystems and water supply systems, and increased flooding potential. Following the assessment of environmental effects and the various stormwater management measures to be implemented by TCDC (discussed in Section 7.1.2 of this report), I am satisfied that the CSDCs will significantly contribute to achieving a net reduction in the effects of accelerated erosion of land and the beds of receiving water bodies.

Section 3.3.8 – Soil Contamination

According to section 3.3.8, the discharge of contaminants (including stormwater) onto or into land may adversely affect the physical, chemical or biological conditions of soils. However, disposal of stormwater to land (natural and constructed soakage systems) is considered to be the most sustainable option for stormwater management, and is actively encouraged as a preferred method of treating stormwater (where soil types allow). Provided the municipal stormwater diversion and discharge activities are managed in accordance with the recommended consent conditions, I am satisfied that the range of existing and foreseeable uses of soil resources will not be reduced by these activities.

Section 3.4.5 – Water Quality

In terms of water quality, this section recognises the potential for reduction in water quality through, for example, the cumulative effects of point and non-point source discharges of contaminants. The objective of this section therefore seeks a net improvement in water quality across the Region. To achieve this objective Policy 2 seeks to determine the characteristics for which water bodies are valued, and to manage those water bodies to ensure that any adverse effects on those characteristics are avoided, remedied or mitigated. This is achieved in part through the establishment of water quality classes as incorporated into the WRP (see Section 7.2.3 of this report below). Also through initiatives such as education and advice to landowners to adopt and maintain suitable land use practices.

For the existing municipal stormwater diversion and discharge activities, a best practicable management approach has been adopted to avoid and otherwise minimise adverse water quality effects. This, over time, should contribute to improving the water quality of stormwater receiving water bodies. For new municipal stormwater activities an issue avoidance approach has been adopted through initiatives such as catchment management planning, low impact urban design,

source controls and treatment. I am satisfied that these stormwater management measures will contribute to achieving a net improvement in water quality, however, this will require verification through regular receiving water body monitoring as recommend via consent condition in the attached Resource Consent Certificates.

Section 3.4.6 – Flow Regimes

The objective of this section seeks that the range of uses of water bodies reliant on the characteristics of flow regimes be maintained or enhanced. Policy 1 of section 3.4.6 provides for protecting significant flow regimes whilst Policy 2 provides for modifications of flow regimes where adverse environmental effects are avoided, remedied or mitigated.

In terms of the CSDC applications and assessment of environmental effects, there is no evidence to suggest that existing municipal stormwater diversion and discharge activities are currently contributing significantly to fluctuations in stream flows (low base flows / high peak flows). However, for new stormwater activities effects on flow regimes should be substantially avoided through the various stormwater management measures discussed above. For these reasons I am satisfied that significant flow regimes will be protected and modifications of flow regimes will be avoided, remedied or mitigated.

Section 3.4.10 – Mauri

The objective of this section seeks that tangata whenua concerns relating to the mauri of water is recognised and provided for. In particular, Policy 1 provides for ensuring that decisions made about the discharge of contaminants into the environment are made in a way which recognise and provide for the mauri of water.

Provided the recommended consent conditions in Schedule A and the Resource Consent Certificates attached to this report are complied with, I am satisfied that tangata whenua concerns relating to the mauri of water will be provided for.

Section 3.5.4 - Natural Character & Coastal Processes

This section recognises that inappropriate subdivision, use and development within the coastal environment results in loss of natural character. The objective of this section therefore seeks to preserve the natural character of the coastal environment, including the physical and ecological processes which ensure its dynamic stability. To achieve this objective Policy 1 provides for protection of significant areas and Policy 2 provides for recognition of natural processes through ensuring that subdivision, use and development is undertaken in a way which recognises and provides for the dynamic nature of coastal processes. Policy 4 provides for use of 'soft engineering' or non-engineering solutions to coastal hazards.

Provided the municipal stormwater diversion and discharge activities are managed in accordance with the recommended consent conditions, I am satisfied that natural character and coastal processes will not be further impacted by those activities which are associated with subdivision, use and development.

Section 3.5.5 - Coastal Water Quality

The objective of this section seeks that the quality of coastal water is maintained or enhanced. Given that the water quality of the Waikato coast is, in most areas, of very high quality, Policy 1 of this section seeks to avoid, remedy or mitigate adverse effects on water quality.

There are several recommended consent conditions that pertain to water quality in Schedule A and the Resource Consent Certificates attached to this report. Provided the municipal stormwater diversion and discharge activities are undertaken in accordance with these conditions I am satisfied that high water quality around the Thames Coromandel coast will be maintained.

Section 3.5.6 - Integrated Management

The objective of this section seeks that integrated management is achieved and any unforeseen adverse effects avoided. Of particular relevance to urban stormwater, Policy 1 / Implementation Method 2 requirese assessment of objectives and policies relating to land and water resources to

encourage the enhancement of the coastal environment and ensure that 'upstream' activities have minimal adverse effects on coastal areas.

Provided the municipal stormwater diversion and discharge activities are managed in accordance with the recommended consent conditions, I am satisfied that integrated management will be achieved and any unforeseen adverse effects avoided.

Section 3.9.3 – Liquid Wastes

According to this section, liquid wastes (including stormwater) can be treated to a level where they may have minimal or no adverse effects. As per discussion above, a best practicable management approach has been adopted to avoid and otherwise minimise the adverse effects of municipal stormwater diversion and discharge activities. This includes the treatment of stormwater where this is determined to be necessary (for example high risk catchments which are exposed to higher concentrations of contaminants).

Section 3.10.3 – Storage, Transportation, Use & Disposal of Hazardous Substances

The objective of this section seeks to minimise the risk of adverse environmental and human health effects deriving from the storage, transport, use and disposal of hazardous substances. Policy 1 provides for hazardous substances to be stored in a manner that is designed to avoid adverse effects from unintentional releases. Policy 2 provides for hazardous substances to be transported in a manner that is designed to avoid unintentional releases occurring, and avoids, remedies or mitigates the effects of releases when they do occur.

A recommended consent condition which specifically provides for the types of 'non-routine' contaminant discharge incidents described in Policies 1 and 2, is included in Schedule A of this report. I am therefore satisfied that the risk of adverse environmental and human health effects deriving from the storage, transport, use and disposal of hazardous substances will be minimised.

Section 3.11.4 – Maintenance of Biodiversity

The objective of this section seeks that biodiversity within the Region is maintained or enhanced. In this regard, Policy 1 provides for the use and development of natural and physical resources while avoiding, remedying or mitigating adverse effects on biodiversity. Policy 2 provides for the protection and management of indigenous vegetation and habitats of indigenous fauna.

Many of the Thames Coromandel water bodies have a broad range of biodiversity values, some of which are internationally renowned. The adoption of a best practicable management approach for existing municipal stormwater diversion and discharge activities, and an issue avoidance approach to new activities, will therefore assist in maintaining or enhancing biodiversity within these water bodies.

7.2.4 Proposed Regional Policy Statement

The Proposed Waikato Regional Policy Statement (PRPS) was publicly notified in November 2010, with submissions closing in February 2011. The PRPS reflects amendments to the RMA and changes in policy, economic and environmental direction over the past ten years since the first RPS became operative in 2000.

The key issues identified in the PRPS which relate to the CSDC applications, include the 'state of resources' (Issue 1.1), 'effects of climate change' (Issue 1.2), 'managing the built environment' (Issue 1.4) and 'relationship of tangata whenua with the environment' (Issue 1.5). There are also a number of overlapping objectives under each of these issues which are relevant to the application. These include:

- Integrated management of natural and physical resources (Objective 3.1);
- Decision making (Objective 3.2);
- Adapting to climate change (Objective 3.5);

- Coastal environment (Objective 3.6);
- Ecosystem services (Objective 3.7);
- Relationship of tangata whenua with the environment (Objective 3.8);
- Efficient use of resources (Objective 3.9);
- Built environment (Objective 3.11);
- Mauri and health of marine waters (Objective 3.12);
- Mauri and health of fresh water bodies (Objective 3.13);
- Riparian area and wetlands
- Ecological integrity and indigenous vegetation (Objective 3.18);
- Amenity (Objective 3.20);
- Natural character (Objective 3.21).

Relevant polices are found within sections 'integrated management' (Part B / 4), 'built environment' (Part B / 6), 'development principals' (Part B / 6A), 'coastal marine area' (Part B / 7), 'fresh water bodies' (Part B / 8), 'indigenous biodiversity' (Part B / 11), 'landscape, natural character and amenity' (Part B / 12).

Having reviewed these provisions I am satisfied that, provided the municipal stormwater diversion and discharge activities are undertaken in accordance with the recommended consent conditions in Schedule A and the Resource Consent Certificates attached to this report, they will not be inconsistent with the objectives and polices of the PRPS.

7.2.5 Waikato Regional Plan

The WRP contains specific objectives, policies and implementation methods to achieve the purpose of the RMA and address the significant resource management issues for the Region identified in the RPS.

As outlined in Section 4.2 of this report, the municipal diversion and discharge activities are provided for by Rules 3.5.11.8 and 3.6.4.13 of the WRP. When considering an application under these rules, due regard must be given to the following provisions:

Matters of Significance to Maori
Section 2.3.1 – Issue (Tangata Whenua Relationship with Natural and Physical Resources)
Section 2.3.2 – Objective (Tangata Whenua Relationship with Natural and Physical Resources)

Water Module
Section 3.1.1 – Issue: (Water Resources)
Section 3.1.2 – Objective: (Water Resources)

Section 3.2.3 – Policy 1: Management of Water Bodies
Section 3.2.3 – Policy 2: Managing Degraded Water Bodies
Section 3.2.3 – Policy 3: Natural Character
Section 3.2.3 – Policy 4: Waikato Region Surface Water Class
Section 3.2.3 – Policy 5: Natural State Water Class
Section 3.2.3 – Policy 6: Contact Recreation Water Class
Section 3.2.3 – Policy 7: Fishery Water Class
Section 3.2.3 – Policy 8: Reasonable Mixing
Section 3.2.4 – Water Management Classes and Standards

Water Module
Section 3.5.3 – Policy 1: Enabling Discharges to Water that will have only Minor Adverse Effects
Section 3.5.3 – Policy 2: Managing Discharges to Water with more than Minor Adverse Effects
Section 3.5.3 – Policy 3: Alternatives to Direct Discharge to Water
Section 3.5.3 – Policy 6: Tangata Whenua Uses and Values
Section 3.5.3 – Policy 7: Stormwater Discharges

Section 3.6.1 – Issue (Damming and Diverting)
Section 3.6.2 – Objectives (Damming and Diverting)
Section 3.6.3 – Policy 2: Damming and Diverting of Water in Perennial Water Bodies

Land and Soil Module
Section 5.1.1 – Issue: (Accelerated Erosion)
Section 5.1.2 – Objective: (Accelerated Erosion)
Section 5.1.3 – Policy 1: Managing Activities that Cause or have the Potential to Cause and Encourage Appropriate Land Management Practices

Section 5.2.1 – Issue: (Discharges onto or into Land)
Section 5.2.2 – Objective: (Discharge onto or into Land)
Section 5.2.3 – Policy 1: Low Risk Discharges onto Land
Section 5.2.3 – Policy 2: Other Discharges onto or into Land

The application's degree of consistency with the main WRP provisions, is discussed below:

Matters of Significant to Maori

As discussed in Section 5.1 of this report, TCDC has consulted with various Iwi who are recognised as tangata whenua in Thames Coromandel. Although no particular issues have been raised through this process, I am satisfied that all potentially significant matters are provided for in the recommended consent conditions.

Water Module

Objective 3.1.2 of the WRP sets out the desired end point for management of water bodies in the Region. This includes:

- *That people are able to take and use water for their social, economic and cultural wellbeing;*
- *Net improvement of water quality across the Region;*
- *Avoidance of significant adverse effects on aquatic ecosystems;*
- *The characteristics of flow regimes are enhanced where practicable and justified by the ecological benefits;*
- *The range of uses of water reliant on the characteristics of flow regimes are maintained or enhanced;*
- *The range of reasonably foreseeable uses of ground water and surface water are protected;*
- *That significant adverse effects on the relationship tangata whenua as Kaitiaki have with water and their identified taonga such as waahi tapu, and native flora and fauna that have customary and traditional uses in or on the margins of water bodies, are remedied or mitigated;*
- *The cumulative adverse effects on the relationship tangata whenua as Kaitiaki have with water and their identified taonga such as waahi tapu, and native flora and fauna that have customary and traditional uses that are in or on the margins of water bodies are remedied or mitigated;*
- *The management of non-point source discharges of nutrients, faecal coliforms and sediment to levels that are consistent with identified purpose and values for which the water body is being managed;*
- *The natural character of the coastal environment, wetlands, and lakes and rivers and their margins, (including caves) is preserved and protected from inappropriate use and development;*
- *Ground water quality is maintained or enhanced and ground water takes managed to ensure sustainable yield;*
- *Concentrations of contaminants leaching from land-use activities and non point source discharges to shallow ground water and surface waters do not reach levels that present significant risks to human health or aquatic ecosystems*
- *That the positive effects of water resource use activities and associated existing lawfully established infrastructure are recognised, whilst avoiding, remedying or mitigating adverse effects on the environment.*

To help achieve this objective, relevant water management policies seek to characterise water bodies based on the characteristics for which they are valued, and enhance or maintain those characteristics through a mixture of regulatory and non-regulatory measures.

One such measure is through the implementation of water management classes and standards which are set out in section 3.2.4 of the WRP. These water management classes and standards have been considered in the assessment of the CSDC applications, and I am satisfied that provided the municipal stormwater diversion and discharge activities are undertaken in accordance with the recommended consent conditions, the valued characteristics of the various stormwater receiving water bodies will be maintained or enhanced.

With regard to discharges, section 3.5.3 sets out policies to enable discharges to water that only have minor adverse effects (Policy 1), carefully manage discharges which may have more than minor adverse effects to ensure that no significant adverse effect occur (Policy 2), and to promote land-based treatment systems as an alternative to direct discharges to water (Policy 3). These polices are reinforced by Policy 7 which provides for encouraging at-source management and treatment of stormwater discharges to reduce water quality and water quantity effects of discharges on receiving water bodies.

Section 3.5.11 of the WRP then goes on to say that:

"Environment Waikato will work with resource users (including territorial authorities) to:

1. *Find ways to mitigate adverse effects of existing stormwater discharges;*
2. *Promote the development of stormwater management plans which record the way in which the stormwater network is operated, including methods to avoid, remedy or mitigate the adverse effects of stormwater discharge; and*
3. *Promote alternative methods for the treatment and disposal of stormwater from existing and new subdivisions and development."*

As discussed in Section 7.1.2.1 of this report, TCDC will be preparing a SMP to guide its operation of the municipal stormwater networks, and implement various stormwater management measures to avoid, remedy and/or mitigate the actual and potential adverse effects of its stormwater activities. There are also a series of recommended consent conditions which provide for these management measures, and I am satisfied that stormwater discharge activities will not be contrary to the 'discharge' provisions of the WRP.

In terms of diversion activities, Objective 3.6.2 provides for the diverting of water (and the use of associated structures) in a manner that:

1. *"Does not have adverse effects that are inconsistent with the water management objectives in Section 3.1.2.*
2. *Does not have adverse effects that are inconsistent with the river and lake bed structures objectives in Section 4.2.2.*
3. *Does not obstruct fish passage where it would otherwise occur in the absence of unnatural barriers, so that trout or indigenous fish can complete their lifecycle.*
4. *Results in no increase in the adverse effects of flooding or land instability hazards.*
5. *Results in no loss of existing aquatic habitats as a consequence of channelization of rivers.*
6. *Increases the use of off-stream dams for water supply purposes as an alternative to dams in perennial streams.*"

Policy 2 of section 3.6.3 further provides for (amongst other matters) managing the diversion of water in perennial water bodies to ensure that adverse effects of flooding and erosion on neighboring properties are avoided, remedied or mitigated.

Recommended consent conditions that provide for municipal stormwater diversion activities and their actual and potential adverse effects on the environment, are included in Schedule A and the Resource Consent Certificates attached to this report. As such I am satisfied that these activities will not be contrary to the 'diversion' provisions of the WRP.

With regard to discharges to land, section 5.2.3 of the WRP sets out policies that enable low risk discharges onto or into land (Policy 1), and manages other discharges to avoid where practicable

adverse effects, and remedies or mitigates effects that cannot be avoided (Policy 2). Having assessed the application I am satisfied that the municipal stormwater diversion and discharge activities are not inconsistent with these provisions.

7.2.6 Waikato Regional Coastal Plan

The WRCP provides for the sustainable and integrated management of the Coastal Marine Area (CMA), and is relevant to the municipal stormwater diversion and discharges activities taking place within the CMA. These activities are provided for by Controlled Activity Rule 16.3.6 of the WRCP. Matters over which WRC has reserved control for these activities include:

- The cumulative effects potentially arising from the location of the discharge;
- Quantity, dependent on flushing ability of the CMA;
- The level of concentrations of hazardous substances in the stormwater;
- The extent to which the discharge may cause erosion and scouring;
- The extent to which after reasonable mixing, the discharge (either by itself, or in combination with other discharges) will give rise to any adverse effects on flora or fauna;
- The information and monitoring requirements.

In addition to these matters the WRCP identifies several Areas of Significant Conservation Value (ASCV) in Appendix 3 of the WRCP. The areas of relevance to this application include the Firth of Thames (ASCV Maps 9 and 10), Whitianga Harbour (ASCV Map 17), Upper Tairua Harbour (ASCV Map 19), Upper Whangamata Harbour and the Otahu Estuary (ASCV Map 24). The significant conservation values include:

<u>Firth of Thames</u>
- Site of cultural significance to Hauraki Iwi;
- Internationally important wetland (RAMSAR site);
- Resident and frequenting rare and threatened national and international migratory waders, coastal and freshwater bird species;
- Nationally significant mangrove and mudflat communities;
- Unique and globally rare land form (chenier plain);
- Extensive shellfish beds and gathering of shellfish; and
- Miranda chenier plain and coastal flats.

<u>Whitianga Harbour</u>
- Site of significance to Hauraki Iwi;
- Nationally important wildlife habitat;
- Resident and frequenting rare and threatened wading, coastal and freshwater bird species;
- Resident common dolphins;
- Extensive eel grass and mangrove communities;
- Adjoining forest scenic reserves;
- Geo-preservation sites at Maramaratotara Bay, Shakespeare Cliff and Whitianga Ferry Landing; and
- Whitianga wharf archaeological site.

<u>Upper Tairua Harbour</u>
- Site of significance to Hauraki Iwi;
- Resident and frequenting rare and threatened wading, coastal and freshwater bird species;
- Saltmarsh, eel grass, mangrove communities and shellfish beds;
- Archaeological shell middens;
- Whitebait spawning habitat; and
- Geo-preservation sites at Paku Island and Pauanui coastal flats.

<u>Upper Whangamata Harbour and Otahu Estuary</u>
- Site of significance to Hauraki Iwi;
- Resident and frequenting rare and threatened wading and coastal bird species;

- Unmodified saltmarsh, extensive eel grass, mangrove and freshwater communities;
- Representative wetland;
- Linkage with forested catchment;
- Native fisheries values; and
- Gathering of shellfish.

Recommended consent conditions that provide for municipal stormwater diversion activities and their actual and potential adverse effects on the environment, are included in Schedule A and the Resource Consent Certificates attached to this report. As such I am satisfied that these activities are not inconsistent with the provisions of the WRCP.

7.2.7 Thames Coromandel District Plan

In addition to the WRC policy and planning documents, I have also reviewed the Thames Coromandel District Plan. Whilst this document sets out objectives and policies for subdivision and the development of urban land, I am not aware of any provisions that are specifically relevant to the processing of this consent application.

In summary, provided the municipal stormwater diversion and discharge activities are undertaken in accordance with the recommended consent conditions in Schedule A and the Resource Consent Certificates attached to this report, I am satisfied that these activities will not be inconsistent with the policy and planning provisions of the New Zealand Coastal Policy Statement, Waikato Regional Policy Statement, Proposed Regional Policy Statement, Waikato Regional Plan, Waikato Regional Coastal Plan or the Thames Coromandel District Plan.

7.3 Other Matters

Hauraki Gulf Marine Park Act (2000)

There are three parts to the Hauraki Gulf Marine Park Act (2000). The primary purpose of Part One is to integrate the management decisions made under a number of statutes. Part Two recognises the need to provide integrated decision-making when managing ecosystem scale units. It recognises the advances in the Treaty claims process, expectations and the capacity of tangata whenua to participate in resource management decision-making, and provides opportunities for this.

In Part Three of the Act, the Hauraki Gulf is defined as a Marine Park. It is in this part of the Act that the Hauraki Gulf is recognised as a matter of national importance such that consent authorities should consider the life-supporting capacity of the environment of the Hauraki Gulf, its islands and catchments when making decisions on consent applications for this area. Consent authorities need also to consider the management objectives of the Hauraki Gulf, its islands, and catchments, including the maintenance, protection and where appropriate enhancement of various aspects and features of the Gulf.

Provided the municipal stormwater diversion and discharge activities are undertaken in accordance with the recommended consent conditions in Schedule A and the Resource Consent Certificates attached to this report, I am satisfied that these activities will not compromise the aims and objectives of the Hauraki Marine Park Act.

Hauraki Iwi Environmental Plan (2004)

The Hauraki Iwi Environmental Plan (Whaia te Mahere Taio a Hauraki) identifies the key resource based issues concerning the Hauraki Whanui. The plan sets out Hauraki Whanui's vision statement for environmental and heritage issues within their rohe (area). The plan also details the fundamental principals that are central to achieving Hauraki Whanui vision and goals.

Provided the municipal stormwater diversion and discharge activities are undertaken in accordance with the recommended consent conditions in Schedule A and the Resource Consent Certificates attached to this report, I am satisfied that these activities will not compromise the aims and objectives of the Hauraki Iwi Environmental Plan.

7.4 Relevant Part II Considerations

Part II of the RMA sets out the purpose and principles of the Act. The matters that are required to be considered under section 104(1) of the Act are subject to Part II matters. Therefore the matters contained in Part II of the Act must be considered in the consent process and can be given weight in decision-making[11]. In the event of a conflict between section 104(1) matters and Part II matters, Part II matters are to be given primacy. The relevant sections of Part II are discussed below.

Section 5 - Purpose

The purpose of the RMA as defined in Section 5(1) is to:

> "*promote the sustainable management of natural and physical resources*".

Sustainable management is defined by Section 5(2) of the RMA:

> *"In this Act, 'sustainable management' means managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural well-being and for their health and safety while-*
>
> *(a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
>
> *(b) Safeguarding the life supporting capacity of air, water, soil and ecosystems; and*
>
> (c) *Avoiding, remedying, or mitigating any adverse effects of activities on the environment."*

The actual and potential environmental effects of the municipal stormwater diversion and discharge activities are assessed in Section 7.1 of this report. As a result of the assessment carried out I am satisfied that the application is consistent with the purpose of the Act.

Section 6 - Matters of National Importance

Section 6 of the RMA sets out the matters of national importance that all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, must recognise and provide for while achieving the purpose of the Act. These matters are:

> *(a) "The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development.*
>
> *(b) The protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development.*
>
> *(c) The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.*
>
> (d) *The maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers.*
>
> *(e) The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga."*

In terms of 6(a) and 6(b), several of the stormwater receiving water bodies have been modified to some degree, and possess varying degrees of natural character. Given the existing nature of the municipal stormwater diversion and discharge activities and the recommended consent conditions in Schedule A and the Resource Consent Certificates attached to this report, I do not consider that these activities will have significant adverse effects on the remaining natural character of these water bodies.

[11] RFBPS v Manawatu-Wanganui RC A86/95 (PT)

In terms of 6(c), the main receiving water bodies fall within the various water management classes of the WRP. As such varying degrees of protection are provided for these water bodies as discussed in Section 7.2.4 of this report.

In terms of 6(d), I do not consider that the municipal stormwater diversion and discharge activities significantly affect public access to and along these water bodies.

In terms of 6(e), the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga has been recognised and provided for through this consent process.

Section 7 - Other Matters

Section 7 of the RMA sets out the matters that all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources are required to have regard to. These matters are:

(a) "Kaitiakitanga and the ethic of stewardship;

(b) The efficient use and development of natural and physical resources;

(c) The maintenance and enhancement of amenity values;

(d) Intrinsic values of ecosystems;

(e) Recognition and protection of the heritage values of sites, buildings, places, or areas;

(f) Maintenance and enhancement of the quality of the environment;

(g) Any finite characteristics of natural and physical resources;

(h) The protection of the habitat of trout and salmon."

In terms of section 7(a) Kaitiakitanga, as defined by section 2 of the Act, means: *"the exercise of guardianship by the tangata whenua of an area in accordance with Tikanga Maori in relation to natural and physical resources; and includes the ethic of stewardship."* To enable the traditional kaitiaki role of Iwi, I consider that TCDC should attempt to involve local Iwi in the development of its SMP. I also consider that local Iwi should be offered the opportunity to respond to future monitoring results that relate to municipal stormwater diversion and discharge activities. The same efforts should also be made to involve others in the community who have a desire to take on a stewardship role in respect to local water bodies.

In seeking to protect water bodies from the actual and potential adverse effects of municipal stormwater diversion and discharge activities, TCDC is also ensuring that other uses of these water bodies are not disadvantaged. This is consistent with having particular regard to section 7(b) of the Act.

Amenity values are "*those natural and physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, cultural and recreational attributes*" (section 2, RMA). Reducing actual and potential adverse effects of municipal stormwater diversion and discharge activities on receiving water bodies will also serve to maintain and enhance amenity values of these water bodies, consistent with section 7(c), and will also be consistent with maintaining intrinsic values of ecosystems (section 7(d)). Intrinsic values are defined by the Act as "*those aspects of ecosystems and their constituent parts which have value in their own right, including biological and genetic diversity and the essential characteristics that determine an ecosystem's integrity, form, functioning, and resilience*" (section 2, RMA).

In terms of sections 7(e) and 7(g), I do not consider that the municipal stormwater diversion and discharge activities are adversely affecting heritage values of sites, buildings, places, or areas or any finite characteristics of natural and physical resources.

In terms of section 7(f) and 7(h) of the Act, these matters are discussed in Section 7.1.2 of this report. Provided the municipal stormwater diversion and discharge activities are undertaken in accordance with the recommended consent conditions, I am satisfied that the quality of the environment will be maintained and enhanced, and the habitat of trout protected.

Section 8 - Treaty Of Waitangi

Section 8 of the RMA requires that:

> *"In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi)."*

Section 8 of the RMA does not define the principals of the Treaty of Waitangi that should be taken into account. However, the principles of early consultation, acting in good faith, partnership and the need for active protection are appropriate for this forum, and have been adhered to through this consent process. I also consider that further consent initiatives (such as sharing monitoring information and development of a SMP) to be consistent with the principles of the Treaty of Waitangi.

7.5 Relevant Regulations

National Environmental Standard for Ambient Air Quality

The National Environmental Standard for Ambient Air Quality is not applicable to the CSDC applications.

National Environmental Standard for Sources of Human Drinking Water

The National Environmental Standard for Sources of Human Drinking Water commenced on 20 June 2008. This standard is a regulation enacted by an Order in Council, under s43 of the Resource Management Act. The regulation requires that a regional council must not grant a water or discharge permit for an activity that will occur upstream of a drinking water abstraction point if specific criteria at the point of abstraction are exceeded. The matters to be considered as part of an assessment are dependent on the permit being sought and the level of effects on any drinking water supplier located downstream or down gradient of the activity.

Under this regulation a regional council may also impose a condition of consent on any resource consent application requiring the consent holder to notify, as soon as reasonably practical, the registered drinking-water supply operators and the regional council if the activity leads to an event that, or as a consequence of an event, results in a significant adverse effect on the quality of the water at the abstraction point.

In terms of the CSDCs applied for, there are no registered drinking water supplies downstream or down gradient of municipal stormwater network discharge locations. No further assessment is required in this regard.

7.6 Matters Relevant to Discharge Applications

Section 105 Considerations

According to section 105(b) of the RMA, a consent authority may grant or refuse consent for a discretionary activity, and if it grants consent, may impose conditions under section 108 of the Act.

Section 107 Considerations

Section 107 of the RMA states that a consent authority shall not grant a discharge permit that allows the discharge of a contaminant into water, or a contaminant onto or into land in circumstances where it may enter water, if after reasonable mixing the discharge is likely to give rise to all or any of the following effects:

"…

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."*

Provided the municipal stormwater diversion and discharge activities are undertaken in accordance with the recommended consent conditions in Schedule A and the Resource Consent Certificates attached to this report, I am satisfied that these effects will be avoided as far as practicable and otherwise minimised through the various stormwater management measures discussed in Section 7.1.2 of this report.

8 Monitoring

8.1 Municipal Stormwater Network & Receiving Environment Monitoring

In Section 10 of the main application documents TCDC propose several site specific stormwater and receiving water body monitoring initiatives. However, further to the assessment of environmental effects in Section 7.1 of this report, I do not consider that all of the proposed monitoring initiatives are necessary. Over the last ten years or so the larger urban areas such as Whitianga and Whangamata, have experienced high levels of growth and development whilst the smaller urban areas have remained largely unaltered. I therefore consider that monitoring initiatives should focus predominantly on the larger urban areas and, in particular, on the higher risk commercial and industrial catchments which are draining into sensitive receiving environments such as the Firth of Thames, Whitianga Harbour, Otahu River, Whangamata Harbour, Tairua Harbour and the Coromandel Harbour.

Subsequently, a recommended Monitoring Programme consent condition is included in the attached Resource Consent Certificates. The main objectives of the Monitoring Programme are to:

- Investigate the actual and potential adverse effects of municipal stormwater diversion and discharge activities on the environment;

- Provide information to refine Best Practicable Option stormwater management measures that assist TCDC in avoiding, remedying or mitigating actual and potential adverse effects on the environment;

- Assess the performance of utilised stormwater management devices to determine their overall effectiveness in managing or treating stormwater, and to guide the best practicable application of these devices in respective catchments (particularly any preferential management devices that lack design and performance information);

- Provide guidance on the ongoing and necessary changes to the SMP to address any shortcomings with the operational procedures, management initiatives and implementation measures adopted by the SMP;

- Review the level of subdivision and development that is occurring in developing catchments, relative to the land use assumptions underlying the integrated catchment management approaches recommended by approved CMPs; and

- Determine overall compliance with the conditions of consent.

It is also recommended that, as a minimum, the Monitoring Programme includes:

- Monitoring to identify any adverse stormwater quantity and quality effects on aquatic ecosystems. This shall include stormwater receiving water body monitoring at targeted locations, and is likely to comprise one or more of the following activities:

    - Visual assessments of general habitat quality and sensitivity to stormwater inputs,
    - Sediment quality sampling and analyses of key stormwater contaminants and sediment characteristics that aid data interpretation, and
    - Biological sampling and analyses of macroinvertebrate communities and fish populations;

- Monitoring to identify any visual signs of contaminants in stormwater (conspicuous oil or grease films, scums or foams, floatable suspended materials, conspicuous change in colour or visual clarity);

- Monitoring to identify any adverse scour, erosion and sediment deposition on land, property and the beds of stormwater receiving water bodies;

- Monitoring to identify any adverse flooding of land, property and stormwater receiving water bodies;

- Monitoring to identify any stormwater management structures that are impeding the upstream and downstream movement of fish;

- Monitoring to determine the performance of utilised stormwater management devices in managing and/or treating stormwater;

- Monitoring to gauge the level of subdivision and development that is occurring in developing catchments, relative to the land use assumptions underlying the integrated catchment management approaches recommended by approved Catchment Management Plans;

- Monitoring to ensure that all stormwater management devices are maintained in good working order, and providing best practicable stormwater management and/or treatment efficiency at all times; and

- Monitoring to determine best practicable street and stormwater catchpit cleaning operations to minimise the volume of stormwater contaminants entering the stormwater network and discharging to the receiving environment.

It is my view that the Monitoring Programme should be kept reasonably flexible in order to respond to the data generated and information obtained. This may mean reducing some monitoring over the course of the programme, or adapting the programme to respond to particular effects identified. This flexibility is acknowledged in the recommended consent condition.

8.2 Incident Response Monitoring

In terms of incident response monitoring, this relates to ‘non-routine’ contaminant discharges to or from the municipal stormwater network. In some instances these type of discharges may result inadvertently or accidently from asset management activities undertaken by TCDC (for example during street openings or chemical spraying during weed control activities). However, in the majority of circumstances, non-routine contaminant discharges will result from discharges (such as accidental or deliberate discharges of liquid wastes) by third parties (i.e. parties who are not the consent holder).

A recommended consent condition is included in Schedule A of this report which provides for non-routine contaminant discharges and the notification procedures to be followed in such events. These are particularly critical given the sensitivity of the Thames Coromandel receiving water bodies.

9 Conclusions & Consent Duration

The Thames Coromandel District Council has applied for Comprehensive Stormwater Discharge Consents to divert and discharge municipal urban stormwater runoff and associated contaminants at multiple locations to land and surface water bodies within the Thames Coromandel urban areas. The application has been assessed in accordance with the Resource Management Act (1991). It has also been assessed in accordance with Discretionary Rules 3.5.11.8 and 3.6.4.13 of the Waikato Regional Plan, and Controlled Activity Rule 16.3.6 of the Waikato Regional Coastal Plan. CSDC application #122521 (Thames Urban Area) has further been considered in accordance with section 104B of the Act which has regard to the determination of applications for discretionary and non-complying activities.

Through this assessment it has been found that where municipal stormwater networks have been established, these networks provide considerable social, economic and public health benefits to communities by reducing the potential for flooding of land and buildings, and by enabling community facilities, businesses and private residences to operate under adverse weather conditions. However, it has also been found that urban stormwater has the potential to adversely affect the receiving environment if it is not appropriately managed.

In order to address the actual and potential adverse effects of municipal stormwater diversion and discharge activities, a two pronged management approach must be applied. The first part involves implementing a range of best practicable management measures to avoid and otherwise minimise the types of ‘stormwater quality’, ‘stormwater quantity’ and ‘aquatic ecosystem’ effects associated with urban stormwater. These management measures range from existing operation and maintenance initiatives through to new, yet to be established, management measures that will be defined and implemented over the term of the CSDCs.

For existing municipal stormwater diversion and discharge activities in established urban catchments, the various management measures will largely be defined and implemented through a SMP. In this regard the draft SMPs that are included in the main application documents, already go some way to identifying these management measures. Further development of the SMP should further define these measures and include key performance measures through which to assess performance and determine if management objectives are being met.

For new municipal stormwater diversion and discharge activities in developing catchments, various management measures will be defined and implemented through CMPs. On the basis of relevant catchment investigations and assessments, CMPs will determine integrated catchment management approaches to avoid as far as practicable and otherwise minimise the cumulative adverse effects of new stormwater activities on the environment. These will comprise measures such as Low Impact Urban Design, maintenance of pre-development hydrological characteristics of catchments, promotion of standard design parameters and procedures, and stormwater management devices. It is hoped that through implementing CMPs that the range of stormwater issues experienced in existing urban catchments will largely be avoided.

For new municipal stormwater diversion and discharge activities in existing urban catchments, a similar approach to that for the existing activities is required and will be determined on a site by site basis. These activities will also require site specific resource consents, separate to the CSDCs, unless it can be demonstrated by TCDC that the new activities will be consistent with the conditions of the CSDCs and not result in any additional actual or potential adverse effects on the environment.

As well as defining and implementing best practicable management measures, the second part of the management approach involves receiving environment monitoring. The ecological assessments undertaken by Kessels and Associates in 2001 form the basis of an appropriate Monitoring Programme moving forward. Monitoring initiatives should focus predominantly on the larger urban areas, particularly the higher risk commercial and industrial catchments that drain into sensitive receiving environments such as the Firth of Thames, Whitianga Harbour, Otahu River, Whangamata Harbour, Tairua Harbour and the Coromandel Harbour.

Having considered the actual and potential environmental effects of municipal stormwater diversion and discharge activities in Section 7.1 of this report, I have recommended various consent conditions that will ensure these activities are well managed, and the potential for adverse effects on the receiving water bodies minimised. These conditions have been developed in direct consultation with TCDC staff[12].

In summary, this report has assessed the environmental effects of the municipal stormwater diversion and discharge activities against the relevant objectives and policies of the WRC planning documents, the New Zealand Coastal Policy Statement and the statutory provisions of the Resource Management Act (1991). Provided these activities are undertaken and managed in accordance with the recommended consent conditions in Schedule A and the Resource Consent Certificates attached to this report, I consider they will not be inconsistent with the objectives and policies of the WRC planning documents, the New Zealand Coastal Policy Statement nor the statutory provisions of the Resource Management Act (1991), particularly Part ll (Purpose and Principals) and section 107 of the Act.

For these reasons I recommend that the application for CSDCs be granted subject to the recommended consent conditions in Schedule A and the Resource Consent Certificates attached to this report.

9.1 Consent Duration

With the exception of CSDC application #122521 (Thames Urban Area), TCDC has not requested a specific consent term for the pending CSDCs. After considering the following matters I recommend that a 20 year term be imposed on all of the CSDCs:

- The actual and potential adverse effects of municipal stormwater diversion and discharge activities on the environment;
- Consistency with WRC policy and the purpose and principles of the Resource Management Act (1991);
- The considerable economic, social and public health benefits provided through municipal stormwater diversion and discharge activities in the Thames Coromandel urban areas;
- The established nature of the municipal stormwater networks within the Thames Coromandel urban areas;
- The provision of consent conditions for managing municipal stormwater diversion and discharge activities, particularly the Best Practicable Option condition and the Stormwater Management Plan and Catchment Management Plan conditions for existing and new municipal stormwater activities respectively;
- The provision of consent conditions for comprehensive receiving environment monitoring and reporting over the term of the CSDCs;
- Likely advancements in best practicable stormwater management, coupled with changing public expectations over the term of the CSDCs;
- The potential for significant growth and development in some Thames Coromandel urban areas over the term of the CSDCs;
- The provision of a consent condition review clause;
- WRC internal guidelines for consent duration.

10 Recommended Decision

I recommend that in accordance with the Resource Management Act 1991 (and section 104B of the Act for CSDC application #122521), CSDC applications #122521, #105661, #105663, #105664, #105665, #105666, #105667 and #105668 be granted in accordance with the duration

[12] The majority of recommended consent conditions are general conditions which apply to all CSDCs administered by WRC. As such they have been subject to extensive review by several District Councils, legal practitioners and technical specialists.

and conditions prescribed in Schedule A and the Resource Consent Certificates attached to this report for the following reasons:

- The actual and potential adverse effects of the activities on the environment will be addressed through consent conditions that will ensure these effects are avoided as far as practicable and otherwise minimised
- The activities are not contrary to any relevant plans or policies
- The activities are consistent with the purpose and principles of the Resource Management Act 1991

15th August 2011

Rob Hart **Date**
Environmental Consultant, Hartland Environmental Ltd

Hugh Keane **Date**
Programme Manager, Infrastructure Programme

11 Decision

That the application for Comprehensive Stormwater Discharge Consents is granted in accordance with the above recommendations.

Brent Sinclair **Date**
Division Manager, Consented Sites

Acting under authority delegated subject to the provisions of the Resource Management Act 1991 which at the time of decision had not been revoked.

Appendix 1: Administrative Process for Incorporating New Municipal Stormwater Diversion & Discharge Activities into the CSDCs

There are essentially two ways in which new municipal stormwater diversion and discharge activities come about. The first way is through TCDC directly establishing these activities, undertaking (or directly overseeing) all design and construction aspects of related stormwater infrastructure. The second way is through land developers who independently establish private stormwater networks and then seek to vest these networks with TCDC (generally on completion of all associated development). In both circumstances the relevant infrastructural information is recorded in TCDC asset management systems, and the new infrastructure forms part of the municipal stormwater network.

The administrative process for incorporating new municipal stormwater diversion and discharge activities into the CSDCs, involves assessment against the technical certification requirements of Condition 4 / Schedule A. This condition provides for new municipal stormwater activities in 'urbanised catchments' (Condition 4(b)) and 'developing catchments' (Condition 4(c)). These activities are also assessed for their consistency with the other conditions of the CSDCs. In particular, Condition 2 / Schedule A requires TCDC to not undertake any changes to the municipal stormwater network which would increase the scale or intensity of the actual and potential adverse effects of the authorised activities on the environment.

Therefore, for TCDC to incorporate new municipal stormwater diversion and discharge activities into the CSDCs, it will first need to undertake relevant site investigations and assessments to determine if the proposed new activities will in fact meet the technical certification requirements of Condition 4 / Schedule A. If the proposed new activities will not meet these requirements, or if there is any doubt about this, then these activities will require separate resource consents in accordance with section 88 of the RMA (1991) and the rules of the Waikato Regional Plan and Regional Coastal Plan.

The following two diagrams show the respective administrative process for incorporating new municipal stormwater diversion and discharge activities into the CSDCs:

Figure 1: Administrative process for new stormwater diversion and discharge activities established by TCDC

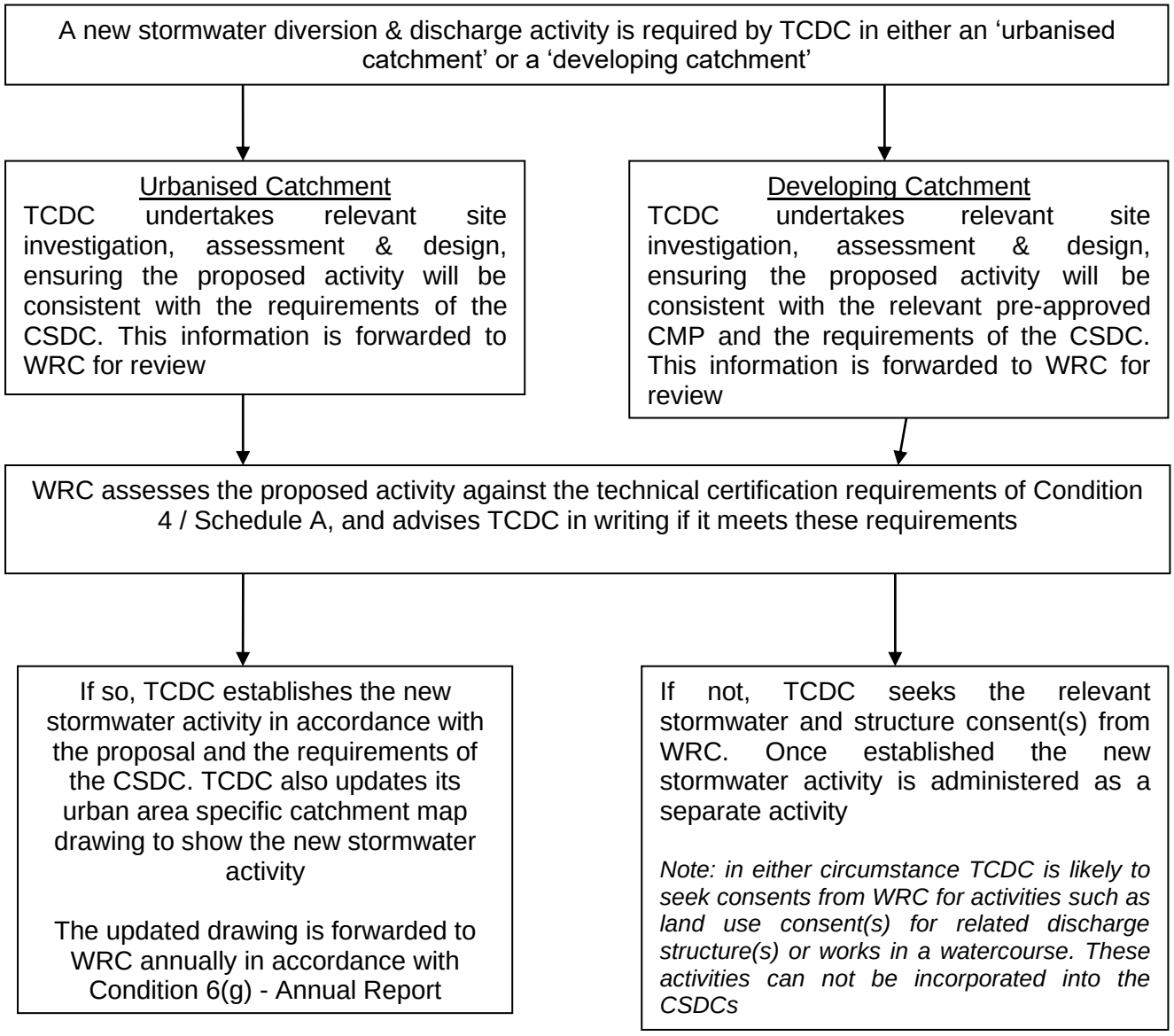
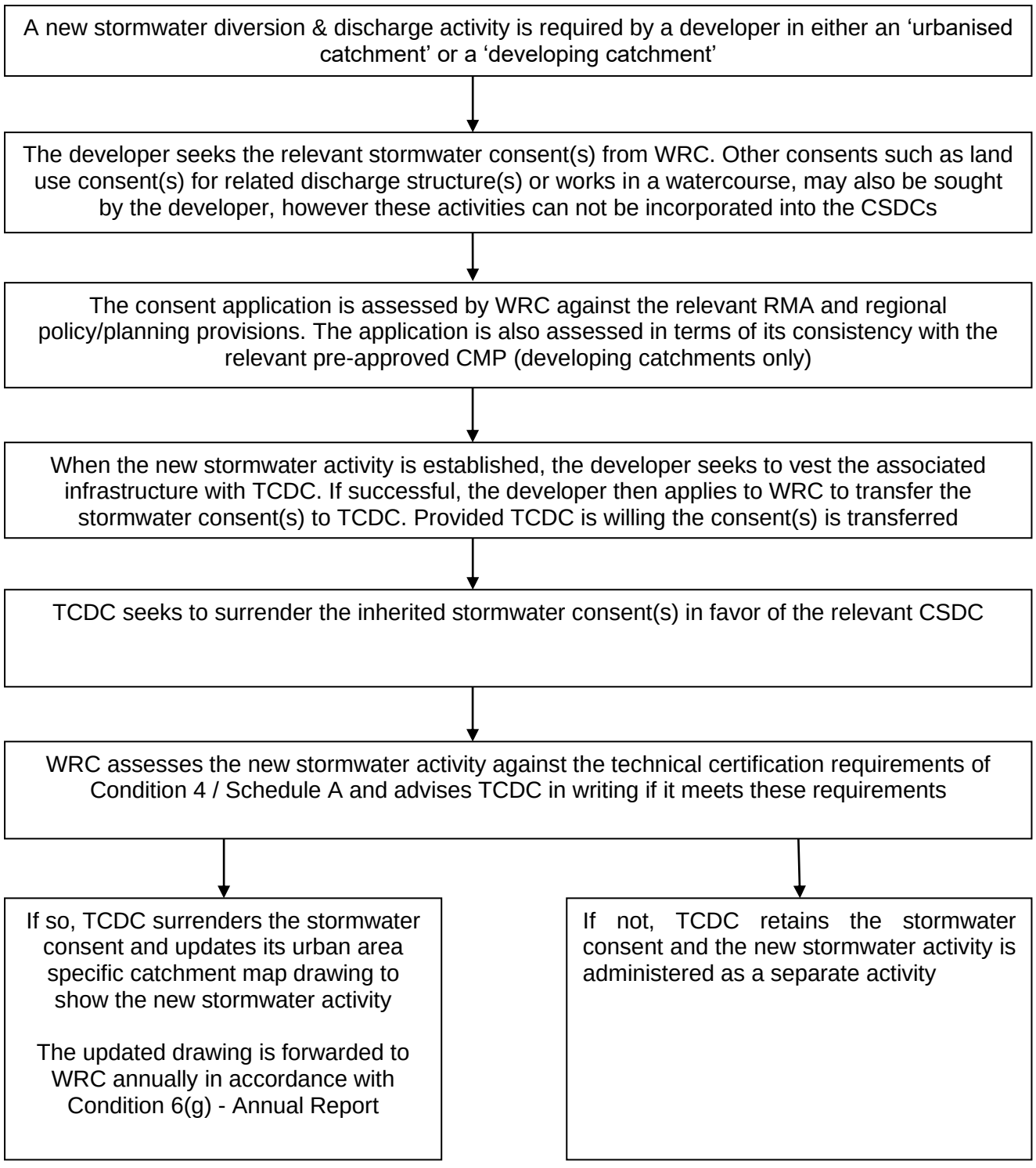


Figure 2: Administrative process for new stormwater diversion and discharge activities established by developers



Schedule A

General Conditions of Comprehensive Stormwater Discharge Consents

The grant of Resource Consents #122521 - Thames Urban Area, #105661 - Pauanui Urban Area, #105663 – Coromandel Urban Area, #105664 – Tairua Urban Area, #105665 – Whitianga Urban Area, #105666 – Onemana Urban Area, #105667 – Whangamata Urban Area and #105668 – Thames Coast Urban Areas is subject to the following general conditions which are applicable to all consents:

Glossary of terms

Act:	Resource Management Act 1991
Best Practicable Option:	(Refer to RMA, Part 1 – Interpretation and application)
Catchment Management Plan:	Pertains to all new stormwater diversion and discharge activities in developing catchments. Catchment Management Plans are pre-development planning tools which determine and adopt an integrated catchment management approach based upon the BPO, to avoid as far as practicable and otherwise minimise the cumulative adverse effects of new stormwater diversion and discharge activities in developing catchments
Consent Holder:	The Thames Coromandel District Council
Contaminant:	As defined in section 2(1) of the RMA
Developing catchment:	A catchment which is either undergoing urban development, identified for urban development or may in the future be identified for urban development.
Gross pollutants:	Litter items such as plastic bottles, bags, takeaway wrappers and leaves
Hazardous substance:	As defined in section 2 (1) of the RMA
High Risk Catchments:	Urbanised catchments which are exposed to high concentrations of routine contaminants, and/or which are deemed to be more at risk to non-routine contaminant discharge incidents
Illicit wastewater connections:	Wastewater connections to the stormwater network which should be connected to the wastewater network. These primarily relate to private wastewater connections and do not include TCDC wastewater network emergency overflow connections
Integrated catchment management approach:	In respect to Catchment Management Plans, an 'integrated catchment management approach' is derived from assessments of available stormwater management options and their associated environmental impacts. An integrated catchment management approach will likely combine several stormwater management options and be based upon the Best Practicable Option.
Low Impact Urban Design:	LIUD comprises design and development practices that utilise natural systems and low-impact technologies. Key elements include working with natural site features, avoiding or minimising impervious surfaces, minimising earthworks in construction, and utilising vegetation to assist in trapping sediment and pollutants

Non-routine contaminant discharge:	An unauthorised discharge (accidental or deliberate) of contaminants directly to the stormwater network or to land where it may then enter the municipal stormwater network
Routine contaminant discharge:	The discharge of stormwater containing contaminants that run off impervious surfaces and enter the stormwater network during rain events, where the types and concentrations of the contaminants are consistent with the contributing catchment
Stormwater management devices:	Structural stormwater management devices which are applied in stormwater quantity and quality management. These generally include water quantity and water quality ponds, wetlands, filtration practices, infiltration practices, biofiltration practices and various proprietary devices
Stormwater Management Plan:	Pertains to existing stormwater diversion and discharge activities in urbanised catchments. The Stormwater Management Plan records the way in which the stormwater network is operated and includes various management measures to avoid, remedy or mitigate the adverse effects of stormwater diversion and discharge activities on the environment
Stormwater network:	The Thames Coromandel District Council's municipal stormwater network, including all structural management components associated with the conveyance, soakage, detention storage and contaminant treatment of stormwater
Urbanised catchment:	A catchment which is predominantly urbanised and has limited scope or opportunity for further development

General

Design, structural integrity and maintenance of the stormwater network

1) The Consent Holder shall be responsible for the design, structural integrity and maintenance of the stormwater network, and shall operate and maintain the stormwater network to avoid, remedy or mitigate the actual and potential adverse effects of the stormwater diversion and discharge activities authorised by this consent on the environment.

Changes to the stormwater network

2) The Consent Holder shall not undertake any changes to the stormwater network which would increase the scale or intensity of the actual and potential adverse effects of the stormwater diversion and discharge activities authorised by this consent on the environment.

Best Practicable Option

3) The Consent Holder shall seek to implement the Best Practicable Option to avoid, remedy or mitigate the actual and potential adverse effects of the stormwater diversion and discharge activities authorised by this consent on the environment.

Technical certification requirements for new stormwater diversion and discharge activities

4) All new stormwater diversion and discharge activities which are established after the commencement of this consent shall be authorised by this consent when this is confirmed in writing by the Waikato Regional Council in a technical certification capacity. This shall occur on receipt of information from the Consent Holder, showing to the satisfaction of the Waikato Regional Council that:

    a) The new stormwater diversion and discharge activities are consistent with the conditions of this consent; and

b) For new stormwater diversion and discharge activities established in urbanised catchments – the new activities do not increase peak discharge rates to, or flow volumes in, stormwater receiving water bodies above those that would occur at the time of granting this consent, unless it is demonstrated that there are no additional adverse effects on the environment or downstream properties as a result of such increase; or

c) For new stormwater diversion and discharge activities established in developing catchments - the new activities are consistent with Catchment Management Plans which have been prepared in accordance with Condition 25 of this consent, prior to the establishment of new activities within these catchments.

Advice Note: *Condition 4(c) requires Catchment Management Plans as a prerequisite to new stormwater diversion and discharge activities established in developing catchments. For new activities established in catchments which are not guided by Catchment Management Plans, these activities will not be authorised by the CSDC and will retain site specific resource consents.*

It is therefore in the consent holder's interests to prepare Catchment Management Plans for new stormwater diversion and discharge activities in developing catchments, however, they are not compulsory through this consent.

Consent Holder asset management activities

5) All Consent Holder asset management activities, including those relating to:

a) Stormwater network activities;

b) Water and wastewater network activities;

c) Roading and footpath activities;

d) Parks and gardens activities;

e) Refuse collection activities; and

f) Building maintenance activities

shall, as far as practicable, be managed to assist the Consent Holder in meeting the conditions of this consent. In this regard the Consent Holder shall provide a copy of this consent to all units of the Thames Coromandel District Council that undertake activities which are relevant to compliance with the consent conditions, and take all reasonable steps to ensure that the appropriate personnel within those units are familiar with the consent conditions to manage activities accordingly.

Stormwater Quantity & Receiving Environment

Adverse stormwater quantity effects

6) The Consent Holder shall manage the stormwater network to avoid as far as practicable and otherwise minimise, the following stormwater quantity effects:

a) Adverse scour, erosion and sediment deposition on land, property and the beds of stormwater receiving water bodies;

b) Adverse flooding of land, property and stormwater receiving water bodies;

c) Adverse effects on aquatic ecosystems.

All such adverse effects that are more than minor shall be addressed in the manner provided for in Condition 7 hereof, where they have been caused by the stormwater diversion and discharge activities authorised by this consent.

Advice Note: *Municipal stormwater diversion and discharge activities in conjunction with urban land-use, can adversely affect flood potential by either limiting the rate at which stormwater drains from a catchment, or by increasing the rate and volume of discharge to downstream catchments. Whilst such effects are the subject of this consent, it is also recognised that 'levels of service' for flood alleviation in existing urban catchments are established by the Consent Holder through separate statutory procedures and community consultation. The 'levels of service' that are established between the Consent Holder and the community are not the subject of this consent.*

Procedure for addressing adverse stormwater quantity effects

7) As soon as practicable after becoming aware of any of the adverse effects of the nature specified in Condition 6 that are more than minor, the Consent Holder shall submit a report to the Waikato Regional Council in relation to the adverse effects. As a minimum, the report shall include:

   a) A description of the adverse effects;

   b) A description of the cause of the adverse effects;

   c) An explanation of any measures taken to remedy or mitigate the adverse effects, the outcome of those measures, and whether further measures are necessary and reasonably practicable;

   d) If no measures have been taken in accordance with (c), a description of any reasonably practicable measures that could be taken to remedy or mitigate the adverse effects and a recommendation as to whether those measures are necessary.

   The Consent Holder shall liaise with the Waikato Regional Council with a view to determining any reasonably practicable measures which should be taken to remedy or mitigate the adverse effects.

   Advice Note: *Separate resource consents may be required to undertake remedial or mitigation works. The Consent Holder is advised to obtain all such consents at its sole expense, prior to any works being undertaken.*

Fish passage

8) The Consent Holder shall undertake a review of municipal stormwater management structures that have been placed in, on, under or over the beds of receiving waters to enable the stormwater diversion and discharge activities authorised by this consent. The purpose of the review will be to assess the extent to which stormwater management structures impede or facilitate the upstream and downstream movement of fish with a view to:

   a) Assessing whether measures to remedy or mitigate the effects of stormwater management structures on fish movement are warranted having regard to all relevant factors, including engineering difficulties, costs and environmental benefits; and

   b) Liaising with the Waikato Regional Council to determine any reasonably practicable measures which should be taken to remedy or mitigate the effects of stormwater management structures on fish movement, where these are considered necessary or desirable by the Waikato Regional Council after having had regard to all relevant factors.

   The remedial and mitigation measures which are determined through the review process shall be designed and constructed by the Consent Holder to the satisfaction of the Waikato Regional Council acting in a technical certification capacity, and shall be implemented through the Stormwater Management Plan required by Condition 30 of this consent.

   Advice Note: *When acting on this condition the Consent Holder is advised to consult with the Department of Conservation, in accordance with Part VI of the Freshwater Fisheries Regulations 1983.*

Stormwater management devices

9) All stormwater management devices which connect to the stormwater network and are designed to control stormwater volumes and/or peak rates of discharge, shall be operated and maintained by the Consent Holder to provide best practicable stormwater management efficiency at all times.

Stream channel works

10) When carrying out stream channel works for the purpose of maintaining stormwater flows in stormwater receiving water bodies, the Consent Holder shall have due regard to the ecosystem and habitat values that these receiving water bodies support. To this end the Consent Holder shall develop its own activity specific guidelines for stream channel works, and shall implement these guidelines through the Stormwater Management Plan required by Condition 30 of this consent.

Advice Note: *Separate resource consents may be required to undertake stream channel works for the purpose of maintaining stormwater flows in receiving water stream channels. The Consent Holder is advised to obtain all such consents at its sole expense, prior to any works being undertaken.*

Stormwater Quality & Receiving Environment

Floatable contaminants

11) The Consent Holder shall manage the stormwater network to avoid as far as practicable and otherwise minimise, the discharge of any substance that is likely to cause the production of conspicuous oil, or grease films, scums or foams, or floatable suspended materials in stormwater receiving water bodies after reasonable mixing.

Suspended solids

12) The Consent Holder shall manage the stormwater network to avoid as far as practicable and otherwise minimise, the discharge of suspended solids and any other substances that are likely to cause the following effects in stormwater receiving water bodies after reasonable mixing:

a) Conspicuous changes in colour or visual clarity;

b) Increases in suspended solids concentrations by more than 10 percent;

c) Suspended solids concentrations of 80 grams per cubic metre or greater.

Hazardous substances

13) The Consent Holder shall manage the stormwater network to avoid as far as practicable and otherwise minimise, the discharge of hazardous substances in concentrations that are likely to adversely affect aquatic life, or the suitability of water for human consumption after treatment. Where a question arises as to whether the concentration of any particular hazardous substance is causing these effects, it shall be determined through the application of the United States Environmental Protection Agency National Recommended Water Quality Criteria (USEPA, 2009) – Criteria Maximum Concentration, or any other technical publication approved in advance by the Waikato Regional Council in a technical certification capacity.

Micro-organisms

14) The Consent Holder shall manage the stormwater network to avoid as far as practicable and otherwise minimise, the discharge of micro-organisms in concentrations that are likely to adversely affect human health. Where a question arises as to whether the concentration of micro-organisms is adversely affecting human health, it shall be determined through the application of the Microbiological Water Quality Guidelines for Marine and Freshwater Recreational Areas (MfE, 2003), or any other technical publication approved in advance by the Waikato Regional Council in a technical certification capacity.

Adverse effects on aquatic ecosystems

15) The Consent Holder shall manage the stormwater network to avoid as far as practicable and otherwise minimise, discharges that are likely to adversely affect aquatic ecosystems and cause the following effects in stormwater receiving water bodies after reasonable mixing:

a) Dissolved oxygen levels to fall below 80% of saturation;

b) pH to fall below 6 or exceed 9;

c) Suspended sediments to smother benthic organisms;

d) Undesirable biological growths;

e) Water temperature to change by more than 3^{o}C or exceed 25^{o}C;

f) Turbidity levels to exceed 25 NTU between the months of August and December;

g) Ammoniacal nitrogen concentrations to exceed 0.88 grams of nitrogen per cubic metre; and

h) Other contaminant concentrations to exceed the United States Environmental Protection Agency National Recommended Water Quality Criteria (USEPA, 2009) – Criteria Maximum Concentration.

Advice Note: *Conditions 6, 11, 12, 13, 14 and 15 identify various adverse effects that this consent is seeking to avoid or minimise through improvements in the management of the stormwater network and the stormwater diversion and discharge activities authorised by this consent. Compliance with these conditions will therefore be determined through the establishment and implementation of best practicable stormwater management measures that are adopted by, and implemented through, the Stormwater Management Plan required by Condition 30 of this consent.*

Street and stormwater catchpit cleaning operations

16) The Consent Holder shall carry out regular street and stormwater catchpit cleaning operations to minimise the volume of stormwater contaminants entering the stormwater network and discharging to the receiving environment. When considering the frequency of street and stormwater catchpit cleaning operations, the Consent Holder shall take account of the land use characteristics within respective stormwater sub-catchments, the intensity of the various land use activities taking place, and any means other than street and stormwater catchpit cleaning operations that are being utilised to control and/or treat contaminated stormwater.

Stormwater catchpits

17) All stormwater catchpits which connect to the stormwater network shall be capable of capturing and retaining the majority of gross pollutants. New, replacement and/or upgraded stormwater catchpits shall, when constructed, be further capable of capturing and retaining the majority of floatable contaminants such as oil and grease, unless any discharges of floatable contaminants from the catchpits to the receiving environment would have no more than negligible adverse effects.

Advice Note: *It may not be necessary for all new, replacement and/or upgraded stormwater catchpits to be capable of retaining the majority of floatable contaminants. Whether this is necessary or not depends on whether floatable contaminants such as oil and grease are being discharged into catchpits and, if they are, in what concentrations. The concentrations, the nature of the receiving environment, and any dilution available in receiving waters are all factors that should be taken into account on a case by case basis.*

Stormwater management devices

18) All stormwater management devices which connect to the stormwater network and are designed to treat contaminated stormwater, shall be operated and maintained by the Consent Holder to provide best practicable stormwater treatment efficiency at all times.

Illicit wastewater connections to the stormwater network

19) The Consent Holder shall manage the stormwater network to avoid as far as practicable and otherwise minimise, illicit wastewater connections to the stormwater network. On becoming aware of such connections the Consent Holder shall instigate remedial works to remove these connections as soon as practicable.

Advice Note: *This resource consent does not authorise any wastewater connections, illicit or otherwise, to the stormwater network.*

Routine contaminant discharges into the stormwater network

20) The Consent Holder shall manage the stormwater network to avoid as far as practicable and otherwise minimise, routine contaminant discharges into the stormwater network, particularly in High Risk Catchments where there is greater potential for stormwater to become contaminated.

Non-routine contaminant discharges to/from the stormwater network

21) On becoming aware of a non-routine contaminant discharge incident, the Consent Holder shall make all reasonable endeavours to avoid contaminants entering the stormwater network, or discharging from the stormwater network to the environment. Standard Operating Procedures to achieve compliance with this condition shall be included in the Stormwater Management Plan required by Condition 30 of this consent and, as a minimum, those procedures shall address the following matters:

a) The Consent Holders response to non-routine contaminant discharge incidents, including the availability of spill response equipment and TCDC staff to assist with such incidents.

b) Notifying the Waikato Regional Council of non-routine contaminant discharge incidents;

c) The assistance to be provided by the Consent Holder to the Waikato Regional Council and other emergency response agencies in undertaking their respective response roles.

New or replacement connections to the stormwater network

22) When assessing applications and engineering approvals for new or replacement connections to the stormwater network, the Consent Holder shall, to the extent that it lawfully can, ensure that stormwater management devices are required and/or in place to avoid as far as practicable and otherwise minimise routine contaminant discharges to the stormwater network.

Stormwater Quality Improvement Programme

23) The Consent Holder shall prepare a Stormwater Quality Improvement Programme, designed to improve the quality of stormwater network discharges and assist the Consent Holder in meeting the conditions of this consent. The Stormwater Quality Improvement Programme shall form part of the Stormwater Management Plan required by Condition 30 of this consent, and be implemented by the Consent Holder progressively over the duration of this consent. As a minimum, the Stormwater Quality Improvement Programme shall include the following:

a) Education programmes which raise the general public's awareness of stormwater quality issues and the ways in which individuals can avoid as far as practicable and otherwise minimise the contamination of stormwater;

b) To the extent that the Consent Holder is authorised to do so, proposed site inspections and stormwater contamination audits of industrial and commercial properties that connect to the stormwater network in High Risk Catchments, along with education and promotion of at-source stormwater management measures to the owners/operators of these properties;

c) Investigative and remedial works programmes to remove illicit wastewater connections to the stormwater network;

d) Stormwater catchpit upgrade programmes which retrofit best practicable outlet devices (for example baffles, siphons, filter bags) to stormwater catchpits in existing urban catchments;

e) Stormwater network upgrade programmes which retrofit best practicable stormwater management devices to the stormwater network in High Risk Catchments.

f) How the Consent Holder proposes to use its regulatory powers and exercise its functions through, for example, consent requirements, engineering approvals, design specifications and guidelines and the introduction of a Stormwater Bylaw to avoid, remedy, and mitigate the adverse effects of stormwater discharges.

Complaints Register

24) The Consent Holder shall keep a Complaints Register for all formal complaints received about the stormwater diversion and discharge activities authorised by this consent. The Complaints Register shall record:

a) The date, time and duration of any alleged event/incident that has resulted in the complaint;

b) The location of the complainant when the alleged event/incident was detected;

c) The possible cause of the alleged event/incident;

d) Any corrective action taken by the Consent Holder in response to the complaint.

The Complaints Register shall be available to the Waikato Regional Council at all reasonable times. Details of complaints about significant events/incidents shall be forwarded to the Waikato Regional Council in writing within 5 working days of such complaints being received, unless otherwise authorised by the Waikato Regional Council.

Urban Growth and Development

Catchment Management Plans

25) In accordance with Condition 4(c) of this consent, Catchment Management Plans which are prepared to guide new stormwater diversion and discharge activities in developing catchments shall be to a standard acceptable to the Waikato Regional Council, and shall be submitted to the Waikato Regional Council for written approval in a technical certification capacity, prior to the establishment of these activities.

Catchment Management Plans shall determine and recommend an integrated catchment management approach which is based upon the Best Practicable Option to avoid as far as practicable and otherwise minimise, the cumulative adverse effects of all new stormwater diversion and discharge activities in developing catchments.

As a minimum, Catchment Management Plans shall include the following information:

a) Catchment maps/drawings of the catchment delineating the catchment boundary, catchment topography, natural features, surface water bodies, existing drainage systems and infrastructure (if any) and current land uses;

b) Classification of the surface water bodies within the catchment as detailed in the Waikato Regional Plan;

c) A description of the social, economic, ecological, amenity and cultural objectives being sought for the catchment (likely to stem from a concurrent structure planning process);

d) A description of proposed urban growth, development and land use intensification within the catchment;

e) A list of the key stakeholders associated with the catchment, and details of their respective views on providing for new stormwater diversion and discharge activities within the catchment;

f) An assessment of the current status of the catchment and its environs, together with a description of the geological, hydrological, ecological and existing infrastructural characteristics of the catchment, including any existing resource use authorisations within the catchment;

g) An assessment of the environmental effects of all new stormwater diversion and discharge activities on the catchment, in such detail as corresponds with the scale and significance of the effects that these activities will have on the catchment, including but not limited to, effects on:
   i) Natural features, surface water bodies and aquifers,
   ii) Sites of cultural and/or historical significance,
   iii) Public health,
   iv) Flooding hazards,
   v) Receiving water hydrology, including base flows and peak flows in rivers and streams and long-term aquifer levels,
   vi) Receiving water sediment and water quality,
   vii) Receiving water habitat, ecology and ecosystem health,
   viii) Receiving water riparian vegetation,
   ix) The extent and quality of open stream channels,
   x) Fish passage for indigenous and trout fisheries (refer to the Waikato Regional Plan Water Management Classes for applicability),
   xi) Natural and amenity values,
   xii) Existing infrastructure,
   xiii) Existing authorised resource use activities;

h) An assessment of the cumulative environmental effects of all new stormwater diversion and discharge activities on the catchment over time;

i) In response to the environmental effects assessment information, an assessment of the available management options (including Low Impact Urban Design measures and stormwater management devices), for all new stormwater diversion and discharge activities within the catchment; followed by

j) Recommendations on an integrated catchment management approach which is based upon the Best Practicable Option to avoid as far as practicable and otherwise minimise actual and potential adverse effects of all new stormwater diversion and discharge activities on the catchment;

k) On the basis of the above recommendations, an assessment of the effectiveness of the District Plan provisions along with other planning provisions (such as those within the Thames Coromandel District Council Code of Practice for Subdivision and Development Manual), to implement the integrated catchment management approach recommended by the Catchment Management Plan; and, where necessary

l) Consideration of changes to the District Plan provisions and/or other Consent Holder planning document provisions where appropriate, that will assist in achieving the integrated catchment management approach recommended by the Catchment Management Plan;

m) A description of proposed education and promotion initiatives to be carried out by the Consent Holder to support the integrated catchment management approach recommended by the Catchment Management Plan;

n) A description of key infrastructure works to be carried out by the Consent Holder to support the integrated catchment management approach recommended by the Catchment Management Plan;

o) A prioritised infrastructure works schedule for implementing the integrated catchment management approach recommended by the Catchment Management Plan;

p) A list of performance measures by which the implementation of the integrated catchment management approach recommended by the Catchment Management Plan will be gauged.

Any approved Catchment Management Plan that needs to be updated following changes to the integrated catchment management approach recommended by the Catchment Management Plan, shall be reviewed, updated and submitted to the Waikato Regional Council for approval in a technical certification capacity, prior to any such changes being implemented within the associated catchment.

Advice Note: *It is recognised that Catchment Management Plans may also include information that provides for the integration of municipal water and wastewater services. Such information and the integration of these services are generally encouraged by the Waikato Regional Council, particularly where they result in environmentally sustainable catchment management outcomes.*

Implementation of Catchment Management Plans

26) The Consent Holder shall coordinate and oversee the implementation of approved Catchment Management Plans as required by Condition 4(c) of this consent, and shall ensure as far as practicable, that all relevant stormwater management devices are constructed and operational prior to the development of impervious surfaces within developing catchments.

Waikato Regional Council guidelines for sustainable subdivision development

27) For all new stormwater diversion and discharge activities in developing catchments, the Consent Holder shall promote consideration of the Waikato Regional Council publication titled '*Sustainable Subdivision Development – An Environment Waikato Perspective'* (WRC, 2006), or any other technical publication approved in advance by the Waikato Regional Council in a technical certification capacity.

Low Impact Urban Design measures and stormwater management devices

28) In addition to the requirements of Conditions 25 - 27 of this consent, the Consent Holder shall promote the implementation of Low Impact Urban Design measures and stormwater management devices in all reticulated catchments, to avoid as far as practicable and otherwise minimise the actual and potential adverse effects of the stormwater diversion and discharge activities authorised by this consent on the environment.

Register of stormwater management devices

29) As the Consent Holder and/or private developers progressively construct new stormwater management devices that become part of the stormwater network, the Consent Holder shall maintain a register of these devices in the Stormwater Management Plan required by Condition 30 of this consent, including details of their location, catchment area, operational procedures and maintenance requirements.

Stormwater Management Planning

Stormwater Management Plan

30) The Consent Holder shall prepare a Stormwater Management Plan for its stormwater network and the existing stormwater diversion and discharge activities that are authorised by this consent. The Stormwater Management Plan shall record the way in which the stormwater network is operated, and shall include best practicable stormwater measures to avoid, remedy or mitigate adverse effects on the environment.

The operational procedures, management initiatives and implementation methods that are adopted by, and implemented through, the Stormwater Management Plan shall assist the Consent Holder in meeting the conditions of this consent.

As a minimum, the Stormwater Management Plan shall include the following information:

a) A plan or drawing or series thereof which shows the Thames Coromandel District Council administrative areas, main hydrological catchments, main stormwater network (including

sites of key stormwater management devices), major secondary overland flow-paths and stormwater receiving water bodies;

b) A description of the relationship and integration of the Stormwater Management Plan with other key planning instruments and regulatory/non-regulatory processes, including all those utilised in the management of the stormwater network;

c) A description of the stormwater network in relation to the contributing catchments, existing land uses within these catchments, Low Impact Urban Design measures, stormwater management devices and main pipe reticulation;

d) A description of all stormwater receiving water bodies, including their locations, key characteristics (for example water quality, ecological and hydrological characteristics), existing uses and values;

e) A list of the key stakeholders who have an interest in the stormwater diversion and discharge activities authorised by this consent, and their respective views on managing these activities;

f) A description of all stormwater network operation and maintenance procedures, including those associated with land use (for example street and catchpit cleaning), stormwater management devices, pipe reticulation and stormwater receiving water bodies;

g) A description of other Consent Holder asset management activity initiatives that will assist the Consent Holder in meeting the conditions of this consent, or are otherwise complimentary to stormwater management;

h) A description of the management initiatives and implementation methods to avoid as far as practicable and otherwise minimise:
   i) Adverse scour, erosion and sedimentation deposition on land, property and the beds of stormwater receiving water bodies,
   ii) Adverse flooding of land, property and stormwater receiving water bodies,
   iii) Adverse effects on aquatic ecosystems;

i) A list of the municipal stormwater management structures that require reasonably practicable measures to be undertaken to remedy or mitigate the effects of these structures on fish movement, in accordance with Condition 8. Also a description of the specific measures to be undertaken and a programme of works to implement these measures.

j) A set of guidelines for undertaking stream channel works in stormwater receiving water bodies;

k) A description of all potential sources of stormwater contaminants within reticulated catchments (including all potential sources of routine and non-routine contaminant discharges to the stormwater network);

l) Standard Operating Procedures for managing non-routine contaminant discharge events;

m) A Stormwater Quality Improvement Programme which, as a minimum includes:
   i) All of the activities listed in the Stormwater Quality Improvement Programme required under Condition 23; and
   ii) A prioritised schedule for implementing the Stormwater Quality Improvement Programme progressively over the duration of this consent;

n) A description of the management initiatives to promote developer consideration of the Waikato Regional Council publication titled '*Sustainable Subdivision Development – An Environment Waikato Perspective'* (WRC, 2006), or any other technical publication approved in advance by the Waikato Regional Council in a technical certification capacity;

o) A description of the management initiatives to promote the implementation of Low Impact Urban Design measures and stormwater management devices in reticulated catchments;

p) A register of all stormwater management devices associated with the stormwater network, including their location, catchment area, operational procedures and maintenance requirements;

q) A prioritised works schedule for implementing the operational procedures, management initiatives and implementation methods that are adopted by, and implemented through, the Stormwater Management Plan;

r) A list of performance measures by which the implementation of the operational procedures, management initiatives and implementation methods adopted by the Stormwater Management Plan will be gauged.

The Stormwater Management Plan shall be to a standard acceptable to the Waikato Regional Council and shall be submitted to the Waikato Regional Council for written approval in a technical certification capacity, by 31st March 2012 or such later date that may be approved in writing by the Waikato Regional Council in a technical certification capacity. Thereafter, the Stormwater Management Plan shall be reviewed, updated and submitted to the Waikato Regional Council for approval in a technical certification capacity, by 31st March every third year.

(The Consent Holder may update the Stormwater Management Plan at other times and submit it to the Waikato Regional Council in a technical certification capacity. The Waikato Regional Council may waive the requirement for the Stormwater Management Plan update in any three year period if it has been updated and approved before that three year period expires, in which case it shall be updated and submitted to the Waikato Regional Council for approval in a certification capacity, by 31st March in the next three year period.)

Implementation of the Stormwater Management Plan

31) The Consent Holder shall implement the operational procedures, management initiatives and implementation methods adopted by the Stormwater Management Plan, in accordance with that plan as required by Condition 30 of this consent.

Administrative

Consent Holder's representative

32) The Consent Holder shall appoint a representative who shall be the Waikato Regional Council's principal contact person in regard to matters relating to this consent. The Consent Holder shall forward contact details of its representative to the Waikato Regional Council. The Consent Holder shall inform the Waikato Regional Council in writing of any change in its representative as soon as practicable.

Review clause

33) The Waikato Regional Council may within the six month period following 1st July 2014 and the six month period following 1st July every three years thereafter, serve notice on the Consent Holder under section 128(1) of the Resource Management Act 1991, and commence a review of the conditions of this consent for the following purposes:

a) To review the effectiveness of the conditions of this consent in avoiding, remedying or mitigating any adverse effects on the environment from the exercise of this consent, and if necessary to avoid, remedy or mitigate such effects by way of further or amended conditions;

b) To require the Consent Holder to adopt the Best Practicable Option or other specific measures to avoid, remedy or mitigate any adverse effects on the environment that result from the exercise of this consent;

c) To review the adequacy of and necessity for the monitoring undertaken by the Consent Holder, and, if necessary, to amend and/or introduce new conditions to monitor any adverse effects on the environment that result from the exercise of this consent;

d) To achieve consistency with any future changes to the Waikato Regional Council's Regional Plans or policies in regard to catchment management planning and stormwater management.

Costs associated with any review of the conditions of this consent will be recovered from the Consent Holder in accordance with the provisions of section 36 of the Resource Management Act 1991.

Administrative charges

34) The Consent Holder shall pay to the Waikato Regional Council any administrative charge fixed in accordance with section 36 of the Resource Management Act 1991, or any charge prescribed in accordance with regulations made under section 360 of the Resource Management Act.

Resource Consent Certificate

Resource Consent: 122521 (Thames Urban Area)

Consents type: Discharge permit

Consent subtype: Discharge to water

Pursuant to the Resource Management Act 1991, the Waikato Regional Council hereby grants consent to:

Applicant: Thames Coromandel District Council
Private Bag
THAMES 2820

(hereinafter referred to as the Consent Holder)

Activity authorised: Divert and discharge urban stormwater runoff and associated contaminants at multiple locations to land, the Karaka Stream, Waiatahi Stream, Hape Stream, Moanataiari Stream, Kauaeranga River and Firth of Thames, and such other locations as may be covered by this consent in the future in accordance with the conditions of this consent, and use discharge structures in the general vicinity of Thames Urban Area that is reticulated by the Thames Coromandel District Council municipal stormwater network

Location: Thames Urban Area

General Map References: NZTopo50 BB34:265:867

Consent duration: This consent will commence on the date of decision notification and expire on 31st August 2031

Subject to the conditions overleaf:

Schedule A - General Conditions

1) This consent is subject to the general conditions listed in Schedule A – General Conditions of Comprehensive Stormwater Discharge Consents.

Stormwater diversion and discharge activities

2) The stormwater diversion and discharge activities authorised by this consent shall be designed, operated and maintained in general accordance with the application for this consent, except where otherwise required in the general conditions listed in Schedule A of this consent and the resource consent conditions below. Where there is any discrepancy between the application documents and the resource consent conditions, the conditions shall prevail.

Scope of the stormwater diversion and discharge activities authorised

3) Except as provided for by Condition 4 in Schedule A of this consent, the stormwater diversion and discharge activities authorised by this consent relate to the Thames Coromandel District Council municipal stormwater network as constructed at the commencement of this consent, and as generally shown on the catchment drawings titled 'Thames Stormwater Reticulation' in Appendix I of the application document. All new stormwater diversion and discharge activities which are established after the commencement of this consent shall meet the technical certification requirements of Condition 4 in Schedule A of this consent, and be shown on updated catchment drawings. These catchment drawings shall be provided to the Waikato Regional Council as part of the Annual Report required by Condition 6 of this consent.

Monitoring Programme

4) The Consent Holder shall retain appropriately qualified and experienced persons to prepare a Monitoring Programme. The objectives of the Monitoring Programme are to:

- Investigate the actual and potential adverse effects of municipal stormwater diversion and discharge activities on the environment;

- Provide information to refine Best Practicable Option stormwater management measures that assist the Consent Holder in avoiding, remedying or mitigating actual and potential adverse effects on the environment;

- Assess the performance of utilised stormwater management devices to determine their overall effectiveness in managing and/or treating stormwater, and to guide the best practicable application of these devices in respective catchments;

- Provide guidance on the ongoing and necessary changes to the Stormwater Management Plan to address any shortcomings with the operational procedures, management initiatives and implementation measures adopted by the Stormwater Management Plan;

- Review the level of subdivision and development that is occurring in developing catchments, relative to the land use assumptions underlying the integrated catchment management approaches adopted by approved Catchment Management Plans;

- Determine overall compliance with the conditions of this consent.

As a minimum, the Monitoring Programme shall include:

a) Monitoring to identify any adverse stormwater quantity and quality effects on aquatic ecosystems. This shall include stormwater receiving water body monitoring at targeted locations, and is likely to comprise one or more of the following activities:

   i) Visual assessments of general habitat quality and sensitivity to stormwater inputs,
   ii) Sediment quality sampling and analyses of key stormwater contaminants and sediment characteristics that aid data interpretation, and
   iii) Biological sampling and analyses of macroinvertebrate communities and fish populations;

b) Monitoring to identify any visual signs of contaminants in stormwater (conspicuous oil or grease films, scums or foams, floatable suspended materials, conspicuous change in colour or visual clarity);

c) Monitoring to identify any adverse scour, erosion and sediment deposition on land, property and the beds of stormwater receiving water bodies;

d) Monitoring to identify any adverse flooding of land, property and stormwater receiving water bodies;

e) Monitoring to identify any stormwater management structures that are impeding the upstream and downstream movement of fish;

f) Monitoring to determine the performance of utilised stormwater management devices in managing and/or treating stormwater;

g) Monitoring to gauge the level of subdivision and development that is occurring in developing catchments, relative to the land use assumptions underlying the integrated catchment management approaches adopted by approved Catchment Management Plans;

h) Monitoring to ensure that all stormwater management devices are maintained in good working order, and providing best practicable stormwater management and/or treatment efficiency at all times;

i) Monitoring to determine best practicable street and stormwater catchpit cleaning operations to minimise the volume of stormwater contaminants entering the stormwater network and discharging to the receiving environment.

The Monitoring Programme shall be to a standard acceptable to the Waikato Regional Council and shall be submitted to the Waikato Regional Council for written approval in a technical certification capacity, by 31st March 2012 or such later date that may be approved in writing by the Waikato Regional Council in a technical certification capacity. Thereafter, the Monitoring Programme shall be reviewed, updated and submitted to the Waikato Regional Council for approval in a technical certification capacity, by 31st March every third year. The Waikato Regional Council will review and may alter the Monitoring Programme (in scale and/or method and/or location) after having had regard to the consistency and significance of the monitoring data collected, or any other information relating to the stormwater diversion and discharge activities authorised by this consent.

5) The Consent Holder shall undertake all monitoring in accordance with the Monitoring Programme required by Condition 4 of this consent, and the results of the monitoring shall, as a minimum, be summarised in the Annual Report required by Condition 6 of this consent.

Annual Report

6) The Consent Holder shall compile an annual report entitled “Municipal Stormwater Network Operation Annual Report”, for the year ending 30th June each year, and shall submit this report to the Waikato Regional Council by 30th September each year or such later date that may be approved in writing by the Waikato Regional Council in a technical certification capacity. As a minimum the report shall contain:

a) A summary of the operational procedures, management initiatives and implementation methods adopted by the Stormwater Management Plan which have been implemented during the year, along with the results of these initiatives (where relevant). Also a summary of the operational procedures, management initiatives and implementation methods which are proposed to be implemented over the coming year, along with any proposed changes or review updates to the Stormwater Management Plan that provide for the ongoing implementation of best practicable stormwater management measures;

b) A summary of the main stormwater infrastructure works undertaken during the year, particularly the works undertaken in developing catchments in accordance with approved Catchment Management Plans. Also a summary of the main stormwater infrastructure works proposed for the coming year, along with any proposed changes to approved Catchment Management Plans (where deemed by the Consent Holder to be necessary);

c) A summary of the information gathered and analysed through the Monitoring Programme required by Condition 4 of this consent. Any proposed refinements to the Monitoring Programme in response to the monitoring information gathered, or particular issues arising, should also be provided;

d) Details of all non-routine contaminant discharge incidents which have been responded to by the Consent Holder, along with a summary of the outcomes of these incidents. Any proposed changes to the Standard Operating Procedures for non-routine contaminant discharge incidents, should also be provided;

e) A summary of the level of compliance achieved with the conditions of this consent, including any reasons for non-compliance or difficulties in achieving compliance;

f) A summary of all formal complaints received in regard to the stormwater diversion and discharge activities authorised by this consent, as recorded in the Complaints Register required by Condition 24 in Schedule A of this consent;

g) Updated catchment drawings showing all new stormwater diversion and discharge activities which have been certified as authorised by the Waikato Regional Council in accordance with Condition 4 in Schedule A of this consent;

h) A summary of the actions and/or stormwater management measures to be implemented over the coming year to remedy any non-compliance with the conditions of this consent;

i) Details of any other matters considered relevant to this consent.

General Advice Notes

1) *This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the Consent Holder and the property owner.*

2) *The reasonable costs incurred by the Waikato Regional Council arising from supervision and monitoring of this consent will be charged to the Consent Holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the Consent Holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consent.*

3) *This consent does not authorise any stormwater diversion or discharge activities derived from privately owned stormwater networks, nor any other stormwater diversion or discharge activities that do not result from the operation of the Thames Coromandel District Council's stormwater networks.*

4) *This consent does not authorise any works in a watercourse, or any other activity for which further consents may be required under Sections 13, 14 and 15 of the RMA, or the provisions of the Waikato Regional Plan.*

5) *The Consent Holder is responsible for compliance with the conditions of this consent, except where statutory defences as stated in section 341 of the RMA apply.*

6) *Pursuant to section 332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.*

Resource Consent Certificate

Resource Consent: 105661 (Pauanui Urban Area)

Consents type: Discharge permit

Consent subtype: Discharge to water

Pursuant to the Resource Management Act 1991, the Waikato Regional Council hereby grants consent to:

Applicant: Thames Coromandel District Council
Private Bag
THAMES 2820

(hereinafter referred to as the Consent Holder)

Activity authorised: Divert and discharge urban stormwater runoff and associated contaminants at multiple locations to land, the Pauanui Stream and tributaries, the Tairua Harbour and such other locations as may be covered by this consent in the future in accordance with the conditions of this consent, and use discharge structures in the general vicinity of Pauanui Urban Area that is reticulated by the Thames Coromandel District Council municipal stormwater network

Location: Pauanui Urban Area

General Map References: NZTopo50 BB36:547:989

Consent duration: This consent will commence on the date of decision notification and expire on 31st August 2031

Subject to the conditions overleaf:

Schedule A - General Conditions

1) This consent is subject to the general conditions listed in Schedule A – General Conditions of Comprehensive Stormwater Discharge Consents.

Stormwater diversion and discharge activities

2) The stormwater diversion and discharge activities authorised by this consent shall be designed, operated and maintained in general accordance with the application for this consent, except where otherwise required in the general conditions listed in Schedule A of this consent and the resource consent conditions below. Where there is any discrepancy between the application documents and the resource consent conditions, the conditions shall prevail.

Scope of the stormwater diversion and discharge activities authorised

3) Except as provided for by Condition 4 in Schedule A of this consent, the stormwater diversion and discharge activities authorised by this consent relate to the Thames Coromandel District Council municipal stormwater network as constructed at the commencement of this consent, and as generally shown on the catchment drawing titled 'Pauanui Stormwater Reticulation' in Appendix I of the application document. All new stormwater diversion and discharge activities which are established after the commencement of this consent shall meet the technical certification requirements of Condition 4 in Schedule A of this consent, and be shown on an updated catchment drawing. The catchment drawing shall be provided to the Waikato Regional Council as part of the Annual Report required by Condition 6 of this consent.

Monitoring Programme

4) The Consent Holder shall retain appropriately qualified and experienced persons to prepare a Monitoring Programme. The objectives of the Monitoring Programme are to:

- Investigate the actual and potential adverse effects of municipal stormwater diversion and discharge activities on the environment;

- Provide information to refine Best Practicable Option stormwater management measures that assist the Consent Holder in avoiding, remedying or mitigating actual and potential adverse effects on the environment;

- Assess the performance of utilised stormwater management devices to determine their overall effectiveness in managing and/or treating stormwater, and to guide the best practicable application of these devices in respective catchments;

- Provide guidance on the ongoing and necessary changes to the Stormwater Management Plan to address any shortcomings with the operational procedures, management initiatives and implementation measures adopted by the Stormwater Management Plan;

- Review the level of subdivision and development that is occurring in developing catchments, relative to the land use assumptions underlying the integrated catchment management approaches adopted by approved Catchment Management Plans;

- Determine overall compliance with the conditions of this consent.

As a minimum, the Monitoring Programme shall include:

a) Monitoring to identify any adverse stormwater quantity and quality effects on aquatic ecosystems. This shall include stormwater receiving water body monitoring at targeted locations, and is likely to comprise one or more of the following activities:

   i) Visual assessments of general habitat quality and sensitivity to stormwater inputs,
   ii) Sediment quality sampling and analyses of key stormwater contaminants and sediment characteristics that aid data interpretation, and
   iii) Biological sampling and analyses of macroinvertebrate communities and fish populations;

b) Monitoring to identify any visual signs of contaminants in stormwater (conspicuous oil or grease films, scums or foams, floatable suspended materials, conspicuous change in colour or visual clarity);

c) Monitoring to identify any adverse scour, erosion and sediment deposition on land, property and the beds of stormwater receiving water bodies;

d) Monitoring to identify any adverse flooding of land, property and stormwater receiving water bodies;

e) Monitoring to identify any stormwater management structures that are impeding the upstream and downstream movement of fish;

f) Monitoring to determine the performance of utilised stormwater management devices in managing and/or treating stormwater;

g) Monitoring to gauge the level of subdivision and development that is occurring in developing catchments, relative to the land use assumptions underlying the integrated catchment management approaches adopted by approved Catchment Management Plans;

h) Monitoring to ensure that all stormwater management devices are maintained in good working order, and providing best practicable stormwater management and/or treatment efficiency at all times;

i) Monitoring to determine best practicable street and stormwater catchpit cleaning operations to minimise the volume of stormwater contaminants entering the stormwater network and discharging to the receiving environment.

The Monitoring Programme shall be to a standard acceptable to the Waikato Regional Council and shall be submitted to the Waikato Regional Council for written approval in a technical certification capacity, by 31st March 2012 or such later date that may be approved in writing by the Waikato Regional Council in a technical certification capacity. Thereafter, the Monitoring Programme shall be reviewed, updated and submitted to the Waikato Regional Council for approval in a technical certification capacity, by 31st March every third year. The Waikato Regional Council will review and may alter the Monitoring Programme (in scale and/or method and/or location) after having had regard to the consistency and significance of the monitoring data collected, or any other information relating to the stormwater diversion and discharge activities authorised by this consent.

5) The Consent Holder shall undertake all monitoring in accordance with the Monitoring Programme required by Condition 4 of this consent, and the results of the monitoring shall, as a minimum, be summarised in the Annual Report required by Condition 6 of this consent.

Annual Report

6) The Consent Holder shall compile an annual report entitled “Municipal Stormwater Network Operation Annual Report”, for the year ending 30th June each year, and shall submit this report to the Waikato Regional Council by 30th September each year or such later date that may be approved in writing by the Waikato Regional Council in a technical certification capacity. As a minimum the report shall contain:

a) A summary of the operational procedures, management initiatives and implementation methods adopted by the Stormwater Management Plan which have been implemented during the year, along with the results of these initiatives (where relevant). Also a summary of the operational procedures, management initiatives and implementation methods which are proposed to be implemented over the coming year, along with any proposed changes or review updates to the Stormwater Management Plan that provide for the ongoing implementation of best practicable stormwater management measures;

b) A summary of the main stormwater infrastructure works undertaken during the year, particularly the works undertaken in developing catchments in accordance with approved Catchment Management Plans. Also a summary of the main stormwater infrastructure works proposed for the coming year, along with any proposed changes to approved Catchment Management Plans (where deemed by the Consent Holder to be necessary);

c) A summary of the information gathered and analysed through the Monitoring Programme required by Condition 4 of this consent. Any proposed refinements to the Monitoring Programme in response to the monitoring information gathered, or particular issues arising, should also be provided;

d) Details of all non-routine contaminant discharge incidents which have been responded to by the Consent Holder, along with a summary of the outcomes of these incidents. Any proposed changes to the Standard Operating Procedures for non-routine contaminant discharge incidents, should also be provided;

e) A summary of the level of compliance achieved with the conditions of this consent, including any reasons for non-compliance or difficulties in achieving compliance;

f) A summary of all formal complaints received in regard to the stormwater diversion and discharge activities authorised by this consent, as recorded in the Complaints Register required by Condition 24 in Schedule A of this consent;

g) Updated catchment drawings showing all new stormwater diversion and discharge activities which have been certified as authorised by the Waikato Regional Council in accordance with Condition 4 in Schedule A of this consent;

h) A summary of the actions and/or stormwater management measures to be implemented over the coming year to remedy any non-compliance with the conditions of this consent;

i) Details of any other matters considered relevant to this consent.

General Advice Notes

1) *This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the Consent Holder and the property owner.*

2) *The reasonable costs incurred by the Waikato Regional Council arising from supervision and monitoring of this consent will be charged to the Consent Holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the Consent Holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consent.*

3) *This consent does not authorise any stormwater diversion or discharge activities derived from privately owned stormwater networks, nor any other stormwater diversion or discharge activities that do not result from the operation of the Thames Coromandel District Council's stormwater networks.*

4) *This consent does not authorise any works in a watercourse, or any other activity for which further consents may be required under Sections 13, 14 and 15 of the RMA, or the provisions of the Waikato Regional Plan.*

5) *The Consent Holder is responsible for compliance with the conditions of this consent, except where statutory defences as stated in section 341 of the RMA apply.*

6) *Pursuant to section 332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.*

Resource Consent Certificate

Resource Consent: 105663 (Coromandel Urban Area)

Consents type: Discharge permit

Consent subtype: Discharge to water

Pursuant to the Resource Management Act 1991, the Waikato Regional Council hereby grants consent to:

Applicant: Thames Coromandel District Council
Private Bag
THAMES 2820

(hereinafter referred to as the Consent Holder)

Activity authorised: Divert and discharge urban stormwater runoff and associated contaminants at multiple locations to land, the Whangarahi Stream, Whakanekeneke Stream, Taumatawahine Stream, Karaka Stream, Driving Creek, Coromandel Harbour, Oamaru Bay and such other locations as may be covered by this consent in the future in accordance with the conditions of this consent, and use discharge structures in the general vicinity of Coromandel Urban Area that is reticulated by the Thames Coromandel District Council municipal stormwater network

Location: Coromandel Urban Area

General Map References: NZTopo50 BA34:235:295

Consent duration: This consent will commence on the date of decision notification and expire on 31st August 2031

Subject to the conditions overleaf:

Schedule A - General Conditions

1) This consent is subject to the general conditions listed in Schedule A – General Conditions of Comprehensive Stormwater Discharge Consents.

Stormwater diversion and discharge activities

2) The stormwater diversion and discharge activities authorised by this consent shall be designed, operated and maintained in general accordance with the application for this consent, except where otherwise required in the general conditions listed in Schedule A of this consent and the resource consent conditions below. Where there is any discrepancy between the application documents and the resource consent conditions, the conditions shall prevail.

Scope of the stormwater diversion and discharge activities authorised

3) Except as provided for by Condition 4 in Schedule A of this consent, the stormwater diversion and discharge activities authorised by this consent relate to the Thames Coromandel District Council municipal stormwater network as constructed at the commencement of this consent, and as generally shown on the catchment drawings titled 'Coromandel Stormwater Reticulation' in Appendix I of the application document. All new stormwater diversion and discharge activities which are established after the commencement of this consent shall meet the technical certification requirements of Condition 4 in Schedule A of this consent, and be shown on updated catchment drawings. The catchment drawings shall be provided to the Waikato Regional Council as part of the Annual Report required by Condition 6 of this consent.

Monitoring Programme

4) The Consent Holder shall retain appropriately qualified and experienced persons to prepare a Monitoring Programme. The objectives of the Monitoring Programme are to:

- Investigate the actual and potential adverse effects of municipal stormwater diversion and discharge activities on the environment;

- Provide information to refine Best Practicable Option stormwater management measures that assist the Consent Holder in avoiding, remedying or mitigating actual and potential adverse effects on the environment;

- Assess the performance of utilised stormwater management devices to determine their overall effectiveness in managing and/or treating stormwater, and to guide the best practicable application of these devices in respective catchments;

- Provide guidance on the ongoing and necessary changes to the Stormwater Management Plan to address any shortcomings with the operational procedures, management initiatives and implementation measures adopted by the Stormwater Management Plan;

- Review the level of subdivision and development that is occurring in developing catchments, relative to the land use assumptions underlying the integrated catchment management approaches adopted by approved Catchment Management Plans;

- Determine overall compliance with the conditions of this consent.

As a minimum, the Monitoring Programme shall include:

a) Monitoring to identify any adverse stormwater quantity and quality effects on aquatic ecosystems. This shall include stormwater receiving water body monitoring at targeted locations, and is likely to comprise one or more of the following activities:

   i) Visual assessments of general habitat quality and sensitivity to stormwater inputs,
   ii) Sediment quality sampling and analyses of key stormwater contaminants and sediment characteristics that aid data interpretation, and
   iii) Biological sampling and analyses of macroinvertebrate communities and fish populations;

b) Monitoring to identify any visual signs of contaminants in stormwater (conspicuous oil or grease films, scums or foams, floatable suspended materials, conspicuous change in colour or visual clarity);

c) Monitoring to identify any adverse scour, erosion and sediment deposition on land, property and the beds of stormwater receiving water bodies;

d) Monitoring to identify any adverse flooding of land, property and stormwater receiving water bodies;

e) Monitoring to identify any stormwater management structures that are impeding the upstream and downstream movement of fish;

f) Monitoring to determine the performance of utilised stormwater management devices in managing and/or treating stormwater;

g) Monitoring to gauge the level of subdivision and development that is occurring in developing catchments, relative to the land use assumptions underlying the integrated catchment management approaches adopted by approved Catchment Management Plans;

h) Monitoring to ensure that all stormwater management devices are maintained in good working order, and providing best practicable stormwater management and/or treatment efficiency at all times;

i) Monitoring to determine best practicable street and stormwater catchpit cleaning operations to minimise the volume of stormwater contaminants entering the stormwater network and discharging to the receiving environment.

The Monitoring Programme shall be to a standard acceptable to the Waikato Regional Council and shall be submitted to the Waikato Regional Council for written approval in a technical certification capacity, by 31st March 2012 or such later date that may be approved in writing by the Waikato Regional Council in a technical certification capacity. Thereafter, the Monitoring Programme shall be reviewed, updated and submitted to the Waikato Regional Council for approval in a technical certification capacity, by 31st March every third year. The Waikato Regional Council will review and may alter the Monitoring Programme (in scale and/or method and/or location) after having had regard to the consistency and significance of the monitoring data collected, or any other information relating to the stormwater diversion and discharge activities authorised by this consent.

5) The Consent Holder shall undertake all monitoring in accordance with the Monitoring Programme required by Condition 4 of this consent, and the results of the monitoring shall, as a minimum, be summarised in the Annual Report required by Condition 6 of this consent.

Annual Report

6) The Consent Holder shall compile an annual report entitled “Municipal Stormwater Network Operation Annual Report”, for the year ending 30th June each year, and shall submit this report to the Waikato Regional Council by 30th September each year or such later date that may be approved in writing by the Waikato Regional Council in a technical certification capacity. As a minimum the report shall contain:

a) A summary of the operational procedures, management initiatives and implementation methods adopted by the Stormwater Management Plan which have been implemented during the year, along with the results of these initiatives (where relevant). Also a summary of the operational procedures, management initiatives and implementation methods which are proposed to be implemented over the coming year, along with any proposed changes or review updates to the Stormwater Management Plan that provide for the ongoing implementation of best practicable stormwater management measures;

b) A summary of the main stormwater infrastructure works undertaken during the year, particularly the works undertaken in developing catchments in accordance with approved Catchment Management Plans. Also a summary of the main stormwater infrastructure works proposed for the coming year, along with any proposed changes to approved Catchment Management Plans (where deemed by the Consent Holder to be necessary);

c) A summary of the information gathered and analysed through the Monitoring Programme required by Condition 4 of this consent. Any proposed refinements to the Monitoring Programme in response to the monitoring information gathered, or particular issues arising, should also be provided;

d) Details of all non-routine contaminant discharge incidents which have been responded to by the Consent Holder, along with a summary of the outcomes of these incidents. Any proposed changes to the Standard Operating Procedures for non-routine contaminant discharge incidents, should also be provided;

e) A summary of the level of compliance achieved with the conditions of this consent, including any reasons for non-compliance or difficulties in achieving compliance;

f) A summary of all formal complaints received in regard to the stormwater diversion and discharge activities authorised by this consent, as recorded in the Complaints Register required by Condition 24 in Schedule A of this consent;

g) Updated catchment drawings showing all new stormwater diversion and discharge activities which have been certified as authorised by the Waikato Regional Council in accordance with Condition 4 in Schedule A of this consent;

h) A summary of the actions and/or stormwater management measures to be implemented over the coming year to remedy any non-compliance with the conditions of this consent;

i) Details of any other matters considered relevant to this consent.

General Advice Notes

1) *This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the Consent Holder and the property owner.*

2) *The reasonable costs incurred by the Waikato Regional Council arising from supervision and monitoring of this consent will be charged to the Consent Holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the Consent Holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consent.*

3) *This consent does not authorise any stormwater diversion or discharge activities derived from privately owned stormwater networks, nor any other stormwater diversion or discharge activities that do not result from the operation of the Thames Coromandel District Council's stormwater networks.*

4) *This consent does not authorise any works in a watercourse, or any other activity for which further consents may be required under Sections 13, 14 and 15 of the RMA, or the provisions of the Waikato Regional Plan.*

5) *The Consent Holder is responsible for compliance with the conditions of this consent, except where statutory defences as stated in section 341 of the RMA apply.*

6) *Pursuant to section 332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.*

Resource Consent Certificate

Resource Consent: 105664 (Tairua Urban Area)

Consents type: Discharge permit

Consent subtype: Discharge to water

Pursuant to the Resource Management Act 1991, the Waikato Regional Council hereby grants consent to:

Applicant: Thames Coromandel District Council
Private Bag
THAMES 2820

(hereinafter referred to as the Consent Holder)

Activity authorised: Divert and discharge urban stormwater runoff and associated contaminants at multiple locations to land, the Pepe Stream, Grahams Stream, Tairua Harbour and such other locations as may be covered by this consent in the future in accordance with the conditions of this consent, and use discharge structures in the general vicinity of Tairua Urban Area that is reticulated by the Thames Coromandel District Council municipal stormwater network

Location: Tairua Urban Area

General Map References: NZTopo50 BB36:540:018

Consent duration: This consent will commence on the date of decision notification and expire on 31st August 2031

Subject to the conditions overleaf:

Schedule A - General Conditions

1) This consent is subject to the general conditions listed in Schedule A – General Conditions of Comprehensive Stormwater Discharge Consents.

Stormwater diversion and discharge activities

2) The stormwater diversion and discharge activities authorised by this consent shall be designed, operated and maintained in general accordance with the application for this consent, except where otherwise required in the general conditions listed in Schedule A of this consent and the resource consent conditions below. Where there is any discrepancy between the application documents and the resource consent conditions, the conditions shall prevail.

Scope of the stormwater diversion and discharge activities authorised

3) Except as provided for by Condition 4 in Schedule A of this consent, the stormwater diversion and discharge activities authorised by this consent relate to the Thames Coromandel District Council municipal stormwater network as constructed at the commencement of this consent, and as generally shown on the catchment drawings titled 'Tairua Stormwater Reticulation' in Appendix I of the application document. All new stormwater diversion and discharge activities which are established after the commencement of this consent shall meet the technical certification requirements of Condition 4 in Schedule A of this consent, and be shown on updated catchment drawings. The catchment drawings shall be provided to the Waikato Regional Council as part of the Annual Report required by Condition 6 of this consent.

Monitoring Programme

4) The Consent Holder shall retain appropriately qualified and experienced persons to prepare a Monitoring Programme. The objectives of the Monitoring Programme are to:

- Investigate the actual and potential adverse effects of municipal stormwater diversion and discharge activities on the environment;

- Provide information to refine Best Practicable Option stormwater management measures that assist the Consent Holder in avoiding, remedying or mitigating actual and potential adverse effects on the environment;

- Assess the performance of utilised stormwater management devices to determine their overall effectiveness in managing and/or treating stormwater, and to guide the best practicable application of these devices in respective catchments;

- Provide guidance on the ongoing and necessary changes to the Stormwater Management Plan to address any shortcomings with the operational procedures, management initiatives and implementation measures adopted by the Stormwater Management Plan;

- Review the level of subdivision and development that is occurring in developing catchments, relative to the land use assumptions underlying the integrated catchment management approaches adopted by approved Catchment Management Plans;

- Determine overall compliance with the conditions of this consent.

As a minimum, the Monitoring Programme shall include:

a) Monitoring to identify any adverse stormwater quantity and quality effects on aquatic ecosystems. This shall include stormwater receiving water body monitoring at targeted locations, and is likely to comprise one or more of the following activities:

   i) Visual assessments of general habitat quality and sensitivity to stormwater inputs,
   ii) Sediment quality sampling and analyses of key stormwater contaminants and sediment characteristics that aid data interpretation, and
   iii) Biological sampling and analyses of macroinvertebrate communities and fish populations;

b) Monitoring to identify any visual signs of contaminants in stormwater (conspicuous oil or grease films, scums or foams, floatable suspended materials, conspicuous change in colour or visual clarity);

c) Monitoring to identify any adverse scour, erosion and sediment deposition on land, property and the beds of stormwater receiving water bodies;

d) Monitoring to identify any adverse flooding of land, property and stormwater receiving water bodies;

e) Monitoring to identify any stormwater management structures that are impeding the upstream and downstream movement of fish;

f) Monitoring to determine the performance of utilised stormwater management devices in managing and/or treating stormwater;

g) Monitoring to gauge the level of subdivision and development that is occurring in developing catchments, relative to the land use assumptions underlying the integrated catchment management approaches adopted by approved Catchment Management Plans;

h) Monitoring to ensure that all stormwater management devices are maintained in good working order, and providing best practicable stormwater management and/or treatment efficiency at all times;

i) Monitoring to determine best practicable street and stormwater catchpit cleaning operations to minimise the volume of stormwater contaminants entering the stormwater network and discharging to the receiving environment.

The Monitoring Programme shall be to a standard acceptable to the Waikato Regional Council and shall be submitted to the Waikato Regional Council for written approval in a technical certification capacity, by 31st March 2012 or such later date that may be approved in writing by the Waikato Regional Council in a technical certification capacity. Thereafter, the Monitoring Programme shall be reviewed, updated and submitted to the Waikato Regional Council for approval in a technical certification capacity, by 31st March every third year. The Waikato Regional Council will review and may alter the Monitoring Programme (in scale and/or method and/or location) after having had regard to the consistency and significance of the monitoring data collected, or any other information relating to the stormwater diversion and discharge activities authorised by this consent.

5) The Consent Holder shall undertake all monitoring in accordance with the Monitoring Programme required by Condition 4 of this consent, and the results of the monitoring shall, as a minimum, be summarised in the Annual Report required by Condition 6 of this consent.

Annual Report

6) The Consent Holder shall compile an annual report entitled “Municipal Stormwater Network Operation Annual Report”, for the year ending 30th June each year, and shall submit this report to the Waikato Regional Council by 30th September each year or such later date that may be approved in writing by the Waikato Regional Council in a technical certification capacity. As a minimum the report shall contain:

a) A summary of the operational procedures, management initiatives and implementation methods adopted by the Stormwater Management Plan which have been implemented during the year, along with the results of these initiatives (where relevant). Also a summary of the operational procedures, management initiatives and implementation methods which are proposed to be implemented over the coming year, along with any proposed changes or review updates to the Stormwater Management Plan that provide for the ongoing implementation of best practicable stormwater management measures;

b) A summary of the main stormwater infrastructure works undertaken during the year, particularly the works undertaken in developing catchments in accordance with approved Catchment Management Plans. Also a summary of the main stormwater infrastructure works proposed for the coming year, along with any proposed changes to approved Catchment Management Plans (where deemed by the Consent Holder to be necessary);

c) A summary of the information gathered and analysed through the Monitoring Programme required by Condition 4 of this consent. Any proposed refinements to the Monitoring Programme in response to the monitoring information gathered, or particular issues arising, should also be provided;

d) Details of all non-routine contaminant discharge incidents which have been responded to by the Consent Holder, along with a summary of the outcomes of these incidents. Any proposed changes to the Standard Operating Procedures for non-routine contaminant discharge incidents, should also be provided;

e) A summary of the level of compliance achieved with the conditions of this consent, including any reasons for non-compliance or difficulties in achieving compliance;

f) A summary of all formal complaints received in regard to the stormwater diversion and discharge activities authorised by this consent, as recorded in the Complaints Register required by Condition 24 in Schedule A of this consent;

g) Updated catchment drawings showing all new stormwater diversion and discharge activities which have been certified as authorised by the Waikato Regional Council in accordance with Condition 4 in Schedule A of this consent;

h) A summary of the actions and/or stormwater management measures to be implemented over the coming year to remedy any non-compliance with the conditions of this consent;

i) Details of any other matters considered relevant to this consent.

General Advice Notes

1) *This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the Consent Holder and the property owner.*

2) *The reasonable costs incurred by the Waikato Regional Council arising from supervision and monitoring of this consent will be charged to the Consent Holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the Consent Holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consent.*

3) *This consent does not authorise any stormwater diversion or discharge activities derived from privately owned stormwater networks, nor any other stormwater diversion or discharge activities that do not result from the operation of the Thames Coromandel District Council's stormwater networks.*

4) *This consent does not authorise any works in a watercourse, or any other activity for which further consents may be required under sections 13, 14 and 15 of the RMA, or the provisions of the Waikato Regional Plan.*

5) *The Consent Holder is responsible for compliance with the conditions of this consent, except where statutory defences as stated in Section 341 of the RMA apply.*

6) *Pursuant to section 332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.*

Resource Consent Certificate

Resource Consent: 105665 (Whitianga Urban Area)

Consents type: Discharge permit

Consent subtype: Discharge to water

Pursuant to the Resource Management Act 1991, the Waikato Regional Council hereby grants consent to:

Applicant: Thames Coromandel District Council
Private Bag
THAMES 2820

(hereinafter referred to as the Consent Holder)

Activity authorised: Divert and discharge urban stormwater runoff and associated contaminants at multiple locations to land, the Tarapatiki Stream, Taputapuatea Stream, Karina Creek, unnamed modified streams, Whitianga Harbour and such other locations as may be covered by this consent in the future in accordance with the conditions of this consent, and use discharge structures in the general vicinity of Whitianga Urban Area that is reticulated by the Thames Coromandel District Council municipal stormwater network

Location: Whitianga Urban Area

General Map References: NZTopo50 BA35:409:203

Consent duration: This consent will commence on the date of decision notification and expire on 31st August 2031

Subject to the conditions overleaf:

Schedule A - General Conditions

1) This consent is subject to the general conditions listed in Schedule A – General Conditions of Comprehensive Stormwater Discharge Consents.

Stormwater diversion and discharge activities

2) The stormwater diversion and discharge activities authorised by this consent shall be designed, operated and maintained in general accordance with the application for this consent, except where otherwise required in the general conditions listed in Schedule A of this consent and the resource consent conditions below. Where there is any discrepancy between the application documents and the resource consent conditions, the conditions shall prevail.

Scope of the stormwater diversion and discharge activities authorised

3) Except as provided for by Condition 4 in Schedule A of this consent, the stormwater diversion and discharge activities authorised by this consent relate to the Thames Coromandel District Council municipal stormwater network as constructed at the commencement of this consent, and as generally shown on the catchment drawing titled 'Whitianga Stormwater Reticulation' in Appendix I of the application document. All new stormwater diversion and discharge activities which are established after the commencement of this consent shall meet the technical certification requirements of Condition 4 in Schedule A of this consent, and be shown on an updated catchment drawing. The catchment drawing shall be provided to the Waikato Regional Council as part of the Annual Report required by Condition 6 of this consent.

Monitoring Programme

4) The Consent Holder shall retain appropriately qualified and experienced persons to prepare a Monitoring Programme. The objectives of the Monitoring Programme are to:

- Investigate the actual and potential adverse effects of municipal stormwater diversion and discharge activities on the environment;

- Provide information to refine Best Practicable Option stormwater management measures that assist the Consent Holder in avoiding, remedying or mitigating actual and potential adverse effects on the environment;

- Assess the performance of utilised stormwater management devices to determine their overall effectiveness in managing and/or treating stormwater, and to guide the best practicable application of these devices in respective catchments;

- Provide guidance on the ongoing and necessary changes to the Stormwater Management Plan to address any shortcomings with the operational procedures, management initiatives and implementation measures adopted by the Stormwater Management Plan;

- Review the level of subdivision and development that is occurring in developing catchments, relative to the land use assumptions underlying the integrated catchment management approaches adopted by approved Catchment Management Plans;

- Determine overall compliance with the conditions of this consent.

As a minimum, the Monitoring Programme shall include:

a) Monitoring to identify any adverse stormwater quantity and quality effects on aquatic ecosystems. This shall include stormwater receiving water body monitoring at targeted locations, and is likely to comprise one or more of the following activities:

   i) Visual assessments of general habitat quality and sensitivity to stormwater inputs,
   ii) Sediment quality sampling and analyses of key stormwater contaminants and sediment characteristics that aid data interpretation, and
   iii) Biological sampling and analyses of macroinvertebrate communities and fish populations;

b) Monitoring to identify any visual signs of contaminants in stormwater (conspicuous oil or grease films, scums or foams, floatable suspended materials, conspicuous change in colour or visual clarity);

c) Monitoring to identify any adverse scour, erosion and sediment deposition on land, property and the beds of stormwater receiving water bodies;

d) Monitoring to identify any adverse flooding of land, property and stormwater receiving water bodies;

e) Monitoring to identify any stormwater management structures that are impeding the upstream and downstream movement of fish;

f) Monitoring to determine the performance of utilised stormwater management devices in managing and/or treating stormwater;

g) Monitoring to gauge the level of subdivision and development that is occurring in developing catchments, relative to the land use assumptions underlying the integrated catchment management approaches adopted by approved Catchment Management Plans;

h) Monitoring to ensure that all stormwater management devices are maintained in good working order, and providing best practicable stormwater management and/or treatment efficiency at all times;

i) Monitoring to determine best practicable street and stormwater catchpit cleaning operations to minimise the volume of stormwater contaminants entering the stormwater network and discharging to the receiving environment.

The Monitoring Programme shall be to a standard acceptable to the Waikato Regional Council and shall be submitted to the Waikato Regional Council for written approval in a technical certification capacity, by 31st March 2012 or such later date that may be approved in writing by the Waikato Regional Council in a technical certification capacity. Thereafter, the Monitoring Programme shall be reviewed, updated and submitted to the Waikato Regional Council for approval in a technical certification capacity, by 31st March every third year. The Waikato Regional Council will review and may alter the Monitoring Programme (in scale and/or method and/or location) after having had regard to the consistency and significance of the monitoring data collected, or any other information relating to the stormwater diversion and discharge activities authorised by this consent.

5) The Consent Holder shall undertake all monitoring in accordance with the Monitoring Programme required by Condition 4 of this consent, and the results of the monitoring shall, as a minimum, be summarised in the Annual Report required by Condition 6 of this consent.

Annual Report

6) The Consent Holder shall compile an annual report entitled “Municipal Stormwater Network Operation Annual Report”, for the year ending 30th June each year, and shall submit this report to the Waikato Regional Council by 30th September each year or such later date that may be approved in writing by the Waikato Regional Council in a technical certification capacity. As a minimum the report shall contain:

a) A summary of the operational procedures, management initiatives and implementation methods adopted by the Stormwater Management Plan which have been implemented during the year, along with the results of these initiatives (where relevant). Also a summary of the operational procedures, management initiatives and implementation methods which are proposed to be implemented over the coming year, along with any proposed changes or review updates to the Stormwater Management Plan that provide for the ongoing implementation of best practicable stormwater management measures;

b) A summary of the main stormwater infrastructure works undertaken during the year, particularly the works undertaken in developing catchments in accordance with approved Catchment Management Plans. Also a summary of the main stormwater infrastructure works proposed for the coming year, along with any proposed changes to approved Catchment Management Plans (where deemed by the Consent Holder to be necessary);

c) A summary of the information gathered and analysed through the Monitoring Programme required by Condition 4 of this consent. Any proposed refinements to the Monitoring Programme in response to the monitoring information gathered, or particular issues arising, should also be provided;

d) Details of all non-routine contaminant discharge incidents which have been responded to by the Consent Holder, along with a summary of the outcomes of these incidents. Any proposed changes to the Standard Operating Procedures for non-routine contaminant discharge incidents, should also be provided;

e) A summary of the level of compliance achieved with the conditions of this consent, including any reasons for non-compliance or difficulties in achieving compliance;

f) A summary of all formal complaints received in regard to the stormwater diversion and discharge activities authorised by this consent, as recorded in the Complaints Register required by Condition 24 in Schedule A of this consent;

g) Updated catchment drawings showing all new stormwater diversion and discharge activities which have been certified as authorised by the Waikato Regional Council in accordance with Condition 4 in Schedule A of this consent;

h) A summary of the actions and/or stormwater management measures to be implemented over the coming year to remedy any non-compliance with the conditions of this consent;

i) Details of any other matters considered relevant to this consent.

General Advice Notes

1) This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the Consent Holder and the property owner.

2) The reasonable costs incurred by the Waikato Regional Council arising from supervision and monitoring of this consent will be charged to the Consent Holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the Consent Holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consent.

3) This consent does not authorise any stormwater diversion or discharge activities derived from privately owned stormwater networks, nor any other stormwater diversion or discharge activities that do not result from the operation of the Thames Coromandel District Council's stormwater networks.

4) This consent does not authorise any works in a watercourse, or any other activity for which further consents may be required under sections 13, 14 and 15 of the RMA, or the provisions of the Waikato Regional Plan.

5) The Consent Holder is responsible for compliance with the conditions of this consent, except where statutory defences as stated in Section 341 of the RMA apply.

6) *Pursuant to section 332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.*

Resource Consent Certificate

Resource Consent: 105666 (Onemana Urban Area)

Consents type: Discharge permit

Consent subtype: Discharge to water

Pursuant to the Resource Management Act 1991, the Waikato Regional Council hereby grants consent to:

Applicant: Thames Coromandel District Council
Private Bag
THAMES 2820

(hereinafter referred to as the Consent Holder)

Activity authorised: Divert and discharge urban stormwater runoff and associated contaminants at multiple locations to land, the Onemana Stream and tributaries and such other locations as may be covered by this consent in the future in accordance with the conditions of this consent, and use discharge structures in the general vicinity of Onemana Urban Area that is reticulated by the Thames Coromandel District Council municipal stormwater network

Location: Onemana Urban Area

General Map References: NZTopo50 BB36:555:842

Consent duration: This consent will commence on the date of decision notification and expire on 31st August 2031

Subject to the conditions overleaf:

Schedule A - General Conditions

1) This consent is subject to the general conditions listed in Schedule A – General Conditions of Comprehensive Stormwater Discharge Consents.

Stormwater diversion and discharge activities

2) The stormwater diversion and discharge activities authorised by this consent shall be designed, operated and maintained in general accordance with the application for this consent, except where otherwise required in the general conditions listed in Schedule A of this consent and the resource consent conditions below. Where there is any discrepancy between the application documents and the resource consent conditions, the conditions shall prevail.

Scope of the stormwater diversion and discharge activities authorised

3) Except as provided for by Condition 4 in Schedule A of this consent, the stormwater diversion and discharge activities authorised by this consent relate to the Thames Coromandel District Council municipal stormwater network as constructed at the commencement of this consent, and as generally shown on the catchment drawing titled 'Onemana Stormwater Reticulation' in Appendix I of the application document. All new stormwater diversion and discharge activities which are established after the commencement of this consent shall meet the technical certification requirements of Condition 4 in Schedule A of this consent, and be shown on an updated catchment drawing. The catchment drawing shall be provided to the Waikato Regional Council as part of the Annual Report required by Condition 6 of this consent.

Monitoring Programme

4) The Consent Holder shall retain appropriately qualified and experienced persons to prepare a Monitoring Programme. The objectives of the Monitoring Programme are to:

- Investigate the actual and potential adverse effects of municipal stormwater diversion and discharge activities on the environment;

- Provide information to refine Best Practicable Option stormwater management measures that assist the Consent Holder in avoiding, remedying or mitigating actual and potential adverse effects on the environment;

- Assess the performance of utilised stormwater management devices to determine their overall effectiveness in managing and/or treating stormwater, and to guide the best practicable application of these devices in respective catchments;

- Provide guidance on the ongoing and necessary changes to the Stormwater Management Plan to address any shortcomings with the operational procedures, management initiatives and implementation measures adopted by the Stormwater Management Plan;

- Review the level of subdivision and development that is occurring in developing catchments, relative to the land use assumptions underlying the integrated catchment management approaches adopted by approved Catchment Management Plans;

- Determine overall compliance with the conditions of this consent.

As a minimum, the Monitoring Programme shall include:

a) Monitoring to identify any adverse stormwater quantity and quality effects on aquatic ecosystems. This shall include stormwater receiving water body monitoring at targeted locations, and is likely to comprise one or more of the following activities:

   i) Visual assessments of general habitat quality and sensitivity to stormwater inputs,
   ii) Sediment quality sampling and analyses of key stormwater contaminants and sediment characteristics that aid data interpretation, and
   iii) Biological sampling and analyses of macroinvertebrate communities and fish populations;

b) Monitoring to identify any visual signs of contaminants in stormwater (conspicuous oil or grease films, scums or foams, floatable suspended materials, conspicuous change in colour or visual clarity);

c) Monitoring to identify any adverse scour, erosion and sediment deposition on land, property and the beds of stormwater receiving water bodies;

d) Monitoring to identify any adverse flooding of land, property and stormwater receiving water bodies;

e) Monitoring to identify any stormwater management structures that are impeding the upstream and downstream movement of fish;

f) Monitoring to determine the performance of utilised stormwater management devices in managing and/or treating stormwater;

g) Monitoring to gauge the level of subdivision and development that is occurring in developing catchments, relative to the land use assumptions underlying the integrated catchment management approaches adopted by approved Catchment Management Plans;

h) Monitoring to ensure that all stormwater management devices are maintained in good working order, and providing best practicable stormwater management and/or treatment efficiency at all times;

i) Monitoring to determine best practicable street and stormwater catchpit cleaning operations to minimise the volume of stormwater contaminants entering the stormwater network and discharging to the receiving environment.

The Monitoring Programme shall be to a standard acceptable to the Waikato Regional Council and shall be submitted to the Waikato Regional Council for written approval in a technical certification capacity, by 31st March 2012 or such later date that may be approved in writing by the Waikato Regional Council in a technical certification capacity. Thereafter, the Monitoring Programme shall be reviewed, updated and submitted to the Waikato Regional Council for approval in a technical certification capacity, by 31st March every third year. The Waikato Regional Council will review and may alter the Monitoring Programme (in scale and/or method and/or location) after having had regard to the consistency and significance of the monitoring data collected, or any other information relating to the stormwater diversion and discharge activities authorised by this consent.

5) The Consent Holder shall undertake all monitoring in accordance with the Monitoring Programme required by Condition 4 of this consent, and the results of the monitoring shall, as a minimum, be summarised in the Annual Report required by Condition 6 of this consent.

Annual Report

6) The Consent Holder shall compile an annual report entitled “Municipal Stormwater Network Operation Annual Report”, for the year ending 30th June each year, and shall submit this report to the Waikato Regional Council by 30th September each year or such later date that may be approved in writing by the Waikato Regional Council in a technical certification capacity. As a minimum the report shall contain:

a) A summary of the operational procedures, management initiatives and implementation methods adopted by the Stormwater Management Plan which have been implemented during the year, along with the results of these initiatives (where relevant). Also a summary of the operational procedures, management initiatives and implementation methods which are proposed to be implemented over the coming year, along with any proposed changes or review updates to the Stormwater Management Plan that provide for the ongoing implementation of best practicable stormwater management measures;

b) A summary of the main stormwater infrastructure works undertaken during the year, particularly the works undertaken in developing catchments in accordance with approved Catchment Management Plans. Also a summary of the main stormwater infrastructure works proposed for the coming year, along with any proposed changes to approved Catchment Management Plans (where deemed by the Consent Holder to be necessary);

c) A summary of the information gathered and analysed through the Monitoring Programme required by Condition 4 of this consent. Any proposed refinements to the Monitoring Programme in response to the monitoring information gathered, or particular issues arising, should also be provided;

d) Details of all non-routine contaminant discharge incidents which have been responded to by the Consent Holder, along with a summary of the outcomes of these incidents. Any proposed changes to the Standard Operating Procedures for non-routine contaminant discharge incidents, should also be provided;

e) A summary of the level of compliance achieved with the conditions of this consent, including any reasons for non-compliance or difficulties in achieving compliance;

f) A summary of all formal complaints received in regard to the stormwater diversion and discharge activities authorised by this consent, as recorded in the Complaints Register required by Condition 24 in Schedule A of this consent;

g) Updated catchment drawings showing all new stormwater diversion and discharge activities which have been certified as authorised by the Waikato Regional Council in accordance with Condition 4 in Schedule A of this consent;

h) A summary of the actions and/or stormwater management measures to be implemented over the coming year to remedy any non-compliance with the conditions of this consent;

i) Details of any other matters considered relevant to this consent.

General Advice Notes

1) *This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the Consent Holder and the property owner.*

2) *The reasonable costs incurred by the Waikato Regional Council arising from supervision and monitoring of this consent will be charged to the Consent Holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the Consent Holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consent.*

3) *This consent does not authorise any stormwater diversion or discharge activities derived from privately owned stormwater networks, nor any other stormwater diversion or discharge activities that do not result from the operation of the Thames Coromandel District Council's stormwater networks.*

4) *This consent does not authorise any works in a watercourse, or any other activity for which further consents may be required under sections 13, 14 and 15 of the RMA, or the provisions of the Waikato Regional Plan.*

5) *The Consent Holder is responsible for compliance with the conditions of this consent, except where statutory defences as stated in Section 341 of the RMA apply.*

6) *Pursuant to section 332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.*

Resource Consent Certificate

Resource Consent: 105667 (Whangamata Urban Area)

Consents type: Discharge permit

Consent subtype: Discharge to water

Pursuant to the Resource Management Act 1991, the Waikato Regional Council hereby grants consent to:

Applicant: Thames Coromandel District Council
Private Bag
THAMES 2820

(hereinafter referred to as the Consent Holder)

Activity authorised: Divert and discharge urban stormwater runoff and associated contaminants at multiple locations to land, the Te Weite Stream, Waikiekie Stream, Moana Anu Anu River Estuary, Otahu Estuary, Whangamata Harbour and such other locations as may be covered by this consent in the future in accordance with the conditions of this consent, and use discharge structures in the general vicinity of Whangamata Urban Area that is reticulated by the Thames Coromandel District Council municipal stormwater network

Location: Whangamata Urban Area

General Map References: NZTopo50 BB36:548:774

Consent duration: This consent will commence on the date of decision notification and expire on 31st August 2031

Subject to the conditions overleaf:

Schedule A - General Conditions

1) This consent is subject to the general conditions listed in Schedule A – General Conditions of Comprehensive Stormwater Discharge Consents.

Stormwater diversion and discharge activities

2) The stormwater diversion and discharge activities authorised by this consent shall be designed, operated and maintained in general accordance with the application for this consent, except where otherwise required in the general conditions listed in Schedule A of this consent and the resource consent conditions below. Where there is any discrepancy between the application documents and the resource consent conditions, the conditions shall prevail.

Scope of the stormwater diversion and discharge activities authorised

3) Except as provided for by Condition 4 in Schedule A of this consent, the stormwater diversion and discharge activities authorised by this consent relate to the Thames Coromandel District Council municipal stormwater network as constructed at the commencement of this consent, and as generally shown on the catchment drawings titled 'Whangamata Stormwater Reticulation' in Appendix I of the application document. All new stormwater diversion and discharge activities which are established after the commencement of this consent shall meet the technical certification requirements of Condition 4 in Schedule A of this consent, and be shown on updated catchment drawings. The catchment drawings shall be provided to the Waikato Regional Council as part of the Annual Report required by Condition 6 of this consent.

Monitoring Programme

4) The Consent Holder shall retain appropriately qualified and experienced persons to prepare a Monitoring Programme. The objectives of the Monitoring Programme are to:

- Investigate the actual and potential adverse effects of municipal stormwater diversion and discharge activities on the environment;

- Provide information to refine Best Practicable Option stormwater management measures that assist the Consent Holder in avoiding, remedying or mitigating actual and potential adverse effects on the environment;

- Assess the performance of utilised stormwater management devices to determine their overall effectiveness in managing and/or treating stormwater, and to guide the best practicable application of these devices in respective catchments;

- Provide guidance on the ongoing and necessary changes to the Stormwater Management Plan to address any shortcomings with the operational procedures, management initiatives and implementation measures adopted by the Stormwater Management Plan;

- Review the level of subdivision and development that is occurring in developing catchments, relative to the land use assumptions underlying the integrated catchment management approaches adopted by approved Catchment Management Plans;

- Determine overall compliance with the conditions of this consent.

As a minimum, the Monitoring Programme shall include:

a) Monitoring to identify any adverse stormwater quantity and quality effects on aquatic ecosystems. This shall include stormwater receiving water body monitoring at targeted locations, and is likely to comprise one or more of the following activities:

   i) Visual assessments of general habitat quality and sensitivity to stormwater inputs,
   ii) Sediment quality sampling and analyses of key stormwater contaminants and sediment characteristics that aid data interpretation, and
   iii) Biological sampling and analyses of macroinvertebrate communities and fish populations;

b) Monitoring to identify any visual signs of contaminants in stormwater (conspicuous oil or grease films, scums or foams, floatable suspended materials, conspicuous change in colour or visual clarity);

c) Monitoring to identify any adverse scour, erosion and sediment deposition on land, property and the beds of stormwater receiving water bodies;

d) Monitoring to identify any adverse flooding of land, property and stormwater receiving water bodies;

e) Monitoring to identify any stormwater management structures that are impeding the upstream and downstream movement of fish;

f) Monitoring to determine the performance of utilised stormwater management devices in managing and/or treating stormwater;

g) Monitoring to gauge the level of subdivision and development that is occurring in developing catchments, relative to the land use assumptions underlying the integrated catchment management approaches adopted by approved Catchment Management Plans;

h) Monitoring to ensure that all stormwater management devices are maintained in good working order, and providing best practicable stormwater management and/or treatment efficiency at all times;

i) Monitoring to determine best practicable street and stormwater catchpit cleaning operations to minimise the volume of stormwater contaminants entering the stormwater network and discharging to the receiving environment.

The Monitoring Programme shall be to a standard acceptable to the Waikato Regional Council and shall be submitted to the Waikato Regional Council for written approval in a technical certification capacity, by 31st March 2012 or such later date that may be approved in writing by the Waikato Regional Council in a technical certification capacity. Thereafter, the Monitoring Programme shall be reviewed, updated and submitted to the Waikato Regional Council for approval in a technical certification capacity, by 31st March every third year. The Waikato Regional Council will review and may alter the Monitoring Programme (in scale and/or method and/or location) after having had regard to the consistency and significance of the monitoring data collected, or any other information relating to the stormwater diversion and discharge activities authorised by this consent.

5) The Consent Holder shall undertake all monitoring in accordance with the Monitoring Programme required by Condition 4 of this consent, and the results of the monitoring shall, as a minimum, be summarised in the Annual Report required by Condition 6 of this consent.

Annual Report

6) The Consent Holder shall compile an annual report entitled "Municipal Stormwater Network Operation Annual Report", for the year ending 30th June each year, and shall submit this report to the Waikato Regional Council by 30th September each year or such later date that may be approved in writing by the Waikato Regional Council in a technical certification capacity. As a minimum the report shall contain:

a) A summary of the operational procedures, management initiatives and implementation methods adopted by the Stormwater Management Plan which have been implemented during the year, along with the results of these initiatives (where relevant). Also a summary of the operational procedures, management initiatives and implementation methods which are proposed to be implemented over the coming year, along with any proposed changes or review updates to the Stormwater Management Plan that provide for the ongoing implementation of best practicable stormwater management measures;

b) A summary of the main stormwater infrastructure works undertaken during the year, particularly the works undertaken in developing catchments in accordance with approved Catchment Management Plans. Also a summary of the main stormwater infrastructure works proposed for the coming year, along with any proposed changes to approved Catchment Management Plans (where deemed by the Consent Holder to be necessary);

c) A summary of the information gathered and analysed through the Monitoring Programme required by Condition 4 of this consent. Any proposed refinements to the Monitoring Programme in response to the monitoring information gathered, or particular issues arising, should also be provided;

d) Details of all non-routine contaminant discharge incidents which have been responded to by the Consent Holder, along with a summary of the outcomes of these incidents. Any proposed changes to the Standard Operating Procedures for non-routine contaminant discharge incidents, should also be provided;

e) A summary of the level of compliance achieved with the conditions of this consent, including any reasons for non-compliance or difficulties in achieving compliance;

f) A summary of all formal complaints received in regard to the stormwater diversion and discharge activities authorised by this consent, as recorded in the Complaints Register required by Condition 24 in Schedule A of this consent;

g) Updated catchment drawings showing all new stormwater diversion and discharge activities which have been certified as authorised by the Waikato Regional Council in accordance with Condition 4 in Schedule A of this consent;

h) A summary of the actions and/or stormwater management measures to be implemented over the coming year to remedy any non-compliance with the conditions of this consent;

i) Details of any other matters considered relevant to this consent.

General Advice Notes

1) *This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the Consent Holder and the property owner.*

2) *The reasonable costs incurred by the Waikato Regional Council arising from supervision and monitoring of this consent will be charged to the Consent Holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the Consent Holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consent.*

3) *This consent does not authorise any stormwater diversion or discharge activities derived from privately owned stormwater networks, nor any other stormwater diversion or discharge activities that do not result from the operation of the Thames Coromandel District Council's stormwater networks.*

4) *This consent does not authorise any works in a watercourse, or any other activity for which further consents may be required under sections 13, 14 and 15 of the RMA, or the provisions of the Waikato Regional Plan.*

5) *The Consent Holder is responsible for compliance with the conditions of this consent, except where statutory defences as stated in Section 341 of the RMA apply.*

6) *Pursuant to section 332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.*

Resource Consent Certificate

Resource Consent: 105668 (Thames Coast Urban Areas)

Consents type: Discharge permit

Consent subtype: Discharge to water

Pursuant to the Resource Management Act 1991, the Waikato Regional Council hereby grants consent to:

Applicant: Thames Coromandel District Council
Private Bag
THAMES 2820

(hereinafter referred to as the Consent Holder)

Activity authorised: Divert and discharge urban stormwater runoff and associated contaminants at multiple locations to land, the Pupurakau Stream, Otohi Stream, Te Puru Stream, Waiomu Stream, Pohue Stream, Otuturu Creek, unnamed modified streams, Te Mata River, Tapu River, the Firth of Thames and such other locations as may be covered by this consent in the future in accordance with the conditions of this consent, and use discharge structures in the general vicinities of the Thames Coast Urban Areas that are reticulated by the Thames Coromandel District Council municipal stormwater network

Location: Thames Coast Urban Areas

General Map References: NZTopo50 BB34:239:975

Consent duration: This consent will commence on the date of decision notification and expire on 31st August 2031

Subject to the conditions overleaf:

Schedule A - General Conditions

1) This consent is subject to the general conditions listed in Schedule A – General Conditions of Comprehensive Stormwater Discharge Consents.

Stormwater diversion and discharge activities

2) The stormwater diversion and discharge activities authorised by this consent shall be designed, operated and maintained in general accordance with the application for this consent, except where otherwise required in the general conditions listed in Schedule A of this consent and the resource consent conditions below. Where there is any discrepancy between the application documents and the resource consent conditions, the conditions shall prevail.

Scope of the stormwater diversion and discharge activities authorised

3) Except as provided for by Condition 4 in Schedule A of this consent, the stormwater diversion and discharge activities authorised by this consent relate to the Thames Coromandel District Council municipal stormwater network as constructed at the commencement of this consent, and as generally shown on the catchment drawings titled 'Thames Coast Stormwater Reticulation' in Appendix I of the application document. All new stormwater diversion and discharge activities which are established after the commencement of this consent shall meet the technical certification requirements of Condition 4 in Schedule A of this consent, and be shown on updated catchment drawings. The catchment drawings shall be provided to the Waikato Regional Council as part of the Annual Report required by Condition 6 of this consent.

Monitoring Programme

4) The Consent Holder shall retain appropriately qualified and experienced persons to prepare a Monitoring Programme. The objectives of the Monitoring Programme are to:

- Investigate the actual and potential adverse effects of municipal stormwater diversion and discharge activities on the environment;

- Provide information to refine Best Practicable Option stormwater management measures that assist the Consent Holder in avoiding, remedying or mitigating actual and potential adverse effects on the environment;

- Assess the performance of utilised stormwater management devices to determine their overall effectiveness in managing and/or treating stormwater, and to guide the best practicable application of these devices in respective catchments;

- Provide guidance on the ongoing and necessary changes to the Stormwater Management Plan to address any shortcomings with the operational procedures, management initiatives and implementation measures adopted by the Stormwater Management Plan;

- Review the level of subdivision and development that is occurring in developing catchments, relative to the land use assumptions underlying the integrated catchment management approaches adopted by approved Catchment Management Plans;

- Determine overall compliance with the conditions of this consent.

As a minimum, the Monitoring Programme shall include:

a) Monitoring to identify any adverse stormwater quantity and quality effects on aquatic ecosystems. This shall include stormwater receiving water body monitoring at targeted locations, and is likely to comprise one or more of the following activities:

   i) Visual assessments of general habitat quality and sensitivity to stormwater inputs,
   ii) Sediment quality sampling and analyses of key stormwater contaminants and sediment characteristics that aid data interpretation, and
   iii) Biological sampling and analyses of macroinvertebrate communities and fish populations;

b) Monitoring to identify any visual signs of contaminants in stormwater (conspicuous oil or grease films, scums or foams, floatable suspended materials, conspicuous change in colour or visual clarity);

c) Monitoring to identify any adverse scour, erosion and sediment deposition on land, property and the beds of stormwater receiving water bodies;

d) Monitoring to identify any adverse flooding of land, property and stormwater receiving water bodies;

e) Monitoring to identify any stormwater management structures that are impeding the upstream and downstream movement of fish;

f) Monitoring to determine the performance of utilised stormwater management devices in managing and/or treating stormwater;

g) Monitoring to gauge the level of subdivision and development that is occurring in developing catchments, relative to the land use assumptions underlying the integrated catchment management approaches adopted by approved Catchment Management Plans;

h) Monitoring to ensure that all stormwater management devices are maintained in good working order, and providing best practicable stormwater management and/or treatment efficiency at all times;

i) Monitoring to determine best practicable street and stormwater catchpit cleaning operations to minimise the volume of stormwater contaminants entering the stormwater network and discharging to the receiving environment.

The Monitoring Programme shall be to a standard acceptable to the Waikato Regional Council and shall be submitted to the Waikato Regional Council for written approval in a technical certification capacity, by 31st March 2012 or such later date that may be approved in writing by the Waikato Regional Council in a technical certification capacity. Thereafter, the Monitoring Programme shall be reviewed, updated and submitted to the Waikato Regional Council for approval in a technical certification capacity, by 31st March every third year. The Waikato Regional Council will review and may alter the Monitoring Programme (in scale and/or method and/or location) after having had regard to the consistency and significance of the monitoring data collected, or any other information relating to the stormwater diversion and discharge activities authorised by this consent.

5) The Consent Holder shall undertake all monitoring in accordance with the Monitoring Programme required by Condition 4 of this consent, and the results of the monitoring shall, as a minimum, be summarised in the Annual Report required by Condition 6 of this consent.

Annual Report

6) The Consent Holder shall compile an annual report entitled “Municipal Stormwater Network Operation Annual Report”, for the year ending 30th June each year, and shall submit this report to the Waikato Regional Council by 30th September each year or such later date that may be approved in writing by the Waikato Regional Council in a technical certification capacity. As a minimum the report shall contain:

a) A summary of the operational procedures, management initiatives and implementation methods adopted by the Stormwater Management Plan which have been implemented during the year, along with the results of these initiatives (where relevant). Also a summary of the operational procedures, management initiatives and implementation methods which are proposed to be implemented over the coming year, along with any proposed changes or review updates to the Stormwater Management Plan that provide for the ongoing implementation of best practicable stormwater management measures;

b) A summary of the main stormwater infrastructure works undertaken during the year, particularly the works undertaken in developing catchments in accordance with approved Catchment Management Plans. Also a summary of the main stormwater infrastructure works proposed for the coming year, along with any proposed changes to approved Catchment Management Plans (where deemed by the Consent Holder to be necessary);

c) A summary of the information gathered and analysed through the Monitoring Programme required by Condition 4 of this consent. Any proposed refinements to the Monitoring Programme in response to the monitoring information gathered, or particular issues arising, should also be provided;

d) Details of all non-routine contaminant discharge incidents which have been responded to by the Consent Holder, along with a summary of the outcomes of these incidents. Any proposed changes to the Standard Operating Procedures for non-routine contaminant discharge incidents, should also be provided;

e) A summary of the level of compliance achieved with the conditions of this consent, including any reasons for non-compliance or difficulties in achieving compliance;

f) A summary of all formal complaints received in regard to the stormwater diversion and discharge activities authorised by this consent, as recorded in the Complaints Register required by Condition 24 in Schedule A of this consent;

g) Updated catchment drawings showing all new stormwater diversion and discharge activities which have been certified as authorised by the Waikato Regional Council in accordance with Condition 4 in Schedule A of this consent;

h) A summary of the actions and/or stormwater management measures to be implemented over the coming year to remedy any non-compliance with the conditions of this consent;

i) Details of any other matters considered relevant to this consent.

General Advice Notes

1) *This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the Consent Holder and the property owner.*

2) *The reasonable costs incurred by the Waikato Regional Council arising from supervision and monitoring of this consent will be charged to the Consent Holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the Consent Holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consent.*

3) *This consent does not authorise any stormwater diversion or discharge activities derived from privately owned stormwater networks, nor any other stormwater diversion or discharge activities that do not result from the operation of the Thames Coromandel District Council's stormwater networks.*

4) *This consent does not authorise any works in a watercourse, or any other activity for which further consents may be required under sections 13, 14 and 15 of the RMA, or the provisions of the Waikato Regional Plan.*

5) *The Consent Holder is responsible for compliance with the conditions of this consent, except where statutory defences as stated in Section 341 of the RMA apply.*

6) *Pursuant to section 332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.*