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.*