




Resource Consent

RESOURCE MANAGEMENT ACT 1991

Summary of decision – s127 variation

Consent No.	WGN160316
Consent ID(s)	35856 (new) replaces 34143 (old) – Discharge permit
Name	Kāpiti Coast District Council
Address	175 Rimu Road, Paraparaumu 5032
Duration of consent	Original date granted: 11 May 2018
	Variation effective: 19 February 2021
	Expires: 11 May 2023
Purpose for which consent(s) is granted	Discharge permit for the discharge of stormwater into fresh or coastal water, and onto or into land where it may enter fresh and coastal water from the Kāpiti Coast District Council owned stormwater network.
Location	Various
Legal description of land	Various
Conditions	See below

Decision recommended by:	Ellie Stephenson	Resource Advisor, Environmental Regulation	
Decision peer reviewed by:	Gwen Stewart	Resource Management Consultant for Environmental Regulation	
Decision approved by:	Jude Chittock	Team Leader, Environmental Regulation	

Processing timeframes:

Application lodged:	03/10/2018	Application officially received:	04/10/2018
Application stopped:	01/11/2018	Application started:	05/07/2019
Applicant to be notified of decision by:	09/07/2019	Applicant notified of decision on:	19/02/2021
Time taken to process application:	405 working days		


The applicant provided written agreement (link [here](#) and [here](#)) on 29 October 2020 for an extension of timeframes under s37(1) to process the application. The extension is for 395 working days under section 37A(5) of the Act.

The reason for the extension is:

- allow time for the assessment and discussion of multiple revisions of the application; and
- Allow time for engagement with iwi; and
- Allow time for the relevant notifications required under the Marine and Coastal Area (Takutai Moana) Act 2011.

In making this decision Wellington Regional Council has given consideration to the following issues, as required by section 37A(1) of the Act:

- The interests of any person who the Council considers may be directly affected by the extension;
- The interests of the community in achieving adequate assessment of the effects of the proposal; and
- The Wellington Regional Council's duty under section 21 of the Act to avoid unreasonable delay.

Decision approved by:	Jude Chittock	Team Leader, Environmental Regulation	
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Consent conditions (as changed)

Note: additions are indicated in underline removals are indicated in ~~strike-through~~. A clean copy of the consent conditions is provided in Appendix A of this report

General condition

11. The consent holder shall manage the network stormwater discharges in general accordance with the consent application and associated documents lodged with the Wellington Regional Council on 13 June 2016 and further information received via email on:
- 15 September 2017, further information to the application in the form of a memo titled *KCDC Global Stormwater Discharge Consent Application- Response to GWRC Further Information Request*. This information includes:
 - a) An independent review of the proposed monitoring undertaken by Ms Juliet Milne, NIWA, dated 16 August 2017. Including recommendations regarding the Adaptive Monitoring Plan outlined in Appendix G of the application; and
 - b) An updated Adaptive Monitoring Plan and proposed consent conditions in light of recommendation made by Ms Milne.
 - 3 October 2017, further information to the application received via email, Cultural Impact Assessments (CIA) from Ngā Hapū O Ōtaki, Te Ātiawa ki Whakarongotai Charitable Trust and Ngāti Toa RaNgātira.
 - 4 December 2017, second review of updated Adaptive Monitoring Plan and proposed consent conditions undertaken by Ms Milne, NIWA, dated 4 December 2017.
 - Section 127 change of conditions, version 3, submitted to GWRC on 7 September 2020.

Where there may be contradictions or inconsistencies between the application and further information provided by the applicant, the most recent information applies. In addition, where there may be inconsistencies between information provided by the applicant and conditions of the consent, the conditions apply.

Note: Any change from the location, design concepts and parameters implemented and/or operation may require a change in consent conditions pursuant to Section 127 of the Resource Management Act 1991 (RMA).

Adaptive Monitoring Plan

Year 1 AMP

2. The consent holder shall by 21 June 2018 or within such longer time as may be agreed in consultation with the Manager, Environmental Regulation, Wellington Regional Council, finalise and submit for approval of the **Manager**, an Adaptive Monitoring Plan (AMP) for Year 1 (from consent commencement to 1 September 2019).

The AMP shall be approved, to confirm that the AMP:

- a) Is generally consistent with the draft AMP submitted with the consent application; and
- b) Addresses matters listed in Condition 4 below with the exception of (d).

¹ Section 127 change dated 19 February 2021

Further Updates to the AMP

- 3². By the ~~1 September~~ 30 April each year or within such timeframe as may be agreed in consultation with the **Manager** the consent holder shall finalise and submit for approval of the **Manager**, an updated AMP.

The updated AMP shall be approved, to confirm that it:

- a) Is generally consistent with the draft AMP submitted with the consent application; and
- b) Addresses matters listed in Condition 4 below.

Note 1: Please email the updated AMP to notifications@gw.govt.nz. Please quote consent number WGN160316.

Note 2: Where possible, monitoring under the updated and approved AMP should commence in July each year.

- 4³. The purpose of the AMP is to set out the monitoring necessary to inform the long term Stormwater Management Strategy required by Condition 12 of this consent, and to set out methods for managing acute effects on human health
The AMP shall include at a minimum the following detail:

- a) Monitoring objectives;
- b) Monitoring locations, frequency and methodology;
- c) ~~Water quality~~ Monitoring parameters;
- d) Monitoring for iwi values, such as those discussed in the Cultural Impact Assessments associated with the consent application;
- e) Routine monitoring for acute human health effects;
- f) Protocols for sanitary investigations (including but not limited to faecal source tracking) as required by Condition 7.
- g) Protocols for the management of acute effects of stormwater discharges on human health detected during monitoring, as required by Conditions 7-9;
- h) Reporting; and
- i) A monitoring review process.

Note 1: To ensure sufficient information is obtained for the development of the stormwater management strategy required by condition ~~12~~11 the Greater Wellington Regional Council recommends that the AMP also includes:

- *Sediment quality monitoring;*
- *Benthic habitat monitoring;*
- *Incorporating recommendations from the Kaitiaki monitoring framework under Method M2 of the PNRP (once developed);*

² Section 127 change dated 19 February 2021

³ Section 127 change dated 19 February 2021

These matters have been excluded from this condition of consent because they are outside of the matters of control under Rule RR50 of the Proposed Natural Resource Plan.

Note 2: The Regional Kaitiaki Monitoring Framework is not currently defined, but is required under Method M2 of the Proposed Natural Resources Plan (June, 2015). The consent holder may be invited to contribute to the development of this framework, as it could impact how cultural values monitoring is undertaken on global stormwater consents.

5. The consent holder shall undertake all stormwater monitoring in accordance with the approved AMP (or subsequent updated AMP's).
6. All sampling techniques, including sample preservation and dispatch to the analysing laboratory, employed in respect of the conditions of this consent shall be carried out by suitably trained and experienced persons in accordance with best practice and in accordance with the requirements of the analysing laboratory. All water and sediment analyses undertaken in connection with this consent shall be performed by an Internationally Accredited (IANZ) registered laboratory.

Managing acute effects on Human Health

- 7⁴. The consent holder shall commence a sanitary survey in a catchment(s) as soon as practicable but within 24 hours either a), b), ~~or c)~~ or d) occurring:
- a) Any routine stream water sample collected under this consent has a ~~faecal coliform~~ faecal indicator bacteria count exceeding 10,000 cfu/100 mL and these counts are higher than the concentration measured at the upstream control site in the catchment(s); or
 - b) Any two ~~successive~~ consecutive routine water samples collected under this consent at ~~stream-mouth and/or beach~~ monitoring sites exceed a faecal indicator bacteria count of 1,000 cfu/100 mL, and these counts are higher than the ~~concentration~~ counts measured at the upstream control site in the catchment on the same day; or
 - c) The rolling 12-month median faecal indicator bacteria count obtained from ~~undertaking~~ stream water monitoring as identified in the AMP exceeds 1,000 cfu/100 mL and is higher than the equivalent rolling 12-month median faecal indicator bacteria count at the upstream control site;
 - d) Any two consecutive routine water samples collected under this consent at beach monitoring sites exceed a faecal indicator bacteria count of 1,000 cfu/100 mL.

If two sanitary surveys for a given site have been undertaken, and findings indicate the exceedance is most likely not attributed to piped stormwater discharges, alternative thresholds for the requirement to undertake a sanitary survey can be set within the AMP.

Note: ~~Bacterial~~ Faecal indicator bacteria means the specific indicator organism(s) identified for the specific monitoring site as specified means ~~all the indicator organisms identified for the specific monitoring site in the Adaptive Monitoring Plan.~~

The sanitary survey shall may consist of the following in the catchment that 7 (a), 7(b), ~~or 7(c)~~, or 7(d) was recorded:

- a) Re-sample at routine monitoring sites.

⁴ Section 127 change dated 19 February 2021

- a)b) A dry weather walkover and visual inspections, and sampling of stormwater discharges in dry weather,
- b)c) ~~Dry and wet~~ In-stream ~~weather~~ sampling and/or sampling of stormwater discharges in wet weather to identify the source
- e)d) Any other actions or investigations necessary to identify the source of contamination in accordance with the protocols in the AMP approved under Condition 4.

As soon as practicable or within 24 hours of receipt of analytical results from stormwater discharge monitoring undertaken during the sanitary survey, which confirms the presence of ~~faecal coliform~~ faecal indicator bacteria counts exceeding 10,000 cfu/100 mL in the stormwater discharge, the consent holder shall Notify the Manager and Regional Public Health in writing. The notification shall include relevant sample collection details (including the date and time of sample collection, rainfall in the 24 hours prior to sampling, and weather and tidal conditions at the time of sampling), and proposed further water sampling and/or investigations.

The details and outcomes of any sanitary surveys undertaken shall be provided monthly to the Manager and summarised in the Annual Report as required by Condition-44 10.

Note 2: Notifications of high ~~faecal coliforms~~ indicator bacteria counts must be emailed to GWRC on notifications@gw.govt.nz and Regional Public Health on healthprotection@huttvalleydwb.org.nz.

Immediate actions

8. If a sanitary survey indicates that there is the potential for adverse effects to human health resulting from discharges from the stormwater network, as established by monitoring undertaken in accordance with Condition 7, the consent holder shall:
 - Establish temporary warning signs if necessary to prevent people coming into contact with the discharge;
 - Whenever practicable implement immediate remedial works to address the causes of the contamination.

Note 1: The response timeframes of the consent holder may be subject to external factors such as, but not limited to, time required to gain access to private property should the site of potential remedial works require it, and engaging subcontractors to undertake remedial works.

Note 2: The intent of this condition is to prevent the public coming into contact with any discharge that could have the potential for acute effects on human health and to address the cause of the contamination as quickly as possible where a human health project is not required e.g. fix a broken sewer pipe or wastewater overflow.

Human Health Mitigation Projects

- 9⁵. Human health mitigation projects shall be developed where ~~either a) or b)~~ occurs:
 - a) ~~The rolling 12-month median bacteria count obtained from undertaking routine monthly monitoring in the receiving waters as identified in the AMP exceeds 1,000 cfu/100 mL; or~~

⁵ Section 127 change dated 19 February 2021

- b) ~~The the sanitary survey undertaken in accordance with Condition 7 indicates continued contamination which has the potential to result in acute human health effects and this is linked can be attributed to discharges from the stormwater network and the cause of the contamination has not been rectified through immediate actions as required by Condition 8.~~

Note: ~~Bacteria means all the indicator organisms identified for the specific monitoring site in the Adaptive Monitoring Plan.~~

The project scopes shall be provided to the Manager, within 1 month of completion of the sanitary survey required under Conditions 7, with proposed implementation timeframes. The consent holder shall prioritise projects based on the significance and magnitude of acute effects.

The consent holder's projects may include, but not be limited to:

- a) Installation of permanent signage
- b) Further sewer /stormwater network investigations such as CCTV and/or faecal source tracking
- c) Public education
- d) Physical works
- e) Further catchment investigations including ecological and cultural monitoring

The human health mitigation projects developed to manage any acute effects on human health shall be to the satisfaction of the Manager.

Note: It is noted that budget requirements are a consideration with the implementation of certain projects.

Note 2: The investigations and projects are to be programmed and undertaken based on their priority. The consent holder may be required to align the scheduling of the adaptive monitoring and SMS monitoring, investigations and projects with the budget requirements of the Annual budgets and Council Long Term Plan.

Incident notification and spills

- 10⁶. ~~The consent holder shall keep a permanent record of any known incident(s) involving major spillages or illegal discharges of chemicals, fuels, or other contaminant sources into the stormwater network that results, or could result, in an adverse effect on the freshwater and coastal marine area environments. The consent holder shall make the incident register available to Wellington Regional Council officers on request. The consent holder shall notify the Manager, of any such incident the next working day following the incident being brought to its attention.~~

~~The consent holder shall forward an incident report to the Manager within 7 working days of the incident occurring, unless otherwise agreed with the Manager.~~

~~The report shall describe the manner and cause of the incident, measures taken to mitigate/control the incident (and/or illegal discharge), and measures to prevent recurrence.~~

⁶ Section 127 change dated 19 February 2021

~~Note: The consent holder shall advise Wellington Regional Council on the day of the incident being brought to its attention by calling the Environmental Hotline on 0800 496 734.~~

Annual Report

~~4110~~⁷. The consent holder shall prepare and submit an Annual Report to the Manager **by 1 September each year.**

The Annual Report shall include the following:

- a) A summary of physical capital and maintenance works carried out to the stormwater network in the preceding year;
- b) A summary of any expansions or additions to the stormwater network (such as new roads or subdivisions) in the preceding year;
- c) A summary of routine monitoring results and analysis of results from previous years including differences and trends;
- d) A summary of monitoring undertaken in accordance with the AMP;
- e) Observations and photographs from the visual inspections undertaken during stormwater outfall discharge water quality monitoring;
- f) A summary of sanitary survey results, remedial works, management actions and projects in relation to acute adverse effects on human health detected during monitoring;
- g) Any other matters the consent holder considers relevant, including any follow-up actions resulting from the preceding year's operation.

Note: The Annual Report shall report on the year 1 July to 30 June inclusive.

Stormwater Management Strategy (SMS)

~~4211~~⁸. The consent holder shall prepare and submit to the Wellington Regional Council by 10 May 2022, a draft long term Stormwater Management Strategy (SMS).

The SMS shall be prepared in accordance with Schedule N of the Proposed Natural Resources Plan (or subsequent amendment).

Note: The purpose of the SMS is to:

- a) *Provide a strategy for how sub-catchments within the local authority stormwater network will be managed in accordance with any relevant objectives identified in the Proposed Natural Resources Plan (or subsequent amendment), including any relevant whaitua specific objectives at the time of developing the strategy; and*
- b) *Describe how the stormwater network will be managed in accordance with good management practice and progressively through time, to minimise the adverse acute, chronic and cumulative effects of stormwater discharges on fresh and coastal water.*

⁷ Section 127 change dated 19 February 2021

⁸ Section 127 change dated 19 February 2021

Review condition

⁴³¹²⁹. The Wellington Regional Council may review any or all conditions of this consent by giving notice of its intention to do so pursuant to section 128 of the Resource Management Act 1991, at any time within one month of the first and third anniversary of granting consent for the following purposes:

- a) To review the adequacy of any report and/or monitoring requirements in relation to adverse effects on human health, and if necessary, amend these requirements;
- b) To deal with any adverse effects on the environment which may arise from the exercise of this consent, and which is appropriate to deal with at a later stage; and
- c) To enable consistency with any relevant operative Regional Plans or National Environmental Standards, or Regulations.

The review of conditions shall allow for the deletion or amendment of conditions of this consent, and the addition of such new conditions as are shown to be necessary to avoid, remedy or mitigate any significant adverse effects on the environment.

⁹ Section 127 change dated 19 February 2021

Reasons for decision report

1. Background and proposal

Kāpiti Coast District Council (the consent holder, the applicant) lodged an application to change conditions of resource consent WGN160316 relating to the global stormwater discharges consent with Greater Wellington Regional Council (GWRC) on 3 October 2018 (officially received 4 October 2018). The original change of conditions application is referred to as version 1 in this report.

On 5 July 2019, the applicant provided an updated change of conditions application which superseded version 1. The application was further updated on 11 July 2019, and this is referred to as version 2. This version requested to remove a number of conditions from the consent certificate, moving them to the Adaptive Management Plan. Dr Claire Conwell (GWRC) and Dr Mahina-arangi Baker highlighted concerns with this approach. A meeting was held on 28 August to discuss the concerns.

On 7 September 2020, the applicant submitted a final version of the application (version 3). Application version 3 is the final version, supersedes all previous information submitted and is the subject of this report (linked [here](#)).

Under section 127(1) of the Act, the applicant has applied to change condition(s) of consent WGN160316 as follows:

Note: additions sought are indicated by underline removals sought are indicated in ~~strike-through~~. A clean copy of the consent conditions is provided in Appendix A of this report.

No.	Condition details
3	<p>Current condition:</p> <p>By the 1 September each year or within such timeframe as may be agreed in consultation with the Manager the consent holder shall finalise and submit for approval of the Manager, an updated AMP.</p> <p>The updated AMP shall be approved, to confirm that it:</p> <ul style="list-style-type: none">a) Is generally consistent with the draft AMP submitted with the consent application; andb) Addresses matters listed in Condition 4 below. <p><i>Note: Please email the updated AMP to notifications@gw.govt.nz. Please quote consent number WGN160316.</i></p> <p>Proposed condition:</p> <p>By the 1 September <u>30 April</u> each year or within such timeframe as may be agreed in consultation with the Manager the consent holder shall finalise and submit for approval of the Manager, an updated AMP.</p> <p>The updated AMP shall be approved, to confirm that it:</p> <ul style="list-style-type: none">a) Is generally consistent with the draft AMP submitted with the consent application; andb) Addresses matters listed in Condition 4 below. <p><i>Note 1: Please email the updated AMP to notifications@gw.govt.nz. Please</i></p>

No.	Condition details
	<p><i>quote consent number WGN160316.</i></p> <p><i>Note 2: Where possible, monitoring under the updated and approved AMP should commence in July each year.</i></p>
4	<p>Current condition:</p> <p>The purpose of the AMP is to set out the monitoring necessary to inform the long term Stormwater Management Strategy required by Condition 12 of this consent, and to set out methods for managing acute effects on human health</p> <p>The AMP shall include at a minimum the following detail:</p> <ol style="list-style-type: none"> Monitoring objectives; Monitoring locations, frequency and methodology; Water quality parameters; Monitoring for iwi values, such as those discussed in the Cultural Impact Assessments associated with the consent application; Routine monitoring for acute human health effects; Protocols for sanitary investigations (including but not limited to faecal source tracking) as required by Condition 7. Protocols for the management of acute effects of stormwater discharges on human health detected during monitoring, as required by Conditions 7-9; Reporting; and A monitoring review process. <p><i>Note 1: To ensure sufficient information is obtained for the development of the stormwater management strategy required by condition 12 the Greater Wellington Regional Council recommends that the AMP also includes:</i></p> <ul style="list-style-type: none"> <i>Sediment quality monitoring;</i> <i>Benthic habitat monitoring;</i> <i>Incorporating recommendations from the Kaitiaki monitoring framework under Method M2 of the PNRP (once developed);</i> <p><i>These matters have been excluded from this condition of consent because they are outside of the matters of control under Rule RR50 of the Proposed Natural Resource Plan.</i></p> <p><i>Note 2: The Regional Kaitiaki Monitoring Framework is not currently defined, but is required under Method M2 of the Proposed Natural Resources Plan (June, 2015). The consent holder may be invited to contribute to the development of this framework, as it could impact how cultural values monitoring is undertaken on global stormwater consents.</i></p> <p>Proposed condition:</p> <p>The purpose of the AMP is to set out the monitoring necessary to inform the long term Stormwater Management Strategy required by Condition 12 of this consent, and to set out methods for managing acute effects on human health</p> <p>The AMP shall include at a minimum the following detail:</p> <ol style="list-style-type: none"> Monitoring objectives; Monitoring locations, frequency and methodology; Water quality <u>Monitoring</u> parameters; Monitoring for iwi values, such as those discussed in the Cultural Impact Assessments associated with the consent application;

No.	Condition details
	<p>e) Routine monitoring for acute human health effects;</p> <p>f) Protocols for sanitary investigations (including but not limited to faecal source tracking) as required by Condition 7.</p> <p>g) Protocols for the management of acute effects of stormwater discharges on human health detected during monitoring, as required by Conditions 7-9;</p> <p>h) Reporting; and</p> <p>i) A monitoring review process.</p> <p><i>Note 1: To ensure sufficient information is obtained for the development of the stormwater management strategy required by condition 42 11 the Greater Wellington Regional Council recommends that the AMP also includes:</i></p> <ul style="list-style-type: none"> • <i>Sediment quality monitoring;</i> • <i>Benthic habitat monitoring;</i> • <i>Incorporating recommendations from the Kaitiaki monitoring framework under Method M2 of the PNRP (once developed);</i> <p><i>These matters have been excluded from this condition of consent because they are outside of the matters of control under Rule RR50 of the Proposed Natural Resource Plan.</i></p> <p><i>Note 2: The Regional Kaitiaki Monitoring Framework is not currently defined, but is required under Method M2 of the Proposed Natural Resources Plan (June, 2015). The consent holder may be invited to contribute to the development of this framework, as it could impact how cultural values monitoring is undertaken on global stormwater consents.</i></p>
7	<p>Current condition:</p> <p>The consent holder shall commence a sanitary survey in a catchment(s) as soon as practicable but within 24hours either a), b) or c) occurring:</p> <p>a) Any routine water sample collected under this consent has a faecal coliform count exceeding 10,000 cfu/100 mL and these counts are higher than the concentration measured at the upstream control site in the catchment(s); or</p> <p>b) Any two successive routine water samples at stream mouth and/or beach monitoring sites exceed 1,000 cfu/100 ml, and these counts are higher than the concentration measured at the upstream control site in the catchment on the same day; or</p> <p>c) The rolling 12-month median bacteria count obtained from undertaking monitoring as identified in the AMP exceeds 1,000 cfu/100 mL;</p> <p><i>Note: Bacterial means all the indicator organisms identified for the specific monitoring site in the Adaptive Monitoring Plan.</i></p> <p>The sanitary survey shall consist of the following in the catchment that 7 (a), 7(b) or 7(c) was recorded:</p> <p>a) A dry weather walkover and visual inspections, and,</p> <p>b) Dry and wet weather sampling of stormwater discharges to identify the source</p> <p>c) Any other actions or investigations necessary to identify the source of contamination in accordance with the protocols in the AMP approved under Condition 4.</p> <p>As soon as practicable or within 24 hours of receipt of analytical results from stormwater discharge monitoring undertaken during the sanitary survey,</p>

No.	Condition details
	<p>which confirms the presence of faecal coliform counts exceeding 10,000 cfu/100 mL in the stormwater discharge, the consent holder shall Notify the Manager and Regional Public Health in writing. The notification shall include relevant sample collection details (including the date and time of sample collection, rainfall in the 24 hours prior to sampling, and weather and tidal conditions at the time of sampling), and proposed further water sampling and/or investigations.</p> <p>The details and outcomes of any sanitary surveys undertaken shall be provided monthly to the Manager and summarised in the Annual Report as required by Condition 11.</p> <p><i>Note 2: Notifications of high faecal coliforms must be emailed to GWRC on notifications@gw.govt.nz and Regional Public Health on healthprotection@huttvalleydhsb.org.nz.</i></p> <p>Proposed condition:</p> <p>The consent holder shall commence a sanitary survey in a catchment(s) as soon as practicable but within 24 hours either a), b), or c) <u>or d)</u> occurring:</p> <ul style="list-style-type: none"> a) Any routine stream water sample collected under this consent has a faecal coliform faecal indicator bacteria count exceeding 10,000 cfu/100 mL and these counts are higher than the concentration measured at the upstream control site in the catchment(s); or b) Any two successive consecutive routine water samples collected under this consent at stream mouth and/or beach monitoring sites exceed a faecal indicator bacteria count of 1,000 cfu/100 mL, and these counts are higher than the concentration counts measured at the upstream control site in the catchment on the same day; or c) The rolling 12-month median faecal indicator bacteria count obtained from undertaking stream water monitoring as identified in the AMP exceeds 1,000 cfu/100 mL and is higher than the equivalent rolling 12-month median faecal indicator bacteria count at the upstream control site; d) Any two consecutive routine water samples collected under this consent at beach monitoring sites exceed a faecal indicator bacteria count of 1,000 cfu/100 mL. <p><u>If two sanitary surveys for a given site have been undertaken, and findings indicate the exceedance is most likely not attributed to piped stormwater discharges, alternative thresholds for the requirement to undertake a sanitary survey can be set within the AMP.</u></p> <p><i>Note: Bacterial Faecal indicator bacteria means the specific indicator organism(s) identified for the specific monitoring site as specified means all the indicator organisms identified for the specific monitoring site in the Adaptive Monitoring Plan.</i></p> <p>The sanitary survey shall <u>may</u> consist of the following in the catchment that 7 (a), 7(b), or 7(c), or 7(d) was recorded:</p> <ul style="list-style-type: none"> a) <u>Re-sample at routine monitoring sites,</u> a)b) <u>A dry weather walkover and visual inspections, and <u>sampling of stormwater discharges in dry weather,</u></u> b)c) <u>Dry and wet <u>in-stream</u> weather sampling <u>and/or sampling</u> of stormwater discharges <u>in wet weather</u> to identify the source</u> e)d) Any other actions or investigations necessary to identify the source of contamination in accordance with the protocols in the AMP approved

No.	Condition details
	<p>under Condition 4.</p> <p>As soon as practicable or within 24 hours of receipt of analytical results from stormwater discharge monitoring undertaken during the sanitary survey, which confirms the presence of faecal coliform <u>faecal indicator bacteria</u> counts exceeding 10,000 cfu/100 mL in the stormwater discharge, the consent holder shall Notify the Manager and Regional Public Health in writing. The notification shall include relevant sample collection details (including the date and time of sample collection, rainfall in the 24 hours prior to sampling, and weather and tidal conditions at the time of sampling), and proposed further water sampling and/or investigations.</p> <p>The details and outcomes of any sanitary surveys undertaken shall be provided monthly to the Manager and summarised in the Annual Report as required by Condition-44 <u>10</u>.</p> <p><i>Note 2: Notifications of high faecal coliforms <u>indicator bacteria counts</u> must be emailed to GWRC on notifications@gw.govt.nz and Regional Public Health on healthprotection@huttvalleydhb.org.nz.</i></p>
9	<p>Current condition:</p> <p>9. Human health mitigation projects shall be developed where either a) or b) occurs:</p> <ul style="list-style-type: none"> a) The rolling 12-month median bacteria count obtained from undertaking routine monthly monitoring in the receiving waters as identified in the AMP exceeds 1,000 cfu/100 mL; or b) The sanitary survey undertaken in accordance with Condition 7 indicates continued contamination which has the potential to result in acute human health effects and this is linked to discharges from the stormwater network and the cause of the contamination has not been rectified through immediate actions as required by Condition 8. <p><i>Note: Bacteria means all the indicator organisms identified for the specific monitoring site in the Adaptive Monitoring Plan.</i></p> <p>The project scopes shall be provided to the Manager, within 1 month of completion of the sanitary survey required under Conditions 7, with proposed implementation timeframes. The consent holder shall prioritise projects based on the significance and magnitude of acute effects.</p> <p>The consent holder's projects may include, but not be limited to:</p> <ul style="list-style-type: none"> a) Installation of permanent signage b) Further sewer /stormwater network investigations such as CCTV and/or faecal source tracking c) Public education d) Physical works e) Further catchment investigations including ecological and cultural monitoring <p>The human health mitigation projects developed to manage any acute effects on human health shall be to the satisfaction of the Manager.</p> <p><i>Note: It is noted that budget requirements are a consideration with the implementation of certain projects.</i></p> <p><i>Note 2: The investigations and projects are to be programmed and undertaken based on their priority. The consent holder may be required to align the scheduling of the adaptive monitoring and SMS monitoring, investigations and projects with the budget requirements of the Annual</i></p>

No.	Condition details
	<p><i>budgets and Council Long Term Plan.</i></p> <p>Proposed condition:</p> <p>9. Human health mitigation projects shall be developed where either a) or b) occurs:</p> <p>a) The rolling 12 month median bacteria count obtained from undertaking routine monthly monitoring in the receiving waters as identified in the AMP exceeds 1,000 cfu/100 mL; or</p> <p>b) The the sanitary survey undertaken in accordance with Condition 7 indicates continued contamination which has the potential to result in acute human health effects and this is linked <u>can be attributed</u> to discharges from the stormwater network and the cause of the contamination has not been rectified through immediate actions as required by Condition 8.</p> <p><i>Note: Bacteria means all the indicator organisms identified for the specific monitoring site in the Adaptive Monitoring Plan.</i></p> <p>The project scopes shall be provided to the Manager, within 1 month of completion of the sanitary survey required under Conditions 7, with proposed implementation timeframes. The consent holder shall prioritise projects based on the significance and magnitude of acute effects.</p> <p>The consent holder's projects may include, but not be limited to:</p> <p>a) Installation of permanent signage</p> <p>b) Further sewer /stormwater network investigations such as CCTV and/or faecal source tracking</p> <p>c) Public education</p> <p>d) Physical works</p> <p>e) Further catchment investigations including ecological and cultural monitoring</p> <p>The human health mitigation projects developed to manage any acute effects on human health shall be to the satisfaction of the Manager.</p> <p><i>Note: It is noted that budget requirements are a consideration with the implementation of certain projects.</i></p> <p><i>Note 2: The investigations and projects are to be programmed and undertaken based on their priority. The consent holder may be required to align the scheduling of the adaptive monitoring and SMS monitoring, investigations and projects with the budget requirements of the Annual budgets and Council Long Term Plan.</i></p>
10	<p>Current condition:</p> <p>The consent holder shall keep a permanent record of any known incident(s) involving major spillages or illegal discharges of chemicals, fuels, or other contaminant sources into the stormwater network that results, or could result, in an adverse effect on the freshwater and coastal marine area environments. The consent holder shall make the incident register available to Wellington Regional Council officers on request. The consent holder shall notify the Manager, of any such incident the next working day following the incident being brought to its attention.</p> <p>The consent holder shall forward an incident report to the Manager within 7 working days of the incident occurring, unless otherwise agreed with the Manager.</p>

No.	Condition details
	<p>The report shall describe the manner and cause of the incident, measures taken to mitigate/control the incident (and/or illegal discharge), and measures to prevent recurrence.</p> <p><i>Note: The consent holder shall advise Wellington Regional Council on the day of the incident being brought to its attention by calling the Environmental Hotline on 0800 496 734.</i></p> <p>Proposed condition:</p> <p>The consent holder shall keep a permanent record of any known incident(s) involving major spillages or illegal discharges of chemicals, fuels, or other contaminant sources into the stormwater network that results, or could result, in an adverse effect on the freshwater and coastal marine area environments. The consent holder shall make the incident register available to Wellington Regional Council officers on request. The consent holder shall notify the Manager, of any such incident the next working day following the incident being brought to its attention.</p> <p>The consent holder shall forward an incident report to the Manager within 7 working days of the incident occurring, unless otherwise agreed with the Manager.</p> <p>The report shall describe the manner and cause of the incident, measures taken to mitigate/control the incident (and/or illegal discharge), and measures to prevent recurrence.</p> <p><i>Note: The consent holder shall advise Wellington Regional Council on the day of the incident being brought to its attention by calling the Environmental Hotline on 0800 496 734.</i></p>
11	Annual report – now condition 10
12	Stormwater Management Strategy – now condition 11
13	GWRC review condition – now condition 12

In accordance with section 127(3) of the Act this application has been considered as a **discretionary activity**.

2. Consultation

Iwi authority	Comments
Ngā Hapū o Ōtaki	<p>On 11 October 2018, Mr Caleb Royal on behalf of Ngā Hapū o Ōtaki (NHoŌ) advised they did not have any concerns with the proposed changes (version 1).</p> <p>Due to the changes to the application in version 2, it was sent to NHoŌ for further review and comment. No response was received.</p> <p>On 13 October 2020, I sent version 3 to Mr Royal for further review and comment. No response was received.</p> <p>Following a conversation with Mr Royal which indicated he had some questions or concerns with some of the conditions I sent him a copy of the conditions on 30 November 2020, for his discussion with KCDC. On 12 February 2021, Mr Royal confirmed he was comfortable for GWRC to progress with granting the consent as the conditions were worded.</p>

Te Ātiawa ki Whakarongotai Charitable Trust	<p>On 16 October 2018, Ms Te Rangimārie Williams, Environmental Consultant, Te Ātiawa ki Whakarongotai Charitable Trust (TĀKW) provided feedback relating to the original version of the application, raising concerns with the removal of condition 10.</p> <p>Due to the changes to the application in version 2, it was sent to TĀKW on 12 July 2019 for further review and comment. Dr Mahina-a-rangi Baker responded on 19 July 2019 highlighting concerns with version 2, particularly in relation to removal of consent conditions in favour of an adaptive management regime which is more difficult to enforce in terms of compliance. Following Dr Baker's comments, a meeting with the applicant and Dr Conwell was held on 28 August 2019. The applicant took these comments on board in version 3 of the application.</p> <p>In regards to version 3, the applicant provided a copy of this application prior to submitting to GWRC. TĀKW provided a response to KCDC dated 10 September 2020. This response:</p> <ul style="list-style-type: none"> • Requested further information as to whether the amendments to condition 7 would ensure appropriate data is being collected in terms of the quality of the stormwater discharge and potential effects to TĀKW values and environmental protection; • Supported the amendment to trigger sanitary surveys at beach monitoring sites; and • In relation to the applicant's request to amend sanitary survey trigger levels for locations where two or more sanitary surveys have been completed, TĀKW has requested further information on how the applicant will ensure that new stormwater discharges that may go undetected will be managed in this process. <p>The applicant responded to TĀKW on 21 September 2020. On 13 October I contacted TĀKW to provide Ms Milne's review comments and confirm whether the KCDC response closed out their concerns with the application. On 15 October, Ms Madie Davy, Environmental Consultant, confirmed TĀKW was satisfied with this approach and had no further comments.</p>
Ngāti Toa Rangatira	<p>No response was received from Ngāti Toa Rangatira (Ngāti Toa) on the original version of the application.</p> <p>Due to the changes to the application in version 2, it was sent to Ngāti Toa for further review and comment. No response was received.</p> <p>On 13 October 2020, I sent version 3 to Ngāti Toa for further review and comment. No response was received.</p>
Applicant group under the Marine and Coastal Area (Takutai Moana) Act 2011 (MACA)	<p>Comments</p> <p>In accordance with s62 of the MACA the applicant has notified the applicant group and sought the group's views on the application.</p>

Other parties or persons	Comments
Dr Claire Conwell, Senior Environmental Scientist, GWRC	Dr Conwell reviewed versions 1 and 2 of this application. Dr Conwell has since left GWRC and the review of version 3 of the application was completed by Ms Juliet Milne (as detailed below).
Ms Juliet Milne, Regional Manager – Wellington, National Institute of Water & Atmospheric Research Ltd (NIWA)	Ms Milne reviewed version 3 of the application and provided a technical review memo (link here). The details of this memo are outlined in the relevant parts of section 4 of this report.

3. Notification decision

A decision was made to process the application on a non-notified basis on 28 October 2020. Further information on the notification decision is provided in document [WGN160316-1905223574-123](#).

4. Environmental effects

A full assessment of environmental effects was made under WGN160316 as set out in the decision report on 11 May 2018. This assessment focusses on the environmental effects of changing conditions 3, 4, 7, 9 and 10, and the re-numbering of condition 11, 12 and 13 only.

The applicant provided an Assessment of Environmental Effects (AEE) with the application. This section provides an assessment of the effects of the proposed activity on the environment. Information has been drawn from the application provided by the applicant and other information sourced during the processing of the application.

Some changes made as part of this application are considered administrative in nature only and therefore the previous assessment of environmental effects still applies. Where this is applicable it has been identified below.

4.1 Condition 3

The proposed change will mean the Adaptive Monitoring Plan is due by 30 April each year, which gives two months for GWRC review and approval of the AMP. The monitoring under the approved AMP will then be implemented for the reporting period 1 July – 30 June.

This alteration will mean there is no change in monitoring during the reporting period, allowing for consistent methodology and monitoring throughout the compliance period (i.e. the compliance year will all be under one AMP). The Applicant has advised that it will also enable information from the annual hui (February) to feed into the AMP for the following year, and reduce budgetary implications of changing monitoring part-way through the year.

The changes to condition 3 are considered administrative in nature only, and therefore the previous assessment of environmental effects still applies.

4.2 Condition 4

The applicant has proposed to change the terminology from ‘water quality parameters’ to ‘monitoring parameters’, as monitoring for iwi values (as required by condition 4(d)) may include parameters other than water quality.

There is a change to condition numbering as a result of the deletion of condition 10 (detailed below), resulting in the condition reference in note 1 of condition 4 changing from condition 12 to condition 11.

The changes to condition 4 are considered administrative in nature only, and therefore the previous assessment of environmental effects still applies.

4.3 Condition 7

The applicant has proposed a number of changes to condition 7, which are described below.

4.3.1 Faecal indicator bacteria counts

The applicant has proposed, following discussions with Ms Milne, to change references to ‘bacteria count’ and ‘faecal coliform count’ to ‘faecal indicator bacteria’ rather than ‘bacterial indicator count’ as initially proposed. Faecal coliforms can include a significant quantity of vegetative bacteria (i.e. not from mammalian sources), while the consent holder is primarily interested in bacterial counts from mammalian sources and relating to human wastewater (to determine if there is an acute effect on human health). Assessment of faecal coliform counts could lead to routine results unnecessarily exceeding the sanitary survey triggers in the consent.

This change is considered administrative in nature only, and therefore the previous assessment of environmental effects still applies.

4.3.2 Sanitary survey triggers

Beach monitoring site triggers

The current wording of condition 7(a) and 7(b) only triggers the requirement to undertake sanitary surveys at routine monitoring sites where there is an upstream control site, and under this wording a sanitary survey would not be triggered at a beach monitoring site.

The applicant has proposed wording, which has been amended slightly with agreement of the applicant following discussions with Ms Milne. The final wording was to the effect that a sanitary survey would be triggered at a beach monitoring site when two consecutive faecal indicator bacteria counts exceed 1,000 cfu/100 mL.

This change provides for the management of acute effects on human health.

12-month median triggers

The current wording of condition 8(c) requires a sanitary survey be undertaken when the rolling 12-month median faecal indicator bacteria count exceeds 1,000 cfu/100 mL with no reference to the background bacterial indicator count at the upstream control site.

During the initial monitoring under this consent the sampling results have identified high faecal indicator bacteria counts in the upper catchment in the Mangapouri and Waitohu catchment, likely from a predominantly avian source. In these events, the consent holder would be required to undertake frequent sanitary surveys of the catchment when there is a known upstream contamination source that is not from the stormwater network.

Following discussion with Ms Milne on the proposed wording, the applicant has proposed to change this condition to trigger sanitary surveys in the event that the rolling 12-month median faecal indicator bacteria count exceeds 1,000 cfu/100 mL and is higher than the equivalent 12-month median faecal indicator bacteria count from the upstream control site.

Ms Milne is comfortable with this change. It provides for sanitary surveys to be carried out where there may be an impact from the stormwater network, and therefore provides for the management of acute effects on human health.

Known catchment contamination not associated with stormwater network

The current wording of conditions 7(a) – (c) require a sanitary survey be undertaken in response to high faecal indicator bacteria count to investigate whether discharges from the stormwater network are the primary cause of elevated concentrations in the receiving waters.

As described above, the applicant has completed sanitary surveys for the Mangapouri and Waitohu catchment, which have concluded the contamination is unlikely to be from the KCDC stormwater network. The applicant considers there is limited value in repeating sanitary surveys where previous investigations have identified the cause of elevated concentrations to be external to the stormwater network. I agree with this.

As such, the applicant has proposed an additional paragraph to condition 7 which would provide a pathway to set alternative thresholds for sanitary surveys for those locations where two previous sanitary surveys have indicated bacterial indicator count exceedances are not attributed to the stormwater network.

The applicant has said, for example, that a more appropriate sanitary survey for the Waitohu catchment might be 2,000 cfu/100 mL, based on the known avian-source contamination in the upper catchment.

TĀKW highlighted concern that this approach could lead to degradation of waterways of significance going undetected where new stormwater discharges that are not tested may be polluted. The applicant has explained that routine monitoring will continue at all sites identified in the AMP where new trigger levels are established, and the new trigger will be established using previous monitoring results. It will be set at a level to identify any unusual results that may be an indication of new changes. TĀKW confirmed they were comfortable with this response.

Ms Milne did not highlight any concerns with these proposed changes. I consider this change is appropriate because it will allow for the approval of site-specific triggers based on data and scientific reasoning, and result in the limited resources being directed to more valuable monitoring and data collection.

4.3.3 Sanitary survey actions

The applicant has proposed changes to the sanitary survey actions listed in the second part of condition 7 to provide flexibility to respond on a case-by-case basis. These changes involve the option to undertake re-sampling at the monitoring site, and in-stream sampling as well as dry and wet weather stormwater discharge sampling, and other actions considered necessary (e.g. faecal source tracking).

Ms Milne did not highlight any concerns with these proposed changes. I consider these changes are appropriate to give sufficient flexibility for the most appropriate sanitary survey to be undertaken on a site-specific basis.

4.3.4 Summary of effects of changes to condition 7

I am satisfied that the effects from the proposed changes to the sanitary survey triggers and actions can be appropriately managed through the existing consent conditions, and effects of faecal indicator bacteria exceedances at beach monitoring sites will now be addressed.

4.4 Condition 9

Condition 9 outlines when human health mitigation projects (HHMP) are triggered, being when the 12-month rolling median bacterial indicator count exceeds 1,000 cfu/100 mL or where a sanitary survey has indicated continued contamination which is linked to the stormwater network and the cause has not been rectified through immediate actions.

The consent holder has requested the removal of the 12-month rolling median bacteria indicator count exceeding 1,000 cfu/100 mL as a trigger for a HHMP, because the current wording of the condition does not link that trigger to discharges from the stormwater network. For example, under the current wording, a HHMP could be triggered in the Waitohu catchment where sanitary surveys have indicated the cause of elevated bacterial indicator counts are unlikely to be a result of the stormwater network.

I consider this change is appropriate, and in line with the relevant intention of this resource consent, being to manage the acute health effects of discharges from the stormwater network on human health. Ms Milne was comfortable with these proposed changes.

4.5 Condition 10

Condition 10 relates to the requirement for the consent holder to maintain a permanent record of any incidents and spills to the stormwater network that could result in adverse effects on the receiving environment, to notify GWRC the working day after the incident was brought to their attention, and to complete and provide an incident report to GWRC within 7 working days of

the incident occurring. The consent holder considers this condition to be not practically achievable, measurable or enforceable.

The consent holder has advised that the standard process for notifications received by the KCDC contact centre relating to spills or discharges is to refer these to the GWRC Environmental Hotline.

It is the responsibility of the GWRC Environmental Protection team to follow-up on environmental incidents such as discharges to the stormwater network which may be a breach of the RMA and regional plan rules. As such, I consider the deletion of this condition is appropriate.

4.6 Condition numbering changes

Due to the deletion of condition 10, the following condition numbers have been amended:

- Condition 11 (requirement to prepare and submit an Annual Report) is now condition 10;
- Condition 12 (requirement to prepare and submit a Stormwater Management Strategy) is now condition 11; and
- Condition 13 (GWRC review condition) is now condition 12.

This change is considered administrative in nature only, and therefore the previous assessment of environmental effects still applies.

4.7 Summary of effects

Given the assessment above, it is considered that the proposed change of consent conditions will not result in any more than minor effects when undertaken in accordance with the recommended consent conditions.

5. Statutory assessment

5.1 Part 2

Part 2 of the Act outlines the purpose and principles of the Act. Section 5 defines its purpose as the promotion of the sustainable management of natural and physical resources. Sections 6, 7 and 8 of Part 2 define the matters a consent authority shall consider when achieving this purpose.

I am satisfied that the granting of the application is consistent with the purpose and principles in Part 2 of the Act.

5.2 Matters to be considered – Section 104-108AA

The original decision provided a detailed assessment of the activity against Section 104-108AA of the Act. I have assessed the change of conditions application against that assessment and consider that the proposed change is consistent with that assessment.

Since the original decision, the Proposed Natural Resources Plan (decisions version) was publicly notified on 31 July 2019. I am satisfied that the change

of conditions application is consistent with the relevant objectives and policies in the Proposed Natural Resources Plan (decisions version).

Since the original decision, the National Policy Statement for Freshwater Management 2014 (amended 2017) has been replaced in August 2020 and came into force on 3 September 2020. I consider that the proposed changes to conditions are consistent with the relevant objective and policies of the NPSFM.

There are no other additional or new matters that need to be considered.

5.3 Weighting of the Proposed Natural Resources Plan

As discussed in section 3.1 of the original decision, the rules in the Operative Regional Plans are focussed on individual discharges from pipes, rather than a global consenting framework. At the time of processing the original application, GWRC made an organisational decision to process global stormwater consents for TAs under the PNRP rules (as described and signed off in document [ENVREG-10-72](#)).

This reason for this is that the PNRP sets a precedent for local authority stormwater discharges to be consented using a global framework. As discussed in the sign off document, the Operative Plan rules and policies are not deemed to be comparable to the approach taken in the PNRP, given the rules are for point source discharges rather than holistic management of a stormwater network.

Considering the above, full weight is given to the PNRP.

6. Duration of consent

Under section 127(1)(b) of the Act, no consent holder may apply for a change of the consent duration and so the consent expiry date will remain as 11 May 2023.

7. Monitoring

7.1 Monitoring schedule

The current compliance monitoring programme and associated charges will remain. The following compliance monitoring programme will be undertaken during the consent term:

Monitoring assessment:	<input checked="" type="checkbox"/> Annual	<input type="checkbox"/> Three-yearly	<input type="checkbox"/> Other:
Monitoring input:	<input checked="" type="checkbox"/> Audit	<input type="checkbox"/> Site inspection	<input type="checkbox"/> Other:
Compliance group	Urban stormwater		

7.2 Monitoring charges

Charges are normally invoiced on an annual basis. Your consent monitoring charge is made up of three components:

2. **Customer service charge** – every consent incurs an annual charge of \$40. This covers costs associated with the administration of your consent.
3. **Compliance monitoring charge** – the cost associated with our staff monitoring the compliance of your consent.
4. **State of the environment (SOE) charge** – a proportion of our science monitoring is paid by consent holders.

An estimate of your annual consent monitoring charge is provided below:

		Amount	Charge code(s)
Customer service charge	1 consent	\$40	N/A
Monitoring charge	Variable	\$-*	DW1
SOE charge	Yes	\$ 1,350	4.3.4.2

*Variable charges will alter from year to year and are based on the actual and reasonable amount of time required to monitor your consent

The GWRC Resource Management Charging Policy is reviewed on an annual basis, and may alter these charges.

Appendix A: Consent conditions – WGN160316 [35856]

General condition

¹¹⁰. The consent holder shall manage the network stormwater discharges in general accordance with the consent application and associated documents lodged with the Wellington Regional Council on 13 June 2016 and further information received via email on:

- 15 September 2017, further information to the application in the form of a memo titled *KCDC Global Stormwater Discharge Consent Application- Response to GWRC Further Information Request*. This information includes:
 - a) An independent review of the proposed monitoring undertaken by Ms Juliet Milne, NIWA, dated 16 August 2017. Including recommendations regarding the Adaptive Monitoring Plan outlined in Appendix G of the application; and
 - b) An updated Adaptive Monitoring Plan and proposed consent conditions in light of recommendation made by Ms Milne.
- 3 October 2017, further information to the application received via email, Cultural Impact Assessments (CIA) from Ngā Hapū O Ōtaki, Te Ātiawa ki Whakarongotai Charitable Trust and Ngāti Toa Rangātira.
- 4 December 2017, second review of updated Adaptive Monitoring Plan and proposed consent conditions undertaken by Ms Milne, NIWA, dated 4 December 2017.
- Section 127 change of conditions, version 3, submitted to GWRC on 7 September 2020.

Where there may be contradictions or inconsistencies between the application and further information provided by the applicant, the most recent information applies. In addition, where there may be inconsistencies between information provided by the applicant and conditions of the consent, the conditions apply.

Note: Any change from the location, design concepts and parameters implemented and/or operation may require a change in consent conditions pursuant to Section 127 of the Resource Management Act 1991 (RMA).

Adaptive Monitoring Plan

Year 1 AMP

2. The consent holder shall by 21 June 2018 or within such longer time as may be agreed in consultation with the Manager, Environmental Regulation, Wellington Regional Council, finalise and submit for approval of the **Manager**, an Adaptive Monitoring Plan (AMP) for Year 1 (from consent commencement to 1 September 2019).

The AMP shall be approved, to confirm that the AMP:

- a) Is generally consistent with the draft AMP submitted with the consent application; and
- b) Addresses matters listed in Condition 4 below with the exception of (d).

¹⁰ Section 127 change dated 19 February 2021

Further Updates to the AMP

- 3¹¹. By the 30 April each year or within such timeframe as may be agreed in consultation with the **Manager** the consent holder shall finalise and submit for approval of the **Manager**, an updated AMP.

The updated AMP shall be approved, to confirm that it:

- a) Is generally consistent with the draft AMP submitted with the consent application; and
- b) Addresses matters listed in Condition 4 below.

Note 1: Please email the updated AMP to notifications@gw.govt.nz. Please quote consent number WGN160316.

Note 2: Where possible, monitoring under the updated and approved AMP should commence in July each year.

- 4¹². The purpose of the AMP is to set out the monitoring necessary to inform the long term Stormwater Management Strategy required by Condition 12 of this consent, and to set out methods for managing acute effects on human health
The AMP shall include at a minimum the following detail:

- a) Monitoring objectives;
- b) Monitoring locations, frequency and methodology;
- c) Monitoring parameters;
- d) Monitoring for iwi values, such as those discussed in the Cultural Impact Assessments associated with the consent application;
- e) Routine monitoring for acute human health effects;
- f) Protocols for sanitary investigations (including but not limited to faecal source tracking) as required by Condition 7.
- g) Protocols for the management of acute effects of stormwater discharges on human health detected during monitoring, as required by Conditions 7-9;
- h) Reporting; and
- i) A monitoring review process.

Note 1: To ensure sufficient information is obtained for the development of the stormwater management strategy required by condition 11 the Greater Wellington Regional Council recommends that the AMP also includes:

- Sediment quality monitoring;
- Benthic habitat monitoring;
- Incorporating recommendations from the Kaitiaki monitoring framework under Method M2 of the PNRP (once developed);

¹¹ Section 127 change dated 19 February 2021

¹² Section 127 change dated 19 February 2021

These matters have been excluded from this condition of consent because they are outside of the matters of control under Rule RR50 of the Proposed Natural Resource Plan.

Note 2: The Regional Kaitiaki Monitoring Framework is not currently defined, but is required under Method M2 of the Proposed Natural Resources Plan (June, 2015). The consent holder may be invited to contribute to the development of this framework, as it could impact how cultural values monitoring is undertaken on global stormwater consents.

5. The consent holder shall undertake all stormwater monitoring in accordance with the approved AMP (or subsequent updated AMP's).
6. All sampling techniques, including sample preservation and dispatch to the analysing laboratory, employed in respect of the conditions of this consent shall be carried out by suitably trained and experienced persons in accordance with best practice and in accordance with the requirements of the analysing laboratory. All water and sediment analyses undertaken in connection with this consent shall be performed by an Internationally Accredited (IANZ) registered laboratory.

Managing acute effects on Human Health

- 7¹³. The consent holder shall commence a sanitary survey in a catchment(s) as soon as practicable but within 24 hours either a), b), c) or d) occurring:
- a) Any routine stream water sample collected under this consent has a faecal indicator bacteria_count exceeding 10,000 cfu/100 mL and these counts are higher than the concentration measured at the upstream control site in the catchment(s); or
 - b) Any two consecutive routine water samples collected under this consent at stream monitoring sites exceed a faecal indicator bacteria count of 1,000 cfu/100 mL, and these counts are higher than the counts measured at the upstream control site in the catchment on the same day; or
 - c) The rolling 12-month median faecal indicator bacteria count obtained from stream water monitoring as identified in the AMP exceeds 1,000 cfu/100 mL and is higher than the equivalent rolling 12-month median faecal indicator bacteria count at the upstream control site;
 - d) Any two consecutive routine water samples collected under this consent at beach monitoring sites exceed a faecal indicator bacteria count of 1,000 cfu/100 mL.

If two sanitary surveys for a given site have been undertaken, and findings indicate the exceedance is most likely not attributed to piped stormwater discharges, alternative thresholds for the requirement to undertake a sanitary survey can be set within the AMP.

Note: Faecal indicator bacteria means the specific indicator organism(s) identified for the specific monitoring site as specified in the Adaptive Monitoring Plan.

The sanitary survey may consist of the following in the catchment that 7 (a), 7(b), 7(c), or 7(d) was recorded:

- a) Re-sample at routine monitoring sites,

¹³ Section 127 change dated 19 February 2021

- b) A dry weather walkover and visual inspections, and sampling of stormwater discharges in dry weather,
- c) In-stream sampling and/or sampling of stormwater discharges in wet weather to identify the source
- d) Any other actions or investigations necessary to identify the source of contamination in accordance with the protocols in the AMP approved under Condition 4.

As soon as practicable or within 24 hours of receipt of analytical results from stormwater discharge monitoring undertaken during the sanitary survey, which confirms the presence of faecal indicator bacteria counts exceeding 10,000 cfu/100 mL in the stormwater discharge, the consent holder shall Notify the Manager and Regional Public Health in writing. The notification shall include relevant sample collection details (including the date and time of sample collection, rainfall in the 24 hours prior to sampling, and weather and tidal conditions at the time of sampling), and proposed further water sampling and/or investigations.

The details and outcomes of any sanitary surveys undertaken shall be provided monthly to the Manager and summarised in the Annual Report as required by Condition 10.

Note 2: Notifications of high faecal indicator bacteria counts must be emailed to GWRC on notifications@gw.govt.nz and Regional Public Health on healthprotection@huttvalleydhsb.org.nz.

Immediate actions

8. If a sanitary survey indicates that there is the potential for adverse effects to human health resulting from discharges from the stormwater network, as established by monitoring undertaken in accordance with Condition 7, the consent holder shall:
 - Establish temporary warning signs if necessary to prevent people coming into contact with the discharge;
 - Whenever practicable implement immediate remedial works to address the causes of the contamination.

Note 1: The response timeframes of the consent holder may be subject to external factors such as, but not limited to, time required to gain access to private property should the site of potential remedial works require it, and engaging subcontractors to undertake remedial works.

Note 2: The intent of this condition is to prevent the public coming into contact with any discharge that could have the potential for acute effects on human health and to address the cause of the contamination as quickly as possible where a human health project is not required e.g. fix a broken sewer pipe or wastewater overflow.

Human Health Mitigation Projects

- 9¹⁴. Human health mitigation projects shall be developed where the sanitary survey undertaken in accordance with Condition 7 indicates continued contamination which has the potential to result in acute human health effects and this can be attributed to discharges from the stormwater network and the cause of the contamination has not been rectified through immediate actions as required by Condition 8.

¹⁴ Section 127 change dated 19 February 2021

The project scopes shall be provided to the Manager, within 1 month of completion of the sanitary survey required under Conditions 7, with proposed implementation timeframes. The consent holder shall prioritise projects based on the significance and magnitude of acute effects.

The consent holder's projects may include, but not be limited to:

- a) Installation of permanent signage
- b) Further sewer /stormwater network investigations such as CCTV and/or faecal source tracking
- c) Public education
- d) Physical works
- e) Further catchment investigations including ecological and cultural monitoring

The human health mitigation projects developed to manage any acute effects on human health shall be to the satisfaction of the Manager.

Note: It is noted that budget requirements are a consideration with the implementation of certain projects.

Note 2: The investigations and projects are to be programmed and undertaken based on their priority. The consent holder may be required to align the scheduling of the adaptive monitoring and SMS monitoring, investigations and projects with the budget requirements of the Annual budgets and Council Long Term Plan.

Annual Report

- 10¹⁵. The consent holder shall prepare and submit an Annual Report to the Manager **by 1 September each year.**

The Annual Report shall include the following:

- a) A summary of physical capital and maintenance works carried out to the stormwater network in the preceding year;
- b) A summary of any expansions or additions to the stormwater network (such as new roads or subdivisions) in the preceding year;
- c) A summary of routine monitoring results and analysis of results from previous years including differences and trends;
- d) A summary of monitoring undertaken in accordance with the AMP;
- e) Observations and photographs from the visual inspections undertaken during stormwater outfall discharge water quality monitoring;
- f) A summary of sanitary survey results, remedial works, management actions and projects in relation to acute adverse effects on human health detected during monitoring;

¹⁵ Section 127 change dated 19 February 2021

- g) Any other matters the consent holder considers relevant, including any follow-up actions resulting from the preceding year's operation.

Note: The Annual Report shall report on the year 1 July to 30 June inclusive.

Stormwater Management Strategy (SMS)

- 11¹⁶. The consent holder shall prepare and submit to the Wellington Regional Council by 10 May 2022, a draft long term Stormwater Management Strategy (SMS).

The SMS shall be prepared in accordance with Schedule N of the Proposed Natural Resources Plan (or subsequent amendment).

Note: The purpose of the SMS is to:

- a) *Provide a strategy for how sub-catchments within the local authority stormwater network will be managed in accordance with any relevant objectives identified in the Proposed Natural Resources Plan (or subsequent amendment), including any relevant whaitua specific objectives at the time of developing the strategy; and*
- b) *Describe how the stormwater network will be managed in accordance with good management practice and progressively through time, to minimise the adverse acute, chronic and cumulative effects of stormwater discharges on fresh and coastal water.*

Review condition

- 12¹⁷. The Wellington Regional Council may review any or all conditions of this consent by giving notice of its intention to do so pursuant to section 128 of the Resource Management Act 1991, at any time within one month of the first and third anniversary of granting consent for the following purposes:

- a) To review the adequacy of any report and/or monitoring requirements in relation to adverse effects on human health, and if necessary, amend these requirements;
- b) To deal with any adverse effects on the environment which may arise from the exercise of this consent, and which is appropriate to deal with at a later stage; and
- c) To enable consistency with any relevant operative Regional Plans or National Environmental Standards, or Regulations.

The review of conditions shall allow for the deletion or amendment of conditions of this consent, and the addition of such new conditions as are shown to be necessary to avoid, remedy or mitigate any significant adverse effects on the environment.

¹⁶ Section 127 change dated 19 February 2021

¹⁷ Section 127 change dated 19 February 2021