

In Reply please quote: 61 21 85A
Document No: 2147001
Enquiries to: Brian Richmond
Client Id: W34023

RECEIVED

13 MAR 2012



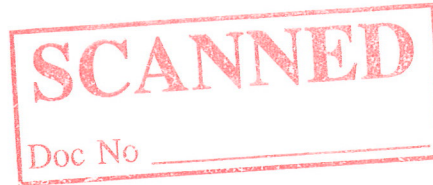
9 March 2012

Waikato District Council

401 Grey Street
Hamilton East
Hamilton 3216

Waikato District Council
Private Bag 544
Ngaruawahia 3742

Attention: Mark Marr



Private Bag 3038
Waikato Mail Centre
Hamilton 3240

ph +64 7 859 0999
fax +64 7 859 0998
www.waikatoregion.govt.nz

Dear Mark

A resource consent is a formal commitment between the consent holder and Waikato Regional Council on behalf of the community. The community is entitled to be satisfied that Waikato Regional Council will monitor and, if necessary, enforce the consent limits to ensure the consent holder complies with them.

Accordingly, please find enclosed a report which audits your compliance with the resource consent that permits the operation of the Raglan Urban Area Stormwater Discharge.

The audit relates to the period from 1 October 2010 to 30 September 2011.

As shown in the audit, the following level of compliance has been achieved:

| Consent | Purpose | Compliance Status |
|---------|--|--------------------------|
| 105646 | Divert & discharge urban stormwater & associated contaminants at multiple locations to Raglan Harbour/estuary & land, & use discharge structures, within the vicinity of Raglan urban area | High Level of Compliance |

Overall Site Compliance: High Level of Compliance

Overall the consent has been assessed as being in a **High Level of Compliance**. A guide to the classification system used to assess compliance status is given in Appendix 1 of the report.

The consent holder has received one **low priority non-compliance** for not conducting the water quality sampling as set out in the Monitoring Programme. The Monitoring Programme that was submitted by the consent holder and approved by WRC specified monthly and quarterly sampling from various catchpits. The 4 samples were taken within 3 months and there was no further sampling. In addition, there was no analysis of PAH's which was specified as part of the Monitoring Programme.

It is recommended that WDC review the approved Monitoring Programme and implement the sampling protocol as agreed upon. In addition, ensure that all parameters are analysed as stated and ensure that a summary of the analysis is provided in the next Annual Management Report. This should include a discussion of the results and any trend analysis, not simply a lab report. Finally a site map showing the sampling locations should also be included in the report and updated within the Monitoring Programme.

An invoice for this inspection and associated work will follow in the near future.

Waikato Regional Council's Freephone 0800 800 401

Paeroa phone +64-7-862 8376
Taupo phone +64-7-378 6539
Whitianga phone +64-7-866 0172

Please do not hesitate to call me if you have any questions regarding your site inspection.
You can contact me at Waikato Regional Council's Hamilton office on (07) 859 0541.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'BMRU', is positioned above the typed name.

Brian Richmond
Resource Officer – Infrastructure Programme
Resource Use Group

Consent Compliance Audit Report

File No: 61 21 85A
Site: Raglan Urban Area Stormwater
Period of Assessment: 1 October 2010 to 30 September 2011

1 INTRODUCTION

This report examines the level of compliance of Waikato District Council with the conditions of the resource consent that permits the operation of the Raglan Urban Area Stormwater Discharge.

The audit covers the period from 1 October 2010 to 30 September 2011.

Waikato District Council provided an annual monitoring report covering the above period on 7th November 2011. The information contained within that report and in Waikato Regional Council files has been used to undertake the following assessment.

2 RESOURCE CONSENTS HELD

Waikato Regional Council has details of the following resource consents at this site:

| Consent | Status | Purpose | Commenced | Expiry | Finished |
|---------|---------|--|------------|------------|----------|
| 105646 | Current | Divert & discharge urban stormwater & associated contaminants at multiple locations to Raglan Harbour/estuary & land, & use discharge structures, within the vicinity of Raglan urban area | 16/10/2008 | 22/09/2028 | |

3 PREVIOUS COMPLIANCE HISTORY

The consent holder received a High Level of Compliance in regards to the 2009/10 reporting period.

The consent holder received one low priority non-compliance for not conducting the water quality sampling as set out in the Monitoring Programme.

4 COMPLIANCE ASSESSMENT

The following compliance assessment has been carried out on the Raglan Urban Area Stormwater Discharge for the 1 October 2010 to 30 September 2011 period. Please note that a description of the classification system used to describe compliance status is given in Appendix 1 of this report.

4.1 Consent 105646: Discharge to water

| | |
|-----------------|--|
| Purpose: | Divert & discharge urban stormwater & associated contaminants at multiple locations to Raglan Harbour/estuary & land, & use discharge structures, within the vicinity of Raglan urban area |
|-----------------|--|

| Condition No. | Description |
|----------------------------|---|
| 1) | This consent is subject to the General Conditions listed in Schedule A. |
| Evidence: | |
| Assessment: | |
| Corrective Actions: | Full compliance |

| Condition No. | Description |
|----------------------------|---|
| 2) | All municipal stormwater diversion and discharge activities that are authorised by this consent shall be designed, operated and maintained in general accordance with the application for this consent, the General Conditions in Schedule A of this consent, and as identified in the resource consent conditions below. |
| Evidence: | |
| Assessment: | |
| Corrective Actions: | Full compliance |

| Condition No. | Description |
|----------------------------|---|
| 3) | All municipal stormwater diversion and discharge activities that are authorised by this consent relate to the Waikato District Council municipal stormwater system as constructed at the commencement of this consent, and as generally shown on the Waikato District Council Stormwater / Catchment Maps dated July 2008. Any new municipal stormwater diversion and discharge activities that become authorised after the commencement of this consent shall be shown on updated versions of these maps, and these shall be provided to the Waikato Regional Council on an annual basis where the drawings have changed in the previous year, in accordance with Condition 9 of this consent. |
| Evidence: | No new discharges or diversions |
| Assessment: | |
| Corrective Actions: | Full compliance |

| Condition No. | Description |
|---------------|--|
| 4) | <p>Within 6 months of the commencement of this consent, the consent holder shall have completed a review of the quality of the stormwater being discharged from the Bow Street outfall and the impacts of this discharge on the quality and health of Raglan Harbour in the vicinity of the outfall. This review shall be provided to Waikato-Tainui, Te Kotuku Whenua, the Raglan Community Board and Whaingaroa Harbour Care for their comment.</p> <p>The review (and any comments provided by the aforementioned groups) shall be provided to the Waikato Regional Council for comment within 9 months of the commencement of this consent.</p> <p>If as a result of these investigations, it is concluded by both the consent holder and the Waikato Regional Council that discharges from the Bow street outfall are adversely affecting the health of the Whaingaroa (Raglan) Harbour, the applicant shall submit a report to the Waikato Regional Council for approval which:</p> <p>a) Describes the works needed to avoid, remedy or mitigate adverse effects; b) Proposes a timeframe for implementing these upgrade works.</p> <p>On approval of this report, which shall be limited to whether the report complies with the requirements of this condition and whether the timeframe proposed to implement these upgrade works is appropriate, the consent holder shall implement the upgrade works programme.</p> |

| | | |
|----------------------------|---|------------------------|
| Evidence: | Confirmation of compliance was provided by WRC on July 21 2009. | |
| Assessment: | <p>-After reviewing the report, WRC requested the consent holder to consider recommendations for further monitoring. The consent holder has provided an updated monitoring programme that accepted WRC's recommendation for additional sediment quality monitoring around the Bow St outlet at 5 yearly intervals to assess PAH's.</p> <p>-Sediment quality monitoring is planned for 2014.</p> <p>-Additional microbiological sampling was recommended, however the consent holder has recognised that there is a microbiological signature associated with urban stormwater but does not consider that gross wastewater pollution where shellfish may become contaminated with pathogens as a stormwater issue. Therefore, the recommendation was declined.</p> | |
| Corrective Actions: | | Full compliance |

| Condition No. | Description | |
|----------------------------|--|------------------------|
| 5) | <p>Within 6 months of the commencement of this consent, the consent holder shall submit a report to the Waikato Regional Council which:</p> <p>a) Identifies any streams within the Raglan urban stormwater catchment in which stormwater reticulation assets are impeding the upstream and downstream passage of fish;</p> <p>b) Describes the works needed to restore fish passage within each of the impeded stream channels identified; and</p> <p>c) Proposes a timeframe for implementing these upgrade works.</p> <p>On approval of this report, which shall be limited to whether the report complies with the requirements of this condition and whether the timeframe proposed to implement these upgrade works is appropriate, the consent holder shall implement the approved upgrade works programme.</p> | |
| Evidence: | <p>The consent holder has addressed the recommendation and a mussel rope fish pass has been installed at the Te Hutewai culvert at the golf course in Raglan. WDC undertook fish spot lighting survey prior to the installation of the rope and also undertook a second repeated spot lighting survey in March 2011.</p> <p>A report has been provided and is included as Appendix H in the Annual Report.</p> | |
| Assessment: | | |
| Corrective Actions: | <p>The consultant T & T has recommended that the spat rope installations be inspected on an annual basis to check that the ropes remain in place and are providing a wetted climbing medium. The annual inspection should occur in August of each year prior to peak upstream migration times for climbing fish.</p> | Full compliance |

| Condition No. | Description | |
|----------------------------|--|------------------------|
| 6) | <p>Within 3 months of the commencement of this consent, the consent holder shall install catch pit inserts into the stormwater catch pits shown on Figure 2 of the application titled "Proposed Catchpit Insert Locations in Raglan". These inserts shall be installed and maintained in accordance with the manufacturers specifications.</p> | |
| Evidence: | <p>The consent holder has installed a new Ecosol catchpit filter at the wharf in addition to the previous Enviropods reported in the previous year.</p> | |
| Assessment: | | |
| Corrective Actions: | | Full compliance |

| Condition No. | Description | |
|----------------------------|--|------------------------|
| 7) | <p>Further to the development and implementation of the Stormwater Education Programme required by Condition 27 within Schedule A – General Conditions, and within 3 months of the commencement of this consent, the consent holder shall install permanent information plaques or symbol on or beside all unmarked stormwater catch pits within the Raglan urban stormwater reticulation system which discharge directly (without treatment) into Raglan Harbour, to improve community awareness of the connection between the stormwater system and Raglan Harbour. The design and content of the plaques shall be consistent with those currently used in Raglan, but do not necessarily have to be the same.</p> | |
| Evidence: | <p>Permanent symbols have been installed at catchpits in 2009.</p> | |
| Assessment: | | |
| Corrective Actions: | | Full compliance |

| Condition No. | Description | |
|---------------|---|--|
| 8) | <p>The consent holder shall retain appropriately qualified and experienced persons to prepare a monitoring programme. The objectives of the monitoring programme are to:</p> <p>- Investigate the actual and potential adverse effects of the municipal stormwater system's diversion and discharge activities on the receiving environments;</p> | |

| | | |
|----------------------------|--|------------------------------------|
| | <ul style="list-style-type: none"> - Determine compliance with the conditions of this consent; - Determine achievement of the outcomes and standards set out in the Stormwater Management Plan once it has been approved by the Waikato Regional Council; - Provide guidance on changes necessary to Waikato District Council's stormwater Management Plan to ensure adverse effects on the receiving environment are avoided, remedied or mitigated <p>The monitoring programme shall be prepared in consultation with key stakeholders including Waikato-Tainui, Te Kotuku Whenua and Whaingaroa Harbour Care as a minimum, and be to a standard acceptable to the Waikato Regional Council. This report shall be forwarded to the Waikato Regional Council within 12 months of the commencement of this consent. The consent holder shall review the monitoring programme on a five yearly basis, and shall forward any suggested alterations to the Waikato Regional Council for approval.</p> <p>Note: The monitoring programme may include the following:</p> <ul style="list-style-type: none"> a) Monitoring of scour and erosion effects due to stormwater diversions and discharges. b) Monitoring for 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 municipal stormwater diversion and discharge structures that are impeding the upstream and downstream movement of fish. d) Monitoring to ensure that all municipal stormwater system management devices are maintained in good working order, and stormwater quality treatment devices achieving optimal contaminant removal efficiency at all times. e) Monitoring to determine efficient street and catchpit cleaning operations and frequencies. f) Monitoring to identify informal wastewater system connections to the municipal stormwater system, and to gauge wastewater pump station overflow frequencies. g) Monitoring to determine municipal stormwater system collection points that are at risk from non-routine contaminant discharges. | |
| Evidence: | The Stormwater Monitoring Programme was approved in 2010. However, only 4 samples have been taken. | |
| Assessment: | The Monitoring Programme that was submitted by the consent holder and approved by WRC specified monthly and quarterly sampling from various catchpits. The 4 samples were taken within 3 months and there was no further sampling. In addition, there was no analysis of PAH's which was specified as part of the monitoring programme. | |
| Corrective Actions: | <p>It is recommended that WDC review the approved Monitoring Programme and implement the sampling protocol as agreed upon. In addition, ensure that all parameters are analysed as stated and ensure that a summary of the analysis is provided in the next Annual Management Report. This should include a discussion of the results and any trend analysis, not simply a lab report. Finally a site map showing the sampling locations should also be included in the report and updated within the Monitoring Programme.</p> | Low Priority non-compliance |

| Condition No. | Description |
|---------------|---|
| 9) | <p>The consent holder shall provide to the Waikato Regional Council a written management report by 30 September 2009, and annually thereafter for each year that this consent is current, unless otherwise approved in writing by the Waikato Regional Council. As a minimum this report shall include the following:</p> <ul style="list-style-type: none"> a) A summary of the Stormwater Management Plan initiatives undertaken during the year, along with the results of these initiatives. Also a summary of the Stormwater Management Plan initiatives that are proposed for the coming year, along with any proposed amendments to the plan if/where considered appropriate by the consent holder. b) A summary of the monitoring results undertaken in accordance with the monitoring programme required under Condition 8 of this consent, and a critical analysis of the information in terms of compliance and environmental effects. Suggested modifications to the monitoring requirements of Condition 8 shall also be provided if/where considered appropriate by the consent holder. c) A summary of the level of compliance achieved with all conditions of this consent, including any reasons for non-compliance or difficulties in achieving compliance. d) Details of all non-routine contaminant discharge incidents that have been responded to, and a summary of the outcomes of these incidents. Also identification of any changes in incident response protocols, or any management decisions that have been implemented to reduce the occurrence and/or potential effects of these types of incidents. |

| | |
|----------------------------|--|
| | <p>e) A summary of complaints received in regard to the activities authorised by this consent. A summary of how these complaints have been responded to should also be provided.</p> <p>f) Suggested actions to remediate any non-compliance with the conditions of this consent.</p> <p>Details of any other matters relevant to this consent that the consent holder wishes to report.</p> |
| Evidence: | Refer to Annual Report. |
| Assessment: | -45 complaints received and addressed in Complaints Register No other issues reported -1 non-routine and non-compliance issue reported: a blocked WW pipe caused liquid to seep through the ground and entered the SW pipe resulting in a discharge to the harbour – see Annual Report |
| Corrective Actions: | Full compliance |

| Condition No. | Description |
|----------------------------|--|
| Schedule A 1) | The consent holder shall be responsible for the design, maintenance and physical integrity of the municipal stormwater system, and shall operate and maintain the municipal stormwater system to avoid, remedy or mitigate adverse effects on the environment. |
| Evidence: | Refer to SMP for all maintenance procedures |
| Assessment: | |
| Corrective Actions: | Full compliance |

| Condition No. | Description |
|----------------------------|--|
| Schedule A 10) | <p>The consent holder shall as soon as reasonably practicable notify Waikato District Council, Watercare Services Ltd and the Waikato Regional Council of an event that may in itself, or as a consequence of an event, have a significant adverse effect on the quality of the water at any of the abstraction points of the aforementioned drinking water supplies.</p> <p>The consent holder shall record the reasons why the situation occurred, the actions taken by the consent holder and an assessment of what measures can be adopted in the future to minimise such occurrences and upon written request from the Waikato Regional Council provide a report to the Waikato Regional Council and the Medical Officer of Health.</p> |
| Evidence: | Outlined in Spills Response Plan in SMP. |
| Assessment: | No issues reported |
| Corrective Actions: | Full compliance |

| Condition No. | Description |
|----------------------------|--|
| Schedule A 11) | <p>All Waikato District Council asset management activities, including those relating to:</p> <p>a) municipal stormwater system activities; b) municipal water and wastewater systems activities; c) municipal roading and footpath activities; d) municipal parks and gardens activities; e) municipal refuse collection activities; and f) municipal building maintenance activities</p> <p>shall be undertaken and managed to minimise contaminants discharging to/from the municipal stormwater system to the receiving environment.</p> |
| Evidence: | Refer to SMP for all maintenance procedures |
| Assessment: | No issues reported in Annual Report |
| Corrective Actions: | Full compliance |

| Condition No. | Description |
|----------------------------|--|
| Schedule A 12) | The consent holder shall carry out regular street and catchpit cleaning operations to minimise the volume of stormwater contaminants entering the municipal stormwater system and discharging to the receiving environment. When determining appropriate street sweeping frequencies, 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 sweeping operations that are currently being used to control and/or treat contaminated stormwater. |
| Evidence: | Refer to SMP for all maintenance procedures |
| Assessment: | No issues reported in Annual Report |
| Corrective Actions: | Full compliance |

| Condition No. | Description |
|----------------|---|
| Schedule A 13) | All stormwater catchpit devices that are associated with the municipal stormwater system shall be capable of capturing and retaining the majority of gross pollutants. New and/or |

| | |
|----------------------------|--|
| | replacement stormwater catchpits shall be further capable of capturing the majority of floatable contaminants, such as oil and grease, when constructed. |
| Evidence: | Refer to SMP and Annual Report |
| Assessment: | No issues reported. WDC is also installing new hydrocarbon baffles in all new catchpits. |
| Corrective Actions: | Full compliance |

| | |
|----------------------------|--|
| Condition No. | Description |
| Schedule A 14) | All stormwater quality treatment devices that form part of the municipal stormwater system shall be operated and maintained to provide the best practicable option for stormwater contaminant removal efficiency at all times. |
| Evidence: | Refer to SMP and Annual Report |
| Assessment: | No issues reported. Regularly maintained. |
| Corrective Actions: | Full compliance |

| | |
|----------------------------|--|
| Condition No. | Description |
| Schedule A 15) | The consent holder shall undertake monitoring programmes that identify and discontinue informal wastewater system connections to the municipal stormwater system and instigate remediation programmes aimed at discontinuing such connections. |
| Evidence: | Refer to SMP for all maintenance and monitoring procedures |
| Assessment: | No issues reported in Annual Report |
| Corrective Actions: | Full compliance |

| | |
|----------------------------|---|
| Condition No. | Description |
| Schedule A 16) | Where formal wastewater system connections to the municipal stormwater system make up part of the municipal wastewater system design and operation, the consent holder shall undertake to minimise as far as practicable, the discharge of wastewater system contaminants to the municipal stormwater system. |
| Evidence: | Refer to SMP for all maintenance and monitoring procedures |
| Assessment: | No issues reported in Annual Report |
| Corrective Actions: | Full compliance |

| | |
|----------------------------|--|
| Condition No. | Description |
| Schedule A 17) | Events resulting in significant discharges of wastewater to the municipal stormwater system shall be reported to the Waikato Regional Council as soon as practicable after the consent holder becomes aware of such a discharge. |
| Evidence: | Refer to SMP and Annual Report |
| Assessment: | One WW discharges reported. A blocked WW pipe caused liquid to seep through the ground and entered the SW pipe resulting in a discharge to the harbour – see Annual Report |
| Corrective Actions: | -2 WW pump stations are to be upgraded as part of the 2011/12 works programme. This will include the installations of storage chambers to prevent discharge to the environment in the event of mechanical failure. -A generator has also been located in Raglan to be used for backup power in the event of a power failure at any pump stations. |
| | Full compliance |

| | |
|----------------------------|--|
| Condition No. | Description |
| Schedule A 18) | The consent holder shall undertake investigations to identify and address routine contaminant discharges to the municipal stormwater system from known contaminated land, and commercial and industrial sites. In circumstances where site owners/operators are routinely discharging contaminants to the municipal stormwater system, or contaminants to land that could routinely discharge to the municipal stormwater system during rain events, the consent holder shall liaise with site owners/operators to determine appropriate stormwater management measures that will be implemented to avoid, or if avoidance is impractical, to remedy or mitigate these contaminant discharges. |
| Evidence: | Refer to SMP for all maintenance and monitoring procedures |
| Assessment: | No issues reported in Annual Report |
| Corrective Actions: | Full compliance |

| | |
|----------------------|--|
| Condition No. | Description |
| Schedule A 19) | On becoming aware of a non-routine contaminant discharge to/from the municipal stormwater system, the consent holder shall make all reasonable attempts to stop the discharge and prevent further contaminant discharges from occurring. The consent holder shall seek to identify the source of the discharge and inform the Waikato Regional Council of the discharge incident as soon as practicable. At the written request of the Waikato Regional Council, the consent holder shall provide the Waikato Regional Council with information that it holds on its response to the discharge incident, and any other relevant information that may support subsequent enforcement action taken by the Waikato Regional Council against the discharger. |

| | |
|----------------------------|--|
| | Note: Requirements of the Fire Service Act and other legislative requirements may override the requirements of this condition. |
| Evidence: | Refer to SMP for all spills response procedures |
| Assessment: | Refer to Condition 17 above |
| Corrective Actions: | Full compliance |

| Condition No. | Description |
|----------------------------|---|
| Schedule A 2) | The consent holder shall not undertake any changes to the municipal stormwater system which would increase the scale and/or intensity of actual or potential adverse effects of municipal stormwater diversion and discharge activities on the receiving environment. |
| Evidence: | No changes reported |
| Assessment: | |
| Corrective Actions: | Full compliance |

| Condition No. | Description |
|----------------------------|--|
| Schedule A 20) | In circumstances where non-routine contaminants are discharged from the municipal stormwater system and result in actual adverse effects in the receiving environment, the consent holder shall provide practical assistance to the Waikato Regional Council, and any other emergency response agency that becomes involved, to remedy or mitigate against further actual or potential adverse effects on the receiving environment. |
| Evidence: | Refer to SMP for all spills response procedures |
| Assessment: | Refer to Condition 17 above |
| Corrective Actions: | Full compliance |

| Condition No. | Description |
|----------------------------|---|
| Schedule A 21) | When permitting new or replacement connections to the municipal stormwater system from land uses where there is a risk of contaminant substances being discharged, the consent holder shall ensure that all such connections incorporate appropriate stormwater quality treatment devices that are capable of: <p>a) minimising all contaminants such that the conditions of this consent are complied with; and</p> <p>b) preventing accidental releases of hazardous substances to the stormwater system; or</p> <p>c) reducing all such hazardous substances prior to discharge to receiving waters to concentrations that will not result in contamination of either water or sediments to such a degree that is likely to result in adverse effects on aquatic life, or on the suitability of water for human consumption after treatment.</p> |
| Evidence: | Refer to SMP for all maintenance and monitoring procedures |
| Assessment: | WDC uses HCC Development Manual |
| Corrective Actions: | Full compliance |

| Condition No. | Description |
|----------------------------|---|
| Schedule A 22) | As far as practicable, the consent holder shall manage the municipal stormwater system to 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 after reasonable mixing. |
| Evidence: | Refer to SMP for all maintenance and monitoring procedures |
| Assessment: | WDC uses HCC Development Manual |
| Corrective Actions: | Full compliance |

| Condition No. | Description |
|----------------|--|
| Schedule A 23) | As far as practicable, the consent holder shall manage the municipal stormwater system to minimise the discharge of concentrations of hazardous substances 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 Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC, 2000), or any other technical publication approved in advance by the Waikato Regional Council. <p>Note: When applying the Australian and New Zealand Guidelines for Fresh and Marine Water Quality, the 'trigger values' within the 95% level of protection range of these guidelines shall apply.</p> |

| | |
|----------------------------|--|
| Evidence: | Refer to SMP for all maintenance and monitoring procedures |
| Assessment: | WDC uses HCC Development Manual |
| Corrective Actions: | Full compliance |

| Condition No. | Description |
|----------------------------|--|
| Schedule A 24) | As far as practicable, the consent holder shall manage the municipal stormwater system to minimise the discharge of concentrations of micro-organisms to receiving waters 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. |
| Evidence: | Refer to SMP for all maintenance and monitoring procedures |
| Assessment: | WDC uses HCC Development Manual |
| Corrective Actions: | Full compliance |

| Condition No. | Description |
|----------------------------|---|
| Schedule A 25) | As far as practicable, the consent holder shall manage the municipal stormwater system to minimise discharges that are likely to adversely affect aquatic ecosystems and cause the following effects in receiving waters after reasonable mixing: Note: Conditions 22 - 25 describe receiving water effects that this consent is attempting to avoid, remedy or mitigate through improvements in the management and operation of municipal stormwater systems. Compliance with these conditions will therefore be determined through the establishment and implementation of appropriate stormwater management initiatives. These initiatives will aim to minimise (as far as practicable) municipal stormwater diversion and discharge activities that would otherwise cause these effects in receiving waters. |
| Evidence: | Refer to SMP for all maintenance and monitoring procedures |
| Assessment: | WDC uses HCC Development Manual |
| Corrective Actions: | Full compliance |

| Condition No. | Description |
|----------------------------|---|
| Schedule A 26) | The consent holder shall prepare and implement a Stormwater Quality Improvement Programme, designed to improve the quality of municipal stormwater discharges and to generally assist the consent holder in meeting the requirements of the stormwater quality conditions of this consent. Where a Stormwater Management Plan is required the Stormwater Quality Improvement Programme may form part of this plan and be implemented through this plan. |
| Evidence: | Refer to SMP |
| Assessment: | |
| Corrective Actions: | Full compliance |

| Condition No. | Description |
|----------------------------|---|
| Schedule A 27) | The consent holder shall prepare and implement a Stormwater Education Programme, designed to increase the general public's understanding of stormwater management and the ways in which they can minimise the contamination of stormwater and the impedance of stormwater flows. Where a Stormwater Management Plan is required the Stormwater Education Programme shall may form part of this plan, and be implemented as part of this plan. |
| Evidence: | Refer to SMP |
| Assessment: | Initiative to place new Blue Koaro fish plaques on catchpits. Proposal to be considered. Currently there are plaques saying "Drains to the sea/Lake/River" |
| Corrective Actions: | Full compliance |

| Condition No. | Description |
|----------------------------|--|
| Schedule A 28) | For all new stormwater diversion and discharge activities in urban development areas, the consent holder shall promote consideration of the Waikato Regional Council publication 'Sustainable Subdivision Development – An Environment Waikato Perspective' (WRC, 2006). |
| Evidence: | Refer to SMP and Annual Report |
| Assessment: | WDC states that they use our publication |
| Corrective Actions: | Full compliance |

| Condition No. | Description |
|----------------|---|
| Schedule A 29) | In addition to the requirements of Condition 28 of this consent, the consent holder shall |

| | |
|----------------------------|---|
| | promote the implementation of Low Impact Urban Design principles and/or construction of stormwater management devices in urban development areas, to avoid and/or mitigate any potential adverse effects of new stormwater diversion and discharge activities, and to ensure that the condition requirements of this consent are met. |
| Evidence: | Refer to SMP and Annual Report |
| Assessment: | WDC promotes Low Impact Design |
| Corrective Actions: | Full compliance |

| Condition No. | Description |
|----------------------------|---|
| Schedule A 3) | The consent holder shall seek to implement Best Practicable Options to minimise actual and potential adverse effects of municipal stormwater diversion and discharge activities on the environment. |
| Evidence: | Refer to SMP and Annual Report |
| Assessment: | |
| Corrective Actions: | Full compliance |

| Condition No. | Description |
|----------------------------|---|
| Schedule A 30) | All stormwater management devices associated with the municipal stormwater system shall be maintained in good working order. The consent holder shall carry out all stormwater management device maintenance as necessary and, where practicable, within one week of receipt of notice in writing from the Waikato Regional Council to do so. |
| Evidence: | Refer to SMP and monitoring and maintenance procedures |
| Assessment: | Annual Report includes summary of monitoring |
| Corrective Actions: | Full compliance |

| Condition No. | Description |
|----------------|---|
| Schedule A 31) | <p>The consent holder shall prepare a Stormwater Management Plan for the municipal stormwater system, and the stormwater diversion and discharge activities that are authorised by this consent. The Stormwater Management Plan shall be prepared in consultation with the Waikato Regional Council, Waikato-Tainui, Te Kotuku Whenua and other key stakeholders. The operational procedures and management initiatives that are detailed and implemented through the plan will largely assist the consent holder to achieve the condition requirements of this consent. The Stormwater Management Plan shall therefore be submitted to the Waikato Regional Council for approval within 12 months of the commencement of this consent unless otherwise approved by Environment Waikato. This approval shall be limited to whether the Stormwater Management Plan complies with the requirements of this condition and is in accordance with best practice.</p> <p>The Stormwater Management Plan shall record the way in which the municipal stormwater system is operated, and shall include methods to avoid, remedy and mitigate the adverse effects of stormwater diversion and discharge activities on the environment. The Stormwater Management Plan shall be reviewed and updated on a five yearly basis, or earlier if necessary to address specific management issues that arise, and as a minimum, shall detail the following information:</p> <p>a) The relationship and integration of the Stormwater Management Plan with other consent holder planning instruments and regulatory systems, including those that are utilised to assist the management of the municipal stormwater system; 105644 (Huntly Urban Area)</p> <p>b) A plan or drawing of the municipal stormwater system showing all key features, including administrative area, hydrological catchments, physical reticulation system, stormwater management devices and receiving waters;</p> <p>c) A description of the municipal stormwater system, including infrastructure details, contributing catchments, existing land uses and receiving water descriptions (including locations, water quality, ecological and hydrological characteristics, and the existing uses and values of receiving waters);</p> <p>d) A description of municipal stormwater system operation and maintenance procedures, including operation and maintenance procedures associated with all stormwater treatment devices;</p> <p>e) Identification of High Risk Facility Sites and other potential sources of stormwater contaminants within reticulated catchments (including sources of 'routine' and 'non-routine' contaminant discharges to the stormwater system);</p> <p>f) Management initiatives and implementation methods to avoid, remedy or mitigate 'routine contaminant' discharges to the municipal stormwater system. This should include the preparation and implementation of a Stormwater Quality Improvement Programme as required by Condition 26 of this consent and a review of the efficiency of catchpit cleaning and street sweeping operations;</p> <p>g) A Spill Response Plan, including detailed Standard Operating Procedures, for 'non-</p> |

| | |
|----------------------------|---|
| | <p>routine contaminant' spill incidents within reticulated catchments. The Spill Response Plan should also detail communication linkages with other key stakeholders and emergency response agencies who have administrative responsibilities associated with these types of incidents;</p> <p>h) Management initiatives and implementation methods to minimise 'formal' discharges from the municipal wastewater system to the municipal stormwater system;</p> <p>i) Management initiatives and implementation methods to identify and discontinue 'informal' wastewater system discharges to the municipal stormwater system;</p> <p>j) Management initiatives and implementation methods to identify and remedy adverse scour and erosion effects to land and the beds of receiving water bodies;</p> <p>k) Management initiatives and implementation methods to minimise adverse flooding effects to land and property;</p> <p>l) Management initiatives and implementation methods to avoid, remedy or mitigate adverse effects on aquatic ecosystems;</p> <p>m) Management initiatives and implementation methods to identify and remedy structures and stormwater management devices that are impeding the upstream and downstream movement of fish;</p> <p>n) Management initiatives and implementation methods to maintain and enhance the aesthetic appearance of structures and stormwater management devices associated with municipal stormwater diversion and discharge activities;</p> <p>o) Management initiatives and implementation methods to encourage the implementation of Low Impact Urban Design principals and/or construction of stormwater management devices in urban development areas;</p> <p>p) A register of all stormwater management devices associated with the municipal stormwater system, including their location, contributing catchment area, operational procedures and maintenance requirements;</p> <p>q) Management initiatives and implementation methods to undertake community and stakeholder education programmes effective over all urban communities. This should include the preparation and implementation of a Stormwater Education Programme as required by Condition 27 of this consent;</p> <p>r) Management initiatives and implementation methods to minimise erosion of open earthen drains, the accumulation of rubbish in these drains, and the accumulation of rubbish in these drains;</p> <p>s) Management initiatives and implementation methods to review, identify and implement Best Practicable Options; and</p> <p>t) A prioritised schedule for implementing the procedures, management initiatives, implementation methods and other requirements identified in consent conditions and the Stormwater Management Plan.</p> |
| Evidence: | The SMP was approved by WRC in 2009 |
| Assessment: | |
| Corrective Actions: | Full compliance |

| Condition No. | Description |
|----------------|--|
| Schedule A 32) | <p>The consent holder shall establish and retain for the duration of this consent a Tangata Whenua and Key Stakeholder Liaison Group. The consent holder shall provide reasonable organisation and administrative support to facilitate the development and ongoing role of this Liaison Group. Membership of the Liaison Group shall be determined as a minimum in consultation with the Waikato Raupatu Trustee Company, Te Kotuku Whenua and Whaingaroa Harbour Care.</p> <p>i) The Liaison Group shall meet at least annually to exercise the functions set out below.</p> <p>ii) The Liaison Group shall establish its own meeting protocols having regard to the customary practices of tangata whenua and those established between the consent holder, Waikato-Tainui, Te Kotuku Whenua or any other mana whenua group and shall operate in accordance with the Treaty of Waitangi principles of consultation, active participation and partnership.</p> <p>iii) The functions of the Liaison Group shall include, but not be limited to, the following:</p> <p>a) Review the general performance of Waikato District Council's Municipal Stormwater System and the discharges including any changes to its operation;</p> <p>b) Review of the results of monitoring and the associated assessment of monitoring information carried out in accordance with the conditions of this consent.</p> <p>c) Receipt of and comments on the Annual Report;</p> <p>d) Receipt of and comments on the Stormwater Management Plan (and any subsequent updates to this plan);</p> <p>e) Receipt of and comments on the Monitoring Programme (and any subsequent updates to this plan);</p> <p>f) To make suggestions to the consent holder and/or Waikato Regional Council as to any physical measures and initiatives further needed to address actual or potential effects from the municipal stormwater system;</p> <p>g) To make suggestions as to any additional investigations the consent holder might</p> |

| | |
|----------------------------|--|
| | undertake in respect of actual or potential effects; h) To make recommendations to the Waikato Regional Council not later than one month prior to the dates specified in condition 35 on issues raised by the group members relating to, amongst other matters, the Stormwater Management Plan and the Monitoring Programme.; and i) Consideration of other issues raised by members of the group. |
| Evidence: | Refer to Annual Report, a meeting was held on 19 August 2011. |
| Assessment: | |
| Corrective Actions: | Full compliance |

| Condition No. | Description |
|----------------------------|--|
| Schedule A 33) | Within 12 months of the Crown settling any claim made under the provisions of the Treaty of Waitangi Act 1975 Waikato Regional Council may, following service of notice on the Consent Holder, commence a review of the conditions of this consent pursuant to s128(1)(a) of the RMA, for the purpose of ensuring that this consent is in alignment with the provisions of any such settled claim. |
| Evidence: | |
| Assessment: | |
| Corrective Actions: | Not assessed |

| Condition No. | Description |
|----------------------------|---|
| Schedule A 34) | 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. |
| Evidence: | Mark Marr |
| Assessment: | |
| Corrective Actions: | Full compliance |

| Condition No. | Description |
|----------------------------|--|
| Schedule A 35) | The Waikato Regional Council may at any time during the years of 2011, 2013, 2018 and 2023 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 any of 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 remedy or mitigate such effects by way of further or amended conditions; b) To require the consent holder to adopt the Best Practicable Option to prevent or minimise any adverse effects on the environment that result from the exercise of this consent; c) To review the monitoring undertaken by the consent holder, and if necessary to amend and/or introduce new conditions to monitor any actual and potential effects on the environment that result from the exercise of this consent. 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. |
| Evidence: | |
| Assessment: | |
| Corrective Actions: | Not assessed |

| Condition No. | Description |
|----------------------------|--|
| Schedule A 36) | 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. |
| Evidence: | |
| Assessment: | |
| Corrective Actions: | Full compliance |

| Condition No. | Description |
|---------------|--|
| Schedule A 4) | The consent holder shall remedy adverse scour and erosion effects to land and the beds of receiving water bodies, where such effects are clearly attributable to the municipal stormwater diversion and discharge activities authorised by this consent. |

| | | |
|----------------------------|--|------------------------|
| Evidence: | Refer to SMP for all maintenance and monitoring procedures | |
| Assessment: | No issues reported in Annual Report | |
| Corrective Actions: | | Full compliance |

| Condition No. | Description |
|----------------------------|---|
| Schedule A 5) | <p>The consent holder shall ensure that the municipal stormwater system is operated and maintained in such a way as to reasonably minimise the potential for adverse flooding effects to land and property that may otherwise result from municipal stormwater diversion and discharge activities.</p> <p>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 catchment flooding are established by the consent holder through separate statutory procedures and consultation with its community. These 'levels of service' are not the subject of this consent.</p> |
| Evidence: | Refer to SMP for all maintenance and monitoring procedures |
| Assessment: | No issues reported in Annual Report |
| Corrective Actions: | Full compliance |

| Condition No. | Description |
|----------------------------|--|
| Schedule A 6) | <p>The consent holder shall be responsible for avoiding, remedying and mitigating any adverse flooding, scour, erosion or sedimentation effects on private land and drainage systems where these effects are clearly attributable to municipal stormwater diversion and discharge activities authorised by this consent. To this end the consent holder shall keep a record of complaints associated with municipal stormwater diversion and discharges to private land and drainage systems, and the actions taken by the consent holder in response to these complaints.</p> |
| Evidence: | Refer to SMP for all maintenance and monitoring procedures |
| Assessment: | No issues reported in Annual Report |
| Corrective Actions: | Full compliance |

| Condition No. | Description |
|----------------------------|---|
| Schedule A 7) | <p>As far as practicable, the consent holder shall manage the municipal stormwater system such that stormwater diversion and discharge activities do not result in more than minor adverse effects on aquatic ecosystems.</p> |
| Evidence: | Refer to SMP for all maintenance and monitoring procedures |
| Assessment: | No issues reported in Annual Report |
| Corrective Actions: | Full compliance |

| Condition No. | Description |
|----------------------------|--|
| Schedule A 8) | <p>With the exception of ephemeral watercourses, all structures that have been placed in natural and modified watercourses to enable municipal stormwater diversion and discharge activities shall allow, or be modified where possible to allow, for the safe upstream and downstream movement of fish. When acting on this condition, all stormwater system modifications and fish passage devices shall be designed and constructed to the satisfaction of the Waikato Regional Council.</p> <p>Note: When acting on this condition the consent holder shall also consult with the Department of Conservation, in accordance with Part VI of the Freshwater Fisheries Regulations 1983.</p> |
| Evidence: | Refer to SMP for all maintenance and monitoring procedures |
| Assessment: | No issues reported in Annual Report |
| Corrective Actions: | Full compliance |

| Condition No. | Description |
|---------------|--|
| Schedule A 9) | <p>Structures that enable municipal stormwater diversion and discharge activities shall be maintained by the consent holder in a visually unobtrusive manner.</p> <p>Note: For the purposes of this condition, the extent of maintenance works undertaken by the consent holder may be limited to the use of plantings or minor landscaping, but may also link with other consent holder educational and management initiatives.</p> |

| | | |
|----------------------------|--|------------------------|
| Evidence: | Refer to SMP for all maintenance and monitoring procedures | |
| Assessment: | No issues reported in Annual Report | |
| Corrective Actions: | | Full compliance |

Overall compliance for consent 105646: **High Level of Compliance**

5 SUMMARY OF COMPLIANCE

Waikato District Council has been assessed as having the following level of compliance with the consents associated with the Raglan Urban Area Stormwater site:

| Consent | Purpose | Compliance Status |
|---------|--|---------------------------------|
| 105646 | Divert & discharge urban stormwater & associated contaminants at multiple locations to Raglan Harbour/estuary & land, & use discharge structures, within the vicinity of Raglan urban area | High Level of Compliance |

Overall Site Compliance: **High Level of Compliance**

6 DISCUSSION AND CONCLUSION

Overall the consent has been assessed as being in a **High Level of Compliance**. A guide to the classification system used to assess compliance status is given in Appendix 1 of the report.

The consent holder has received one **low priority non-compliance** for not conducting the water quality sampling as set out in the Monitoring Programme. The Monitoring Programme that was submitted by the consent holder and approved by WRC specified monthly and quarterly sampling from various catchpits. The 4 samples were taken within 3 months and there was no further sampling. In addition, there was no analysis of PAH's which was specified as part of the Monitoring Programme.

It is recommended that WDC review the approved Monitoring Programme and implement the sampling protocol as agreed upon. In addition, ensure that all parameters are analysed as stated and ensure that a summary of the analysis is provided in the next Annual Management Report. This should include a discussion of the results and any trend analysis, not simply a lab report. Finally a site map showing the sampling locations should also be included in the report and updated within the Monitoring Programme.



Brian Richmond
Resource Officer – Infrastructure Programme
Resource Use Group

12/3/2012

Date

Approved/Declined



Hugh Keane
Programme Manager – Infrastructure Programme
Resource Use Group

Date

12/3/2012

Appendix 1

CLASSIFICATION GUIDELINE USED TO ASSESS COMPLIANCE STATUS

Compliance status for individual conditions

| Compliance Status | Description |
|--------------------------------|---|
| Not assessed | <ul style="list-style-type: none">Monitoring of this condition was not undertaken during this monitoring event |
| High priority non-compliance | <ul style="list-style-type: none">The non-compliance has the potential for, or has resulted in, significant adverse effects on the environment. |
| Medium priority non-compliance | <ul style="list-style-type: none">There is non compliance with limits or other direct controls on adverse effects; andThe non-compliance has the potential for, or has resulted in, a greater than minor increase in the level of effects authorised. |
| Low priority non-compliance | <ul style="list-style-type: none">There is non compliance with limits or other direct controls on adverse effects; andThe non-compliance has the potential for, or has resulted in, a less than minor increase in the level of effects authorised; and/orThere has been a significant technical non-compliance such as a failure to collect or supply self monitoring data. |
| Minor technical non-compliance | <ul style="list-style-type: none">There is non compliance with a condition, or part of a condition, that does not directly control adverse effects; andThe non-compliance was not significant in the management of effects. For example a short delay in supplying data or meeting a deadline for a report |
| Full compliance | <ul style="list-style-type: none">The condition has been complied with |

Compliance status for individual consents and the entire site

| Compliance Status | Description |
|----------------------------|--|
| Not assessed | <ul style="list-style-type: none">Monitoring has not been undertaken at this site during the current financial year |
| Significant non-compliance | <ul style="list-style-type: none">There has been a high priority non-compliance; and/orThere have been several medium priority non-compliances. |
| Partial compliance | <ul style="list-style-type: none">There has been a medium priority non-compliance; and/orThere have been several low priority non-compliances. |
| High level of compliance | <ul style="list-style-type: none">There has been a low priority non-compliance; and/orThere have been several minor technical non-compliances. |
| Full compliance | <ul style="list-style-type: none">All conditions that include limits or other direct controls on adverse effects have been complied with.A small number of minor technical non-compliances may have occurred. |