

Site Compliance Report

Site No: REG600001A, REG605359A, REG612198A,
REG605360A, REG612199A, REG612200A,
REG605358A, REG612201A

Site Owner: Thames Coromandel District Council

Site Name: Thames-Coromandel Stormwater: Comprehensive Stormwater
Discharge Consents

Date: 23 June 2021

1. INTRODUCTION

This report examines the level of compliance of Thames Coromandel District Council (TCDC) with the conditions of the Comprehensive Stormwater Discharge Consents (CSDC) which authorise the diversion and discharge of urban stormwater, and use of discharge structures, within the following urban areas – Thames, Pauanui, Coromandel, Tairua, Whitianga, Whangamata, Onemana and Thames Coast.

The audit covers the period from 1 July 2019 to 30 June 2020 in accordance with Condition 6 of the CSDCs. It also covers the period 1 July 2018 to 30 June 2019 (where relevant), as per the letter request by TCDC on 2 March 2020. This referred to the WRC Abatement Notice dated 25 November 2019, and the progress being made in response to the required actions.

In this regard, TCDC has submitted the 'Municipal Stormwater Network Operation Annual Report' (Annual Report) for this period, along with a Draft Stormwater Management Plan (SMP) as required by Condition 30 of the CSDCs. Other information presented by TCDC is discussed throughout this compliance report.

The information contained in the above documents, along with the information held on the WRC file, has been used to undertake the following assessment.

The following resource consents are held for the site:

Resource Consent	Status	Description	Commenced	Expiry
AUTH122521.01.01	Current	Divert & discharge urban stormwater runoff & associated contaminants at multiple locations to land & all surface waters, & use discharge structures, in the general vicinity of Thames Urban Area.	24/08/2011	31/08/2031
AUTH105661.01.01	Current	Divert & discharge urban stormwater runoff & associated contaminants at multiple locations to land & all surface waters, & use discharge structures, in the general vicinity of Pauanui Urban Area.	24/08/2011	31/08/2031
AUTH105663.01.01	Current	Divert & discharge urban stormwater runoff & associated contaminants at multiple locations to land & all surface waters, & use discharge structures, in the general vicinity of Coromandel Urban Area.	24/08/2011	31/08/2031
AUTH105664.01.01	Current	Divert & discharge urban stormwater runoff & associated contaminants at multiple locations to land & all surface	24/08/2011	31/08/2031

		waters, & use discharge structures, in the general vicinity of Tairua Urban Area.		
AUTH105665.01.01	Current	Divert & discharge urban stormwater runoff & associated contaminants at multiple locations to land & all surface waters, & use discharge structures, in the general vicinity of Whitianga Urban Area.	24/08/2011	31/08/2031
AUTH105666.01.01	Current	Divert & discharge urban stormwater runoff & associated contaminants at multiple locations to land & all surface waters, & use discharge structures, in the general vicinity of Onemana Urban Area.	24/08/2011	31/08/2031
AUTH105667.01.01	Current	Divert & discharge urban stormwater runoff & associated contaminants at multiple locations to land & all surface waters, & use discharge structures, in the general vicinity of Whangamata Urban Area.	24/08/2011	31/08/2031
AUTH105668.01.01	Current	Divert & discharge urban stormwater runoff & associated contaminants at multiple locations to land & all surface waters, & use discharge structures, in the general vicinity of Thames Coast Urban Area.	24/08/2011	31/08/2031

2. COMPLIANCE HISTORY

The CSDCs were granted in August 2011 and, following a formal warning, the SMP and Monitoring Programme were lodged and approved in December 2013.

A compliance assessment was subsequently undertaken for Thames Urban Area (AUTH122521.01.01) in August 2016. This pertained to the 2013/14 reporting year for which TCDC lodged an Annual Report (Condition 6). Whilst noting an inadequate level of information, the compliance assessment determined full compliance on the premise of basic requirements being met.

TCDC failed to lodge Annual Reports for the 2014/15, 2015/16 and 2016/17 reporting years and compliance was not assessed.

In March 2019, WRC completed a compliance audit on the resource consents for the period 1 July 2017 to 30 June 2018. There were several 'high priority non-compliances' of concern which resulted in an overall 'significant non-compliance' rating for all resource consents.¹

The high priority non-compliances included the failure to provide the 2018/2019 Annual Report; the failure to review, update and submit the SMP as well as the failure to review, update, undertake and report on the Monitoring Programme.

¹ High priority non-compliances are non-compliances which have the potential for, or have resulted in, significant adverse effects on the environment. An overall 'significant non-compliance' rating is the outcome if there have been any high priority non-compliances.

TCDC was also sent a 'Letter of Direction' from WRC with the compliance audit on 1 April 2019. This included a 'Summary of Actions Required', all to be addressed by 30 September 2019. This was followed by a WRC Abatement Notice of 25 November 2019 after TCDC failed to respond.

Notwithstanding, TCDC subsequently engaged with WRC to resolve the situation, culminating in the submission of information referred to in this compliance report. This information was submitted by TCDC on 29 September 2020 as agreed by WRC (Email Richmond/Gamble, 5 June 2020). Specifically, it was agreed that:

1. *The 2019/20 Annual Report for the period ending 30/06/20 should address the actions from the 2017/18 compliance audit, the abatement notice and all actions up to this date. This includes a round of visual monitoring and sediment sampling as per the current Monitoring Programme.*

2. *In view of these actions, WRC will not specifically assess the 2018/19 reporting period.*

3. *The 2019/20 Annual Report should be forwarded to WRC by 30/09/20 in accordance with Condition 6 of consents.*

3 COMPLIANCE ASSESSMENT

The CSDCs have a common general schedule (Schedule A) as well as site specific consent certificates which have the same conditions throughout.

Compliance with key consent conditions is the focus of this assessment, along with specific reference to the conditions which were cited in the previous assessment and the required follow up actions (including those of the Abatement Notice dated 25 November 2019).

Please note that a description of the classification system used to describe compliance status is given in Appendix 1 of this report.

SCHEDULE A: General Conditions of all Comprehensive Stormwater Discharge Consents

ACTIVITY AUTHORISED: The grant of AUTH122521 - Thames Urban Area, AUTH105661 - Pauanui Urban Area, AUTH105663 – Coromandel Urban Area, AUTH105664 – Tairua Urban Area, AUTH105665 – Whitianga Urban Area, AUTH105666 – Onemana Urban Area, AUTH105667 – Whangamata Urban Area and AUTH105668 – Thames Coast Urban Area is subject to the following general conditions which are applicable to all consents.

Condition No.	Description
2)	The Consent Holder shall not undertake any changes to the stormwater network which would increase the scale or intensity of the actual and potential adverse effects of the stormwater diversion and discharge activities authorised by this consent on the environment.
Evidence	Various changes to the stormwater networks have been undertaken over the term of consents to accommodate new development and land use intensification, particularly in higher growth areas. The extent of these changes has largely been quantified in Section I of the Annual Report for the period ending 30 June 2020.
Status Reasoning	-
Action Required	None Full compliance
Condition No.	Description

4)	<p>All new stormwater diversion and discharge activities which are established after the commencement of this consent shall be authorised by this consent when this is confirmed in writing by the Waikato Regional Council in a technical certification capacity. This shall occur on receipt of information from the Consent Holder, showing to the satisfaction of the Waikato Regional Council that:</p> <ul style="list-style-type: none"> a) The new stormwater diversion and discharge activities are consistent with the conditions of this consent; and b) For new stormwater diversion and discharge activities established in urbanised catchments - the new activities do not increase peak discharge rates to, or flow volumes in, stormwater receiving water bodies above those that would occur at the time of granting this consent, unless it is demonstrated that there are no additional adverse effects on the environment or downstream properties as a result of such increase; or c) For new stormwater diversion and discharge activities established in developing catchments - the new activities are consistent with Catchment Management Plans which have been prepared in accordance with Condition 25 of this consent, prior to the establishment of new activities within these catchments. <p>Advice Note: Condition 4(c) requires Catchment Management Plans as a prerequisite to new stormwater diversion and discharge activities established in developing catchments. For new activities established in catchments which are not guided by Catchment Management Plans, these activities will not be authorised by the CSDC and will retain respective single site resource consents.</p>
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Evidence	<p>Similar to Condition 2, for new stormwater activities established in urbanised catchments, the consent holder has largely quantified these in Section I of the Annual Report. In doing so 'hydraulic neutrality' is referred to as a means of minimising the adverse effects of these activities. However, 'hydraulic neutrality' is a relatively outdated concept and is not entirely feasible in urbanised catchments. Notwithstanding, this should be addressed through further dialogue with TCDC and the review of its COP for stormwater management as proposed via an implementation action.</p> <p>Note, the consent holder has yet to develop Catchment Management Plans as per Condition 25, hence Condition 4(c) does not apply. Therefore, all new stormwater activities established in developing catchments must retain site specific resource consents following the vesting of private infrastructure in TCDC.</p>
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Status Reasoning	-	
Action Required	<p>None</p> <p>Notwithstanding, the development of Catchment Management Plans as per Schedule A / Condition 25 is highly encouraged and the proposed implementation action to complete CMPs is supported. However, CMPs must be supported by robust technical investigations and assessments, and early consultation with WRC regarding technical scopes is considered necessary.</p>	Full compliance

Condition No.	Description
22)	When assessing applications and engineering approvals for new or replacement connections to the stormwater network, the Consent Holder shall, to the extent that it lawfully can, ensure that stormwater management devices are required and/or in place to avoid as far as practicable and otherwise minimise routine contaminant discharges to the stormwater network.

Evidence	As per Condition 2, examples such as 'The Palms Ltd' in Whitianga and 'Pauanui Nine Ltd' in Pauanui demonstrate that the consent holder has not ensured stormwater
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	<p>management devices are required and/or in place to avoid or minimise routine contaminant discharges to the stormwater network. However, Section h of the Annual Report identifies implementation actions to address this shortcoming. In particular it proposes to seek guidance from Council on the enactment of a district-wide Stormwater Bylaw, as well as to formalise a stormwater connection application procedure.</p>	
Status Reasoning	-	
Action Required	<p>The consent holder to implement proposed actions and establish Standard Operating Procedures (SOPs) to evaluate and determine stormwater management devices for all new and replacement connections to the stormwater networks. This shall be undertaken in conjunction with revision of the Draft SMP (Condition 30), due to be resubmitted for review/approval by 30 September 2021.</p> <p>Draft SOPs to be submitted to WRC by 31 July 2021.</p>	Low priority non-compliance
Condition No.	Description	
23)	<p>The Consent Holder shall prepare a Stormwater Quality Improvement Programme, designed to improve the quality of stormwater network discharges and assist the Consent Holder in meeting the conditions of this consent. The Stormwater Quality Improvement Programme shall form part of the Stormwater Management Plan required by Condition 30 of this consent, and be implemented by the Consent Holder progressively over the duration of this consent. As a minimum, the Stormwater Quality Improvement Programme shall include the following:</p> <ul style="list-style-type: none"> a) Education programmes which raise the general public’s awareness of stormwater quality issues and the ways in which individuals can avoid as far as practicable and otherwise minimise the contamination of stormwater; b) To the extent that the Consent Holder is authorised to do so, proposed site inspections and stormwater contamination audits of industrial and commercial properties that connect to the stormwater network in High Risk Catchments, along with education and promotion of at-source stormwater management measures to the owners/operators of these properties; c) Investigative and remedial works programmes to remove illicit wastewater connections to the stormwater network; d) Stormwater catchpit upgrade programmes which retrofit best practicable outlet devices (for example baffles, siphons, filter bags) to stormwater catchpits in existing urban catchments; e) Stormwater network upgrade programmes which retrofit best practicable stormwater management devices to the stormwater network in High Risk Catchments. f) How the Consent Holder proposes to use its regulatory powers and exercise its functions through, for example, consent requirements, engineering approvals, design specifications and guidelines and the introduction of a Stormwater Bylaw to avoid, remedy, and mitigate the adverse effects of stormwater discharges. 	
Evidence	<p>The consent holder has prepared an outline SQIP in the Draft SMP, however, it is very general and relies on potential future actions which are subject to budget availability and Council endorsements (NB – the TCDC LTP budget is scheduled to be signed off on 17 June 2021). The current draft outline SQIP is also lacking in actual stormwater quality improvement initiatives.</p>	
Status Reasoning	-	

Action Required	The consent holder to progress development of the SQIP and implement the various management initiatives accordingly. This shall be undertaken in conjunction with revision of the Draft SMP (Condition 30), due to be resubmitted for review/approval by 30 September 2021.	Low priority non-compliance
Condition No. Description		
28)	In addition to the requirements of Conditions 25 - 27 of this consent, the Consent Holder shall promote the implementation of Low Impact Urban Design measures and stormwater management devices in all reticulated catchments, to avoid as far as practicable and otherwise minimise the actual and potential adverse effects of the stormwater diversion and discharge activities authorised by this consent on the environment.	
Evidence	As per Condition 4, 'hydraulic neutrality' is referred to as a means of achieving LIUD. This is a relatively outdated concept which is not entirely feasible in urbanised catchments. Notwithstanding, this should be addressed through further dialogue with TCDC and the review of its COP for stormwater management as proposed via an implementation action.	
Status Reasoning	-	
Action Required	The consent holder to develop and/or revise policies, codes of practice and other relevant measures that effectively promote LIUD and stormwater management devices in reticulated catchments. This shall be undertaken in conjunction with revision of the Draft SMP (Condition 30), due to be resubmitted for review/approval by 30 September 2021. An Options Analysis to help inform this exercise, inclusive of key tasks and timeframes, to be submitted to WRC by 31 July 2021.	Low priority non-compliance
Condition No. Description		
29)	As the Consent Holder and/or private developers progressively construct new stormwater management devices that become part of the stormwater network, the Consent Holder shall maintain a register of these devices in the Stormwater Management Plan required by Condition 30 of this consent, including details of their location, catchment area, operational procedures and maintenance requirements.	
Evidence	The consent holder has included a Stormwater Management Devices Register in the Draft SMP (Appendix E). However, this is lacking critical device details, specifically catchment areas, operational procedures and maintenance requirements.	
Status Reasoning	-	
Action Required	The consent holder to further develop and maintain its register of stormwater management devices in accordance with Condition 29. This shall be undertaken in conjunction with revision of the Draft SMP (Condition 30), due to be resubmitted for review/approval by 30 September 2021. Note: provided the register is further developed and maintained within TCDC's asset management system(s), it does not need to be fully duplicated in the SMP.	Low priority non-compliance
Condition No. Description		
30)	The Consent Holder shall prepare a Stormwater Management Plan for its stormwater network and the existing stormwater diversion and discharge activities that are authorised by this consent. The Stormwater Management Plan shall record the way in	

which the stormwater network is operated, and shall include best practicable stormwater measures to avoid, remedy or mitigate adverse effects on the environment.

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

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

- a) A plan or drawing or series thereof which shows the Thames Coromandel District Council administrative areas, main hydrological catchments, main stormwater network (including sites of key stormwater management devices), major secondary overland flow-paths and stormwater receiving water bodies;
- b) A description of the relationship and integration of the Stormwater Management Plan with other key planning instruments and regulatory/non-regulatory processes, including all those utilised in the management of the stormwater network;
- c) A description of the stormwater network in relation to the contributing catchments, existing land uses within these catchments, Low Impact Urban Design measures, stormwater management devices and main pipe reticulation;
- d) A description of all stormwater receiving water bodies, including their locations, key characteristics (for example water quality, ecological and hydrological characteristics), existing uses and values;
- e) A list of the key stakeholders who have an interest in the stormwater diversion and discharge activities authorised by this consent, and their respective views on managing these activities;
- f) A description of all stormwater network operation and maintenance procedures, including those associated with land use (for example street and catchpit cleaning), stormwater management devices, pipe reticulation and stormwater receiving water bodies;
- g) A description of other Consent Holder asset management activity initiatives that will assist the Consent Holder in meeting the conditions of this consent, or are otherwise complimentary to stormwater management;
- h) A description of the management initiatives and implementation methods to avoid as far as practicable and otherwise minimise:
 - i) Adverse scour, erosion and sedimentation deposition on land, property and the beds of stormwater receiving water bodies,
 - ii) Adverse flooding of land, property and stormwater receiving water bodies,
 - iii) Adverse effects on aquatic ecosystems;
- i) A list of the municipal stormwater management structures that require reasonably practicable measures to be undertaken to remedy or mitigate the effects of these structures on fish movement, in accordance with Condition 8. Also a description of the specific measures to be undertaken and a programme of works to implement these measures.
- j) A set of guidelines for undertaking stream channel works in stormwater receiving water bodies;
- k) A description of all potential sources of stormwater contaminants within reticulated catchments (including all potential sources of routine and non-routine contaminant discharges to the stormwater network);
- l) Standard Operating Procedures for managing non-routine contaminant discharge events;
- m) A Stormwater Quality Improvement Programme which, as a minimum includes:

	<ul style="list-style-type: none"> i) All of the activities listed in the Stormwater Quality Improvement Programme required under Condition 23; and ii) A prioritised schedule for implementing the Stormwater Quality Improvement Programme progressively over the duration of this consent; n) A description of the management initiatives to promote developer consideration of the Waikato Regional Council publication titled '<i>Sustainable Subdivision Development – An Environment Waikato Perspective</i>' (WRC, 2006), or any other technical publication approved in advance by the Waikato Regional Council in a technical certification capacity; o) A description of the management initiatives to promote the implementation of Low Impact Urban Design measures and stormwater management devices in reticulated catchments; p) A register of all stormwater management devices associated with the stormwater network, including their location, catchment area, operational procedures and maintenance requirements; q) A prioritised works schedule for implementing the operational procedures, management initiatives and implementation methods that are adopted by, and implemented through, the Stormwater Management Plan; r) A list of performance measures by which the implementation of the operational procedures, management initiatives and implementation methods adopted by the Stormwater Management Plan will be gauged. <p>The Stormwater Management Plan shall be to a standard acceptable to the Waikato Regional Council and shall be submitted to the Waikato Regional Council for written approval in a technical certification capacity, by 31st March 2012 or such later date that may be approved in writing by the Waikato Regional Council in a technical certification capacity. Thereafter, the Stormwater Management Plan shall be reviewed, updated and submitted to the Waikato Regional Council for approval in a technical certification capacity, by 31st March every third year</p>	
Evidence	The consent holder has lodged a Draft SMP for review/comment by WRC. Although there is further work to be done to complete the SMP, this initiative is in progress.	
Status Reasoning	-	
Action Required	In consultation with WRC, the consent holder to complete the Draft SMP and resubmit it for review/approval by 30 September 2021.	Minor technical non-compliance
Condition No.	Description	
31)	The Consent Holder shall implement the operational procedures, management initiatives and implementation methods adopted by the Stormwater Management Plan, in accordance with that plan as required by Condition 30 of this consent.	
Evidence	As per Condition 30.	
Status Reasoning	-	
Action Required	As per Condition 30. Thereafter, the consent holder to effectively implement the SMP in accordance with consent.	Minor technical non-compliance
SITE SPECIFIC CONSENTS: AUTH122521 - Thames Urban Area, AUTH105661 - Pauanui Urban Area, AUTH105663 – Coromandel Urban Area, AUTH105664 – Tairua Urban Area, AUTH105665 – Whitianga Urban Area, AUTH105666 – Onemana Urban Area, AUTH105667 – Whangamata Urban Area and AUTH105668 – Thames Coast Urban Area.		

ACTIVITIES AUTHORISED: Divert & discharge urban stormwater runoff & associated contaminants at multiple locations to land & all surface waters, & use discharge structures, in the general vicinity of the above urban areas.

Condition No.	Description
3)	Except as provided for by Condition 4 in Schedule A of this consent, the stormwater diversion and discharge activities authorised by this consent relate to the Thames Coromandel District Council municipal stormwater network as constructed at the commencement of this consent, and as generally shown on the catchment drawings titled 'Thames Stormwater Reticulation' in Appendix I of the application document. All new stormwater diversion and discharge activities which are established after the commencement of this consent shall meet the technical certification requirements of Condition 4 in Schedule A of this consent, and be shown on updated catchment drawings. These catchment drawings shall be provided to the Waikato Regional Council as part of the Annual Report required by Condition 6 of this consent.
Evidence	The consent holder has provided updated catchment drawings in Appendix A of the Draft SMP.
Status Reasoning	-
Action Required	None Full compliance

Condition No.	Description
4)	<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> <ul style="list-style-type: none"> - Investigate the actual and potential adverse effects of municipal stormwater diversion and discharge activities on the environment; - Provide information to refine Best Practicable Option stormwater management measures that assist the Consent Holder in avoiding, remedying or mitigating actual and potential adverse effects on the environment; - Assess the performance of utilised stormwater management devices to determine their overall effectiveness in managing and/or treating stormwater, and to guide the best practicable application of these devices in respective catchments; - Provide guidance on the ongoing and necessary changes to the Stormwater Management Plan to address any shortcomings with the operational procedures, management initiatives and implementation measures adopted by the Stormwater Management Plan; - Review the level of subdivision and development that is occurring in developing catchments, relative to the land use assumptions underlying the integrated catchment management approaches adopted by approved Catchment Management Plans; - Determine overall compliance with the conditions of this consent. <p>As a minimum, the Monitoring Programme shall include:</p> <ol style="list-style-type: none"> a) Monitoring to identify any adverse stormwater quantity and quality effects on aquatic ecosystems. This shall include stormwater receiving water body monitoring at targeted locations, and is likely to comprise one or more of the following activities: <ol style="list-style-type: none"> i) Visual assessments of general habitat quality and sensitivity to stormwater inputs, ii) Sediment quality sampling and analyses of key stormwater contaminants and sediment characteristics that aid data interpretation, and

	<ul style="list-style-type: none"> iii) Biological sampling and analyses of macroinvertebrate communities and fish populations; b) Monitoring to identify any visual signs of contaminants in stormwater (conspicuous oil or grease films, scums or foams, floatable suspended materials, conspicuous change in colour or visual clarity); c) Monitoring to identify any adverse scour, erosion and sediment deposition on land, property and the beds of stormwater receiving water bodies; d) Monitoring to identify any adverse flooding of land, property and stormwater receiving water bodies; e) Monitoring to identify any stormwater management structures that are impeding the upstream and downstream movement of fish; f) Monitoring to determine the performance of utilised stormwater management devices in managing and/or treating stormwater; g) Monitoring to gauge the level of subdivision and development that is occurring in developing catchments, relative to the land use assumptions underlying the integrated catchment management approaches adopted by approved Catchment Management Plans; h) Monitoring to ensure that all stormwater management devices are maintained in good working order, and providing best practicable stormwater management and/or treatment efficiency at all times; i) Monitoring to determine best practicable street and stormwater catchpit cleaning operations to minimise the volume of stormwater contaminants entering the stormwater network and discharging to the receiving environment. <p>The Monitoring Programme shall be to a standard acceptable to the Waikato Regional Council and shall be submitted to the Waikato Regional Council for written approval in a technical certification capacity, by 31st March 2012 or such later date that may be approved in writing by the Waikato Regional Council in a technical certification capacity. Thereafter, the Monitoring Programme shall be reviewed, updated and submitted to the Waikato Regional Council for approval in a technical certification capacity, by 31st March every third year. The Waikato Regional Council will review and may alter the Monitoring Programme (in scale and/or method and/or location) after having had regard to the consistency and significance of the monitoring data collected, or any other information relating to the stormwater diversion and discharge activities authorised by this consent.</p>	
Evidence	Appendix 9 of the Annual Report includes a 'Draft Request for Proposal – Stormwater Monitoring Programme' (RFP). TCDC provided this in lieu of an updated Monitoring Programme, the intent being to agree the scope of the review prior to engaging a technical consultant to review/update the Monitoring Programme. The RFP has since been agreed and initiated, and a technical consultant engaged to complete the review of the Monitoring Programme in accordance with the RFP.	
Status Reasoning	-	
Action Required	The consent holder to submit a revised and updated Draft Monitoring Programme for review/approval by 30 September 2021.	Low priority non-compliance
Condition No.	Description	
5)	The Consent Holder shall undertake all monitoring in accordance with the Monitoring Programme required by Condition 4 of this consent, and the results of the monitoring shall, as a minimum, be summarised in the Annual Report required by Condition 6 of this consent.	

Evidence	The consent holder has undertaken all required monitoring initiatives in accordance with the current Monitoring Programme.	
Status Reasoning	-	
Action Required	None	Full compliance
Condition No.	Description	
6)	<p>The Consent Holder shall compile an Annual Report entitled “Municipal Stormwater Network Operation Annual Report”, for the year ending 30th June each year, and shall submit this report to the Waikato Regional Council by 30th September each year or such later date that may be approved in writing by the Waikato Regional Council in a technical certification capacity. As a minimum the report shall contain:</p> <ul style="list-style-type: none"> a) A summary of the operational procedures, management initiatives and implementation methods adopted by the Stormwater Management Plan which have been implemented during the year, along with the results of these initiatives (where relevant). Also a summary of the operational procedures, management initiatives and implementation methods which are proposed to be implemented over the coming year, along with any proposed changes or review updates to the Stormwater Management Plan that provide for the ongoing implementation of best practicable stormwater management measures; b) A summary of the main stormwater infrastructure works undertaken during the year, particularly the works undertaken in developing catchments in accordance with approved Catchment Management Plans. Also a summary of the main stormwater infrastructure works proposed for the coming year, along with any proposed changes to approved Catchment Management Plans (where deemed by the Consent Holder to be necessary); c) A summary of the information gathered and analysed through the Monitoring Programme required by Condition 4 of this consent. Any proposed refinements to the Monitoring Programme in response to the monitoring information gathered, or particular issues arising, should also be provided; d) Details of all non-routine contaminant discharge incidents which have been responded to by the Consent Holder, along with a summary of the outcomes of these incidents. Any proposed changes to the Standard Operating Procedures for non-routine contaminant discharge incidents, should also be provided; e) A summary of the level of compliance achieved with the conditions of this consent, including any reasons for non-compliance or difficulties in achieving compliance; f) A summary of all formal complaints received in regard to the stormwater diversion and discharge activities authorised by this consent, as recorded in the Complaints Register required by Condition 24 in Schedule A of this consent; g) Updated catchment drawings showing all new stormwater diversion and discharge activities which have been certified as authorised by the Waikato Regional Council in accordance with Condition 4 in Schedule A of this consent; h) A summary of the actions and/or stormwater management measures to be implemented over the coming year to remedy any non-compliance with the conditions of this consent; i) Details of any other matters considered relevant to this consent. 	
Evidence	The consent holder has compiled an Annual Report for the period ending 1 July 2019 to 30 June 2020. This was submitted to WRC on 29 September 2020.	
Status Reasoning	-	

Action Required	None	Full compliance
	Notwithstanding, the proposed stormwater management initiatives and implementation actions presented in the Annual Report must be actioned by TCDC in the 2020/21 reporting year.	
Authorisation Compliance: Partial compliance		

4 SUMMARY OF COMPLIANCE

Based on the conditions selected for monitoring, compliance has been assessed as:

Authorisation	Authorisation Description	Compliance Status
AUTH122521.01.01	Divert & discharge urban stormwater runoff & associated contaminants at multiple locations to land & all surface waters, & use discharge structures, in the general vicinity of Thames Urban Area.	Partial compliance
AUTH105661.01.01	Divert & discharge urban stormwater runoff & associated contaminants at multiple locations to land & all surface waters, & use discharge structures, in the general vicinity of Pauanui Urban Area.	Partial compliance
AUTH105663.01.01	Divert & discharge urban stormwater runoff & associated contaminants at multiple locations to land & all surface waters, & use discharge structures, in the general vicinity of Coromandel Urban Area.	Partial compliance
AUTH105664.01.01	Divert & discharge urban stormwater runoff & associated contaminants at multiple locations to land & all surface waters, & use discharge structures, in the general vicinity of Tairua Urban Area.	Partial compliance
AUTH105665.01.01	Divert & discharge urban stormwater runoff & associated contaminants at multiple locations to land & all surface waters, & use discharge structures, in the general vicinity of Whitianga Urban Area.	Partial compliance
AUTH105666.01.01	Divert & discharge urban stormwater runoff & associated contaminants at multiple locations to land & all surface waters, & use discharge structures, in the general vicinity of Onemana Urban Area.	Partial compliance
AUTH105667.01.01	Divert & discharge urban stormwater runoff & associated contaminants at multiple locations to land & all surface waters, & use discharge structures, in the general vicinity of Whangamata Urban Area.	Partial compliance
AUTH105668.01.01	Divert & discharge urban stormwater runoff & associated contaminants at multiple locations to land & all surface waters, & use discharge structures, in the general vicinity of Thames Coast Urban Area.	Partial compliance

Overall Site Compliance: Partial Compliance

5 DISCUSSION AND CONCLUSIONS

Having reviewed the information held on the WRC file, and assessed this information against the compliance criteria in Appendix 1, it is determined that the authorised activities are being undertaken in 'partial compliance' with the CSDCs.

It is encouraging to see that several previously required actions are now complete. However, there are still some previously required actions which remain outstanding and must be progressed; not least completion of a detailed SQIP, requirements for LIUD measures and stormwater management devices via new/replacement connections, and completion of the SMP and Monitoring Programme reviews and updates.

The required actions which remain outstanding are summarised in Section 6 of this report. These are supported by further administrative and management recommendations in Section 7.

It is also noted that the proposed stormwater management initiatives and implementation actions presented in the Annual Report must be actioned by TCDC in the 2020/21 reporting year. The next Annual Report is due to be submitted by 30 September 2021.

6 SUMMARY OF ACTIONS REQUIRED

The following actions are required to be undertaken:

Authorisation	Condition Number	Action Required
All sites / authorisations	Schedule A / 22	The consent holder to implement proposed actions and establish Standard Operating Procedures (SOPs) to evaluate and determine stormwater management devices for all new and replacement connections to the stormwater networks. This shall be undertaken in conjunction with revision of the Draft SMP (Condition 30), due to be resubmitted for review/approval by 30 September 2021 . Draft SOPs to be submitted to WRC by 31 July 2021 .
All sites / authorisations	Schedule A / 23	The consent holder to progress development of the SQIP and implement the various management initiatives accordingly. This shall be undertaken in conjunction with revision of the Draft SMP (Condition 30), due to be resubmitted for review/approval by 30 September 2021 .
All sites / authorisations	Schedule A / 28	The consent holder to develop and/or revise policies, codes of practice and other relevant measures that effectively promote LIUD and stormwater management devices in reticulated catchments. This shall be undertaken in conjunction with revision of the Draft SMP (Condition 30), due to be resubmitted for review/approval by 30 September 2021 . An Options Analysis to help inform this exercise, inclusive of key tasks and timeframes, to be submitted to WRC by 31 July 2021 .
All sites / authorisations	Schedule A / 29	The consent holder to further develop and maintain its register of stormwater management devices in accordance with Condition 29. This shall be undertaken in conjunction with revision of the Draft SMP (Condition 30), due to be resubmitted for review/approval by 30 September 2021 . Note: provided the register is further developed and maintained within TCDC's asset management system(s), it does not need to be fully duplicated in the SMP.
All sites / authorisations	Schedule A / 30	In consultation with WRC, the consent holder to complete the Draft SMP and resubmit it for review/approval by 30 September 2021 .

All sites / authorisations	Schedule A / 31	As per Condition 30. Thereafter, the consent holder to effectively implement the SMP in accordance with consent.
All sites / authorisations	4	The consent holder to submit a revised and updated Draft Monitoring Programme for review/approval by 30 September 2021 .

In addition to these actions, the consent holder is required to retrospectively install best practice water quality treatment systems to mitigate the recent development in Pauanui (Pauanui Nine Ltd). This matter was addressed to TCDC prior to the development of the subdivision and was also included in the WRC Abatement Notice of 25 November 2019.

The key actions determined in consultation with TCDC through this compliance process, include:

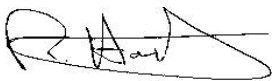
Action 1: Install baffles (or similar device) in all connected catchpits **by 31 July 2021**.

Action 2: Prepare a Design Report to inform the installation of a centrally located stormwater treatment device **by 31 July 2021**.

The outcomes from these actions shall be further reported in the next Annual Report (due by 30 September 2021), including a proposed timeframe to install the centrally located treatment device (Action 2).

7 RECOMMENDATIONS

1. That the consent holder be advised of the required actions and the timeframe in which to complete these actions.
2. That discussion and meetings between the consent holder and WRC staff/contractors continue as necessary to complete the required actions. This should also include discussion about Catchment Management Plans and the technical investigations and assessments which support them.
3. That all sites remain as 'Priority 2' sites and be assessed for compliance each year following submission of the consent holder's Annual Report.



Rob Hart
Contractor – Infrastructure
Resource Use

Date: 23 June 2021

Reviewed by:



Brian Richmond
Resource Officer – Infrastructure
Resource Use

Date: 25 June 2021

7.1 Decision

I have reviewed this audit and agree with the recommended actions.

A handwritten signature in black ink, appearing to read 'Hugh Keane', is centered within a light gray rectangular box.

Hugh Keane
**Team Leader - Infrastructure
Resource Use**

Date: 25 June 2021

APPENDIX 1

Compliance Status for Individual Conditions

Compliance Status	Description
Not assessed	Monitoring of this condition was not undertaken during this monitoring event
High priority non-compliance	The non-compliance has the potential for, or has resulted in, significant adverse effects on the environment.
Medium priority non-compliance	There is non-compliance with limits or other direct controls on adverse effects; and The 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	There is non-compliance with limits or other direct controls on adverse effects; and The non-compliance has the potential for, or has resulted in, a less than minor increase in the level of effects authorised; and/or There has been a significant technical non-compliance such as a failure to collect or supply self-monitoring data.
Minor technical non-compliance	There is non-compliance with a condition, or part of a condition, that does not directly control adverse effects; and The 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	The condition has been complied with

Compliance status for individual consents and the entire site

Compliance Status	Description
Not assessed	Monitoring has not been undertaken at this site during the current financial year
Significant non-compliance	There has been a high priority non-compliance; and/or There have been several medium priority non-compliances.
Partial compliance	There has been a medium priority non-compliance; and/or There have been several low priority non-compliances.
High level of compliance	There has been a low priority non-compliance; and/or There have been several minor technical non-compliances.
Full compliance	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.