

Stage 2 Global Stormwater Consent - Draft Resource Consent Conditions

Definitions

The Manager: The Manager, Environmental Regulation, Greater Wellington Regional Council.

Activities authorised by this consent:

Discharges of stormwater, including stormwater occasionally contaminated with wastewater, from the existing and future Upper Hutt City Council, Hutt City Council, Porirua City Council and Wellington City Council Stormwater Networks:

- a) to freshwater or to coastal water (including wetlands); or
- b) onto or into land where the discharge may enter freshwater or coastal water or enter or affect wetlands; or
- c) onto or into land.

Term of consent

The term of the consent shall be 35 years from the date of the commencement of the consent.

Conditions

The consent shall be subject to the following conditions:

Condition	Comments
General	
<p>1. The consents shall be exercised in general accordance with the consent application and associated documents lodged with the Wellington Regional Council on XXXXXX, including:</p> <ul style="list-style-type: none"> a. Wellington Water Stage 2 Global Stormwater Discharge Consent Application – Part 1 Report, Section 1.3 'Scope of this consent application' b. Part 3, the Stormwater Management Strategy c. Further information received on: <ul style="list-style-type: none"> i. XXXXX <p>In the event of any inconsistencies between the documents listed and the conditions of the consent, these conditions shall prevail.</p>	
Certification Process	
<p>2. The consent holder shall submit updates to the Stormwater Management Strategy at 6 yearly intervals to the Manager for certification that the updates to the Stormwater Management Strategy have been undertaken in accordance with conditions 8 to 11 to this consent</p>	<p>This condition assumes that the 'first' SMS will be approved through the consent application process and therefore does not require a certification condition.</p>

Condition	Comments
3. The consent holder shall submit at least XX Sub-catchment Management Plans, required under condition 12, on average every XX years to the Manager for certification and shall have submitted all Sub-catchment Management Plans by the XX th anniversary of the granting of the consent. The initial order and timeline for submitting the Sub-catchment Management Plans shall be set out in the Stormwater Management Strategy and may be altered via updates to the SMS via condition 2.	Details of this condition to be confirmed prior to the hearing based on input from Mana Whenua and GWRC officers.
4. The consent holder shall submit each Sub-catchment Management Plan required under condition 12 to the Manager for certification that it has been prepared in accordance with conditions 13 and 14 of this consent.	
5. The consent holder shall submit any changes to a certified Sub-catchment Management Plan, to the Manager for certification that any changes have been prepared in accordance with conditions 13 and 14 of this consent.	
6. The consent holder shall submit the Stormwater Monitoring Plan to the Manager for certification that the Plan has been prepared: <ul style="list-style-type: none"> a. In accordance with the requirements of condition XX b. In accordance with the Regional Kaitiaki Information and Monitoring Strategy c. In conjunction with Mana Whenua. 	This is a placeholder condition. Monitoring matters need to be worked through with Mana Whenua and GW See further comments under monitoring heading
7. If the consent holder has not received notice of certification within two months of a plan or any reviews or updates to a plan or strategy being submitted for certification by the Manager, the consent holder may consider that the strategy, plan or any reviews or updates is deemed to be certified.	
Stormwater Management Strategy	
8. The consent holder shall, with oversight from the Collaborative Committee, if established under condition 15, implement and update the Stormwater Management Strategy approved as part of this consent and subsequent updates pursuant to condition 9. The purpose of the Stormwater Management Strategy is to set out how the consent holder will reduce the adverse effects of stormwater discharges from the local authority stormwater network.	
9. The Stormwater Management Strategy shall be updated at no more than six yearly intervals. As a minimum each update shall include a review of: <ul style="list-style-type: none"> a. ... 	This condition assumes that the first SMS is approved through the resource consent application process. The matters to be covered in each review will be developed prior to the hearing following discussions with Mana Whenua and GWRC officers.

Condition	Comments
10. In preparing six yearly updates to the Stormwater Management Strategy the consent holder shall adopt the recommendations of the Collaborative Committee and shall take the following matters into account: a. ...	The matters to be taken into account in each review will be developed prior to the hearing and following discussions with Mana Whenua and GWRC officers.
11. In addition to the matters listed in condition 10, the review of the sub-catchment priorities undertaken as part of the six yearly update of the SMS shall consider the following factors: a. ...	The matters to be considered under this condition will be developed prior to the hearing and following discussions with Mana Whenua and GWRC officers.
Sub-catchment Management Plans	
12. The consent holder shall, with oversight from the Collaborative Committee, if established under condition 15, prepare and implement a Sub-catchment Management Plan for each of the sub-catchments shown in Attachment 1 to this consent. The Sub-catchment Management Plans shall be prepared and implemented in the sequence of priorities identified in the Stormwater Management Strategy, including any subsequent updates. Sub-catchment management plans may be prepared for geographical areas that are smaller than a sub-catchment if deemed appropriate by the consent holder.	
13. The purpose of each Sub-catchment Management Plan is to develop a programme of stormwater network improvement works to ensure that the adverse effects of stormwater discharges in the sub-catchment are reduced. The content of each Sub-catchment Management Plan shall include: a. ...	The required content of SCaMPs will be developed following discussions and prior to the hearing with Mana Whenua and GWRC officers.
14. In preparing each Sub-catchment Management Plan the consent holder shall take into account: a. ...	The matters to be taken into account in the preparation of SCaMPs will be developed prior to the hearing and following discussions with Mana Whenua and GWRC officers.
Conditions relating to the role of modelling in the development of SCaMPs will be added once the ongoing modelling work is completed.	The approach to, and function of, modelling is yet to be determined. This will be developed prior to the hearing following further technical work and in conversation with Mana Whenua and GWRC officers.
Partnership with Mana Whenua	
15. Within three months of this consent commencing the consent holder shall: a. Invite Mana Whenua to join a Collaborative Committee.	A "Plan B" condition if the Collaborative Committee is not established has yet to be developed.

Condition	Comments
<ul style="list-style-type: none"> b. If this invitation is accepted, establish the Collaborative Committee that has equal number of representatives from Mana Whenua and from the consent holder. c. The terms of reference for the Collaborative Committee will be determined by its members. d. If the invitation is not accepted, the consent holder shall reissue the invitation in 12 months. The invitation shall remain open throughout the term of the consent and shall be reissued every 12 months. e. If the invitation is declined or not accepted within XX months of the granting of the consent the consent holder shall initiate "Plan B" f. If the Collaborative Committee is not established, the requirements in these conditions that refer to Collaborative Committee shall be replaced by "Plan B". 	
16. The consent holder shall invite the Manager to nominate a representative from Greater Wellington Regional Council and shall invite Regional Public Health to nominate a representative to join the Collaborative Committee as observers.	
17. The overall purpose of the Collaborative Committee is to provide governance and strategic direction to the consent holder to reduce the adverse effects of stormwater discharges over the term of the consent.	
18. The functions of the Collaborative Committee in relation to stormwater discharges shall include: <ul style="list-style-type: none"> a. Overseeing updates to and implementation of the Stormwater Management Strategy b. Overseeing the preparation and implementation of the Sub-catchment Management Plans c. Overseeing the preparation of the Mātauranga Māori Monitoring Plan d. Reviewing the Annual Report e. Overseeing the preparation, updating, and implementation of the community engagement plan. 	Condition relating to the Mātauranga Māori Monitoring Plan has yet to be developed – see discussion under Monitoring heading.
19. The responsibilities of the Collaborative Committee in overseeing the updates to the Stormwater Management Strategy shall include: <ul style="list-style-type: none"> a. 	The responsibilities of the Collaborative Committee in relation to updates of the SMS will be developed prior to the hearing and following conversations with Mana Whenua and GWRC officers.
20. The responsibilities of the Collaborative Committee in overseeing the preparation or update of a Sub-catchment Management Plans shall include: <ul style="list-style-type: none"> a. ... 	The responsibilities of the Collaborative Committee in relation to SCaMPs will be developed following conversations with Mana Whenua and GWRC officers prior to the hearing.

Condition	Comments
<p>21. In relation to the Collaborative Committee, the consent holder shall:</p> <ul style="list-style-type: none"> a. Convene, host and record the minutes of the Collaborative Committee meetings, to be held no fewer than XXX times per year b. Provide a secretariat c. Provide minutes of the Collaborative Committee meetings to the Greater Wellington Regional Council d. Support the Collaborative Committee by providing it with access to technical advice necessary to fulfil its functions and responsibilities set out in conditions 17 to 20 e. Adopt the recommendations of the Collaborative Committee that are made in accordance with conditions t.b.c. 	<p>The number of times a year the Collaborative Committee will meet has yet to be determined.</p> <p>This condition assumes the Collaborative Committee recommendations will be adopted by the consent holder.</p>
Regional Public Health	
<p>22. Prior to submitting an update to the Stormwater Management Strategy, and prior to submitting a Sub-catchment Management Plan to the Manager for certification, the consent holder shall invite Regional Public Health to review and provide comments on the document.</p>	
<p>23. The consent holder shall request Regional Public Health to provide any review comments within 20 working days of receipt of the documents from the consent holder.</p>	
<p>24. The consent holder will provide any review comments received from Regional Public Health on updates to the Stormwater Management Strategy or on Sub-catchment Management Plans to the Manager for certification.</p>	
Response to acute effects on human health	
<p>Conditions relating to the acute effects of the stormwater discharges on human health will be added once further work is completed.</p>	<p>Wellington Water is reviewing the effectiveness and efficiency of the Stage 1 consent conditions that address acute effects on human health. This work is expected to be completed in 2023 and will feed into the further development of the proposed consent conditions.</p>
Reporting	
<p>25. The consent holder shall prepare an annual report and provide this to the Manager within three months of each anniversary of the commencement of the consent. Prior to providing each annual report to the Manager, the consent holder shall invite the Collaborative Committee to review the report. Each annual report shall include:</p> <ul style="list-style-type: none"> a. The results of monitoring undertaken in accordance with the Stormwater Management Plan required under condition t.b.c b. An update on the progress that has been made in implementing the Stormwater Management Strategy work streams and the management practice commitments 	<p>Monitoring conditions have yet to be developed – see discussion under Monitoring heading.</p>

Condition	Comments
<ul style="list-style-type: none"> c. Every 6 years, an update on the work completed to review and update the Stormwater Management Strategy in the previous 12 months d. An update on the progress made in preparing and implementing the Sub-catchment Management Plans including: <ul style="list-style-type: none"> i. The prioritised Sub-catchment Management Plans ii. The Sub-catchment Management Plans that have yet to commence iii. Progress implementing Sub-catchment Management Plans in accordance with the delivery programme and any sub-catchment specific management practice commitments in each Sub-catchment Management Plan iv. Record of modelling undertaken in accordance with condition t.b.c e. Minutes of all Collaborative Committee meetings held during the annual report period f. Communication and engagement milestones in the annual report period. 	
<p>26. Each Annual Report shall be provided to the community groups established in accordance with the community engagement plan required under condition t.b.c.</p>	
Monitoring	
<p>Conditions relating to Mātauranga Māori monitoring will be added once agreed with Mana Whenua.</p>	<p>Approach to Mātauranga Māori monitoring has yet to be determined. This will be developed with Mana Whenua and GWRC but is intended to supplement the Regional Kaitiaki Framework as necessary for stormwater discharges rather than duplicating or replacing it.</p>
<p>Conditions relating to integrated stormwater and wastewater monitoring plan will be developed prior to the hearing.</p>	
Engagement	
<p>Conditions relating to engagement have yet to be developed. They will include a requirement for the development of a community engagement plan and conditions relating to establishing a community group with a global focus and sub-catchment engagement.</p>	
Complaints	
<p>27. The consent holder shall keep a record of any complaints received relating to the exercise of the consent. The record shall contain the following details, where practicable:</p> <ul style="list-style-type: none"> a. Name and address of complainant b. Identification of the nature of the complaint c. Date and time of the complaint and of the alleged event d. Weather conditions at the time of the complaint e. Any measures taken to address the cause of the complaint. 	

Condition	Comments
28. The consent holder shall notify the Manager of any complaints relating to the exercise of this consent, within 24 hours of being received by the consent holder or the next working day.	
Modelling	
Conditions relating to model development and review will be added once ongoing modelling work is completed.	The approach to and function of modelling is yet to be determined. This will be developed prior to the hearing following further technical work and in conversation with Mana Whenua and GWRC officers.
Review of conditions	
<p>29. Wellington Regional Council may review any or all conditions of this consent by giving notice of its intention to do so pursuant to section 128 of the Resource Management Act 1991, in the six months following the XX, and XX anniversary of the commencement of this consent for any of the following reasons:</p> <ul style="list-style-type: none"> a. To review the adequacy of, and if necessary, amend the monitoring requirements outlined in this consent. b. To review the effectiveness of the conditions in avoiding, remedying or mitigating any adverse effects of the consent holder's activities and, if considered appropriate by Wellington Regional Council, deal with such effects by way of further or amended conditions. c. To align the conditions and enable consistency with any relevant operative regional plans, National Environmental Standards, regulations or Acts of Parliament. <p>The review of conditions shall allow for the deletion or amendment of conditions of this consent; and the addition of such new conditions as necessary to avoid, remedy or mitigate any significant adverse effects on the environment.</p>	Review timing to be determined with GW.

Attachment 1: Map of Stormwater Sub-catchments

