

Steve Rice

From: Craig Malone [Craig@berrysimons.co.nz]
Sent: Wednesday, September 18, 2019 4:41 PM
To: Steve Rice
Subject: PC1 - WARTA
Attachments: WARTA - PC1 - Harty supplementary evidence on stormwater - FINAL - 180919.pdf; Appendix 1.pdf

Afternoon Steve

During the Block 2 hearings we offered to provide some supplementary evidence from WARTA regarding stormwater discharge consents, and the Hearing Panel accepted the offer.

The supplementary evidence is **attached**.

Regards

Craig Malone
Senior Associate



BERRY SIMONS
ENVIRONMENTAL LAW

Berry Simons Environmental Law

Level 1, Old South British Building, 3-13 Shortland Street, Auckland

PO Box 3144, Shortland Street, Auckland 1140

T 09 969 2300 **D** 09 969 2302 **M** 029 969 2301 **F** 09 969 2304

W berrysimons.co.nz

This communication is confidential information and may also be legally privileged, intended only for the persons named above. If this communication is not addressed to you, you must not use, read, distribute or copy this document. If you have received this document by mistake, please call us immediately (collect to the person and number above) and destroy this original message. Thank you.

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of **PROPOSED PLAN CHANGE 1** to the Waikato Regional Plan – hearing of **BLOCK 2** topics

AND

IN THE MATTER of the hearing of the further submission by **WAIKATO REGION TERRITORIAL LOCAL AUTHORITIES COMPRISING THE WARTA GROUP** in relation to **BLOCK 2** topics

SUPPLEMENTARY STATEMENT OF EVIDENCE OF TIMOTHY NORMAN HARTY

1. INTRODUCTION

- 1.1 My name is Timothy Norman Harty. I have outlined my qualifications, experience and commitment to comply with the Environment Court Expert Witness Code of Conduct in my evidence in chief.
- 1.2 During the presentation of the Waikato Region Territorial Authorities (“WARTA”) case in the Block 2 hearings the Hearing Panel had some queries on the relationship of Plan Change 1 to urban stormwater discharges. In response to those queries, Counsel for WARTA offered to provide supplementary evidence from WARTA regarding existing stormwater discharge consents within the Waikato Region. As a result, the purpose of this supplementary evidence is to provide information about the stormwater consents held by the councils that comprise WARTA.

2. **STORMWATER CONSENTS HELD BY WARTA MEMBERS**

2.1 A list of all the stormwater consents and the relevant compliance information for WARTA member councils with territory within the Plan Change 1 Waikato and Waipa River catchments was requested from Waikato Regional Council ("WRC"):

- (a) Taupo District Council;
- (b) South Waikato District Council;
- (c) Otorohanga District Council;
- (d) Waipa District Council;
- (e) Hamilton City Council; and
- (f) Waikato District Council.

2.2 This information was supplied by WRC in a spreadsheet which was used to create the **attached Appendix 1**.

2.3 A breakdown of the columns in Appendix 1 is provided below.

Overview of consent information

2.4 The identification code given in the "IRIS ID" column in Appendix 1 is the unique code assigned to each of the consents in WRC's Integrated Regional Information System (IRIS) consent database. This unique identifier allows quick identification of each of the consents.

2.5 The "activity type", "activity subtype", and "authorisation name" columns in Appendix 1 identify that the consents in this table are for stormwater discharges. The activity type column classifies all these consents as 'discharge permit', indicating that the consents are for a discharge. The activity subtype and authorisation name columns show that most of the consents are classified as 'water – stormwater,' meaning these consents are for stormwater discharges to a body of water. There are also consents classified as 'land – stormwater,' which are stormwater discharges to land. There are some consents classified as 'water – other'. In this list these consents are for stormwater discharges from a landfill to a body of water.

2.6 The "description" column gives an overview of the situation for which the discharge is occurring.

2.7 The “commenced” and “expiry” columns show the dates when the consents commenced and when they will expire.

2.8 The “holder” column shows the Territorial Authorities who are the holders of the consents.

Compliance information

2.9 The “last compliance status” column shows the compliance rating assigned to each of the consents after WRC completed their last assessment. The definitions for the given compliance ratings are shown below:

(a) Significant non-compliance - There has been a high priority non-compliance; and/or there have been several medium priority non-compliances.

(b) Partial compliance - There has been a medium priority non-compliance; and/or there have been several low priority non-compliances.

(c) High level of compliance - There has been a low priority non-compliance; and/or here have been several minor technical non-compliances.

(d) 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.

2.10 The “latest observation” column shows the date at which the last compliance assessment was carried out by WRC.

2.11 The “further actions” column shows the actions that WRC have taken when the discharge has been assessed to be non-compliant, where provided.

Timothy Norman Harty

18 September 2019

APPENDIX 1

IRIS ID	Activity Type	Activity Subtype	Authorisation Name	Description	Commenced	Expiry	Holder	Last Compliance Status	Latest Observation	Further Actions
AUTH134278.01.01	Discharge Permit	Water - stormwater	Discharge stormwater from Pukete WWTP	Discharge stormwater from Pukete WWTP to an unnamed tributary of the Waikato River.	02/02/2015	02/02/2039	Hamilton City Council	High level of compliance	8/10/2018	
AUTH133727.01.01	Discharge Permit	Water - stormwater	Stormwater discharge to water	To authorise the continued diversion and discharge of stormwater runoff and associated contaminants to the Waikato River, and use discharge structures, within the Port Waikato urban area	30/09/2014	30/09/2049	Waikato District Council	Full compliance	14/04/2015	
AUTH132435.02.01	Discharge Permit	Water - stormwater	Stormwater discharge	To divert and discharge urban stormwater runoff and associated contaminants to an unnamed tributary of the Te Awa o Katapaki Stream in association with the Landsdale Development residential subdivision development	16/07/2014	16/07/2049	Hamilton City Council	High level of compliance	2018	
AUTH131271.01.01	Discharge Permit	Water - stormwater	Divert and discharge stormwater	Divert and discharge stormwater to an unnamed tributary of the Waikato River associated with a residential subdivision	09/04/2014	09/04/2049	Hamilton City Council	Partial compliance	24/10/2014	
AUTH131204.02.01	Discharge Permit	Water - stormwater	To divert and discharge stormwater	To divert and discharge urban stormwater runoff and associate contaminants to an unnamed tributary of the Mangakotukutuku Stream in association with the Titoki Oark residential subdivision development	11/03/2014	11/03/2037	Hamilton City Council	Not yet monitored but ESC visits undertaken		
AUTH131260.01.01	Discharge Permit	Water - stormwater	Divert and discharge stormwater	Divert and discharge stormwater to an unnamed tributary of the Mangakotukutuku Stream associated with a residential retirement development	20/02/2014	20/02/2049	Hamilton City Council	High level of compliance	31/12/2015	
AUTH105279.01.01	Discharge Permit	Water - stormwater	Water - Stormwater	Divert & discharge urban stormwater runoff & associated contaminants at multiple locations to land & all surface waters, & use discharge structures, in the general vicinity of Hamilton urban area.	25/07/2011	30/06/2036	Hamilton City Council	High level of compliance	9/11/2018	
AUTH117056.01.01	Discharge Permit	Water - stormwater	Water - Stormwater	Discharge stormwater to a tributary of the Mangakotukutuku Stream from a residential subdivision	20/04/2011	20/04/2046	Hamilton City Council	Full compliance	2013	
AUTH120290.01.01	Discharge Permit	Water - stormwater	Water - Stormwater	Discharge stormwater from a residential subdivision to a wetland and tributary of Lake Kimihia	10/12/2009	07/12/2044	Waikato District Council	High level of compliance	9/02/2016	
AUTH119585.01.01	Discharge Permit	Water - stormwater	Water - Stormwater	Discharge stormwater to an unnamed tributary of the Waikato River, in association with a residential subdivision	26/05/2009	25/05/2044	Waipa District Council	High level of compliance	20/05/2019	
AUTH119539.01.01	Discharge Permit	Water - stormwater	Water - Stormwater	Divert and discharge urban stormwater & associated contaminants to land and to an unnamed tributary of the Waikato River within the vicinity of Tamahere urban area	25/05/2009	25/05/2044	Waikato District Council	Full compliance	16/04/2013	
AUTH119119.01.01	Discharge Permit	Water - stormwater	Water - Stormwater	Divert and discharge stormwater to water from a residential subdivision	20/02/2009	20/02/2044	Hamilton City Council	Full compliance	26/03/2015	
AUTH113674.01.01	Discharge Permit	Water - stormwater	Water - Stormwater	Discharge urban stormwater from a 74 hectare residential catchment area to the Magellan Lake stormwater treatment pond & the Te Awa o Katapaki Stream	24/12/2008	23/12/2028	Hamilton City Council	Full compliance	28/10/2014	
AUTH105645.01.01	Discharge Permit	Water - stormwater	Water - Stormwater	Divert & discharge urban stormwater & associated contaminants at multiple locations to the Waikato River, Waipa River & land, & use discharge structures, within the vicinity of Ngaruawahia urban area	16/10/2008	22/09/2028	Waikato District Council	Full compliance	7/01/2016	
AUTH105653.01.01	Discharge Permit	Water - stormwater	Water - Stormwater	Divert & discharge urban stormwater & associated contaminants at multiple locations to an unnamed tributary of the Waikato River & land, & use discharge structures, within the vicinity of Horotiu urban area	16/10/2008	22/09/2028	Waikato District Council	High level of compliance	18/02/2016	
AUTH105656.01.01	Discharge Permit	Water - stormwater	Water - Stormwater	Divert & discharge urban stormwater & associated contaminants at multiple locations to unnamed tributaries of the Waipa River & land, & use discharge structures, within the vicinity of Te Kowhai urban area	16/10/2008	22/09/2028	Waikato District Council	High level of compliance	18/02/2016	
AUTH105659.01.01	Discharge Permit	Water - stormwater	Water - Stormwater	Divert & discharge urban stormwater & associated contaminants at multiple locations to rural drains & land, & use discharge structures, within the vicinity of Matangi urban area	16/10/2008	22/09/2028	Waikato District Council	High level of compliance	18/02/2016	
AUTH105644.01.01	Discharge Permit	Water - stormwater	Water - Stormwater	Divert & discharge urban stormwater & associated contaminants at multiple locations to the Waikato River, Lake Hakanoa, Lake Waahi & land, & use discharge structures, within the vicinity of Huntly urban area	16/10/2008	22/09/2028	Waikato District Council	Full compliance	6/01/2016	
AUTH105647.01.01	Discharge Permit	Water - stormwater	Water - Stormwater	Divert & discharge urban stormwater & associated contaminants at multiple locations to the Reao Stream, Pungarehu Stream, Lake Waikare & land, & use discharge structures, within the vicinity of Te Kauwhata urban area	16/10/2008	22/09/2028	Waikato District Council	Full compliance	4/02/2016	
AUTH105650.01.01	Discharge Permit	Water - stormwater	Water - Stormwater	Divert & discharge urban stormwater & associated contaminants to an unnamed tributary of the Waikato River & land, & use discharge structures, within the vicinity of Ohinewai urban area	16/10/2008	22/09/2028	Waikato District Council	High level of compliance	18/02/2016	
AUTH105657.01.01	Discharge Permit	Water - stormwater	Water - Stormwater	Divert & discharge urban stormwater & associated contaminants at multiple locations to the Waipa River & land, & use discharge structures, within the Whatawhata urban area	16/10/2008	22/09/2028	Waikato District Council	High level of compliance	18/02/2016	
AUTH105648.01.01	Discharge Permit	Water - stormwater	Water - Stormwater	Divert & discharge urban stormwater & associated contaminants at multiple locations to the Whangamarino wetland, Whangamarino River, Waikato River & land, & use discharge structures, within the vicinity of Meremere urban area	16/10/2008	22/09/2028	Waikato District Council	High level of compliance	18/02/2016	
AUTH105651.01.01	Discharge Permit	Water - stormwater	Water - Stormwater	Divert & discharge urban stormwater & associated contaminants at multiple locations to a canal, an unnamed tributary of the Waikato River & land, & use discharge structures, within the vicinity of Taupiri urban area	16/10/2008	22/09/2028	Waikato District Council	High level of compliance	18/02/2016	
AUTH105654.01.01	Discharge Permit	Water - stormwater	Water - Stormwater	Divert & discharge urban stormwater & associated contaminants at multiple locations to the Waiehuehu Stream, Waingaro River & land, & use discharge structures, within the vicinity of Pukemiro urban area	16/10/2008	22/09/2028	Waikato District Council	High level of compliance	18/02/2016	

IRIS ID	Activity Type	Activity Subtype	Authorisation Name	Description	Commenced	Expiry	Holder	Last Compliance Status	Latest Observation	Further Actions
AUTH105658.01.01	Discharge Permit	Water - stormwater	Water - Stormwater	Divert & discharge urban stormwater & associated contaminants at multiple locations to the Komakorau Stream & land, & use discharge structures, within the Gordonton urban area	16/10/2008	22/09/2028	Waikato District Council	High level of compliance	18/02/2016	
AUTH105649.01.01	Discharge Permit	Water - stormwater	Water - Stormwater	Divert & discharge urban stormwater & associated contaminants at multiple locations to the Rangiriri Stream, Lake Waikare & land, & use discharge structures, within the vicinity of Rangiriri urban area	16/10/2008	22/09/2028	Waikato District Council	High level of compliance	18/02/2016	
AUTH105652.01.01	Discharge Permit	Water - stormwater	Water - Stormwater	Divert & discharge urban stormwater & associated contaminants at multiple locations to the Waikato River & land, & use discharge structures, within the Hopuhopu urban area	16/10/2008	22/09/2028	Waikato District Council	High level of compliance	18/02/2016	
AUTH105655.01.01	Discharge Permit	Water - stormwater	Water - Stormwater	Divert & discharge urban stormwater & associated contaminants at multiple locations to Firewood Creek, Waipa River & land, & use discharge structures, within the Glen Massey urban area	16/10/2008	22/09/2028	Waikato District Council	High level of compliance	18/02/2016	
AUTH117714.01.01	Discharge Permit	Water - stormwater	Water - Stormwater	Discharge up to 2 cubic metres of urban stormwater per second from a rural-residential subdivision into the Waikato River and use and maintain associated discharge structures	30/05/2008	02/05/2043	Waikato District Council	Full compliance	16/01/2014	
AUTH115977.01.01	Discharge Permit	Water - stormwater	Water - Stormwater	Discharge treated stormwater into the Wairakei Stream, Te Kiriokine Stream and Waikato River and ephemeral watercourse from the completed East Taupo Arterial	05/11/2007	05/11/2042	Taupo District Council	Not yet monitored but ESC visits undertaken		
AUTH116156.01.01	Discharge Permit	Land - stormwater	Land - Stormwater	Discharge of stormwater onto or into land from the completed East Taupo Arterial	05/11/2007	05/11/2042	Taupo District Council	Not yet monitored but ESC visits undertaken		
AUTH105050.01.01	Discharge Permit	Water - stormwater	Water - Stormwater	Divert & discharge urban stormwater runoff & associated contaminants at multiple locations to Lake Aratiatia, the Waikato River, Lake Maraetai & land, & use discharge structures, within Waikato River communities areas	24/07/2007	15/06/2027	Taupo District Council	Full compliance	27/03/2015	
AUTH105048.01.01	Discharge Permit	Water - stormwater	Water - Stormwater	Divert & discharge urban stormwater runoff & associated contaminants at multiple locations to Lake Taupo, the Waipahihi Stream, the Waitahanui, Whangamata & Waikato Rivers & land, & use discharge structures, within the Taupo urban areas	24/07/2007	15/06/2027	Taupo District Council	Full compliance	27/03/2015	
AUTH114008.01.01	Discharge Permit	Water - stormwater	Water - Stormwater	Discharge stormwater to the Te Awa O Katapaki Stream via a stormwater pond to in association with the Glaisdale Property Partnership subdivision	03/02/2007	20/12/2036	Hamilton City Council	Significant non-compliance	19/06/2013	Infringement notices and formal warning
AUTH111502.01.01	Discharge Permit	Water - stormwater	Water - Stormwater	Discharge up to 1.534 cubic metres per second of stormwater (10% AEP design storm), to an unnamed tributary of the Te Awa o Katapaki Stream from Stages 1-3 of the Horsham Estate Residential Subdivision	27/07/2006	04/07/2026	Hamilton City Council	Partial compliance	5/02/2013	
AUTH950579.01.01	Discharge Permit	Water - stormwater	Water - Stormwater	Discharge stormwater from a closed municipal solid waste landfill into an unnamed tributary of the Waikato River	04/04/2003	31/01/2038	Waikato District Council	Full compliance	1/08/2014	
AUTH105592.01.01	Discharge Permit	Water - stormwater	Water - Stormwater	Divert & dischg urban stormwater runoff & assoc contaminants at multiple locations to Waipa River, Mangaorongo Stream & land & use discharge structures within the vicinity of Otorohanga urban area reticulated by Otorohanga municipl s/water	22/01/2003	01/12/2022	Otorohanga District Council	Full compliance	15/02/2016	
AUTH105461.01.01	Discharge Permit	Water - stormwater	Water - Stormwater	Divert & dischg urban s/water runoff & assoc contaminants to Mangapiko, Mangaohoi, Ruapahau Streams & land & use dischg structures, within vicinity of Te Awamutu urban area that is reticulated by the Te Awamutu municipal stormwater system	15/11/2002	31/10/2022	Waipa District Council	High level of compliance	23/11/2015	
AUTH105464.01.01	Discharge Permit	Water - stormwater	Water - Stormwater	Divert & discharge urban stormwater runoff & assoc contaminants to Lakes Rotomanuka, Ngarotoiti, Ngaroto, Turnwald Pond & land, & use discharge structures within the vicinity of Ohaupo urban area that is reticulated by Ohaupo s/water system	15/11/2002	31/10/2022	Waipa District Council	Full compliance	17/12/2015	
AUTH105462.01.01	Discharge Permit	Water - stormwater	Water - Stormwater	Divert & discharge urban stormwater runoff & associated contaminants to the Mangaohoi Stream, Puniu River & land, & use discharge structures, within the Kihikihi urban area that is reticulated by the Kihikihi municipal stormwater system.	15/11/2002	31/10/2022	Waipa District Council	Full compliance	28/11/2016	
AUTH105460.01.01	Discharge Permit	Water - stormwater	Water - Stormwater	Divert & discharge urban stormwater runoff & associated contaminants at multiple locations & use discharge structures, within the vicinity of Cambridge/Leamington and Karapiro urban areas	15/11/2002	31/10/2022	Waipa District Council	Full compliance	9/12/2015	
AUTH105463.01.01	Discharge Permit	Water - stormwater	Water - Stormwater	Divert & discharge urban stormwater runoff & assoc contaminants to Waipa River, Mangapiko Stream & land, & use discharge structures, within the vicinity of Pirongia urban area that is reticulated by the Pirongia municipal stormwater system.	15/11/2002	31/10/2022	Waipa District Council	Full compliance	21/12/2015	
AUTH107903.01.02	Discharge Permit	Water - stormwater	Water - Stormwater	Use discharge structure and discharge up to 208 litres per second of stormwater (20% AEP design storm), from the Hamilton Water Treatment Station	05/11/2002	01/12/2026	Hamilton City Council	Full compliance	21/12/2018	
AUTH104103.01.01	Discharge Permit	Water - stormwater	Water - Stormwater	Discharge stormwater to the Waikato River	24/11/2000	30/11/2035	Waikato District Council	High level of compliance	2002	
AUTH950576.01.02	Discharge Permit	Water - stormwater	Water - Stormwater	Discharge up to 720 l/s of stormwater from closed landfill site	20/10/2000	30/06/2035	Waikato District Council	Full compliance	26/03/2013	
AUTH950587.01.02	Discharge Permit	Water - other	Water - Other	Divert & discharge stormwater to water from landfill	21/08/2000	07/07/2035	Waikato District Council	High level of compliance	1/08/2014	
AUTH950369.01.03	Discharge Permit	Land - stormwater	Land - Stormwater	Divert & discharge stormwater from landfill into the ground (WWS - Refuse)	10/02/1999	31/12/2032	Hamilton City Council	Full compliance	4/10/2018	
AUTH960387.01.01	Discharge Permit	Land - stormwater	Land - Stormwater	Discharge of stormwater to ground	08/09/1998	31/12/2032	Taupo District Council	High level of compliance	11/06/2018	

IRIS ID	Activity Type	Activity Subtype	Authorisation Name	Description	Commenced	Expiry	Holder	Last Compliance Status	Latest Observation	Further Actions
AUTH940584.01.01	Discharge Permit	Water - other	Water - Other	Discharge up to 63 l/s of stormwater from municipal solid waste	04/12/1997	31/12/2025	Taupo District Council	Full compliance	11/06/2018	
AUTH940170.01.02	Discharge Permit	Water - other	Water - Other	Discharge 330 cubic metres of stormwater and treated leachate per day to stream from the Cambridge Landfill site, Leamington	04/12/1997	31/12/2027	Waipa District Council	High level of compliance	19/03/2019	
AUTH125257.01.01	Discharge Permit	Water - stormwater	Water - Stormwater	Divert and discharge stormwater runoff and associated contaminants at multiple locations to the Waikato River and land, and use discharge structures, within the Arapuni urban area	19/12/2012	14/02/2025	South Waikato District Council	Full compliance	1/06/2015	
AUTH102447.01.01	Discharge Permit	Water - other	Water - Other	Discharge leachate & stormwater to an unnamed tributary of the Pokaiwhenua Stream	27/02/2001	31/10/2035	South Waikato District Council	High level of compliance	10/01/2017	
AUTH105044.01.01	Discharge Permit	Water - stormwater	Water - Stormwater	Divert & discharge urban stormwater runoff & associated contaminants at multiple locations to the Whakauru Stream, Matarawa Stream, Lake Moananui & land, & use discharge structures, within the Tokoroa urban area.	07/03/2005	14/02/2025	South Waikato District Council	Full compliance	31/08/2015	