

Appendix 3 – Assessment against Conditions 25-32 relating to the 6 year review

Condition		Refer to section of the report	comment
25	The Consent Holder shall provide the Manager with a 'Stormwater Network Discharge Review' that outlines a review of the implementation of the Auckland Stormwater NDC for certification. The review shall include a summary of:		
	a. The matters listed in Condition 23 (Triennial Stormwater Network Review and Report).		
23	23 a. Register of Capital Works undertaken to achieve the Auckland Stormwater NDC objectives, outcomes and six-year targets set out in Schedule 2.	Section 2.8, Appendix 9	All HW capital projects contribute to the NDC objectives, outcomes and six-year targets List of capital works
	23 b. Register of amendments to the Operation and Maintenance Plan.	Section 2.2.4	No changes are proposed at this time.
	23 c. Updated register of adopted Stormwater Management Plans.	Appendix 7	This register is Schedule 10 – the list is updated regularly as SMPs are adopted. This information is also publicly available on the Council's GeoMaps viewer (as part of the catchments and hydrology layer) and on the Auckland Design Manual Website: https://www.aucklanddesignmanual.co.nz/regulations/technical-guidance/ndc#/regulations/technical-guidance/ndc/guidance/management-plans
	23 d. The information from the Stormwater Monitoring Strategy and associated programme required by Condition 37, including analysis of data, comparison against recognised guidelines (including those in the NPSFM), associated trends of relevance to the stormwater network and the implication of these. In particular, this shall include an assessment of state and trends for representative sites affected by stormwater discharges authorised by this resource consent for the following monitoring programmes (or equivalent): i. Stream water quality; ii. Stream ecology; iii. Groundwater quality; iv. Marine benthic contaminants; and v. Marine ecology.	Section 3	Monitoring and modelled data are discussed in the report. Monitoring data from State of Environment (SoE) Reports, in particular trends, have been included in the review report: river ecology, river water quality, coastal and estuary health and groundwater quality. In addition, results from the Freshwater Management Tool (FWMT) model outputs for current state, or baseline are discussed.
	23 e. Engagement with mana whenua.	Section 5.2	Summary of feedback and Healthy Waters responses provided in this section
	23 f. Any changes to Council's Long-Term Plan that may affect the ability to achieve the Auckland Stormwater NDC outcomes and any changes to the Auckland Stormwater NDC that may be required as a result.	Section 4.4.2	No changes required at present Some funding restrictions have meant that some targets have not been met as detailed in Appendix 1.
25 (continued)	b. Performance review against the Auckland Stormwater NDC objectives, outcomes and six-year targets set out in Schedule 2 and the wider BPO set out in Schedule 3.	Appendix 1 Section 2	Performance against schedule 2 is in Appendix 1 Consideration of BPO in each sub section of section 2
	c. The information from the Stormwater Monitoring Strategy and Programme required by Condition 37, including analysis of data, comparison against recognised guidelines (including those in the NPSFM), associated trends of relevance to the stormwater network and the implication of these.	Section 3	As for 23d
	d. The certified Operation and Maintenance Plan (Condition 9).	Attached to request for certification.	Submitted October 2021 No changes are proposed at this time.
	e. Summary of the relevant Auckland Council's strategic documentation including the Council's current Long-Term Plan and Annual Plan.	Section 4.4	
	f. Review of best practice stormwater management technologies.	Section 2.3.14	
	g. Review of any:		
	- legislative changes, including (without limitation) changes to the Unitary Plan; and	Section 4	
	- new or changed customary marine titles, Treaty of Waitangi settlements or any iwi management plans;	Section 5.2	These matters were part of the discussion at the wānanga/workshop held with mana whenua individually.
	that have relevance to the operation of the stormwater network and associated discharges		
	h. Review, and if necessary, update of climate change predictions to be adopted for design and management of the stormwater network.	Sections 2.4.7, 4.4.3 and 4.4.7.	Updates are required across all codes of practice to ensure consistency. Changes to SWCOP climate change allowance to 3.8 degrees will be updated in the 2022-23 Financial year.

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	i. Identification of any changes that may be required in management processes, consent conditions, network discharges, consent objectives and outcomes and/or six-year targets.	Section 6.2 Appendix 1	Recommended changes to the NDC are limited to updates to six year targets (by managers approval request) in order to reflect current programmes, retain consistency with strategic documents, provide clarity and refine wording. The recommendations of the review focus on continuing to implement and improve programmes which are already in place, and on changes such as process improvements, additional work programmes and provision of further guidance in order to improve the implementation of the NDC. The full recommendations are in section 7.2. No changes are proposed to the objectives and outcomes, consent conditions or connection requirements at this time.
	j. A summary of any updates to models, methodologies, and mapping undertaken to manage the stormwater network.	Section 2.4.6, 2.5.2,	Updated models and programmes initiated by Healthy Waters include Watercourse Assessment programme, Freshwater Management Tool (FWMT), Geomorphically Effective Management (GEMS) programme, Stream erosion Modelling, Hydraulic Modelling programme, Safeswim and others.
	k. Engagement undertaken with mana whenua in accordance with Condition 29.	Section 5.2 Appendix 8	Summary of feedback and Healthy Waters responses provided in this section
	l. Engagement undertaken with stakeholders listed in Condition 30.	Section 5.5 Appendix 8	Summary of feedback and Healthy Waters responses provided in this section
	m. Key areas of public feedback in accordance with Condition 31.	Section 5.5 Appendix 8	Summary of feedback and Healthy Waters responses provided in this section
26	The first Stormwater Network Discharge Review shall be provided to the Manager by 30 September 2022, and then every six years from that date.		This report is due 30 September 2022
27	As a result of information from Condition 25, the Stormwater Network Discharge Consent Review shall identify any changes that are required to address unanticipated adverse effects and update the best practicable option for managing the Public Stormwater Network. This includes changes to: a. Management processes b. Objectives and outcomes c. Revised six-year targets d. Consent conditions including changes to connection requirements.	Section 6.2 Appendix 1	Section 7.2 outlines the recommendations which the review has identified to improve the implementation of the NDC and achieving the outcomes, including to management processes. Managers approval is sought for changes to six-year targets No changes are proposed to the objectives and outcomes, consent conditions or connection requirements at this time.
28	The Consent Holder shall provide a draft Stormwater Network Discharge Consent Review to the TRG, and commission it to undertake and report on an independent review of the material prepared in accordance with Conditions 23 and 25 with the aim of ensuring the outcomes of the Auckland Stormwater NDC are met and continue to represent current best practice. The TRG report shall be provided to the Manager when the Consent Holder seeks the Manager's certification of the Stormwater Network Discharge Review.	Attached to request for certification	The TRG were provided with both the draft report issued in July 2022 for engagement and the final draft of the report to be submitted for certification. The TRG's report is provided alongside the Review submitted to the Manager for certification.
29	The Stormwater Network Discharge Review shall include engagement with iwi and mana whenua as provided below: a. Inform iwi authorities with mana whenua interests within the area subject to this consent of the intention to update the Stormwater Network Discharge Review three months prior to commencing the Review, and the timetable and opportunities for these iwi authorities to engage in the preparation of the Review. b. Engage with iwi authorities with mana whenua interests within the area covered by this consent, including receiving environment classifications, cultural values and all discharges to water. c. Prepare a summary of feedback from engagement, including highlighting any area of contention	Section 5.2 Appendix 8	Summary of feedback and Healthy Waters responses included. Detailed records of engagement undertaken in Appendix 8

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30	<p>The six yearly Stormwater Network Discharge Review shall include engagement with the parties listed below (or their successors), unless Condition 30A applies, generally in accordance with the engagement process outlined in Condition 29:</p> <ul style="list-style-type: none"> a. Local Boards b. Wastewater network utility operators within Auckland. c. Other stormwater network utility operators within Auckland. d. Auckland Regional Public Health Service. e. Relevant stormwater and development sectors. f. The Property Council of New Zealand. g. Metals New Zealand h. Department of Conservation. i. Oil Industry Environmental Working Group. j. Royal Forest and Bird Protection Society of New Zealand. k. Stop Auckland Sewage Overflows Coalition. l. The Manukau Harbour Restoration Society. m. Other parties agreed to by the Consent Holder. <p>A summary of feedback from engagement shall be prepared, including highlighting any area of contention.</p>	Section 5.5 Appendix 8	<p>Summary of feedback and Healthy Waters responses included.</p> <p>Detailed records of engagement undertaken in Appendix 8</p> <p>In compiling the final records of engagement it was discovered that three stakeholders from this list (d, h, l) were missed out of the original invitation to provide feedback. These three will be provided with the final report and summary of engagement following the review and invited to provide any further comments.</p>
30A	<p>Should a party listed in Condition 30 not wish to engage on the six yearly review, or is a group that is no longer in existence, then this should be recorded and reported in the summary of feedback. There is no further requirement to engage with this party in subsequent six-yearly reviews. A party that does not respond in writing within one month accepting a written request by the Consent Holder to engage is deemed to not wish to engage for the purposes of this condition.</p>		<p>Noted.</p> <p>Several parties did not respond however a decision as to if these should be included again can be made. at the time of the next review. It is recommended that in future all parties are again included in the invitation to participate.</p>
30B	<p>Engagement under Conditions 29 and 30 shall be in general accordance with the principles of consultation outlined in Section 82 of the Local Government Act 2002. This includes the preparation and circulation of a summary of key stormwater management initiatives, network performance and receiving environment state and trends including the information required under Condition 23 d. prior to engaging.</p>	Section 5.5 Appendix 8	<p>The draft report and a summary of the information was available on the Auckland Design Manual website from 18 July to 26 August for community feedback. A public notice was also placed in New Zealand Herald newspaper and on the Auckland Council website.</p> <p>Detailed records of engagement undertaken in Appendix 8</p>
31	<p>The six yearly Stormwater Network Discharge Review shall provide for input from members of the public and public interest groups by:</p> <ul style="list-style-type: none"> a. Making a summary of the implementation of the NDC, relevant monitoring information and implications for the on-going implementation of the NDC publicly available and accessible; b. Give details on the Council website, and any public Council general information publication distributed by the Council and place a public notice in the daily or weekly newspapers circulating in the region of: <ul style="list-style-type: none"> i. The timetable for the six yearly review ii. The information available and where it can be sourced iii. How members of the public or interest groups can provide feedback and the timeframe to give responses which shall not be less than 30 working days c. Preparing a summary of feedback that is received, including highlighting any key areas of feedback and matters that may be put forward for further consideration and engagement through Council's LTP process. d. The process in Conditions 31 a. – c. shall be completed prior to the public notification of the following LTP. 		
32	<p>The Consent Holder shall report back to those parties outlined in Conditions 29 and 30, and any party under Condition 31 who provided feedback on the outcomes of the Stormwater Network Discharge Review, in particular the changes identified in Condition 27.</p>		<p>This will be undertaken following the certification of the review</p>