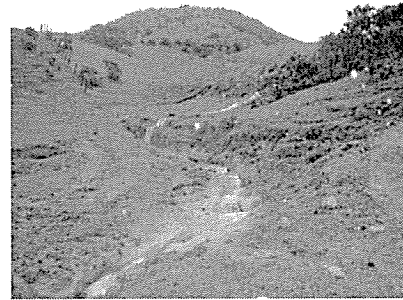


## Regulating earthworks in Wellington Region

Partnering up with the industry:  
The GW 'Muddy Waters' programme

*Al Cross, Tracey Grant and Luke Faithfull*  
*Environmental Regulation*

Greater Wellington  
#100847



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## Introductions

- Al: Regulatory history and birth of 'Muddy Waters' programme
- Tracey: What's happening 'on-site' now - Muddy Waters outcomes
- Luke: Case study of earthworks in north Wellington

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## Context for GW

- Circa 2002
- Context:
  - continued steady development pressure
  - pressure on increasing use of steeper available land
  - geology of Wellington produces abundant fine sediments

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## GW chooses to regulate

Plan change to Regional Freshwater Plan to regulate discharges of sediment

- previously almost entirely regulated by TAs ... it wasn't working!
- controls only on land use stability rather than impacts of discharges downstream

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## We struggled to implement!

- Circa 2004
- Significant learning curve for GW staff to implement new rules
- Growing awareness of shortfall in expertise, site practises and environmental outcomes
- Time to define the problem and what we needed to do to fix it!

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## Defining the problem

- Research!
- Examined our shortfalls in expertise
- Gathered data from consent assessment processes, compliance inspections, env. incident records
- Spoke with TA practitioners from five councils in western region

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## What we found

- Increasing sediment discharge incident numbers
- Poor quality consent applications
- '1st generation' consent conditions – too basic!
- Limited enforcement of conditions

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## What we found

- Sometimes poorly implemented on-site sediment controls
- Poor communication between contractors/consultants and council staff
- An expertise vacuum !

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## The Muddy Waters programme

- Workshops with TAs - 2004
  - establish a clear understanding of respective jurisdiction
  - clarify overlapping and distinctly separate approaches to managing earthworks

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- Identify clear opportunities to support each agency's regulatory goals
  - Finding synergies
    - Consent application assessment integrated between councils
    - Compliance monitoring agreements

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- Developed consent processing MOUs
  - Formed 'Champions of Experience' inter-agency group
  - Simply improved networks and lines of communication

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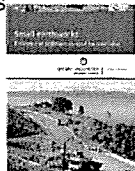


- Workshops with consultants, contractors and developers
  - Clarifying GW's jurisdiction
  - Identifying what we wanted to see on site
  - Identifying quality of information we needed
  - Sed. controls and environmental outcomes
  - Demonstrating good and poor practice
  - Changing goal posts!!

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- Produced resources for 'the industry'
  - Small sites guidelines
  - 'Bucket' of TA – GW conditions
  - Regional rules 'one pager'
  - Assessment forms and checklists



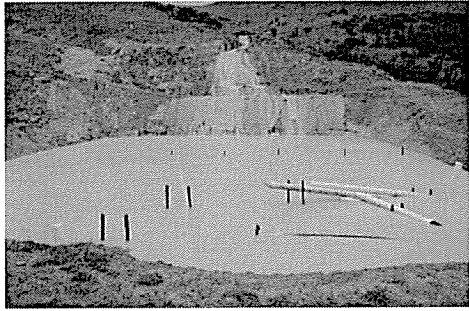
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### Demonstrating WHY all of this was important

- Educating on site best practice
- Educating on impacts
- Educating on ecological values
- Educating industry and ourselves !

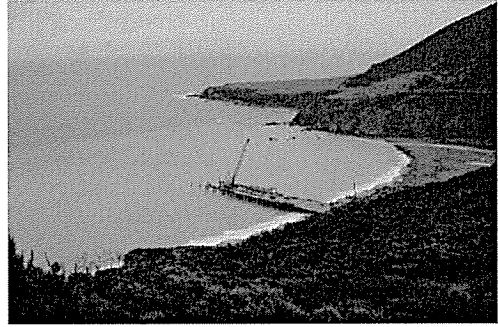
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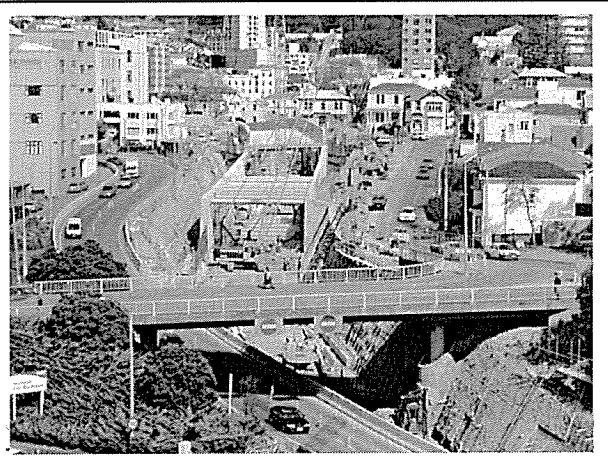
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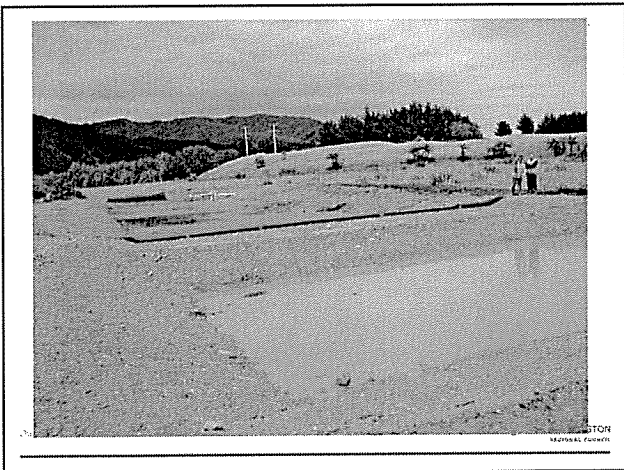
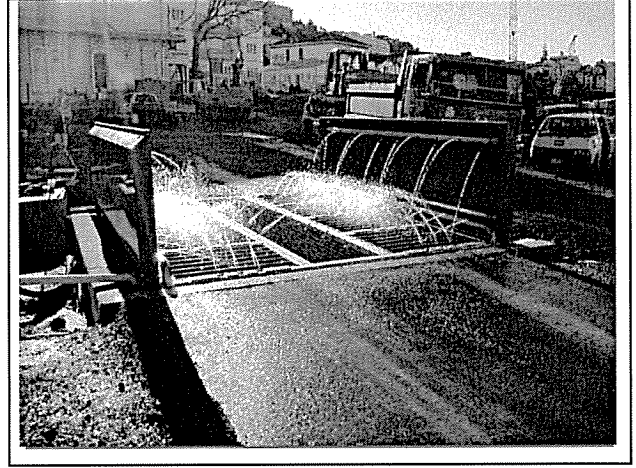
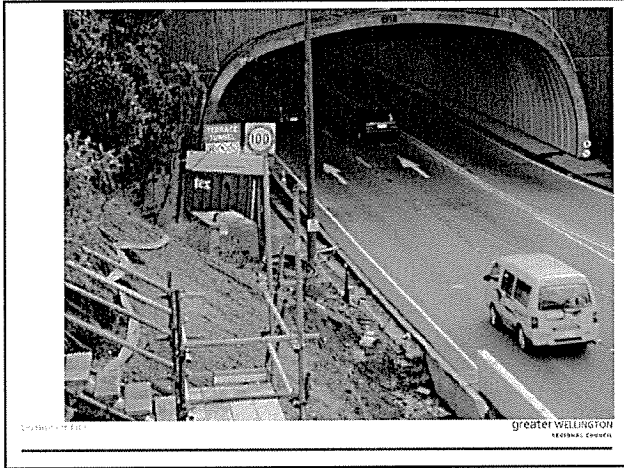
## Muddy Waters - what we see now

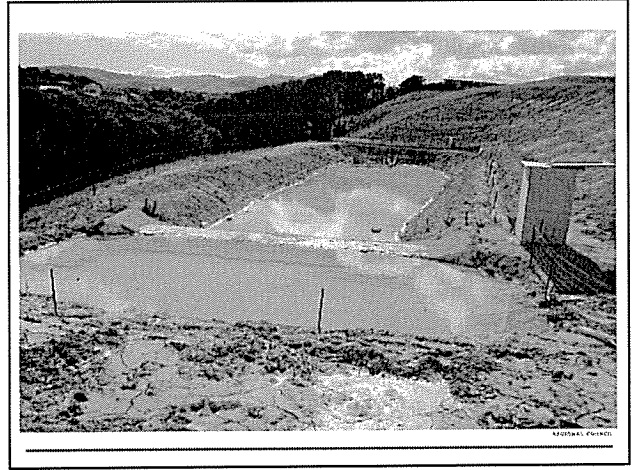
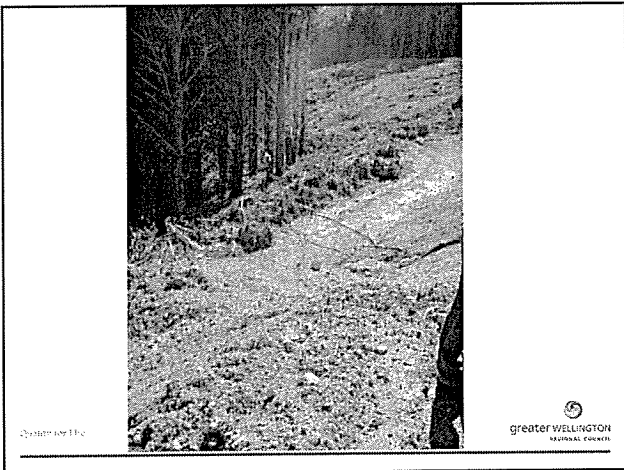
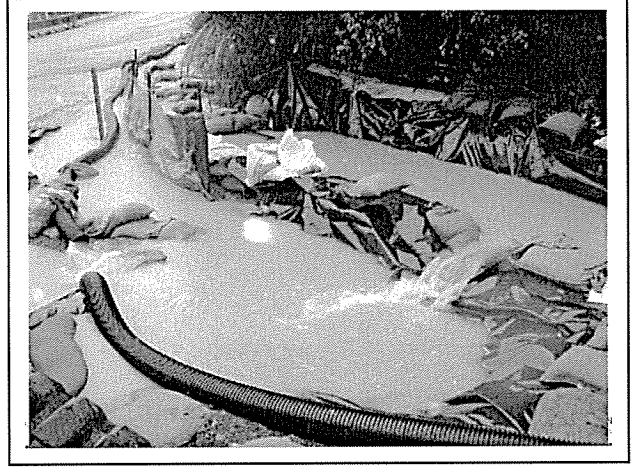
Tracey Grant, Team Leader

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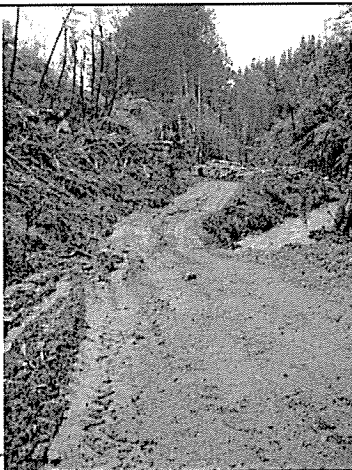
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## Muddy Waters Outcomes

- Consent Applications
  - Improving quality (slowly)
  - Improved AEEs
- Compliance
  - Improving site practice, but some mixed results
  - Better consent conditions
  - Reviewing ESC guidelines

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## Muddy Waters Outcomes

- Enforcement
  - Much more enforcement – we're following though!
  - Fewer significant-level incidents
- Relationships and expertise
  - Improved relationships and communication
  - Increasing expertise within the industry, TAs and GW

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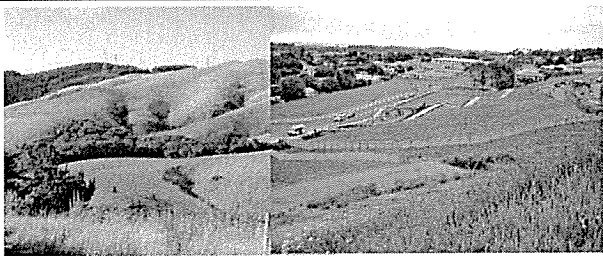


## Ongoing challenges

- Not everyone is getting the message
- Financial constraints on the industry
- Where GW prioritises its effort in the Muddy Waters programme
- Responsive to community expectations
- Keeping our response aligned to science and technology

greater.wellington.govt.nz • Still much to do!





## Porirua Catchment and the NGMF

Luke Faithfull, Senior Resource Advisor

Greater Wellington Regional Council



## Northern Growth Management Framework

- First identified for development in the 1960's
- Adopted by WCC in Oct 2003
- Identified in WCC District Plan – Plan Change 45 (Structure plans for Lincolnshire Farms area)

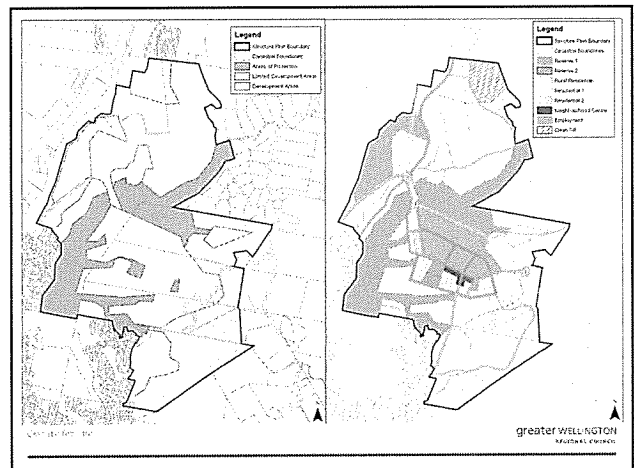
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## NGMF cont...

- Connection from Johnsonville to Tawa/Grenada North
- Land identified for residential growth and related land use and development
- Zoning intended to provide certainty to landowners, developers, councils and community

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## What NGMF means for Greater Wellington

- GW submitted on PC45 – focus was on transport aspect
- Pressure on GW to consent appropriate activities in zoned land use areas
- TA's processing land use consents on a non-notified basis – carry over effects on GW processing

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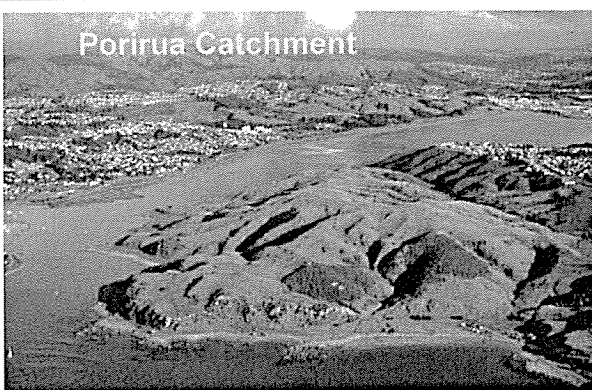
## GW issues cont..

- Pressure on GW to process in line with TA consents
- GW processed a number of consents in NGMF area both non- notified and notified
- NGMF is within the Porirua Harbour catchment - under pressure
- Working with WCC to address future development together

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## Porirua Catchment



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## Porirua Catchment Issues

- Porirua Stream Catchment area of 5,600Ha – flows from Johnsonville – Porirua Harbour
- Highly sensitive receiving environment – Onepoto Arm of the Porirua Harbour
- Underlying soils have high clay content
- Deposition of sediment having ecological effect in harbour

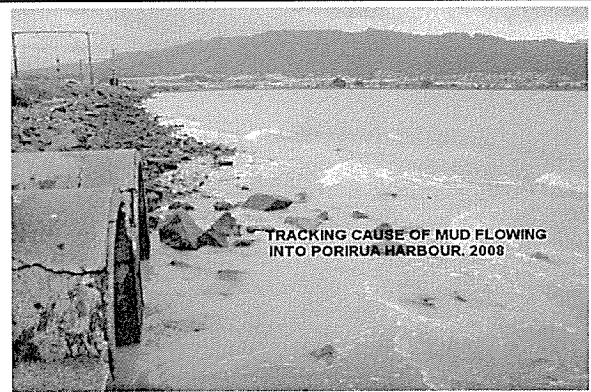
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## Porirua Catchment cont...

- Under pressure from past and present urban landform developments
- Cross boundary issues – consents in one TA's area affecting another area
- Loss of 'clean water' inputs through reclamation and habitat loss
- Greater focus on control of discharges from development required by Regulatory bodies

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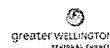
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## Site visit

- Purpose: to observe typical land forms/areas identified for residential development and observe earthworks in practise
- Mark Ave/Lincolnshire Farms development area
- Best Farm development area

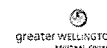
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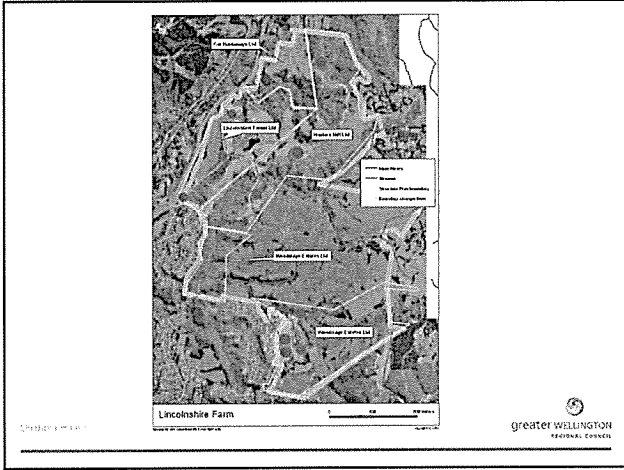


## Mark Ave area

- Made up of 3 of consented sites and 1 under appeal
- Approximately 370,000m<sup>3</sup> of earthworks and 14Ha of disturbed area
- 555m of streams reclaimed in the catchment areas – permanent loss
- Old Northern Landfill located in this area – unsuitable land for development

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## Best Farm area

- Identified for 5 stages of development – Stage 1 commenced, Stage 2 Pre-application phase
- Approximately 485,000 m<sup>3</sup> of area works and 33Ha of disturbed area
- 848m of streams reclaimed in the Stage 1 works – permanent loss
- Stebbings Stream is a tributary of Porirua Stream

