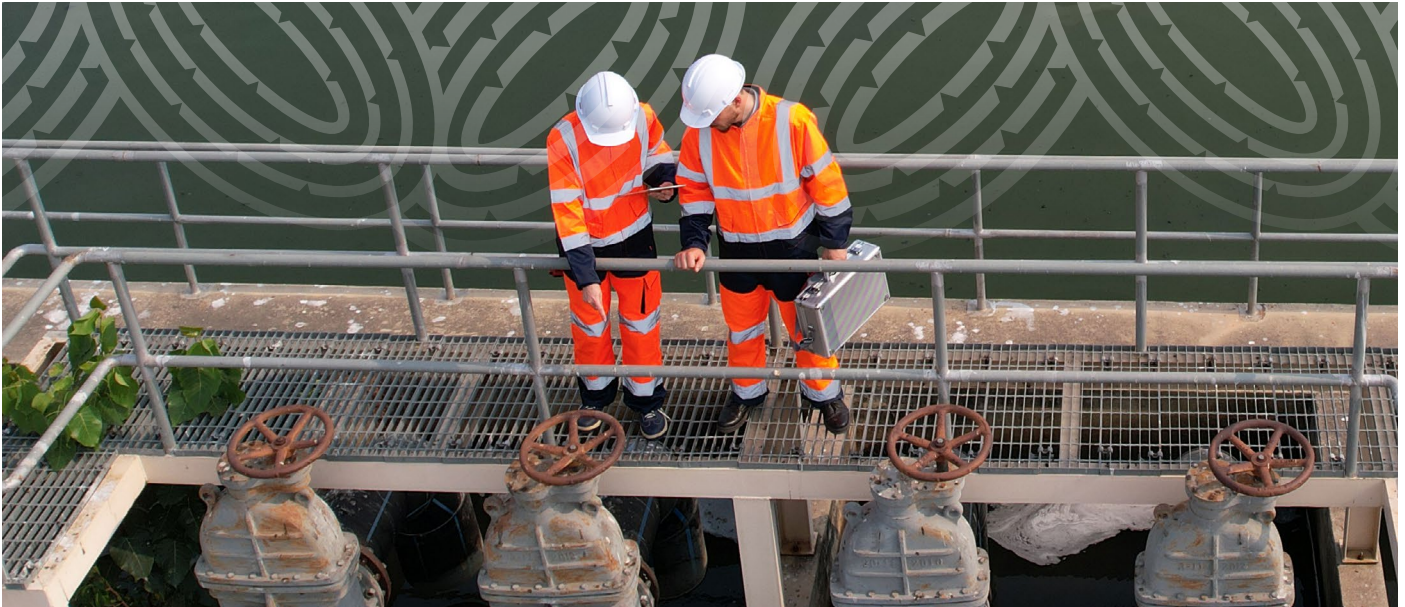




Overflows and bypasses implementation materials



Given the public health and environmental impacts of overflows and bypasses, and the variability in how overflows are currently managed, the overflows and bypasses standard is an opportunity to establish a nationally consistent risk-based consenting, monitoring and reporting regime. The standard will ensure greater consistency in how overflows are categorised, managed and reported. This, in turn, will ensure public information about overflows affecting areas where people might swim or gather shellfish, and how operators are trying to reduce them, is more transparent.

Overview of the standard

The standard establishes a nationally consistent Controlled Activity consenting pathway for overflows and bypasses that involves mapping, risk-based planning, monitoring and reporting requirements. The core elements of the standard are included in the following table.

Standard elements	Guidance notes
Establish national activity status and rules for specific overflows and bypasses	<p>The following are Controlled Activities under the standard:</p> <ul style="list-style-type: none">• overflows from existing engineered overflow points• overflow from uncontrolled overflow points• discharges from bypasses of wastewater treatment plants. <p>Consent applications for overflows will be required to map and undertake a risk-based assessment of all network overflows as part of the application.</p>
Mandatory monitoring and reporting	<p>The standard will require that mandatory monitoring and reporting requirements are imposed on consents for overflows and bypasses, with different requirements for different risk profiles.</p>

Consent applications for controlled activity overflows

Consent applicants for overflows under the standard will be required to:

- map all controlled and uncontrolled overflow points across a network
- assess the risk of each of the overflow points as low, medium or high.

Understanding where overflows occur in a network is critical to developing approaches to manage them. The standard takes a risk-based approach, giving network operators the tools to prioritise overflow management based on the risk, impact and likelihood of overflows. It will also form the basis of monitoring and reporting arrangements.

When undertaking the required risk assessment, network operators will need to consider:

- the effects on public health from any overflow
- the effects on the environment from any overflow
- the effects on communities that are likely to be affected by any overflow
- the anticipated frequency and volume of any overflow.

For consents sought under the standard, consenting authorities will maintain control over the following matters and be able to impose conditions to:

- avoid, remedy or mitigate one or more of:
 - » the effects of the discharge on the environment
 - » the effects of the discharge on public health
 - » the management of the odour
- specify actions that the consent holder must take to reduce the frequency and volume of overflows over time (only applicable to overflows)
- impose requirements on the consent holder that relate to monitoring, record-keeping, consultation, reporting or the provision of information.

Mandatory monitoring and reporting requirements

Under the standard, consents granted for network overflows and bypasses must include mandatory conditions relating to the monitoring and reporting requirements for overflow events.

In the event of any overflow or bypass covered by the consent occurring, the following information must be provided by the consent holder:

- the date and time when the discharge started
- if the discharge is ongoing:
 - » the approximate duration of the discharge until the information is provided or published
 - » the approximate volume of wastewater discharged until the information is provided or published
- if the discharge has ceased:
 - » the approximate duration of the discharge
 - » the approximate volume of wastewater discharged in the overflow
- the action the consent holder has taken, or is intending to take, to remedy or mitigate the discharge or its effects on the environment and any person who is affected, or who may be affected, by the discharge
- any public health warning given as a result of the discharge.

The information must be:

- provided to the consenting authority
- provided to any person who is affected, or who may be affected, by the discharge
- published on a website that is publicly available and free of charge (such as <https://safeswim.org.nz/>).

The following timeframes for providing information will apply (from the time at which the consent holder becomes aware of the discharge):

- two hours if it is from a bypass or overflow that is deemed high risk
- 24 hours if it is from an overflow that is deemed medium risk
- 48 hours if it is from an overflow that is deemed low risk.

Transitional arrangements

The standard for overflows and bypasses is due to come into effect 19 December 2028.

Network operators looking for guidance in anticipation of seeking a consent under the standard when it comes into force can consider the following.

- Regional best practice guide for the management of wastewater overflows.
- Auckland Wastewater Network Comprehensive Wastewater Network Discharge Permit.

Further guidance will be published by the Authority before the standard comes into force, following engagement with the sector.