

Submission on the Christchurch City Council Comprehensive Stormwater Network Discharge Consent

CRC190445

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Ōpāwaho Heathcote River Network
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We wish to be heard

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Introduction

The Ōpāwaho Heathcote River Network

The Ōpāwaho Heathcote River Network (The Network) is an umbrella organization that facilitates and supports the values, efforts, and needs of our communities along the river. The Network is made up of representatives from community groups in the Ōpāwaho Heathcote catchment and the Avon-Heathcote Estuary.

Our Purpose;

‘To facilitate a collaborative network which advocates for the regeneration of the whole of the Opawaho Heathcote River.’

Our Vision;

‘An ecologically healthy river that people take pride in, care for and enjoy.’

The Network provides a voice for more local river-care organizations and the communities.

The Network collaborates and advocates with decision making organizations including the Christchurch City Council and Environment Canterbury.

The Ōpāwaho Heathcote River

The Ōpāwaho Heathcote River, and many of its tributaries, have some of the poorest water quality in the City of Christchurch. The River has a complex catchment which includes part of the Port Hills, a large industrial area, and concentrated urban and residential zones. The River flows into the Avon-Heathcote Estuary where its toxic contaminants can bioaccumulate in filter feeders and hence adversely affect the animal and plant life that depend on them.

The River’s ecological health is under pressure from stormwater discharges contaminated by copper, zinc and a very large amount of suspended sediments from the recent Port Hills fire. Other sources of contamination include sewage overflows from the wastewater system. Like many lowland rivers, the Ōpāwaho Heathcote River suffers from ‘urban stream syndrome.’ This is an indicator of the cumulative effects of activities and water management within its catchment over the last 150 years, resulting in an overall low baseline of ecological, water and sediment quality, and cultural health. The erosional profile of the Port Hills, exacerbated by the fires, and the landscape changes of the earthquakes have compounded these impacts.

For these reasons the Network is seeking, by means of this consent, a very significant reduction in contaminants being discharged from the City’s stormwater system.

The Network's Response to the Comprehensive Resource Consent to Discharge Stormwater

The Network **opposes** the Christchurch City Council's Comprehensive Resource Consent to Discharge Stormwater.

The Network is not persuaded that the application, if granted in its present form, would result in environmental impacts that are less than minor.

One area of concern is the additional environmental risks and effects of the more than 200 new discharges that have been recently added to the application. A substantial number of these discharge into the Ōpāwaho Heathcote River. The required Assessment of Environmental Effects was completed before these were added to the application.

The Network considers a 25 year duration for the consent, as negotiated by Ngai Tahu, is appropriate.

The Network's main interest relates to improving the water quality and reducing flooding in the Ōpāwaho Heathcote River, but we also share interests with other River and Estuary groups including;

- being involved in the development of Catchment Plans and the proposed Implementation Plan.
- area-wide measures to reduce contaminants such as zinc and copper at source.
- combining the efforts of the Christchurch City Council and community organizations in affecting meaningful community engagement and change.

Acknowledgements

The Ōpāwaho Heathcote River Network recognises the enormous amount of work the applicant has done in preparing this application. It also acknowledges the very large amount of ratepayer funding required to reduce pollution of waterways from the City's extensive stormwater system.

The Network also thanks the applicant's technical staff who in recent weeks have very willingly provided the Network with information about the application.

The Network acknowledges the pivotal role Ngai Tahu has played in the establishment of the proposed improved levels of environmental protection for waterways in this resource consent application.

The Network's Response to Specific Conditions of the Comprehensive Resource Consent Application to Discharge Stormwater

The Network seeks alterations or additions to some of the draft conditions - as set out below.

Exclusions

The Network supports the progressive inclusion in this consent of the additional discharges that were not in the previous application. Approximately one third of the high risk new sites appear to be in the Ōpāwaho Heathcote River catchment.

Action sought

- The Network seeks a further Assessment of Environmental Effects Report to cover the additional sites that have been include in this consent. The last report was in June 2015 and does not cover the additional discharges from the 200 sites. It is difficult to see how the No More than Minor environmental effects test can be applied without this information.
- Further conditions as appropriate to ensure that the applicant has sufficient legal powers and capacity to manage these additional consents in a manner that does not delay the overall programme to improve the discharges from the stormwater network to waterways, and particularly the Ōpāwaho Heathcote River.

Stormwater Management Plans

4. 'The consent holder shall, in consultation with papatipu rūnanga and the Christchurch-West Melton and Banks Peninsula Zone Committees (or successor organisations), develop, and as necessary update Stormwater Management Plans (SMPs) in accordance with the programme set out in Table 1'

The Network welcomes the detailed prescriptions for these plans set out in conditions 4-11

Actions sought

- The Network wishes to be directly involved in the development of the Ōpāwaho Heathcote SMP, and therefore seeks a condition to effect that.
- The Network noting that the 30 June 2019 completion date proposed will not allow for community participation in the objective setting and development of the Plan, asks that the completion date be extended a further six months.

- The Network seeks that the scope of the Plan be required to include all sediment from the recent Port Hills fire (originating in the Ōpāwaho Heathcote catchment) and not just that portion flowing into the engineered stormwater system.

12. *An Implementation Plan shall be prepared by the consent holder, after 12 months but no more than 18 months after this consent commences, to give effect to the SMPs and made available to Canterbury Regional Council and papatipu rūnanga on request. This plan shall be reviewed by the consent holder every 3 years, with reference to the Christchurch City Council Long Term Plan.'*

Action Sought

-The Network seeks a condition that will ensure it the opportunity to input into the Implementation Plan while it is still at a draft stage and able to be amended.

Stormwater Contaminant Load Modelling

16. *'The consent holder will install stormwater mitigation facilities and devices that achieve the reductions in contaminant load specified in Table 2 below as measured by the Golder Associates (NZ) Ltd 2018 Christchurch Contaminant Load Model (C-CLM) report which is attached to this resource consent as Schedule 2.'*

The Network supports the use of the C-CLM for establishing protocols and assessing sediment load (TSS) and contaminants (Zn and Cu) over time. But only as a guideline.

The Network supports the feasibility study and research programme to achieve a better tie-in of the model and monitoring.

The Network has the following concerns about the current model;

- The model is based on Auckland sediments (i.e. clays) and does not account for the differing qualities of loess and gravel. Additionally, we consider the model underestimates the amount of loess sediment entering the receiving environment from the Port Hills. We seek calibration of the model to Christchurch conditions.
- The extent to which the C-CLM might be used to assess targets. The Network supports the use of the model to 1) Demonstrate a projected improvement in water quality and track relative improvements over time. 2) Recommend best practice mitigation measures and 3) Allow flexibility in determining such best practices rather than a 'one size fits all' solution.

Action Sought

-The Network seeks Clarification of the relevant conditions so that monitoring, as designated in the Environmental Monitoring Programme, should be the primary method specified to measure waterway health.

Water Quality and Quantity Standards

20-24.

'The consent holder shall use reasonable endeavours to mitigate the effects of the discharge of stormwater on surface water quality, instream sediment quality, aquatic ecology health and mana whenua values;

....'reasonable endeavours to mitigate the effects of the discharge of stormwater on groundwater and spring water quality;'

....'reasonable endeavours to ensure that construction phase stormwater quality mitigation is implemented for all development sites prior to commencement of stripping of vegetation or earthworks on the site;'

... 'reasonable endeavours to ensure that operational phase stormwater quality and quantity mitigation is implemented for all development and redevelopment (where required) prior to issuing certification under the relevant legislation.'

The Network is concerned at the use of the word "reasonable" in these conditions.

Actions Sought

-Reword the conditions so that the performance levels required are measurable and enforceable.

- The Network seeks a condition and/or definition that results in runoff from grazed or forested land being within the scope of this consent.

This is particularly important for the Ōpāwaho Heathcote Catchment as the Port Hill tributaries receive a high level of sediment/ loess which adversely affects life in the River. The tributaries within the Cashmere Stream Catchment account for the poorest water clarity. They include Worsley Drain, Cashmere Valley Drain, No3 Drain and the Hoon Hay Valley Stream. The Port Hills fires have exacerbated this effect.

Other Actions by the Consent Holder

35. 'The consent holder shall investigate and implement methods to improve the management of stormwater quality and reduce stormwater effects on the receiving environment (stormwater quality investigation).'

The Network has concerns about the ability to assess whether effects are less than minor based only on monitoring receiving waters after reasonable mixing, given that the existing water quality in the rivers is poor.

Action sought

-The Network seeks a condition to be included requiring some in-pipe monitoring of toxic materials including copper, zinc and suspended sediment. This would enable the actual contributions from the pipes to be established. Dilution is not an acceptable solution for toxic contaminants. We understand that the City's sewerage network does such in-pipe monitoring.

38. *'The consent holder shall also undertake the actions set out in Table 4 below:'*

The Network supports the use of 'non-infrastructure' measures proposed including;

- Advocacy for Central Government legislative intervention in outlawing copper in brake pads (as in Table 4.1), zinc in tyres and adoption of national measures and industry standards to reduce the discharge of contaminants including zinc and copper from metal roofs.
- Advocacy for research into lightweight roofing materials that are contaminant-free
- Adoption of education and behaviour change initiatives to reduce household contaminants at source. The Network, along with the Avon-Otakaro Network and Avon Heathcote Estuary Ihutai Trust, propose the Community Water Partnership as a means of combining the efforts of the CCC and community organizations in affecting meaningful community engagement and change.

The Network notes that the box headed 'Communication, Education and Awareness' following numbered box 9 does not have a number. Further it refers to non-specific 'reasonable endeavours' and 'possible initiatives.' Community groups provide valuable community knowledge and essential connections to the community at large. These links are vital for the success of any 'non-infrastructure measures.' The Network is keen to partner the Council in some of these measures.

Action Sought

-The Network seeks a specific condition be included to ensure that these outreach activities, which can lead to significant improvements in stormwater quality, are programmed and funded.

Monitoring and Reporting Environment Monitoring Programme

‘The consent holder shall implement the EMP attached to this consent, with the purpose of monitoring whether the Receiving Environment Objectives and Attribute Target Levels are being met.’

The Network notes that the receiving environment of the Ōpāwaho Heathcote River represents an already degraded site. This means that the baseline conditions to which the Attribute Target Levels are assessed are too low. Using the existing environment as a reference point is not appropriate as it is already a significantly degraded one. The test for compliance of adverse effects on the receiving environment needs to be made much more robust and more aligned with the Canterbury Land and Water Plan (LWRP). Additionally, monitoring of the receiving environment represents a diluted contaminant level as opposed to a true measurement of the source and we request that this be considered. (See condition 35 Action Sought.)

The Network notes that the maximum allowable contaminant levels (Schedule 3, Cu, Pb, and Zn in surface water and instream sediment) for the Ōpāwaho Heathcote River is higher than all other Christchurch waterways (other than the Linwood Canal). This greater contaminant tolerance is due to a high degree of degradation of this waterway. This reflects the current, poorer baseline quality of the Ōpāwaho Heathcote River from industrial activity as well as Port Hills erosion.

Contaminated stormwater is a significant cause of the poor water quality in twelve of the fourteen sites monitored in the Ōpāwaho Heathcote River Catchment.

Actions Sought

-The Network seeks appropriate conditions to achieve stronger enforcement of compliance and more strenuous contaminant limits for the Ōpāwaho Heathcote River.

-The Network seeks by way of conditions a greater commitment to and resourcing of the Planting and Hillside Stabilisation Programme. This programme plants unstable parts of the Port Hills. We would also like to see sediment catches and erosion reduction of Port Hill loess into existing concrete channels in the Port Hills (ex. Bowenvale Valley) as a measure to reduce excess sedimentation reaching the River.

Responses to Modelling

49 & 50 *‘Where the C-CLM results show that the percentage contaminant reductions required by Table 2 in Condition 16 are not met, the consent holder will be in breach of this consent, and will undertake the following:’*

It is unclear how much monitoring vs modeling will be used to assess targets (see above). The Network would like further clarification on the interplay of the model and monitoring in assessing targets. The Network would also like the Christchurch City Council to actively work towards refining the model to Christchurch conditions (see also condition 16 Action Sought).

Action Sought

-The Network seeks a condition specifying the maximum time for action to be taken to address breaches of the consent.

Reporting

53 'The consent holder shall provide an annual report to the Canterbury Regional Council, Attention: RMA Compliance and Enforcement Manager, Banks Peninsula and Christchurch-West Melton Zone Committees, and papatipu rūnanga (via Mahaanui Kurataiao Ltd) by 30 June each year.'

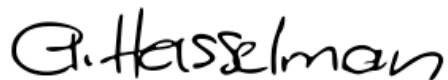
The Network, as a key stakeholder, wishes to receive a copy of the Report as soon as possible after its release on 30 June each year.

Action Sought

A condition that key stakeholder groups, including the Ōpāwaho Heathcote River Network, be forwarded a copy of the report no later than 1 July each year.

Thank you for the opportunity to make this submission.

We look forward to elaborating on our submission at the hearing in November.



Annabelle Hasselman

Chairperson

Ōpāwaho Heathcote River Network