

## Memo

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To	Waimakariri Water Zone Committee
CC	Murray Griffin, Matt Dodson
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## STORMWATER MANAGEMENT WITHIN THE WAIMAKARIRI ZONE

### 1. Purpose

The purpose of this paper is to inform the Waimakariri Water Zone Committee on:

- a. The regulatory framework in the Land and Water Regional Plan for managing reticulated stormwater in the Waimakariri Zone;
- b. Progress by Waimakariri District Council with their resource consent applications and development of Stormwater Management Plans for urban areas; and
- c. Public consultation by Waimakariri District Council on the draft Stormwater Drainage Bylaw 2018.

The implementation of the Land and Water Regional Plan stormwater provisions are a means of improving urban water quality over time and contributing to community outcomes for freshwater.

### 2. Introduction

This is a joint paper to the Waimakariri Water Zone Committee from Environment Canterbury and Waimakariri District Council (WDC) staff.

The WZC has set out its community outcomes for water. These include (amongst other things) that water quality, habitat, aquatic life and biodiversity of spring-fed streams and rivers in the zone are maintained or improved. Effective catchment-wide management of stormwater will contribute towards meeting these outcomes.

Plan Change 4 made important changes to the stormwater provisions in the Land and Water Regional Plan (LWRP). These changes became operative on 11 March 2017. The LWRP now differentiates “regular” stormwater from construction-phase stormwater, sediment-laden water and rural land drainage water. This paper focuses on “regular” stormwater discharges from reticulated stormwater systems, and the new requirements and responsibilities placed on operators of reticulated stormwater systems.

The paper provides an update on progress by the WDC on the development of Stormwater Management Plans for its urban areas including Rangiora, Kaiapoi, Oxford, Woodend and Pegasus. The paper includes an update on when resource consent applications for each

township will be lodged, and plans to take over responsibility for the quality and quantity of all stormwater discharged from its systems from 1 January 2025.

### **3. LWRP Planning Provisions**

#### **3.1 Water Quality Standards**

The LWRP requires stormwater reticulated network operators, generally Territorial Authorities (TAs), to apply for resource consents for discharges from networks by 30 June 2018. The intention is that TAs manage the quantity and quality of all stormwater discharges from the reticulated network to meet receiving environment water quality objectives by 2025. These water quality objectives are the freshwater outcomes, receiving water standards and water quality limits for that waterbody, as set out in the LWRP.

The LWRP also requires stormwater runoff volumes and peak flows to be managed so they do not cause or exacerbate the risk of inundation, erosion or damage to property or infrastructure downstream or risk to human safety.

Environment Canterbury is attempting to take a collaborative and adaptive approach to stormwater networks discharge consenting to ensure costs for TAs can be focused on monitoring and mitigation rather than the consenting process itself.

#### **3.2 Stormwater Management Plans**

The LWRP requires network operators to prepare Stormwater Management Plans (SMPs) when applying for stormwater resource consents for managing stormwater in urban catchments. The SMPs are living documents that will be regularly reviewed and updated throughout the life of resource consent, and are used to improve water quality and quantity measures, and to implement other initiatives such as educational programmes and pollution prevention activities.

Ideally a network discharge consent and SMP will deal with all discharges via the reticulated network providing a coordinated approach to catchment management and ensuring appropriate site management and stormwater mitigation is put in place to meet objectives for receiving waterbodies.

The SMP will address the management of the discharge of stormwater from sites involving the use, storage or disposal of hazardous substances. However, the TA may seek to exclude some higher risk contaminated sites or industrial areas from their discharge consent. At these sites property owners would be required to obtain resource consent from Environment Canterbury and the consent would remain with the owner.

The WDC is proposing in its Rangiora stormwater network discharge consent application and draft Stormwater Drainage Bylaw 2018 that the consenting of discharges from high risk sites will remain with Environment Canterbury.

WDC proposes however to extend its existing bylaw provisions that require pollution prevention plans for medium risk sites in the Southbrook industrial area to apply in future to all medium risk sites throughout the whole district. The high risk and medium risk sites are defined in Schedule 1 of the draft Stormwater Drainage Bylaw 2018.

A SMP is the link between the LWRP policies requiring discharges to meet water quality outcomes and the implementation of stormwater management initiatives and controls. More often than not, in future growth areas the SMP is the document which provides scope for expanded or increased density of development through proposed changes to district plans. Therefore, integration between the two processes is vital. SMPs establish a logical and practical link between the Activity Management Planning and Long Term Plan funding processes under the Local Government Act, and the Resource Management Act processes. SMPs also need to incorporate sufficient flexibility to adapt to new information, new scientific findings, changing legal and political landscapes and evolving resource and funding arrangements.

### **3.3 Ngāi Tahu Values**

The recognition and protection of cultural values is required under the Resource Management Act 1991(RMA). One of the objectives of the LWRP is to enable Ngāi Tahu culture, traditions and customary uses of land and water resources. The LWRP achieves this by setting and managing to water quality limits and regulating activities that may have an adverse effect on cultural values.

A Cultural Impact Assessment has been provided by Mahaanui Kurataiao Ltd for the WDC, based on proposals within the draft Rangiora stormwater network consent application.

A further Cultural Impact Assessment will be sought for each of the other major towns (Kaiapoi, Woodend and Oxford) prior to 30 June 2018. These will identify cultural values for these towns in relation to the stormwater discharges and draft applications. It is expected that potential impacts and benefits of reticulated stormwater management on these cultural values will be addressed through SMPs. The briefing paper on the Zone Committee meeting agenda which introduces the “Rangiora Stormwater Network Discharge Consent Application” summarises the recommendations in the Rangiora Cultural Impact Assessment.

In addition, Mahaanui Kurataiao Ltd (MKT) have provided Environment Canterbury and WDC with a draft report on protection of wāhi tapu and wāhi taonga in the Waimakariri and Rakahuri River catchments. Of relevance to the stormwater network consent applications, this report contains recommendations for discharges of stormwater to surface waters and in the vicinity of springs.

## **4. Canterbury Regional Stormwater Forum**

The Canterbury Regional Stormwater Forum has been established to improve urban stormwater network consenting processes, stormwater management and associated environmental outcomes throughout the Canterbury region. The Stormwater Forum is chaired

by WDC and includes representatives from Environment Canterbury, TAs and Ngāi Tahu. The Stormwater Forum has established collaborative working groups to identify and promote best practice, share resources and achieve stormwater management solutions that are affordable for the community, environmentally sustainable and culturally acceptable.

## **5. Waimakariri District Council - Stormwater Network Consent Applications**

WDC will shortly apply for resource consent for the Rangiora urban stormwater network. The application will include any feedback received from the Zone Committee during this meeting. Resource consents for the townships of Woodend, Kaiapoi and Oxford will be lodged with Environment Canterbury prior to 30 June 2018.

The WDC will review the existing Pegasus stormwater discharge consents to determine if any changes are required in order for the discharges to meet the LWRP rules prior to 30 June 2018. The WDC will lodge any further consents required for the Pegasus town if necessary before this date.

The Rangiora stormwater network consent application indicates that prior to 2025 the priority of the consent implementation is to achieve the LWRP requirement to manage stormwater runoff volumes and peak flows so they do not cause or exacerbate the risk of inundation, erosion or damage to property or infrastructure downstream or cause a risk to human safety.

Prior to 2025 the WDC will also develop a full SMP which will determine how the WDC will meet the LWRP water quality standards for all of its stormwater discharges. Concurrent to the SMP preparation the WDC will undertake a combination of further water quality monitoring, trial treatment investigations, contaminant source modelling and capital works including stormwater retrofit treatments. These actions will assist the WDC to develop a comprehensive strategy to improving quality of its stormwater discharges.

From 2025 to 2040 the focus of the consent will be on implementing the full SMP and achieving all of the applicable LWRP water quality standards for the stormwater discharges.

A water quality monitoring programme is currently in progress for Rangiora, Kaiapoi, Woodend and Oxford. Staff will prepare a report analysing samples collected to date for Kaiapoi, Woodend and Oxford stormwater discharges and present these to Environment Canterbury water quality experts and planning staff for discussion in early 2018, prior to lodging the respective consent applications for each town. This approach will inform the understanding of baseline water quality in the receiving waterways which are affected by the stormwater discharges from each network.

Stormwater discharge and receiving waterway monitoring results for Rangiora are currently being collated and will be attached to the Rangiora consent application. Results will also be analysed in the Assessment of Effects within the application. This application will be lodged with Environment Canterbury by December 2017.

## 6. Waimakariri District Council – Stormwater Drainage Bylaw 2018

The WDC is also currently publicly consulting its Stormwater Drainage Bylaw 2018. A copy of the draft bylaw is attached to this report as Appendix 1. The WDC is seeking feedback on the draft bylaw from the Zone Committee and submissions from the Committee and /or its individual members are welcome.

The submission period for the bylaw consultation closes on 15 December 2017. Environment Canterbury is also being separately consulted on the draft bylaw.

A full introduction to the bylaw, with officer's report and Statement of Proposal are all available to view on the WDC's website [www.waimakariri.govt.nz](http://www.waimakariri.govt.nz).

Key provisions of the updated draft Stormwater Drainage Bylaw are:

- Extending the existing bylaw to cover land drainage systems (rural drainage areas) as well as urban reticulated stormwater systems
- Clarifying roles for maintenance responsibility and the point of connection between Council and private systems
- Extending provisions for pollution prevention plans throughout the district to better manage discharge of contaminants into Council systems from medium risk activities / sites, at or from source
- Clarifying that consenting responsibilities for discharges into Council systems from high risk activities / sites remain with Environment Canterbury
- Preventing interference with Council systems
- Some provisions to avoid damage to drains and watercourses managed by the Council from excessive use of herbicide, or from stock or vehicle access
- Requirement for private owners/occupiers to maintain watercourses, overland flow paths, floodplains or stop banks in an operational state

The proposals within the draft bylaw are intended to assist the WDC to implement its stormwater network discharge consents. The bylaw specifies requirements and obligations of all parties in order to protect Council infrastructure, public health, safety and quality of the environment. It sets rules and conditions to be met by each activity or person generating a discharge into a Council system, and also includes requirements for maintenance of private stormwater systems and watercourses.

It is anticipated that the enforcement to give effect to all of the stormwater network discharge consents will be undertaken through applying the Stormwater Drainage Bylaw. The bylaw and consents will therefore operate together to assist the district achieve the objectives and policies of the National Policy Statement for Freshwater Management 2014 (NPSFM) and the LWRP. They are intended to improve water quality outcomes in the district over time by improving the quality of the urban stormwater discharges.

## **7. Recommendation**

That the Waimakariri Water Zone Committee:

- 1. Acknowledges the Land and Water Regional Plan stormwater provisions as a means of improving urban water quality over time and contributing to community outcomes for freshwater.**
- 2. Notes the Rangiora Stormwater Network Discharge Consent will be lodged by December 2017 and the Kaiapoi, Woodend, Oxford and Pegasus stormwater discharge consents will be lodged by June 2018.**
- 3. Notes that consultation on the Stormwater Drainage Bylaw is currently underway, closing 15 December 2017, and submissions from the Waimakariri Water Zone Committee and / or from its individual members are welcome.**

## **Appendix 1**

Draft Stormwater Bylaw for Consultation with Waimakariri Water Management Zone  
Committee