

BEFORE

THE CANTERBURY REGIONAL COUNCIL

UNDER the Resource Management Act 1991

IN THE MATTER of application CRC190445 by Christchurch City Council
To discharge storm water to land and water.

SUSAN MCLAUGHLIN RESPONSE TO THE CHRISTCHURCH CITY COUNCIL RESPONSE TO THE HEARING
PANEL
22 February 2019

Susan McLaughlin



I am a resident of the Marshland area and I am familiar with the local water ways having lived alongside the Kaputone and the Styx rivers for many years. My pervious property had a 600m boundary with the Kaputone. I have previously presented to the West Melton Water Committee on the topics of Sphaerotilus bacteria in the Kaputone river and discharge into the Styx Catchment resulting in silting of the Kaputone and Styx rivers.

Susan McLaughlin 22 February 2019 - CRC 190445

1. 5 e Filling at Earlham Street

I would like to complement the Panel for raising the issue of the legality of filling at Earlham street. In this case it appears that the landowner has had to engage a drainage engineer in order to have the Council acknowledge the problem. As to the outcome for the resident of Earlham street, I do not wish to comment; however, this situation points to a systematic failure of CCC processes that has meant cases such as this have to get to a hearing panel to have the problem recognised and remedied.

Recommendation:

- I. The CCC should develop procedures and process that are to be followed when filling of land and or flooding issues are raised by landowners affected by non-complying fill.
- II. That a flow chart be displayed on the CCC website detailing the above-mentioned process. This should include what to do if the CCC do not act in a timely manner.
- III. Each storm water area should have a committee made up of community members not affiliated with any industry or organisations and/or persons that the CCC will be inviting to their Global Consent Meetings. That the community members be elected by their community.
- IV. The above-mentioned committee members be given speaking rights before CCC Meetings.
- V. Develop process whereby CCC staff be given a time frame to answer questions raised by the committee.
- VI. CCC should conduct biannual performance reviews of CRC190445 Global consents which are to be made public.

2. Storm water Network Definition (page 4)

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storm water network means **waterways identified in a SMP the Ōtākaro/ Avon River, Huritini/ Halswell River, Ōpāwaho/ Heathcote River, Ōtūkaikino River and the Pūharakekenui/ Styx River and their tributaries** and also includes the reticulated piped network, kerb and channel, sumps, pipes, manholes, rapid soakage chambers and any storm water conveyance and mitigation system for which Christchurch City Council are responsible for operation and maintenance.

a network owned or operated by the Christchurch City Council of pipes, swales, drains, kerbs and channels that collects storm water within areas used or proposed to be used for urban- residential, commercial or industrial purposes, and any device or facility for the treatment of storm water, prior to a discharge to land, groundwater or surface water. It excludes any drainage system that has been constructed for the primary purpose of collection, conveyance or discharge of drainage water.

Comment:

I recently wrote to Alison Butler asking the CCC to answer the following:

Is the Council saying that "proposed land" for urban residential , commercial or industrial purposes mean systems on Rural urban Fringe or rural land? It is unclear by using the word "proposed" and if this includes Rural or Rural Urban fringe land upon which the " systems" are not owned by the

Council. The definition of "proposed" I thought was "put forward (a plan or suggestion) for consideration by others".

I await clarification of what zoning of land is included in "proposed".

Response from Council via Alison Butler:

I have asked the CCC to provide a response to your request for clarification. Their response is that "The applicant's intent was that the "proposed to be used" confines the definition to network within areas zones for urban use."

Reason:

I feel that the "storm water network" is ambiguous and propose a change to the definition to address this. The network within area zones for urban use could be rural urban fringe land by the definition. It could be implied that rural urban fringe is used to mitigate urban land by stealth.

It is my understanding that the 1990's CCC and other Local Authorities identified drains they did not own or have easement over and named them Natural Waterway Assets (NWA). As part of the process many Local Authority's identified private drains that they felt were essential to their network and placed easements on them. A considerable amount of private drains (NWA) are not owned by the CCC and are on rural and rural urban fringe land. Some of these drains (NWA) have earthen sides and some have been boxed.

The Styx Catchment is an area of intense development.

Recommendation:

- I. The "storm water network" is ambiguous in its overall definition and propose a change to the definition that is less ambiguous.
 - II. CCC should provide documentation stating which drains they own and those they do not for transparency.
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- A) The consent holder shall use reasonably practicable measures to ensure that construction phase storm water quality mitigation is implemented **in accordance with the erosion and sediment control toolbox or successor document** for all development sites prior to commencement of stripping of vegetation or earthworks on the site.

Reason:

- B) The Styx river and its contributory streams/creeks have been subjected to degradation from silt

Recommendation:

The applicant does not refer to any audit systems. The CCC should implement audit systems to ensure mitigation is carried correctly.