

## Appendix E: Tracked-change version of recommended amendments

<b>Source control</b>	Measures designed to prevent the generation of, and introduction of contaminants into, <b>stormwater</b> including by bunding or roofing high risk areas and avoiding the use of high risk contaminating products.
<b>Stormwater</b>	Runoff that has been intercepted, channelled, diverted, intensified or accelerated by human modification of a land surface, or runoff from the external surface of any structure, as a result of precipitation and including any contaminants contained therein.
<b>Stormwater management strategy</b>	A strategic document that links <b>stormwater</b> asset management and land use planning with water quality outcomes. A <b>stormwater management strategy</b> describes how <b>sub-catchments</b> <sup>1</sup> within a <b>stormwater network</b> will be managed, through time, in accordance with any relevant objectives identified in the Plan.
<b>Stormwater network</b>	The network of devices designed to capture, detain, treat, transport and discharge stormwater, including but not limited to kerbs, intake structures, pipes, soak pits, sumps, swales and constructed ponds and wetlands, and that serves more than one property.
<b>Water sensitive urban design</b>	The integration of planning, engineering design and water management to mimic or restore natural hydrological processes in order to address the quantitative and qualitative impacts of land use and development on land, water and biodiversity, and the community's aesthetic and recreational enjoyment of waterways and the coast. Water sensitive urban design manages stormwater at its source <b>as one of the tools</b> <sup>2</sup> to control runoff and water quality. The terms low impact design, low impact urban design and water sensitive design are often used synonymously with water sensitive urban design.

### 3 Objectives

#### 3.11 Discharges

Objective O48



**Stormwater networks** and urban land uses are managed so that the adverse quality and quantity effects of **stormwater**<sup>3</sup> discharges ~~from the networks~~ are improved over time.

<sup>1</sup> s42A report: Stormwater, Clause 16(2) amendment

<sup>2</sup> s42A report: Stormwater, Issue 2.2

<sup>3</sup> s42A report: Stormwater, Issue 1.2

## 4 Policies

### 4.8.3 Stormwater

Policy P73: Minimising adverse effects of stormwater discharges 

The adverse effects of **stormwater** discharges shall be minimised, including by:

- (a) using **good management practice**<sup>4</sup>, and
- (b) taking a **source control** and treatment train approach to new activities and land uses, and
- (c) implementing **water sensitive urban design** in new subdivision and development, and
- (d) progressively improving existing **stormwater, wastewater**, road and other public infrastructure, including during routine maintenance and upgrade.

Policy P74: First-stage local authority network consents 

The adverse effects of discharges from a local authority **stormwater network** during a controlled activity consent granted under Rule R50 shall be managed by:

- (a) managing the **stormwater network** on a comprehensive basis whereby discharges from local authority **stormwater** devices are aggregated on a catchment or **sub-catchment**<sup>5</sup> basis and authorised via a single ‘global’ consent, and
- (b) undertaking monitoring to identify the adverse quality and quantity effects of discharges from the **stormwater network** on:
  - (i) **aquatic ecosystem health** and **mahinga kai**, and
  - (ii) contact recreation and **Māori customary use**, and
  - (iii) the values of areas with identified outstanding or significant values identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule F (indigenous biodiversity), and
  - (iv) water and sediment quality in the receiving environment, and the benthic habitat of **low energy receiving environments**,

in order to develop a prioritised programme for improvement of areas within the **stormwater network** that will form the basis of a **stormwater management strategy**, and

- (c) managing any acute adverse effects of discharges from the **stormwater network** detected during the monitoring under (b), including significant adverse effects on primary and secondary contact with water, by:

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<sup>4</sup> s42A report: Stormwater, Clause 16(2) amendment

<sup>5</sup> s42A report: Stormwater, Clause 16(2) amendment

- (i) implementing mitigation as soon as practicable after the effect is determined, and
- (ii) identifying long-term options for remediation or mitigation, and
- (d) limiting resource consents granted under Rule R50 to a maximum of five years, and
- (e) including conditions in the resource consent to set timeframes for the development of a **stormwater management strategy** in accordance with Schedule N (stormwater strategy).

#### Policy P75: Second-stage local authority network consents



When an application for resource consent is made with a **stormwater management strategy**, the adverse effects of discharges from a local authority **stormwater network** shall be minimised by:

- (a) identifying in the **stormwater management strategy** priorities for progressive improvement, and timeframes to achieve this improvement, in accordance with any relevant objectives identified in the Plan, and
- (b) where appropriate, developing catchment-specific **stormwater** management plans or other methods to identify and prioritise actions in accordance with any relevant objectives identified in the Plan, and
- (c) progressively implementing the **stormwater management strategy** and any actions identified under (b), and
- (d) ~~for new **stormwater** networks, managing the adverse quality and quantity effects of post-development stormwater discharges employing land-based treatment of stormwater, in accordance with **good management practice** and Policies P73 and P79, from new **stormwater networks**<sup>6</sup>, and~~
- (e) progressively reducing the impact of untreated **wastewater** on fresh and coastal water in accordance with Policies P76 and P77, and
- (f) progressively improving existing **stormwater, wastewater**, road and other public infrastructure, including through routine maintenance and upgrade.

#### Policy P76: Minimising wastewater and stormwater interactions



The adverse effects of **wastewater** and **stormwater** interactions on fresh and coastal water shall be minimised by:

- (a) avoiding **wastewater** contamination of **stormwater** from new **wastewater networks** or connections authorised after the date of public notification of the Proposed Natural Resources Plan (31.07.2015), and

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<sup>6</sup> s42A report: Stormwater, Issue 3.3

- (b) progressive elimination of reducing<sup>7</sup> **wastewater** contamination of **stormwater** from the existing **wastewater network**, and
- (c) progressively reducing **stormwater** and groundwater infiltration and inflow into the **wastewater network** ~~so that untreated wastewater only overflows to water during heavy rainfall events.~~

Policy P77: Assessing resource consents to discharge stormwater containing wastewater



A resource consent application under Rule R51 to discharge **stormwater** from a local authority **stormwater network** known to contain **wastewater** is inappropriate unless ~~the following criteria are met~~ the application includes:

- ~~(a) infiltration and inflow into the wastewater network are managed in accordance with Policy P76, and~~
- ~~(a)(b)~~ a plan of how Policy P76 will be achieved, including key milestones and dates ~~for these, is included with any resource consent application~~, and
- ~~(b)(e)~~ the results of consultation with mana whenua on their values and interests in relation to discharges and receiving waters. the plan required under (b) is developed with mana whenua.<sup>8</sup>

Policy P78: Managing stormwater from ~~large sites a port, airport or state highway~~<sup>9</sup>



The adverse effects on aquatic ecosystem health and mahinga kai, contact recreation and Māori customary use of the discharge of **stormwater** from a port, airport or state highway, where the discharge will enter water shall be minimised by:

- ~~(a) managing the discharge in order to minimise the adverse effects of stormwater discharges on aquatic ecosystem health and mahinga kai, contact recreation and Māori customary use, and~~
- ~~(a)(b)~~ identifying priorities for improvement, including methods and timeframes for improvement, in accordance with any relevant objectives identified in the Plan, and
- ~~(c)~~ ~~progressively implementing methods identified in (b), and~~
- ~~(b)(d)~~ having particular regard to protecting sites with identified significant or outstanding values, and
- ~~(c)(e)~~ implementing **good management practice**, ~~including in accordance with Policy P73~~, and
- ~~(d)~~ progressively improvement of discharge quality over time.

<sup>7</sup> s42A report: Stormwater, Issue 4.1

<sup>8</sup> s42A report: Stormwater, Issue 4.2

<sup>9</sup> s42A report: Stormwater, Issue 6.2

## Policy P79: Managing land use impacts on stormwater



Land use, subdivision and development, including **stormwater** discharges, shall be managed so that runoff volumes and peak flows:

- (a) avoid or minimise scour and erosion of stream beds, banks and coastal margins, and
- (b) do not ~~increase cause new or exacerbate existing~~<sup>10</sup> risk to human health or safety, or ~~increase exacerbate~~ the risk of inundation, erosion or damage to **property** or infrastructure,

including by retaining, as far as practicable, pre-development hydrological conditions hydrographs and overland flow paths in new subdivision and development.

### 5.2.3 Stormwater

Rule R48: Stormwater from an individual property – permitted activity

The discharge of **stormwater** into water, or onto or into land where it may enter a **surface water body** or coastal water from an individual **property** is a permitted activity, provided the following conditions are met:

- ~~(a) — the discharge is not into a site identified in Schedule A (outstanding water bodies), and<sup>11</sup>~~
- ~~(b)~~(a) the discharge is not from, onto or into **contaminated land**, and
- ~~(c)~~(b) the discharge is not from a local authority **stormwater network**, a port, airport or state highway, and
- ~~(d)~~(c) the discharge shall not contain **wastewater**, and
- ~~(e)~~(d) the concentration of total suspended solids in the discharge shall not exceed:
  - (i) 50g/m<sup>3</sup> where the discharge enters a site or habitat identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule F1 (rivers/lakes), Schedule F3 (significant wetlands), or Schedule F4 (coastal sites), ~~except when the background total suspended solids in the receiving water is greater than 50g/m<sup>3</sup>, in which case the decrease in water clarity after the zone of reasonable mixing shall not exceed 20%, or~~

<sup>10</sup> s42A report: Stormwater, Issue 2.4

<sup>11</sup> s42A report: Stormwater, Issue 7.1

- (ii) 100g/m<sup>3</sup> where the discharge enters any other ~~fresh or coastal water, except when the background total suspended solids in the receiving water is greater than 100g/m<sup>3</sup> in which case the decrease in water clarity after the zone of reasonable mixing shall not exceed 33%~~, and
- ~~(f)~~(e) the discharge shall not cause any erosion of the channel or banks of the receiving water body or the coastal marine area, and
- ~~(g)~~(f) the discharge shall not give rise to the following effects beyond the **zone of reasonable mixing**:
  - (i) the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials, or
  - (ii) any conspicuous change in the colour or visual clarity, or
  - (iii) any emission of objectionable odour, or
  - (iv) the fresh water is unsuitable for consumption by farm animals, or
  - (v) any significant adverse effects on aquatic life.

Note

In respect of the discharge of sediment ~~stormwater discharges~~ from **earthworks** activities refer to Rules R99 and R101.

Rule R48A: Stormwater from new subdivision and development – permitted activity<sup>12</sup> 

The discharge of **stormwater** into water, or onto or into land where it may enter a **surface water body** or coastal water, including through an existing local authority **stormwater network**, from:

- (a) a new urban subdivision or development associated with earthworks of a contiguous area up to 3,000m<sup>2</sup>, or
- (b) a new urban subdivision or development in an area where a **stormwater management strategy** in accordance with Schedule N (stormwater strategy) applies

is a permitted activity provided the following condition is met:

- (c) The discharge shall comply with the conditions of Rule R48.

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<sup>12</sup> s42A report: Stormwater, Issue 5

#### Rule R49: Stormwater to land – permitted activity



The discharge of **stormwater** onto or into land, including where contaminants may enter groundwater, from an individual **property** is a permitted activity provided the following conditions are met:

- (a) the discharge is not from, onto or into **contaminated land**, and
- (b) the discharge shall not cause or exacerbate the flooding of any other **property**
- (c) the discharge is not located within 20m up-gradient of a bore used for water abstraction for potable supply or stock water<sup>13</sup>.

#### Rule R50: Stormwater from a local authority network at plan notification – controlled activity



The discharge of **stormwater**, including stormwater that may be contaminated by wastewater from overflows during heavy rainfall events,<sup>14</sup> into water, or onto or into land where it may enter water, from a local authority **stormwater network** is a controlled activity, provided the following condition is met:

- (a) the resource consent application is received within six months of this rule becoming operative ~~two years of the date of public notification of the Proposed Natural Resources Plan (31.07.2015).~~<sup>15</sup>

#### Matters of control

1. Requirements to monitor and report on the quality of **stormwater** discharges to fresh and/or coastal water, including of **stormwater** discharges containing **wastewater**
2. Management of acute effects of **stormwater** on human health detected during monitoring
3. Duration of consent up to a maximum of five years
4. Timeframes for the development of a **stormwater management strategy** in accordance with Schedule N (stormwater strategy)

#### Notification

In respect of Rule R50 applications are precluded from public notification (unless special circumstances exist) and are precluded from limited notification.

#### Rule R51: Stormwater from a local authority network with a stormwater management strategy two years after public notification<sup>16</sup> – restricted discretionary activity



The discharge of **stormwater**, including stormwater that may be contaminated by wastewater from overflows during heavy rainfall events,<sup>17</sup> into water, or onto or

<sup>13</sup> s42A report: Stormwater, Issue 7.2

<sup>14</sup> S42A report: Stormwater, Issue 4.3

<sup>15</sup> s42A report: Stormwater, Issue 3.2

<sup>16</sup> s42A report: Stormwater, Issue 3.3

into land where it may enter water, from a local authority **stormwater network** ~~two years after the date of public notification of the Proposed Natural Resources Plan (31.07.2015)~~<sup>18</sup> is a restricted discretionary activity, provided the following condition is met:

- (a) the resource consent application includes a **stormwater management strategy** in accordance with Schedule N (stormwater strategy).

#### Matters for discretion

1. The contents and implementation of the **stormwater management strategy** in accordance with Schedule N (stormwater strategy)
2. Development and implementation of methods, such as catchment-specific **stormwater** management plan(s), in accordance with any relevant objectives identified in this plan, including any relevant whaitua-specific objectives
3. Management of adverse effects, including cumulative effects, on **aquatic ecosystem health** and **mahinga kai**, contact recreation and **Māori customary use**
4. Management of adverse effects on sites identified in Schedule A (outstanding water bodies), Schedule B (Ngā Taonga a Kiwa), Schedule C (mana whenua), Schedule F (indigenous biodiversity)

#### 5. Management of adverse effects on human health.<sup>19</sup>

Rule R52: Stormwater from a port, airport or state highway large sites<sup>20</sup> –  
restricted discretionary activity



The discharge of **stormwater** into water, or onto or into land where it may enter a surface water body or coastal<sup>21</sup> water, from a port, airport or state highway is a restricted discretionary activity.

#### Matters for discretion

1. The management of the adverse effects of **stormwater** capture and discharge, including cumulative effects, of **stormwater** on **aquatic ecosystem health** and **mahinga kai**, contact recreation and **Māori customary use**
2. The management of effects on sites identified in Schedule A (outstanding water bodies), Schedule B (Ngā Taonga Nui a Kiwa), Schedule C (mana whenua), Schedule F (indigenous biodiversity)
3. Minimisation of the adverse effects of **stormwater** discharges through progressive improvement over time

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<sup>17</sup> s42A report: Stormwater, Issue 4.3

<sup>18</sup> s42A report: Stormwater, Issue 3.3

<sup>19</sup> s42A report: Stormwater, Issue 4.3

<sup>20</sup> s42A report: Stormwater, Issue 6.3

<sup>21</sup> s42A report: Stormwater, Issue 6.1

### Rule R52A: Stormwater from new subdivision and development – restricted discretionary activity<sup>22</sup>

The discharge of **stormwater** from a new subdivision or development into water, or onto or into land where it may enter a **surface water body** or coastal water, including through an existing local authority **stormwater network**, that is not permitted by Rule R48A is a restricted discretionary activity.

#### Matters for discretion

1. Measures to minimise the adverse effects of stormwater discharges in accordance with Policy P73, including the extent to which water sensitive urban design measures are employed.
2. Measures to manage runoff volumes and peak flows in accordance with Policy P79.
3. Requirements of any relevant local authority stormwater network discharge consent.

### Rule R53: All other stormwater – discretionary activity

The discharge of **stormwater**, including stormwater that may be contaminated by wastewater from overflows during heavy rainfall events<sup>23</sup>, into water or onto or into land where it may enter water that is not permitted by Rules R48, R48A<sup>24</sup> or R49, or controlled by Rule R50, or a restricted discretionary activity under Rules R51, ~~or R52~~, or R52A is a discretionary activity.

## 6.6 Stormwater

### Method M15: Regional stormwater working group

Wellington Regional Council will work with city and district councils and with mana whenua<sup>25</sup> in a regional stormwater working group to:

- (a) support the implementation of the new consenting framework as set out in the Plan, including the development of **stormwater** management strategies and plans, a monitoring and reporting framework and ensuring coordination and consistency with the relevant part(s) of a **whaitua implementation programme**, and
- (b) coordinate **stormwater** management within the region and create efficiencies where possible, such as through **stormwater** education programmes or integrated planning for stormwater management within urban growth overlay areas.

<sup>22</sup> s42A report: Stormwater, Issue 5

<sup>23</sup> s42A report: Stormwater, Issue 4.3

<sup>24</sup> s42A report: Stormwater, Issue 5

<sup>25</sup> s42A report: Stormwater, Issue 3.5

# 12 Schedules

## Schedule N: Stormwater management strategy



The purpose of a **stormwater management strategy** for a local authority **stormwater network** is to:

- provide a strategy for how **sub-catchments**<sup>26</sup> within the **stormwater network** will be managed in accordance with any relevant objectives identified in this Plan, including any relevant **whaitua**-specific objectives, and
- describe how the **stormwater network** will be managed in accordance with **good management practice**, ~~and progressively that evolves~~<sup>27</sup> through time, to minimise the adverse acute, chronic and cumulative effects of **stormwater** discharges on fresh and coastal water.

The detail of a **stormwater management strategy** shall correspond with the level of risk to receiving water quality arising from stormwater discharges in each catchment or sub-catchment.<sup>28</sup> At a minimum, a **stormwater management strategy** shall:

### Management objectives<sup>29</sup>

- (a) identify the relevant water quality objectives in this Plan that the **stormwater network** is to be managed in accordance with, and
- (b) identify any other relevant objectives for which the **stormwater network** will be managed, and

### *Catchment characteristics*

- ~~(b)(c)~~ include plans and descriptions of the **stormwater network** within each catchment or **sub-catchment**<sup>30</sup>, including identifying:
- (i) catchment areas, boundaries, major **stormwater** infrastructure and monitoring points, and
  - (ii) piped streams within the network that are of significance to **mana whenua**, as identified with **mana whenua**, and
  - (iii) constructed overflows, pump stations and other wastewater infrastructure, and
  - (iv) existing and potential future land uses and categorisation of these for their likely contribution of contaminants to **stormwater**, and

<sup>26</sup> s42A report: Stormwater, Clause 16(2) amendment

<sup>27</sup> s42A report: Stormwater, Issue 3.4

<sup>28</sup> s42A report: Stormwater, Issue 3.6

<sup>29</sup> s42A report: Stormwater, Issue 3.4

<sup>30</sup> s42A report: Stormwater, Clause 16(2) amendment

- (v) **contaminated land** and Hazardous Activities and Industries List (HAIL) activities at a high risk of contributing contaminants to **stormwater**, and

~~(d) using the above to identify the key risks associated with activities and land uses in the catchment or sub-catchment to receiving water quality from stormwater discharges, and<sup>31</sup>~~

#### *Management objectives*

- ~~(b) identify the relevant water quality objectives in this Plan that the **stormwater network** is to be managed in accordance with, and~~
- ~~(c) identify any other relevant objectives for which the **stormwater network** will be managed, and~~

#### *Strategic actions*

- ~~(d)(e)~~ prioritise all catchments or **sub-catchments**<sup>32</sup> covered by the consent for implementation actions or mitigation measures, based on monitoring carried out in accordance with Policy P74 and the assessment of effects,<sup>33</sup> in order to maintain or improve the receiving water quality, and
- ~~(e)(f)~~ where relevant, describe how water quality will be improved in any water identified as a priority for improvement in Schedule H2 or in any fresh or coastal water body that fails to meet a national bottom line for a relevant value in the National Objectives Framework, and
- ~~(f)(g)~~ describe how discharges from the **stormwater network** will be improved, through time, to meet the objectives described in (a) and (b) (e), including any relevant targets, timeframe and methods, and
- ~~(g) describe the development and implementation of catchment-specific **stormwater** management plans, including a timetable for this process, and~~

#### *Management options*

- (h) describe how **stormwater** discharges from new impervious surfaces from greenfields and brownfields development will be managed to minimise the adverse quality and quantity effects of post-development **stormwater** discharges, including in accordance with Policies P73 and P79, and
- (i) identify options for minimising contaminant inputs into the **stormwater network** from land use activities at high risk of generating **stormwater** contaminants, such as **contaminated land, road intersections with high traffic volumes, areas with significant galvanised steel roofing** and HAIL activities, ~~and constructed overflows, pump stations and other wastewater infrastructure, and describe how these options shall be progressively implemented,~~ and

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<sup>31</sup> s42A report: Stormwater, Issue 3.4

<sup>32</sup> s42A report: Stormwater, Clause 16(2) amendment

<sup>33</sup> s42A report: Stormwater, Issue 3.4

(j) ~~include the plan to minimise~~ describe how the adverse effects of **wastewater** interaction with **stormwater** will be minimised in accordance with Policies P76 and P77.