

3. CHANGE 3 TO THE TRANSITIONAL REGIONAL PLAN

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| General Manager responsible: | General Manager Strategy and Planning, DDI 941-8177 |
| Officer responsible: | Programme Manager- Healthy Environment |
| Author: | Jenny Ridgen, Programme Manager- Healthy Environment |

PURPOSE OF REPORT

1. The purpose of this report is to seek retrospective adoption by the Council of the attached submission on Change 3 to the Transitional Regional Plan (TRP). The submission was lodged with Environment Canterbury prior to the closing date of 29 February 2008.
2. For the Council to decide to either endorse or withdraw the submission.

EXECUTIVE SUMMARY

3. This plan change concerns the Regional Council's General Authorisation (GA) for the discharge of stormwater. This is one of a number of General Authorisations contained in the TRP, which still have effect until the Proposed Natural Resources Regional Plan (PNRRP) becomes operative. The submission supports the change to permit stormwater discharges to land from small residential subdivisions. Environment Canterbury notified Change 3 to the TRP on Saturday 26 January 2008. The submission period closed at 5 pm on Friday 29 February 2008.
4. The plan change will permit the discharge of stormwater to the ground from residential and rural-residential subdivisions of fewer than 30 allotments, under certain conditions. Such discharges are authorised provided highest groundwater levels are deeper than 10 metres from the ground surface. This change gives discharges to the ground the same status as discharges to surface water, for developments of fewer than 30 allotments.
5. The change will have limited significance for the Christchurch City Council area due to the requirement for a 10 metre separation to groundwater. In addition, the PNRRP does not permit the discharge of untreated stormwater within areas where groundwater is used to supply communities with drinking water, nor within Christchurch Groundwater Recharge Zone 1 (Rule WQL5).
6. The main environmental issue is the potential for contamination of groundwater. The proposed change relies on a conservative groundwater depth, providing sufficient separation to groundwater to allow for treatment/contaminant removal by subsoils, rather than specifying stormwater system design and operation. The change would result in approximately 20 resource consents per year not being required, thus allowing Environment Canterbury to target resources in areas where environmental effects are greatest.
7. The submission supports the plan change on the grounds that the 10 metre separation requirement provides sufficient protection for groundwater, the environmental effects will be minimal and the approach is consistent with discharges to surface water. The plan change does not conflict with the City Council's application for an interim global consent for stormwater discharge to ground.
8. The main reason for making a submission is to allow an opportunity for input into the plan change process, particularly if other submitters should seek more liberal changes. It should be noted that, if the Council decides not to make a submission at this time, there will still be an opportunity to make further submissions at a later stage.
9. In addition to this, it is noted that both regional and district councils are often criticised by ratepayers and the development community about compliance costs under the Resource Management Act. The plan change enables the removal of an unnecessary layer of regulation, in circumstances where any potential adverse effects on the environment would be negligible. This would enable Environment Canterbury to direct its resources at assessing subdivision proposals that may have adverse effects on water quality. It would assist Environment Canterbury in achieving better environmental outcomes and the processing of applications in a more timely manner.

FINANCIAL IMPLICATIONS

10. The financial implications for the Council are minimal. The plan change is unlikely to directly affect Council operations. Should the plan change be approved in a more liberal form there is a potential risk that groundwater quality will be adversely affected, with implications for the city's community water supply.

Do the Recommendations of this Report Align with 2006-16 LTCCP budgets?

11. The cost of preparing and presenting submissions is covered by existing unit budgets.

LEGAL CONSIDERATIONS

12. The RMA 1991 (First Schedule, Part 1 (6)) allows Council to make submissions on a variation to a regional plan.

Have you considered the legal implications of the issue under consideration?

13. A legal review of the submission has been carried out.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

14. This submission supports the LTCCP objective "To conserve and protect the long-term availability and quality of the city's water" (page 166).

Do the recommendations of this report support a level of service or project in the 2006-16 LTCCP?

15. The submission supports the LTCCP target of achieving the highest Ministry of Health water supply grade possible without treatment of water (page 167).

ALIGNMENT WITH STRATEGIES

16. This submission supports work being done in preparation of a draft Water Supply Strategy.

Do the recommendations align with the Council's strategies?

17. As above.

CONSULTATION FULFILMENT

18. Not applicable.

STAFF RECOMMENDATION

That the Committee recommend that the Council endorse the attached submission on Change 3 to the Transitional Regional Plan.

COMMITTEE RECOMMENDATION

It is recommended that the Council endorse the attached submission on Change 3 to the Transitional Regional Plan.