

15 December 2021

Christchurch City Council  
Attn To: Clive Appleton  
PO Box 73014  
Orchard Road  
**Christchurch 8154**

Dear Sir/Madam

### **Compliance Monitoring Report**

Please find enclosed your compliance monitoring report for the following activity. It contains important information which needs to be read carefully.

**Consent number:** CRC214226  
**Location:** Global, Christchurch  
**Description:** To discharge water and contaminants to land and water from the stormwater network.

**Overall Inspection Compliance: Non-compliance Action required**

This matter needs your immediate attention.

**Important:** *The Overall Inspection Compliance grade above relates only to the conditions monitored as part of this inspection. It does not change the status of previous grades received for other consent conditions. If you have received a non-compliance grade for other conditions, please continue to take appropriate action to achieve or maintain compliance.*

**Reason(s) for non-compliance:**

Condition 4 - The Stormwater Management Plans for Huritini/Halswell and Opawaho/Heathcote River Areas were submitted to ECan on the 13th of December. I have requested that the supporting documents are submitted to fully assess compliance. A summary of the engagement/consultation with the parties outlined under this condition is required to demonstrate compliance.

Condition 8 (e) Consultation for the first two SMPs has now finished. As noted under Condition 4, please ensure that a summary of the feedback received is submitted with the supporting documents for the SMPs.

Condition 13. This condition requires engagement with Papatipu Runanga. The annual meeting minutes have been received. Please confirm that the remainder of the engagement required by this condition has been carried out.

**Doc No:** C21C/266402  
**Your Customer No:** EC105624  
**File No(s):** CRC214226

Condition 15 a) - A draft risk matrix has been viewed however it appears that a review of it by a member of the TPRP was not included. Please confirm whether the review of the draft risk matrix will be provided after the industry feedback has been incorporated.

Condition 22 - Appendix A of the Annual Report, submitted in June 2021 contained a list of developments authorised under this consent over the period of 19 December 2019-3 June 2021. Many of the developments or redevelopments listed do not have any notes in the "device or notes" column, rather it states N/A. There is also no description as to the nature of the activity or size of the site. Therefore I cannot fully assess whether the consent holder is fully compliant with this condition. It is possible that a site that has "N/A" in the notes does not require mitigation for a valid reason however I cannot confirm this. In the next revision of Appendix A, to be submitted in June 2022, please ensure that additional detail is included in this table for the purposes of assessing compliance against this consent condition. No justification is provided for why some sites do not require mitigation.

Please provide the information requested in my letter to Veronica Zefferino dated 10 December 2021 regarding Sutherlands Basins. In addition, Westmorland Rise Stage 6 does not appear have first flush treatment although it should be provided based on Schedule 6 requirements. Please detail the rationale behind this.

Condition 25. We do not have any information regarding whether existing developments have had retrofitted water quality or quantity mitigation. Please confirm whether any retrofitting of treatment or quality mitigation has been required since the commencement date of this consent.

Condition 26. The Lower Styx Water Level data was submitted from the 30/11/2019, through to the 9/9/2021. The weed harvesting dates were also submitted. It appears as though the dry weather base flow water level exceeded the 10.1 m trigger level set by this condition in March 2021, however the weed harvesting was not carried out within the 40 day time frame. In this instance, it was carried out on the 26th of May 2021. Please confirm whether this is the case, and please ensure that you comply with this condition in the future.

Condition 29. I cannot confirm from Appendix One of the Annual Report whether any greenfield developments have been approved since the consent was granted, and whether these developments have installed facilities as per the requirements of this condition. Please provide details of any greenfield developments and related facilities that have been approved since December 2019.

Condition 35. We do not have any information regarding compliance with this condition. Please confirm whether any developments which meet this criteria have occurred since this consent commenced or have been approved.

Condition 36. Please submit the Operations and Maintenance Manuals for all facilities which have been constructed after the commencement of this consent

Condition 4 - Submit the final report for Schedule 4 (r) once the diquat study has been completed. Schedule 4 (i) requires that the Consent Holder instigate, in the building consent approval and inspection process, a requirement for and process for approval and inspection of erosion and sediment control measure prior to site clearances. The consent holder has set out a process in the Sediment Discharge Management Plan. There appears to be a gap in this where a site has an "exemption", this has affected industrial/commercial subdivision type developments. Please provide some commentary as to how this Schedule 4 (i) is being complied with.

Condition 41. As has been discussed with the Consent Holder, there appears to be a gap where a site has an "exemption", this has affected industrial/commercial subdivision type developments. The Consent Holder needs to look further into this. More detail is needed from the Consent Holder regarding who reviews ESCPs and checks controls for larger scale developments such as subdivisions and how the internal ESCP audit process works - also how this interacts with the Stormwater Approvals Process. Please provide a written explanation of how this process works. Please ensure compliance with this consent condition.

Please contact me on 0800 324 636 to discuss the actions needed to achieve compliance.

Yours sincerely

**Jess Newlands**

Senior Resource Management Officer - Compliance Monitoring

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**Consent No:**        **CRC214226**

<b>Description of consent</b>	<b>Date Consent Number Issued</b>
To discharge water and contaminants to land and water from the stormwater network.	02 Jun 2021
<b>Location</b>	<b>Expiry Date</b>
Global, Christchurch	20 Dec 2044

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**Conditions & compliance**

0     **ADVISORY NOTE** - *The following conditions for the Christchurch City Comprehensive Stormwater Network Discharge Consent have been prepared according to the agreed practices of the Joint Christchurch City Council & Canterbury Regional Council Stormwater Management Protocol, Report U10/12 (the Protocol). The Protocol establishes how Canterbury Regional Council and Christchurch City Council will work together to achieve integrated catchment wide stormwater management in Christchurch. The Protocol records the understanding between Canterbury Regional Council and Christchurch City Council but does not create legal obligations that are enforceable by either party. Appendix 4 of the Protocol sets out responsibilities pertaining to compliance and operations and notes the role of the Water Issues Management (WIM) Group in any enforcement matters.*

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1     Except where excluded under Condition 2, this consent authorises the discharge of stormwater onto or into land or into surface water which:

- a. is generated from within the territorial boundaries of Christchurch City Council; or
- b. enters the stormwater network from outside the Christchurch City Council boundary.

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2     This consent excludes discharges:

- a. Emanating from land within Banks Peninsula that is outside the Settlement Areas of Banks Peninsula; and
- b. From private stormwater systems that bypass the stormwater network and discharge into the Coastal Marine Area; and
- c. Emanating from hardstand areas of non-residential existing sites discharging onto or into land via private networks unless the discharge has been previously authorised by the Christchurch City Council; and
- d. From any activity not existing at the commencement of this resource consent, re-development, or development site on the Canterbury Regional Council's Listed

Land Use Register that is considered by the Christchurch City Council to pose an unacceptably high risk of surface water or groundwater contamination; and

*Advice Note: The identification of unacceptable high risk will be in the manner required by the Memorandum of Understanding for Stormwater Discharges in Christchurch City (2014), or successor document, between the Christchurch City Council and Canterbury Regional Council until a risk matrix is finalised under Condition 3 below.*

- e. Emanating from any stage of a development site with a total area of disturbance exceeding 5 hectares on flatland or 1 hectare on hill land; and
- f. From any site listed on the attached Schedule 1 'Sites excluded from the Christchurch City Council Comprehensive Stormwater Network Discharge Consent'
  - i. at commencement of this resource consent; or
  - ii as a result of the process set out in Condition 3 below; or
  - iii as a result of the process set out in Condition 47.

**Compliance Report:  
Unable to determine compliance**

Condition 2 (c) states that the CSNDC excludes discharges "Emanating from hardstand areas of non-residential existing sites discharging onto or into land via private networks unless the discharge has been previously authorised by the Christchurch City Council". The stormwater approvals list notes that soakpits have been approved by CCC areas for the discharge of stormwater of non-residential sites to land. The intent of this condition needs to be clarified with the ECan planning team and/or CCC.

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- 3 Discharge into the stormwater network from the sites excluded by Conditions 2(d), 2(e) or 2(f) are authorised under this consent on 1 January 2025, or when current discharge permits expire or are surrendered for those sites, whichever is the latest, unless through the transitional arrangements set out below, or through the audits described in Condition 47, the Consent Holder determines that the discharge poses an unacceptably high risk of surface water or groundwater contamination. The transitional arrangements are:
- a. Within 6 months of the commencement of this resource consent, the Consent Holder shall engage with the Canterbury Regional Council to obtain full details of all of the consented discharges excluded from this consent until 2025, including information on site activities, conditions and compliance records;
  - b. Within 30 months of the commencement of this resource consent, the Consent Holder shall draft a risk matrix to identify and rate the risk associated with each of the stormwater discharges where information has been provided under Condition 3(a), and those discharges described in Condition 2(d) and 2(e). The criteria used to identify and rate the risk associated with each discharge shall be clear and objective. The risk matrix shall be developed as follows:

- i. Within 18 months of the commencement of this consent, the Consent Holder shall prepare a draft risk matrix and provide it to the Industry Liaison Group for comment;
  - ii. The Consent Holder shall invite the Industry Liaison Group to provide comment within 2 months of providing the draft risk matrix to them for comment;
  - iii. Within 3 months of receiving the comment referenced in Condition 3(b)(ii), the Consent Holder shall prepare a memo and/or revised risk matrix addressing that comment and circulate it to the Industry Liaison Group along with an invitation to an Industry Liaison Group meeting;
  - iv. Within one month of the meeting held under Condition 3(b)(iii), the Consent Holder shall circulate minutes, including points of agreement and disagreement between the parties;
  - v. Any changes to the draft risk matrix shall be provided to the Industry Liaison Group for feedback no less than 2 months prior to being submitted to Canterbury Regional Council.
- c. Within 3 years of the commencement of this consent, the Consent Holder shall provide to the Canterbury Regional Council a Transition Plan for the discharges excluded by Conditions 2(d), 2(e) and 2(f) that includes, but is not limited to:
- i. a description of the regulatory methods that will be used by the Consent Holder to ensure that previously excluded discharges will be subject to standards that achieve required environmental outcomes as described in Condition 3(e);
  - ii. the risk matrix prepared under Condition 3(b);
  - iii. a description of site-specific monitoring plans for particular sites from which the discharge is rated high in the risk matrix;
  - iv. a description of the process that the Consent Holder will use to determine, in collaboration with Canterbury Regional Council and through engagement with affected site owners and/or operators, whether a site will remain excluded from authorisation under this consent due to its discharge posing an unacceptably high risk of surface water or groundwater contamination;
- d. if as a result of the risk matrix and process set out in Condition 3(b) it is determined that the discharge poses an unacceptably high risk of surface water or groundwater contamination then that discharge will remain excluded from this consent and listed on the attached Schedule 1;
- e. the Consent Holder shall ensure that all other sites referred to in Condition 3(a) are, from the date on which the discharges are authorised under this resource consent, subject to standards that result in the same or better environmental outcomes for the quality and quantity of the discharge as those that were in the relevant site specific resource consent issued by the Canterbury Regional Council.

*Advice note: Discharge into the stormwater network will still require approval from Christchurch City Council, as owner and operator of the stormwater network, following the surrender or expiry of discharge permits for the sites noted above, or from 1 January 2025, whichever is the latest.*

**Compliance Report:**

**Complies**

The actions required by this condition are currently on track. Specific comments as follows:

Condition 3a. A list of consented discharges excluded from this consent has been supplied to the consent holder. The additional information is yet to be submitted due to the complexities of compiling this data. Consent holder to advise ECan with regards to what/how they want this additional data transferred.

Condition 3b. A draft risk matrix has been provided to the Industry Liaison Group for comment. Feedback was given by the Oil Companies and submitted to ECan. A memo addressing the comments has been re-circulated to the group.

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- 4 The Consent Holder shall, in consultation with:
- a. Papatipu Runanga;
  - b. The relevant Zone Committee(s) (or successor organisation);
  - c. The relevant Community Board(s) (or successor organisation);
  - d. The Department of Conservation; and
  - e. The CRC Regional Engineer and any relevant Rating District Liaison Committee; and

develop, and as necessary update, Stormwater Management Plans (SMPs) in accordance with the programme set out in Table 1 and submit each SMP to Canterbury Regional Council, Attention: Regional Leader – Monitoring and Compliance for certification that it contains the matters required by Condition 7 and is consistent with the purpose of SMPs in Condition 6.

**Compliance Report:**

**Unable to determine compliance**

The Stormwater Management Plans for Huritini/Halswell and Opawaho/Heathcote River Areas were submitted to ECan on the 13th of December. I have requested that the supporting documents are submitted to fully assess compliance. A summary of the engagement/consultation with the parties outlined under this condition is required to demonstrate compliance.

- 5 SMPs shall be reviewed and submitted for certification to Canterbury Regional Council, Attention: Regional Leader – Monitoring and Compliance every 10 years from the date of the certification of the SMP, except that:
- a. The Styx SMP shall be reviewed and submitted by 20 December 2023, and then 10-yearly after its certification; and
  - b. The Halswell SMP shall be reviewed and submitted by 20 December 2021, and then 10-yearly after its certification.

**Table1: SMP Programme**

SMP Area	Date SMP Operative	Date Submitted to Canterbury Regional Council
Otakaro/ Avon River Area Christchurch		Within 42 months of the commencement of this consent
Puharakekenui/ Styx River Area Christchurch	30 June 2014	
Huritini / Halswell River Area Christchurch	30 June 2016	
Opawaho/ Heathcote River Area Christchurch		Within 24 months of the commencement of this consent
Estuary and Coastal Area Christchurch		Within 30 months of the commencement of this consent
Otukaikino/ Outer Area Christchurch		Within 36 months of the commencement of this consent
Te Pataka o Rakaihautu / Banks Peninsula Settlements		Within 42 months of the commencement of this consent

**Compliance Report:**

**Complies**

The first two Stormwater Management Plans (SMP) required by this consent (Halswell/Huritini and Opawaho/Heathcote River Areas) were submitted for certification on the 13th of December 2021. The SMP for the Estuary and Coastal areas will go out for public consultation at the beginning of February through to end of March 2022. It is then due for submission in June 2022.

- 6 The purpose of the SMPs is to:
- a. Contribute to meeting the overall contaminant load reduction standards set in Condition 19 and 20;
  - b. Set a contaminant load reduction target(s) for each catchment in that SMP area in order to demonstrate the commitment of the Consent Holder to the improvement of stormwater discharge quality over time;
  - c. Demonstrate the means by which:
    1. the quality of stormwater discharges will be progressively improved towards meeting the Receiving Environment Objectives and Attribute Target Levels for



waterways, coastal waters, groundwater and springs set out in the conditions of this consent and in Schedules 7 to 9; and

2. Receiving Environment Objective and Attribute Target Levels for water quantity in Schedule 10 will be met;
- d. Provide for discharge of stormwater to land infiltration systems where reasonably practicable as the means to demonstrate that stormwater contribution to groundwater and spring-fed stream flows will be maintained;
- e. Demonstrate the means by which Christchurch City Council stormwater infiltration facilities constructed by, or on behalf of, the Consent Holder, after the commencement of this consent will be designed, located and operated to avoid, remedy or mitigate adverse effects of groundwater mounding on other land in anything more frequent than the critical 2% AEP Event;
- f. Plan the works required to mitigate the effects of stormwater discharges to the extent required by this resource consent;
- g. Implement the conditions of this consent as they apply to each catchment, including the best practicable option for weed management in the Puharakekenui/Styx River as determined under Schedule 4(x).

***Compliance Report:***

**Not operational**

The first two SMPs were submitted on the 13th of December. These will be reviewed by several specialist ECan staff with regards to the requirements of the consent condition and Schedule 2. Either certification will be provided, or additional information/changes will be requested once this review is complete. I expect to have feedback collated by the 21st of January.

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- 7 SMPs submitted to Canterbury Regional Council after the commencement of this resource consent shall include but not be limited to the information set out in Schedule 2.

***Compliance Report:***

**Not operational**

The first two SMPs were submitted on the 13th of December. These will be reviewed by several specialist ECan staff with regards to the requirements of the consent condition and Schedule 2. Either certification will be provided, or additional information/changes will be requested once this review is complete. I expect to have feedback collated by the 21st of January.

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- 8 Prior to submitting a SMP or any reviewed SMP or any amendment to a SMP to the Canterbury Regional Council, other than an amendment agreed with Canterbury Regional Council as making minor changes and corrections, the Consent Holder shall:
  - a. In early development stages for a possible SMP, provide a briefing to and invite comments from the parties listed in Condition 4.

- b. Following completion of a draft SMP, provide a draft copy to the parties listed in Condition 4, inviting feedback within a time frame of not less than 40 working days:
- c. Give public notice of the draft SMP and invite written feedback within a timeframe of not less than 40 working days.
- d. Have regard to the feedback in clauses (b) and (c).
- e. Prepare a summary of feedback received, and a brief explanation of whether and how comments have been incorporated into the SMP.

***Compliance Report:***

**Not operational**

As noted under Condition 4, a summary of engagement/consultation is required to determine compliance with this consent.

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- 9 The Consent Holder shall amend the SMPs as it considers necessary to respond to:
1. the results of the Christchurch Contaminant Load Model (C-CLM) and contaminant load reduction targets set within the SMPs, or any revisions thereof;
  2. The results of monitoring, including any investigations or outcomes in relation to the responses to modelling and monitoring under Conditions 56 to 59;
  3. Outcomes of investigations and trials carried out under Conditions 39 and 40 and Schedules 3 and 4;
  4. Any changes to relevant national, and/or regional planning documents including those that result from the LWRP sub-regional chapter development process;
  5. The use of new technologies, new opportunities for additional mitigation (such as for infill areas or retro-fit) or new constraints on the implementation of mitigation due to changes in developer plans; and
  6. New environmental data and research including updated international and national best practice technologies.

***Compliance Report:***

**Not operational**

No amendments to the existing SMPs has occurred to my knowledge since this consent became operational.

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- 10 Any amendments to SMPs, other than those agreed with Canterbury Regional Council as making minor changes and corrections, shall not replace the previous version until the amendments have been certified by the Canterbury Regional Council as containing the matters required by Condition 7 and as being consistent with the purpose of SMPs in Condition 6. For the avoidance of doubt, any amendments shall not reduce the likelihood of meeting the Receiving Environment Objectives and Attribute Target Levels.

**Compliance Report:**  
**Not operational**

No amendments to the existing SMPs has occurred to my knowledge since this consent became operational.

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- 11 The purpose of an Implementation Plan is to give effect to certified SMPs and to include the matters set out in Condition 12. An Implementation Plan shall be:
- a. Prepared by the Consent Holder, through engagement with Papatipu Runanga under Condition 13(a), and with the Department of Conservation, within 18 months after the commencement of this resource consent;
  - b. Updated to give effect to new, reviewed or amended SMPs within 12 months of SMPs being certified;
  - c. Reviewed by the Consent Holder every 3 years, with reference to the Christchurch City Council Long Term Plan; and
  - d. Made available to Canterbury Regional Council and Papatipu Runanga on request.

**Compliance Report:**  
**Complies**

Final revision of the Implementation Plan submitted in July 2021. No updates required as the two submitted SMPs are yet to be certified. 1. Review with reference to the CCC LTP will be required in 2024. Draft was sent to both Papatipu Rūnanga and the Department of Conservation with no request for changes.

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- 12 The Implementation Plan shall include but not be limited to:
- a. A list and map of proposed stormwater mitigation methods and devices;
  - b. A programme of stormwater works for Christchurch City Council and anticipated private development;
  - c. A plan for regulatory, investigative, educational and preventative activities or programmes relating to stormwater discharges, including activities undertaken under Conditions 39 and 40 and Schedules 3 and 4;
  - d. Details of budgets for capital works or resourcing that is linked to the Christchurch City Council Long Term Plan.

**Compliance Report:**  
**Complies**

As per Condition 12(a), a map of proposed stormwater treatment facilities and devices is provided within Appendix A of the submitted Plan. The Plan notes that these are indicative locations only.

As per Condition 12(b) Appendix C contains a programme of stormwater capital works for Christchurch City Council and anticipated private development.

As per Condition 12(c) Section 4 and Appendix C contains details of budgets for the capital works.

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- 13 The Consent Holder shall engage with Papatipu Runanga:
- a. In the development and review of the SMPs required under Conditions 4 and 8, and other amendment to SMPs, and the development of the Implementation Plan required under Conditions 11 and 12;
  - b. At concept design stage for the installation of stormwater treatment facilities and devices with regard to wahi tapu and taonga;
  - c. By providing quarterly reports to Mahaanui Kurataiao Ltd on stormwater developments, projects and monitoring under this resource consent;
  - d. By the engagement required by Conditions 56 to 58 on responses to modelling;
  - e. By providing the investigation report required by Condition 59 on responses to monitoring; and
  - f. By holding an annual meeting with Mahaanui Kurataiao Ltd to discuss stormwater works under this resource consent, and Papatipu Runanga input predicted for the next 12 month period.

*Advice Note: The Christchurch City Council is committed to working in partnership with Papatipu Runanga through the implementation of the resource consent. This is aimed at achieving the goals of the resource consent and providing for the ongoing involvement of mana whenua as well as identifying and reflecting mana whenua values and interests in the management of stormwater. While the partnership approach needs to be confirmed with Papatipu Runanga, it may involve the establishment and resourcing of a joint CCC/Papatipu Runanga Stormwater Working Party along with relevant technical support involving Mahaanui Kurataiao Ltd as well as Te Runanga o Ngai Tahu. It is envisioned that the working party would meet not less than annually and provide a forum for advising on resource consent implementation.*

**Compliance Report:**  
**Unable to determine compliance**

The minutes for the annual meeting with MKT have been submitted. I cannot confirm compliance with the remainder of the requirements under this condition.

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- 14 The Consent Holder shall establish, at its own cost, the Stormwater Technical Peer Review Panel (Stormwater TPRP), for the purpose of providing scientific and technical review of:
- a. The draft risk matrix required by Condition 3(b) of this resource consent and any subsequent amendments of the risk matrix; and

- b. Each Draft SMP, including those being reviewed as required under Condition 4 and 5 of this resource consent or being amended under Condition 9, and provide technical advice to the Consent Holder as to whether it is fit for purpose and meets the requirements of Conditions 6 and 7 of this resource consent; and
- c. The scope of the feasibility studies and investigations required by Condition 39 and Schedule 3 (actions a - h) and Condition 40 and Schedule 4 (actions d, e, j, k, r and s) of this resource consent; and
- d. The scope of assessments and investigations required by Condition 57 of this resource consent; and
- e. The outcomes of the feasibility studies and investigations to ensure that actions arising from them incorporate best practicable options.

**Compliance Report:**

**Complies**

A Stormwater Technical Peer Review Panel has been established.

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- 15 The Consent Holder shall:
- a. Obtain a review of the draft risk matrix from the Stormwater TPRP, and attach a copy of the review to the draft risk matrix provided to the Canterbury Regional Council; and
  - b. Obtain a review of the draft SMP from the Stormwater TPRP, attach a copy of the review to the draft SMP, and provide a description within the SMP of the Consent Holder's response to that review; and
  - c. Obtain a review of the relevant feasibility study or investigation from the Stormwater TPRP, and attach a copy of the review to the relevant feasibility study or investigation provided to Canterbury Regional Council.

*Advice Note: The technical reviews under Condition 15 shall be provided by the relevant experts from the Stormwater TPRP and not the whole panel.*

**Compliance Report:**

**Unable to determine compliance**

Condition 15 a) - A draft risk matrix has been viewed however it is currently under review following feedback from the Industry Liaison Group. A review of the matrix by a member of the TPRP was not included.

Condition 15 c) Reviews of the feasibility studies have been appended to the relevant reports.

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- 16 The Consent Holder shall appoint independent Stormwater TPRP members with expertise which could include but not be limited to the following:

- a. Stormwater engineering and hydrological/flood modelling;
- b. Freshwater and coastal water quality and ecology;
- c. Hydrogeology;
- d. Contaminated site/land management;
- e. Erosion and sediment control; and
- f. Mātauranga Māori and mahinga kai.

**Compliance Report:**

**Complies**

ECan received an email on the 5th of February 2021 with the names and positions of experts appointed with the exception of an expert in the field of Mātauranga Māori and mahinga kai. In an email dated the 10th of March 2021 the consent holder stated that Mahaanui Kurataiao Ltd will provide the Mātauranga Māori and mahinga kai technical peer-reviews, until such time as agreement between Papatipu Rūnanga can be reached upon the appointment and approval of a cultural expert to this position.

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- 17 If the Stormwater TPRP does not have expertise in any of the areas which it is required to advise the Consent Holder on, it shall inform the Consent Holder who may engage the services of a suitably qualified and independent expert to advise it on the matter.

**Compliance Report:**

**Not operational**

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- 18 The Consent Holder shall provide any administrative support necessary for the Stormwater TPRP to carry out its functions.

*Advice Note: The Christchurch City Council intend for development of the SMPs to be a collaborative process with input from key stakeholders. During development of SMPs, Papatipu Runanga, CWMS Zone Committees and Canterbury Regional Council technical staff will be invited to all technical presentations and will have opportunity to review and comment on draft SMP documents. Presentations will be made at public meetings of both the Banks Peninsula and Christchurch-West Melton Zone Committees. Once all documented feedback has been considered and addressed, the finalised SMP documentation will be submitted to the Canterbury Regional Council.*

**Compliance Report:**

**Complies**

- 19 The Consent Holder shall install stormwater mitigation facilities and devices that achieve the contaminant load reduction standards specified in Table 2 below as derived by the *Golder Associates (NZ) Limited 2018 Christchurch Contaminant Load Model (C-CLM)* report which is attached to these conditions as Schedule 5.

**Compliance Report:**

**Unable to determine compliance**

- 20 The Consent Holder shall use best practicable options to achieve the contaminant load reduction targets specified in the SMPs derived from the C-CLM or subsequent improved modelling methods and best available information.

**Table 2: Reductions in stormwater contaminant load**

	<b>Contaminant load compared to no treatment as at 2018</b>	<b>5 years from 2018 compared to no treatment (as at 2023)</b>	<b>10 years from 2018 compared to no treatment (as at 2028)</b>	<b>25 years from 2018 compared to no treatment (as at 2043)</b>
<b>TSS</b>	12 %	21 %	25 %	27 %
<b>Total Zinc</b>	10 %	15 %	18 %	20 %
<b>Total Copper</b>	16 %	23 %	28 %	30 %

**Compliance Report:**

**Not operational**

The first contaminant load reduction target is set for 2023. This condition will be assessed then. Whether the consent holder is ensuring that best practicable options are being implemented will be evaluated under conditions 22 through 35.

- 21 The Consent Holder shall provide a report to the Canterbury Regional Council, Attention: Regional Leader, Monitoring and Compliance at five yearly intervals from commencement of this resource consent on whether the contaminant load reduction standards under Condition 19 and targets developed through the SMPs are being met.  
*Advice note: The C-CLM is the primary means of assessing the City-wide standards for the relative reduction in contaminant loads for copper, zinc and TSS which would enter the receiving environment as a result of the structural measures used by the Council.*

**Compliance Report:**

**Not operational**

The first report required under this condition is due in December 2024.

- 22 For any development or redevelopment within a catchment which does not have a certified SMP, stormwater quality and quantity mitigation shall meet the General City conditions as specified in Schedule 6.

**Compliance Report:**

**Non-compliance Action required**

Appendix A of the Annual Report, submitted in June 2021 contained a list of developments authorised under this consent over the period of 19 December 2019-3 June 2021. Many of the developments or redevelopments listed do not have any notes in the "device or notes" column, rather it states N/A. There is also no description as to the nature of the activity or size of the site. Therefore I cannot fully assess whether the consent holder is fully compliant with this condition. It is possible that a site that has "N/A" in the notes does not require mitigation for a valid reason however I cannot confirm this. Schedule 6 requires the provision of first flush treatment for hardstand areas greater than 150m<sup>2</sup> for development areas greater than 1000m<sup>2</sup>. As per my letter to Veronica Zefferino dated 10 December 2021, we have concerns that adequate first flush treatment is not currently being provided for Redmund Spur development and the future Quarry Paddocks development. In addition, Westmorland Rise Stage 6 does not appear have first flush treatment provisions.

- 23 The Consent Holder shall use best practicable options to mitigate the effects of the discharge of stormwater on:
- a. Surface water quality, instream sediment quality, aquatic ecology health and mana whenua values. The extent of mitigation of effects shall be measured by the Receiving Environment Objectives and Attribute Target Levels monitoring described in Schedules 7 and 8;
  - b. Groundwater and spring water quality. The extent of mitigation of effects shall be measured by the Receiving Environment Objectives and Attribute Target Levels monitoring described in Schedule 9; and
  - c. Water quantity. The mitigation of effects shall be measured against achievement of the Receiving Environment Objective and Attribute Target Levels monitoring described in Schedule 10.

*Advice note: The requirements under Condition 23(c) apply in addition to the Full Flood Attenuation requirement in Condition 29(b).*

**Compliance Report:**

**Non-compliance No action required**

The Annual Report 2020 stated that 32 of the 51 monitoring sites did not meet the Attribute Target Levels set out in Schedules 7 and 8 for TSS, copper, lead and zinc. Four of those sites recorded an increasing trend in contaminant levels. This indicates that best practicable options are not currently adequately mitigating the effects of stormwater on the receiving environment. One exceedance of the ATL for dissolved copper was reported in 2020 in Well 5, at the Lake Terrace Pump Station.

In terms of Schedule 10, no flood model results were available with this years' annual report. Appendix A of the Annual report records no stormwater approvals given out in the Otukaikino Catchment. Several Banks Peninsula locations are recorded, some with attenuation and first flush, none appear to be greenfield developments.



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- 24 The Consent Holder shall use all reasonably practicable measures to ensure that operational phase stormwater quality and quantity mitigation is implemented for all development and re-development (where required) prior to issuing certification under the relevant legislation.

**Compliance Report:**

**Non-compliance Action required**

As per my comments under condition 22 above, Appendix A of the Annual Report, submitted in June 2021 contained a list of developments authorised under this consent over the period of 19 December 2019-3 June 2021. Many of the developments or redevelopments listed do not have any notes in the "device or notes" column, rather it states N/A. There is also no description as to the nature of the activity or size of the site. Therefore I cannot fully assess whether the consent holder is fully compliant with this condition. It is possible that a site that has "N/A" in the notes does not require mitigation for a valid reason however I cannot confirm this. As per my letter to Veronica Zefferino dated 10 December 2021, we have concerns that adequate first flush treatment is not currently being provided for Redmund Spur development and the future Quarry Paddocks development. Please refer to that letter for additional information regarding the non-compliance rating.

- 
- 25 The Consent Holder shall provide retrofit water quality and quantity mitigation for existing development where practicable.

**Compliance Report:**

**Unable to determine compliance**

We do not have any information regarding whether existing developments have had retrofitted water quality or quantity mitigation.

- 
- 26 Until the commencement of the targeted trial required by Schedule 4(w), when the dry weather base flow water level in the Puharakekenui/Styx River is at or above Reduced Level 10.1m Christchurch Drainage Datum, as measured at the Lower Puharakekenui/Styx water level gauge, the Consent Holder shall ensure that the Puharakekenui/Styx River is the next river from which weed is harvested and that this will commence no later than 40 days following the measurement date.

**Compliance Report:**

**Non-compliance Action required**

The Lower Styx Water Level data was submitted from the 30/11/2019, through to the 9/9/2021. The weed harvesting dates were also submitted. It appears as though the dry weather base flow water level exceeded the 10.1 m trigger level set by this condition in March 2021, however the weed harvesting was not carried out within the 40 day time frame. In this instance, it was carried out on the 26th of May 2021.

- 27 Water quality and quantity mitigation facilities and devices shall be designed in general accordance with:
- a. The *Christchurch City Council's Waterways, Wetlands and Drainage Guide, Infrastructure Design Standard, Construction Standard Specifications, Christchurch Rain Garden Design Criteria, Christchurch Stormwater Tree Pit Design Criteria* and *Stormfilter™ Design Rainfall Intensity Criterion Report* or their respective successor document(s); and
  - b. Other national and international best practice design criteria adopted by the Christchurch City Council over the duration of this resource consent.

**Compliance Report:**

**Complies**

The consent holder has provided a spreadsheet which will be used to track stormwater facilities design parameters. According to this spreadsheet three basin systems have been commissioned since the commencement date of this consent. These basins are; Wilmers, Highfield Northwest and Coxs-Quaifes. Design plans for these facilities have also been submitted to ECan. These basins have been designed in general accordance with the guidelines referred to under this condition.

- 
- 28 To ensure the risk of bird strike is minimised, the following design requirements shall apply to facilities within 3 kilometres of Christchurch International Airport:
- a. Stormwater infiltration basins shall fully drain within 48 hours of the cessation of a 2% AEP stormwater event;
  - b. Sufficient rapid soakage overflow capacity shall be provided to minimise the ponding of stormwater outside of the infiltration area(s); and
  - c. Landscape design shall limit attractiveness to birds through the use of suitable non-bird attracting species.

**Compliance Report:**

**Complies**

No facilities have been installed within 3km of the Christchurch Airport since the commencement date of this consent.

- 
- 29 The Consent Holder shall ensure:
- a. That all stormwater quality mitigation facilities and devices servicing greenfield development after commencement of this resource consent are designed to treat the first flush; and
  - b. Within the Puharakekenui/Styx River catchment, all stormwater quantity mitigation facilities serving greenfield development discharging to surface water authorised by the Consent Holder after commencement of this consent, provide Full Flood Attenuation.

'Authorised by the consent holder' means the written authorisation given by the Consent Holder to operate under this consent.

**Compliance Report:**

**Unable to determine compliance**

I cannot confirm from Appendix One of the annual report whether any greenfield developments have been approved since the consent was granted, and whether these developments have installed facilities as per the requirements of this condition.

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- 30 For all water quality mitigation facilities and devices constructed after commencement of this resource consent to service re-development, or retrofit water quality mitigation facilities for existing development, the Consent Holder shall design facilities to treat as much of the first flush as reasonably practicable.

**Compliance Report:**

**Complies**

The consent holder has provided a spreadsheet which will be used to track stormwater facilities design parameters. According to this spreadsheet three basin systems have been commissioned since the commencement date of this consent. These basins are; Wilmers, Highfield Northwest and Coxs-Quaifes. Two of the basins have been designed for 25mm of first flush, the other is a peak flood storage basin and therefore this condition does not apply.

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- 31 All stormwater mitigation facilities and devices constructed after commencement of this consent shall meet any other specific requirements as specified within the Implementation Plan when prepared in accordance with Condition 11.

**Compliance Report:**

**Complies**

- 32 Christchurch City Council stormwater infiltration facilities constructed after the commencement of the resource consent shall be located to maintain the following separation distances from domestic and community drinking water supply wells that exist prior to the construction of the infiltration facility:

- a. Infiltration devices that only discharge roof water from a single building or that discharge stormwater generated from an impervious area less than 2,000 square metres (including roof area), shall maintain a separation distance from any domestic and community drinking water supply well equivalent to the protection areas specified in Table S1A of Schedule 1 of the LWRP, unless, in the case of private drinking water bores, the Consent Holder has made a reticulated water supply available to the property.
- b. Infiltration devices for larger discharges than those described in (a) above shall maintain a separation distance of 2,000 metres when located up-gradient of domestic and community drinking water supply wells, and a separation distance of 500 metres when located down-gradient or cross-gradient of domestic and community drinking water

supply wells, unless, in the case of private drinking water bores, the Consent Holder has made a reticulated water supply available to the property.

- c. Or as an alternative to (a) and (b), a shorter separation distance may be utilised based on an assessment of site specific information undertaken by the Consent Holder and certified by the Canterbury Regional Council, Attention: Regional Leader – Monitoring and Compliance that it will have a less than minor adverse effect on domestic and community drinking water supply wells.
- d. Within 24 months of this resource consent commencing, a site-specific assessment of contamination risk and appropriate mitigation shall also be undertaken for any existing stormwater infiltration basins that do not comply with the separation distances defined in (b) above. This assessment shall be provided to the Canterbury Regional Council, Attention: Regional Leader – Monitoring and Compliance.

**Compliance Report:**

**Not operational**

Three facilities have been installed since the commencement date of the consent however none of these are infiltration facilities.

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- 33 Christchurch City Council stormwater mitigation facilities constructed after the commencement of this resource consent shall have secondary flow paths to the downstream stormwater network.

**Compliance Report:**

**Complies**

Three basin systems have been commissioned since the commencement date of this consent. These basins are; Wilmers, Highfield Northwest and Coxs-Quaifes. Wilmers Basin is designed to spill via a flow splitter device on the upstream end into Halswell Junction Outfall/Knights Stream, Highfield Northwest Basins are designed to spill to Horners Drain and Coxs-Quaifes Basins are designed to spill to Quaifes Road Drain.

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- 34 Christchurch City Council stormwater mitigation facilities constructed after commencement of this resource consent shall include best practice features designed to capture and contain as much as reasonably practicable any spills of contaminants entering the stormwater facility.

**Compliance Report:**

**Unable to determine compliance**

Three basin systems have been commissioned since the commencement date of this consent. These basins are; Wilmers, Highfield Northwest and Coxs-Quaifes. Highfield Northwest and Coxs-Quaifes have the ability to have bungs fitted to prevent any discharge from the ponds, thus containing the spill. Wilmers is a peak flood attenuation facility downstream of Owaka Treatment facility.

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- 35 Design of stormwater mitigation facilities serving sub-catchments greater than 20 hectares shall include computer modelling for detailed hydraulic analysis. The outlet hydrograph for the 2% AEP critical duration design storm generated by modelling of the final design for these facilities shall then be used in the water quantity model for the corresponding river catchment to demonstrate consistency with water quantity objectives in the SMP.

**Compliance Report:**

**Unable to determine compliance**

We do not have any information regarding compliance with this condition

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- 36 All Christchurch City Council stormwater mitigation facilities and devices constructed after commencement of this resource consent shall have an Operations and Maintenance Manual which shall be made available on request.

**Compliance Report:**

**Unable to determine compliance**

We do not have any Operations and Maintenance Manuals on file for any new facilities. Please submit the Operations and Maintenance Manuals for all facilities which have been constructed after the commencement of this consent

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- 37 The Consent Holder shall investigate and implement methods to improve the management of stormwater quality and assess and reduce stormwater effects on the receiving environment (Stormwater Quality Investigation Programme).

**Compliance Report:**

**Complies**

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- 38 The purpose of the Stormwater Quality Investigation Programme is to:
- a. Monitor the performance of selected stormwater treatment facilities and devices;
  - b. Assess the potential for the application of new technologies and management strategies; and
  - c. Investigate using various models and techniques of water quality improvement strategies and options.

**Compliance Report:**

**Complies**

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- 39 The Consent Holder shall undertake the actions set out in Schedule 3 for the investigation required by Condition 37.

**Compliance Report:**

**Complies**

The Consent Holder is currently compliant with the timeframes and reporting requirements set out under schedule 3. The Consent Holder has been actively engaging with ECan on the investigation outcomes. Schedule 3(a) - investigate the feasibility of developing an Instream Contaminant Concentration Model (ICCM) is the only item completed so far. The Consent Holder has decided to proceed with a simple ICCM as per the decision document submitted 29 October 2021. An acceptance email was sent from Jessica Newlands at ECan in response to this decision stating "The reasoning provided in the document is valid and is in line with what we discussed at the Christchurch City Council / ECan meeting on the 28th September 2021. I understand that Christchurch City Council will now progress with Schedule 3(b) of resource Consent CRC214226, and develop a simple instream contaminant concentration model, supported by surface water monitoring. Please take this email as ECan's written acceptance of Christchurch City Council's decision. Note the time frames set out in the consent for the development of the model – action start date within 2 years of the commencement of this resource consent (Dec 2021) and action completion date within three years of the commencement of the of this resource consent (Dec 2022)."

Several other programs required by Schedule Three are in progress.

- 
- 40 The Consent Holder shall undertake the actions set out in Schedule 4 for the purposes of improved stormwater management through: source control methods; communication, education and awareness; and Puharakekenui/Styx River channel weed management.

**Compliance Report:**

**Non-compliance Action required**

The Consent Holder is currently compliant with the majority of the timeframes and reporting requirements set out under Schedule 4 with the exception of Schedule 4(r). The Consent Holder has been actively engaging with ECan on the action outcomes. The following actions have been completed (or are on going and tracking is up to date): 4(a), 4(b), 4(d), 4(k), 4 (m), 4(n), 4(o), 4(p), 4(q). The Consent holder has decided not to proceed with CSNDC Schedule 4(e) as it did not provide sufficient merit. ECan have confirmed that the rationale behind Christchurch City Council's decision not to proceed with CSNDC Schedule 4(e) is reasonable. The Consent Holder has decided that there is currently no benefit from proceeding with Schedule 4L. Schedule 4L looks to prioritise source control measures in SMPs and the Implementation Plan and to determine the number of audits conducted under Condition 47(b). This decision to not proceed will be reviewed if future evidence suggests a need for this work to be undertaken. ECan has provided acceptance of this submission.

The date for the completion of Schedule 4(r) was 18 months after the completion of the consent, which was June 2021. Whilst the investigation hasn't been completed, we have received an interim report and I understand that the diquat testing will happen as soon as possible. The "non-compliant action required" status assigned as the final document wasn't submitted by the completion date, but given the mitigating factors mentioned above, no enforcement action

will be considered.

Schedule 4(i) requires that the Consent Holder instigate, in the building consent approval and inspection process, a requirement for and process for approval and inspection of erosion and sediment control measure prior to site clearances. The consent holder has set out a process in the Sediment Discharge Management Plan. There appears to be a gap in this where a site has an "exemption", this has affected industrial/commercial subdivision type developments. The Consent Holder needs to look further into this.

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- 41 The Consent Holder shall use reasonably practicable measures to ensure that a site specific Erosion and Sediment Control Plan (ESCP):
- a. Is prepared and implemented for development sites that discharge to the Council's network;
  - b. Is prepared by a suitably qualified and experienced professional prior to commencement of stripping of vegetation or earthworks;
  - c. Is prepared in accordance with the *Erosion and Sediment Control Toolbox for Canterbury* (or successor document); and
  - d. Adopts a Best Practicable Option approach

**Compliance Report:**

**Non-compliance Action required**

It appears as though site specific Erosion and Sediment Control Plans are for the most part prepared and implemented for small development sites. As has been discussed with the Consent Holder, there appears to be a gap where a site has an "exemption", this has affected industrial/commercial subdivision type developments. The Consent Holder needs to look further into this.

As detailed in my email to Doru Hozias on the 3rd of December 2021 titled "Riverstone Subdivision - 2 -4 Glovers Road, 511 Halswell Road" We have reviewed the ESCP that was approved by CCC for that site and have serious concerns about the controls (or lack of) that are proposed. We consider that the ESCP was not prepared in accordance with the Erosion and Sediment Control Toolbox for Canterbury and it does not adopt a Best Practicable Option. There is no Sediment Retention Pond (SRP) proposed for the development and the ESCP indicates that all site runoff will be directed towards the drain at the stream at the rear of the site. The only mitigation measure that the Environmental Management plan notes is that the site runoff will cross a grass buffer strip prior to entering the drain.

More detail is needed from the Consent Holder regarding who reviews ESCPs and checks controls for larger scale developments such as subdivisions and how the internal ESCP audit process works - also how this interacts with the Stormwater Approvals Process.

- 42 Copies of ESCP's submitted to or prepared by/for the Consent Holder shall be made available to the Canterbury Regional Council on request.

**Compliance Report:**

**Complies**

No ESCPs have been requested so far. I will start an audit process in the new year and will request some then.

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- 43 The Consent Holder shall develop Sediment Discharge Management Plan (SDMP) and present it to the Canterbury Regional Council, Attention: Regional Leader –Monitoring and Compliance within twelve months of the operative date of this resource consent, for certification that it is consistent with the purpose and required content of the SDMP.

**Compliance Report:**

**Complies**

The Sediment Discharge Management Plan has been submitted, however certification has not been provided as changes may occur after the Stormwater Bylaw is finalised.

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- 44 The purpose of the SDMP is to set out reasonably practicable processes and practices to be implemented to manage the discharges of stormwater from development sites into the stormwater network to mitigate adverse effects of discharges from the stormwater network on the receiving environment's water clarity and aquatic biota. The effectiveness of the processes and practices will be measured against the fine sediment and TSS Attribute Target Levels for waterways and coastal areas within Schedules 7 and 8.

**Compliance Report:**

**Not operational**

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- 45 The required content of the SDMP shall include, but not be limited to, the following means to achieve the purpose:
- a. A risk assessment to determine the TSS concentration trigger levels for the discharge of stormwater into the stormwater network from development sites. The risk assessment will include factors of slope, soil type, whether the discharge will be treated downstream by a Council treatment facility prior to reaching the receiving environment, and the sensitivity of the receiving environment.
  - b. In the event of a trigger level exceedance, a feedback process to identify and implement any changes to the erosion and sediment control practices in place on the development site. These may include reducing the area exposed to erosion by stabilisation or improving the efficiency of sediment laden water treatment.
  - c. A description of the process for how TSS concentration trigger levels will be included in authorisations by the Christchurch City Council for discharges into the network from individual sites.



- d. A process for monitoring the erosion and sediment control management and sediment discharges from development sites.
- e. Determination of a rainfall intensity which will trigger monitoring of sediment discharges from development sites into the Council's network.
- f. Details of how records will be kept (such as site TSS concentration trigger level exceedance, compliance monitoring and enforcement action), with records made available to the Canterbury Regional Council on request.

**Compliance Report:**  
**Not operational**

ECan have concerns that reports of construction phase discharges and tracking are not being followed up in a timely manner. We have followed up on several reported instances of discharges of sediment and have noticed large delays in response. We understand that CCC are implementing a new tracking software system which will allow additional transparency in the process. The SDMP refers to a officer that will be available however from discussions with the consent holder it appears that this officer has not and will not be employed. ECan would like to continue to work with CCC on this matter.

- 46 The Consent Holder may review and amend the SDMP so as to better achieve the purpose of the SDMP and in response to any updates to the relevant Attribute Target Levels. Any amendments to the SDMP shall not replace the previous version until the plan has been certified by the RMA Compliance and Enforcement Manager of the Canterbury Regional Council as being consistent with the purpose and required content of the SDMP.

**Compliance Report:**  
**Not operational**

- 47 The Consent Holder shall, in collaboration with the Canterbury Regional Council:
- a. Maintain a desktop-based identification of industrial sites that ranks sites for risk relative to stormwater discharge and identifies the industrial sites that pose the highest risk;
  - b. Audit at least 15 sites per year, of which at least 10 are sites agreed with the Canterbury Regional Council;
  - c. Vary the annual number of site audits in Condition 47(b) if agreed by the Canterbury Regional Council under Schedule 4(l);
  - d. Inform the site owner and operator and notify the Canterbury Regional Council, Attention: Regional Leader– Monitoring and Compliance if the audit process and monitoring of a site determines that the site presents an unacceptably high risk to the receiving environment.

**Compliance Report:**  
**Complies**

The Consent Holder is auditing at least 15 industrial sites per year, and are actively engaging with ECan throughout the process.

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- 48 If the Consent Holder considers, following further engagement with the site operator and the Canterbury Regional Council, that the site is not appropriately mitigating that unacceptably high risk, the Consent Holder may, upon agreement with Canterbury Regional Council, add the site to Schedule 1.

**Compliance Report:**

**Complies**

A number of sites have been added to Schedule One since the commencement of this consent with agreement from ECan.

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- 49 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.

**Compliance Report:**

**Complies**

- 50 The Consent Holder may review and amend the EMP for the purposes of improved monitoring and/ or to better determine whether the Receiving Environment Objectives and Attribute Target Levels are being met.

**Compliance Report:**

**Complies**

The EMP is currently being revised with respect to the groundwater monitoring requirements. The new version will need to be reviewed and certified by ECan next June.

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- 51 Any amendments to the EMP shall not replace the previous version until the EMP has been certified by the Canterbury Regional Council, Attention: Regional Leader – Monitoring and Compliance as complying with the requirements of Condition 49.

**Compliance Report:**

**Complies**

Version 8 (June 2021) of the EMP is held on file. Certification for this document has not been provided as changes to the groundwater section are required.

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- 52
- a. The Attribute Target Levels in Schedule 7 for hardness modified copper, lead and zinc concentrations in Banks Peninsula surface water shall be calculated for each monitored waterway following the collection of one year of monitoring data.
  - b. Hardness modified values for copper, lead and zinc for all surface water monitoring sites (including Banks Peninsula sites) within the EMP shall be reviewed every five years, with the first review being undertaken within 2 years of the commencement of this resource consent.
  - c. Hardness modified values shall be calculated using the *ANZECC (2000)* methodology outlined in the EMP. Should a new method of modifying metal concentrations become appropriate, this new methodology and any subsequent change in Attribute Target Levels shall be applied. Updated values shall be incorporated into the certified EMP as an amendment, in accordance with Condition 50.

**Compliance Report:**

**Complies**

The consent holder did not have a full year worth of monitoring at the Banks Peninsula Sites and therefore did not provide hardness modified values in accordance with 52 (a) in this years' monitoring report. This will be included in the 2022 report and the next version of the EMP amended accordingly. Hardness modified values for all surface water monitoring sites (52 (b)) were calculated and included in Appendix C of the June 2021 EMP.

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- 53
- The Attribute Target Levels in Schedules 7 to 8 are taken from relevant regional and national guideline levels. Should these guideline levels be updated, upper limit concentrations in the Attribute Target Levels shall be updated to reflect this. Updated values shall be incorporated into the certified EMP as an amendment, in accordance with Condition 50.

**Compliance Report:**

**Not operational**

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- 54
- The Attribute Target Levels in Schedules 7 and 8 for the Waterway Cultural Health Index, Marine Cultural Health Index and State of Takiwa scores, as well as the associated mana whenua values monitoring sites and methodology in the EMP, shall be developed in collaboration with Papatipu Runanga. Updated information shall be incorporated into the certified EMP as an amendment, in accordance with Condition 50, within 30 months of the commencement of this resource consent. Once these scores, sites and monitoring methods are confirmed, monitoring of mana whenua values shall commence.

**Compliance Report:**

**Not operational**

The scores, sites and monitoring methods developed according to this Condition shall be incorporated into the EMP by June 2022.

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- 55 The water quantity/flood model(s) for the Puharakekenui / Styx, Otakaro / Avon, Opawaho / Heathcote and Huritini / Halswell Rivers shall be updated as necessary to reflect changes in development patterns or modelling parameters at least every 5 years following the commencement of this resource consent. The results of model updates and a description of how they demonstrate compliance with Schedule 10 shall be included in the annual report required under Condition 61 on a 5-yearly basis following commencement of this resource consent.

**Compliance Report:**

**Not operational**

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- 56 Where the modelling results reported in accordance with Condition 21 show that the percentage contaminant reductions required by the standards in Table 2 in Condition 19, and/or by the targets derived under each catchment-specific SMP are not met, the Consent Holder shall undertake the following:
- a. Investigate the reasons for not achieving the modelled contaminant load reductions and describe what measures will be implemented (if necessary) to improve stormwater discharge quality;
  - b. Assess whether best practicable options to mitigate the adverse effects of stormwater have been carried out;
  - c. If the assessment in (b) determines that best practicable options have not been carried out, assess options for correction / remediation to mitigate any adverse effects, and provide a timeline for the implementation of correction / remediation options (if necessary); and
  - d. Submit a report to Canterbury Regional Council, Attention: Regional Leader – Monitoring and Compliance and Papatipu Runanga (via Mahaanui Kurataiao Ltd), detailing the matters set out in (a) to (c) above.

**Compliance Report:**

**Not operational**

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- 57 Where the flood modelling results show that the attribute target levels in Schedule 10, and/or water level reductions or tolerances for increases for the critical 2% and 10% AEP events set in SMPs, are not met, the Consent Holder shall:
- a. Investigate the reasons for not achieving the attribute target levels within Schedule 10 and/or the water level reductions or tolerances for the critical 2% and 10% AEP events set in SMPs, and describe what measures will be implemented (if necessary) to meet the attribute target levels within Schedule 10 and/or the water level reductions or tolerances in the SMPs. The investigation will include, but not be limited to, whether the state of waterways, including changes to channels, obstructions and sedimentation, is causing or contributing to the non-achievement;
  - b. Assess whether best practicable options to avoid or mitigate the adverse effects of flooding have been carried out;

- c. If the assessment in (b) determines that best practicable options have not been carried out, assess options for correction / remediation to mitigate any adverse effects, and provide a timeline for the implementation of correction / remediation options (if necessary). The options to be assessed will include waterway maintenance and remediation; and
- d. Submit a report to Canterbury Regional Council, Attention: Regional Leader – Monitoring and Compliance, and Papatipu Runanga (via Mahaanui Kurataiao Ltd), detailing the matters set out in (a) to (c) above.

**Compliance Report:**  
**Not operational**

The flood modelling results are not yet available at the time of writing this CMR.

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- 58 If, upon submittal of the report, where required by Condition 56 or 57, agreement between Christchurch City Council and Canterbury Regional Council cannot be reached regarding any aspects, the Consent Holder shall consult with the WIM group, or successor group, in accordance with the Joint Christchurch City Council and Canterbury Regional Council Stormwater Management Protocol or subsequent revisions to the Protocol, and in accordance with any agreements entered into between the Consent Holder and Papatipu Runanga; and implement any actions or changes identified as necessary by the WIM group, or successor group, through the consultation.

*Advice note: Discussions should be undertaken with the Canterbury Regional Council prior to and following investigations, to try to establish agreed approaches prior to submitting the report.*

**Compliance Report:**  
**Not operational**

- 59 If the monitoring results identify that the TSS, copper, lead and zinc Attribute Target Levels in surface water, as set out in Schedules 7 and 8, and *Escherichia coli*, copper, lead and zinc in groundwater, as set out in Schedule 9, are not being met, the Consent Holder shall:
- a. Engage with the Canterbury Regional Council about conducting an investigation into whether this is due to the effects of stormwater discharges authorised under this resource consent, with site investigations prioritised for areas with high levels of contaminants, or with sensitive or high value receiving environments;
  - b. Carry out an investigation if required under Condition 59(a) and compile the results of such an investigation into a report to be submitted to the Canterbury Regional Council and Papatipu Runanga (via Mahaanui Kurataiao Ltd);
  - c. Include in the report, at a minimum:
    - i. An evaluation of whether the monitoring results are due to stormwater discharges authorised under this resource consent or not;

- ii. An assessment of options for correction/remediation if effects are likely due to stormwater discharges authorised under this resource consent;
  - iii. A timeline of implementation of corrective action/remediation if effects are a result of discharges authorised under this resource consent;
- d. If, upon submittal of the above report, agreement between Christchurch City Council and Canterbury Regional Council cannot be reached regarding any aspects of the report referenced in (c) above, the Consent Holder shall consult with the WIM group, or successor group, in accordance with the Joint Christchurch City Council and Canterbury Regional Council Stormwater Management Protocol or subsequent revisions to the Protocol, and in accordance with any agreements entered into between the Consent Holder and Papatipu Runanga and implement any actions or changes identified as necessary by the WIM group, or successor group, through the consultation;
  - e. The sites triggering an investigation for a given monitoring year shall be identified in the annual report referred to in Condition 61, and the subsequent investigation report shall be provided with the following annual monitoring report twelve months later; and
  - f. Implement any actions or changes identified as necessary by the WIM group, or successor group, through the consultation under (d) above.

*Advice note: Discussions should be undertaken with the Canterbury Regional Council prior to and following investigations, to try to establish agreed approaches prior to submitting the report.*

### **Compliance Report:**

#### **Complies**

The Surface Water Quality Annual Report for 2020 was submitted in June 2021. This report notes that over 32,000 tests for monthly monitoring were undertaken during 2018-2020. 17% of these samples did not meet the guideline level. 51 sites did not meet the guidelines for at least one parameter. Condition 59 is only triggered if the TSS, copper, lead, and zinc Attribute Target Levels in surface water are not met. This occurred at 32 of the 51 surface water quality monitoring sites.

Given the large number of sites, the consent holder has proposed a method for ranking the sites in terms of catchment priority and whether there is an increasing or decreasing trend in contaminant concentrations. Four sites have been identified as a priority for investigation:

- Curletts Stream at Motorway (Ōpāwaho/Heathcote Catchment)
- Ōpāwaho/Heathcote at Ferrymead Bridge (Ōpāwaho/Heathcote Catchment)
- Addington Brook (Ōtākaro/Avon Catchment)
- Nottingham Stream at Candys Road (Huritini/Halswell Catchment).

ECan has agreed on these four sites. The number of sites per year will have to be assessed on a case by case basis depending on how manageable the investigation work load is.

The consent holder provided a draft investigation scope to ECan on the 29th of October. Ecan provided the following comments:

- Table 3 contains milestones and associated dates. These need to be revised given the delay in engaging with ECan on the investigation scope.
- We consider that the Scope of Work – Table 2 is too brief and contains insufficient detail. We would like to see an investigation scope with more detail split out for each site including

methodology, consultant requirements and timeframes.

- We do not agree with the recommendation to exclude the Heathcote River at Ferrymead Bridge site from this program of works. Four sites were agreed with ECan during earlier meetings about the Annual Report and Surface Water Quality Report. We do accept that there are many factors that may influence the water quality at this monitoring point given its location at the bottom of a catchment. We suggest that an investigation is still progressed, but that it is planned out over a longer time frame than the 1 year stipulated by the consent. This investigation could include looking at major lower catchment inputs such as from the Woolston/Hillsborough industrial areas. This broad approach could then be narrowed down in subsequent years based on what the monitoring shows.
- We are surprised that the budget and resourcing is unknown at the stage. We would have expected that the investigation scope and depth is informed by the budget and resources. Please provide clarification on this and add more detail into the budget and resources.
- The document purpose states that the project scope aims to allow assessment of the likely scale of resources required to progress the investigation project (e.g., staff/consultant time and research/monitoring costs). Staff/consultant time and research/monitoring costs have not been explored in any detail in the project scope, and the methodology/scope of works is so light on detail that it would be difficult to estimate time and costs. Please add more detail around the consultants that have been engaged, and whether they have had any input on the project scope.
- Please confirm whether the investigation and monitoring data for Addington Brook has been obtained from ECan, or whether you require this to be collated.

Following this feedback the Consent Holder engaged Prattle Delamore Partners (PDP) to prepare the scope. They hope to have a draft scope through by Christmas.

The results of the investigation need to be submitted in a report accompanying the 2022 Annual Report.

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- 60 The Consent Holder shall maintain relevant records including, but not limited to, detailed design drawings and reports, details of site-specific assessments undertaken, maps and any engineering design and construction certificates issued for any water quality or quantity mitigation facilities constructed. These records are to be made available to Canterbury Regional Council on request.

**Compliance Report:**

**Complies**

Detailed design drawings and reports were requested on the 8th of September for any facilities constructed or approved since the commencement date of this consent. These have been received for the three facilities constructed since the commencement date of this consent.

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- 61 The Consent Holder shall provide an annual report to the Canterbury Regional Council, Attention: Regional Leader – Monitoring and Compliance, Banks Peninsula and Christchurch-West Melton Zone Committees, and Papatipu Runanga (via Mahaanui Kurataiao Ltd) by 30 June each year following the calendar year reported on. The first annual report shall cover the calendar year following the commencement of this resource

consent. This report shall also be made available on the Christchurch City Council website and shall include, where appropriate:

- a. A summary of the outcomes of monitoring, investigations and other actions, in accordance with Conditions 23, 39, 40, 49, 54, and the 5-yearly report required under Condition 55. This summary shall be presented in such a way as to assess compliance with the resource consent conditions and trigger the responses required;
- b. A summary of the C-CLM results and contaminant load reduction targets set within SMPs, including any amendments to the model and consequential changes to expected contaminant load reductions;
- c. A summary of any discussions, consultation or responses carried out under Conditions 56 - 59;
- d. A summary of Canterbury Regional Council records of consent compliance and where any non-compliances of this resource consent occurred;
- e. A summary of flood modelling results (if applicable) for development in greenfield areas;
- f. Any updates to Schedule 1;
- g. An update on the timetable for construction and activation of Christchurch City Council stormwater mitigation systems for each SMP area, and/or any changes to the implementation of SMP requirements;
- h. Records of developments authorised under this consent;
- i. Report on any collaboration with Papatipu Runanga and any activities relating to the protection or enhancement of mana whenua values;
- j. A summary of the stormwater quality investigations undertaken during the year;
- k. A summary of any additional monitoring or investigations undertaken beyond those specified in the EMP, including those undertaken on industrial sites in accordance with Condition 47, that have been initiated to inform the Consent Holder on stormwater management effectiveness;
- l. Reporting of the alignment of the consent with the Christchurch-West Melton sub-regional section of the Canterbury LWRP;
- m. Any changes to the regulatory framework that may warrant changes to the SMPs; and
- n. Any complaints or observations received by the Consent Holder regarding spring flow and/or quality.

### **Compliance Report:**

#### **Complies**

The 2020 Annual Report was submitted to ECan in June 2021. Comments from a range of specialists were then collated and discussed with CCC at a meeting held on the 25th of August. These comments were submitted to Christchurch City Council in spreadsheet form on the 30th of August. An email was provided to the Consent holder as a formal assessment of the submitted report against the requirements of Condition 61 of resource consent CRC214226 on the 5th of November 2021. This email stated the following.

"I have the following comments to make: Items b, e, g and j were not reported on this years' report as the data/information is not yet available. A summary of the outcomes of the



Environmental Monitoring Programme (condition 49) was included in the report. ECan have concerns about the content of the Groundwater Report which is informed by the methodology set out in the EMP. A meeting between CCC and ECan will be held on the 18th of November to discuss this and change the methodology going forward into the 2021 Groundwater and Annual Reports. This does not affect the compliance status of the 2020 Annual Report. The Surface Water Quality Annual Report for 2020 was submitted with the Annual Report. CCC has acknowledged that there was an error in copying over the surface water quality recommendations - going forward these will all be included. They will also include the recommendations from the aquatic ecology reports in future reports. This report notes that over 32,000 tests for monthly monitoring were undertaken during 2018-2020. 17% of these samples did not meet the guideline level. 51 sites did not meet the guidelines for at least one parameter. Condition 59 is only triggered if the TSS, copper, lead, and zinc Attribute Target Levels in surface water are not met. This occurred at 32 of the 51 surface water quality monitoring sites. Given the large number of sites, CCC proposed a method for ranking the sites in terms of catchment priority and whether there is an increasing or decreasing trend in contaminant concentrations. Four sites have been identified as a priority for investigation, and ECan has agreed with the selection of these four sites. We do however note that we would have preferred earlier engagement about the selection of these and requires that this is done so for next years' report. The four sites are: Curletts Stream at Motorway (Ōpāwaho/Heathcote Catchment) Ōpāwaho/Heathcote at Ferrymead Bridge (Ōpāwaho/Heathcote Catchment) Addington Brook (Ōtākaro/Avon Catchment) Nottingham Stream at Candys Road (Huritini/Halswell Catchment).

In general, the submitted 2020 Annual Report is compliant with the requirements condition 61. The main changes required are to the Groundwater Report/groundwater section of the EMP, and it was agreed that this would be revised in time for the next submittal date in 2022."

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- 62 The Consent Holder shall engage with Papatipu Runanga to collaboratively consider the conditions of this consent on a 5-yearly basis from the date of granting of this resource consent.

**Compliance Report:**  
**Not operational**

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- 63 The Canterbury Regional Council may, on any of the last five days of March or September each year, serve notice of its intention to review the conditions of this resource consent for the purposes of:
- a. Dealing with any adverse effect on the environment which may arise from the exercise of this resource consent;
  - b. Complying with the requirements of a relevant rule in an operative regional plan;
  - c. Achieving consistency of this resource consent in regard to catchment management planning and stormwater management with the provisions of the Christchurch--West Melton Sub-regional Section of the Canterbury LWRP within five years of the notification of the sub-regional section;

- d. Providing alternative Receiving Environment Attribute Target Levels for water quantity;
- e. Ensuring that improvements of the quality of the stormwater discharge occur over the duration of this resource consent to reduce any adverse effect on the environment;
- f. To provide alternative standards for the expected city-wide percentage contaminant load reductions in Condition 19, or targets for the contaminant load reductions set within SMPs that become apparent through the C-CLM or alternative methods developed by the Consent Holder.

**Compliance Report:**  
**Not operational**

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- 64 Prior to the exercise of this resource consent, the following resource consents shall be surrendered:
- a. CRC120223
  - b. CRC131249.

**Compliance Report:**  
**Complies**

These consents have been surrendered

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- 65 If this resource consent is not given effect to before 30 June 2024, then it shall lapse in accordance with Section 125 of the Resource Management Act 1991.

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**General comments**

This Compliance Monitoring Report is a desktop assessment of Christchurch City Councils' compliance with CRC214226. My intention is to provide a full CMR on this consent on a 6 monthly time frame. Note that whilst the first two Stormwater Management Plans (SMPs) have now been submitted, this CMR is not providing certification. The SMPs are currently with ECan staff members for review and I will provide feedback and/or formal certification by the end of January 2022.

All consent conditions and Schedules have been reviewed. The non-compliance action required compliance status has been assigned based on a range of conditions. Please view the attached compliance assessment and provide further information where required.

**Date Inspected:** 15 Dec 2021

**Monitored By:** Jess Newlands



Signature: \_\_\_\_\_

Senior Resource Management Officer - Compliance Monitoring

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### **General information**

#### **Canterbury Regional Council Obligations**

Under Section 35 of the Resource Management Act 1991, the Canterbury Regional Council has a duty to monitor all resource consent exercised within its region, to make sure all the conditions are being complied with.

#### **Monitoring Frequency**

The frequency with which your consent is monitored will vary according to the type of activity your consent authorises, the conditions imposed and the extent to which you have complied with these conditions on previous visits. **If you fully comply with all conditions then frequency will reduce to the minimum set for the activity.**

#### **Costs**

It is the Council's policy to recover all actual and reasonable costs of compliance monitoring of resource consents.