

This is a further submission to the Environmental Protection Authority where the matter relates to request for change to plan where Minister has made a direction under section 142(2) of the Resource Management Act 1991.

The plan change is the Omnibus Plan Change – Plan Change 8 to the Water for Otago: Regional Plan.

Part A: Further submitter details

Name of organisation: <i>(if relevant)</i>	Dunedin City Council		
Title:	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Dr <input type="checkbox"/> Other: (Please tick the appropriate title)		
First name of further submitter:		Surname of further submitter:	
First name of contact person: <i>(if different to above)</i>	Rachel	Surname of contact person: <i>(if different to above)</i>	East
Home Ph:		Work Ph:	03 477 4000
Mobile:			
Email address for service:	rachel.east@dcc.govt.nz		
Postal Address: <i>(or alternative address for service)</i>	PO Box 5045, Dunedin	Postcode:	9054

Part B: Interest

Only persons that come under the following categories may make further submissions.

<p>I am a person representing a relevant aspect of the public interest.</p> <p>The grounds for saying why I come within this category are explained below. <input checked="" type="checkbox"/></p>	<p>I am a person who has an interest in the Omnibus Plan Change (PC8) that is greater than the interest the general public has.</p> <p>The grounds for saying why I come within this category are explained below. <input type="checkbox"/></p>	<p>I am the local authority <input type="checkbox"/></p>
<p>Please specify the grounds for saying why you come within the category above:</p>		
<p>Dunedin City Council is a territorial authority and undertakes stormwater and wastewater management on behalf of its communities. Some of its discharges are currently permitted, some are consented, and some will be consented in the near future.</p>		

Part C: Do you wish to be heard in support of your further submission?

<p>I do not wish to be heard in support of my further submission <input type="checkbox"/></p>	<p>I wish to be heard in support of my further submission. <input checked="" type="checkbox"/></p> <p>If others make a similar submission, I will consider presenting a joint case with them at a hearing. <input checked="" type="checkbox"/></p>
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Part D: Further submission points

If you require additional space for any question(s) please attach further documents or paper to this further submission form and clearly state your name and the question(s) you are expanding on.

Name of original submitter	Particular parts of the submission you support/oppose <i>Please indicate whole submission or submitter point ID (e.g. 80005.3)</i>	Are you in support of or in opposition to the particular whole/part of the submission?	What are your reasons for your support or opposition?	Do you seek for the whole/part of the submission to be allowed or disallowed (select one)?
Southern District Health Board	80013.03	Oppose	<p>Eliminating dry weather overflows as far as practicable creates uncertainty – “as far as practicable” is a subjective measure without further guidance to give certainty on expectations. As outlined in the DCC’s own submission, in some cases, the provision of an overflow may be the best practicable option with minimal environmental effects. Total elimination of overflows is near impossible or prohibitively expensive. In the DCC’s experience, conclusive determination of the source(s) of dry weather overflows is extremely labour-intensive, time-consuming and often ultimately unsuccessful.</p> <p>A balance needs to be found between the community’s essential infrastructure needs</p>	Disallow

			<i>and the management of discharges into the region's waterways.</i>	
<i>B P Marsh</i>	<i>80022.03</i>	<i>Oppose</i>	<p><i>“Requiring” rather than “promoting” the upgrade of the quality of water discharged from existing stormwater systems creates uncertainty on expectations without further guidance within the planning framework.</i></p> <p><i>Insofar as PC8 is an interim measure while the Land and Water Regional Plan (LWRP) is developed, the substantial costs associated with requiring retrofitting of blanket mitigation measures to existing systems at this time may not be effective or efficient.</i></p> <p><i>In addition, there is no certainty or guidance for 3 waters service delivery providers, if it is a requirement, on how the ORC would enforce such a policy, as there are no proposed changes to the rule framework for stormwater.</i></p>	<i>Disallow</i>

<p>Central Otago Environment Society</p>	<p>80028.01, 80028.02, 80028.05 Approve the Plan Change with amendments: Specify regulatory limits for urban stormwater and sediment discharges</p>	<p>Oppose</p>	<p>Setting regulatory limits for stormwater is supported in principle as it would provide clarity and certainty for all parties. It is noted that, in the longer term, setting of regulatory limits, including stormwater, will be needed to meet the National Policy Statement for Freshwater Management 2020. As an interim framework where further change is possible as part of development of the Land and Water Regional Plan (LWRP), the DCC considers it is more appropriate to set those limits for stormwater as part of the development of the LWRP. Any limits set must be reasonable, achievable, and timebound.</p>	<p>Disallow</p>
<p>Director General of Conservation</p>	<p>80055.03 - Amend Policy 7.C.6(b) as follows: Requiring the progressive upgrading of the quality of water discharged from existing stormwater reticulation systems, including through: (i) The separation of sewage and stormwater; and (ii) Measures to prevent contamination of the receiving environment by industrial or trade waste; and (iii) The use of</p>	<p>Oppose</p>	<p>Cross contamination with sewage systems is only one of many causes of poor quality discharges from existing stormwater reticulation systems. "Requiring" rather than "promoting" the upgrade of the quality of water discharged from existing stormwater systems creates uncertainty in terms of expectations without further guidance within the planning framework.</p>	<p>Disallow</p>

	<p><i>techniques to trap debris, sediments and nutrients present in runoff. and iv) Reducing contaminant and sediment loadings at source through contaminant treatment and by controls on land use activities; and</i></p> <p><i>v) Requiring integrated management of catchments and stormwater networks; and</i></p> <p><i>vi) Promoting design options that reduce flows into stormwater reticulation systems at source.</i></p>		<p><i>Insofar as PC8 is an interim measure while the Land and Water Regional Plan (LWRP) is developed, the substantial costs associated with requiring retrofitting of blanket mitigation measures to existing systems at this time to improve water quality may not be effective or efficient.</i></p> <p><i>In addition, there is no certainty or guidance for 3 waters service delivery providers, if it is a requirement, on how the ORC would enforce such a policy, as there are no proposed changes to the rules framework for stormwater.</i></p> <p><i>While the DCC agrees that reducing contaminant and sediment loadings at source, integrated stormwater management and design options to reduce flow into the reticulation are beneficial, the appropriateness of including clauses from the New Zealand Coastal Policy Statement Policy for management of freshwater discharges is questioned.</i></p>	
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<p>Ngāi Tahu Ki Murihiku</p>	<p>80078.01 - Amend by adding new clause (d) as follows:</p> <p><u>d) The use of discharge to land options as a preference wherever practicable.</u></p>	<p>Oppose</p>	<p><i>Discharging stormwater from urban areas to land (such as into stormwater detention or retention ponds) would provide some water quality benefits by reducing pollutants and sediments. However, a new stormwater reticulation system or an extension to an existing stormwater system can capture stormwater discharges from many hundreds, or thousands, of properties.</i></p> <p><i>Discharging stormwater to land on this scale would require substantial areas of available land in the appropriate downstream location(s), making it impractical in many cases to discharge to land.</i></p> <p><i>Discharging to land on individual urban properties can increase flooding and erosion on both subject and adjacent properties.</i></p> <p><i>It is unclear how the clause would be applied and in what situations the DCC would be required to give preference to discharge to land, or what “wherever practicable” means.</i></p>	<p>Disallow</p>
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<p>Ngāi Tahu Ki Murihiku</p>	<p>80078.02 – Amend to give effect to Te Mana o te Wai, such as the following: <u>Reduce the adverse environmental effects from existing stormwater reticulation systems by:</u> (a) Requiring the progressive upgrade of stormwater reticulation systems to minimise the volume of avoid sewage entering the system and the frequency and volume of sewage overflows; and (b) To promote Promoting the progressive upgrading of the quality of water discharged from existing stormwater reticulation systems to protect the mauri of waterbodies, including through: (i) <u>The separation of sewage and stormwater; and</u> (ii) <u>Measures to prevent contamination of the receiving environment by industrial or trade waste; and</u> (iii) <u>The use of techniques to trap debris, sediments and nutrients present in runoff; and</u></p>	<p>Oppose</p>	<p>It is unrealistic to avoid (prohibit) sewage entering the stormwater system and to avoid sewage overflows. As outlined in the DCC’s own submission, in some cases, the provision of an overflow may be the best practicable option with minimal environmental effects. Total elimination of overflows is near impossible or prohibitively expensive. “Minimising” and mitigation with clear standards and timeframes for improvement and reasonable expectations are more appropriate and achievable.</p>	<p>Disallow</p>
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	<u><i>(d) The use of discharge to land options as a preference wherever practicable.</i></u>			
Ngāi Tahu Ki Murihiku	<p>80078.03 – Amend to give effect to Te Mana o te Wai, such as the following:</p> <p><u>Reduce the adverse effects of discharges of human sewage from reticulated wastewater systems by:</u> <u>(a) Promoting the progressive upgrading of reticulated wastewater systems to protect the mauri of waterbodies, including through:</u> <u>(i) preferring discharges to land over discharges to water, unless adverse effects associated with a discharge to land are greater than a discharge to water; and</u> <u>(ii) recognising and providing for the relationship of Kāi Tahu with Statutory Acknowledgement Areas and cultural values associated with waterbodies; and</u> <u>(iii) reducing the frequency</u></p>	Oppose	<p><i>As outlined in the DCC’s own submission, in some cases, the provision of an overflow may be the best practicable option with minimal environmental effects. Total elimination of overflows is near impossible or prohibitively expensive. Reducing the frequency and volume of overflows as an interim measure provides no certainty on what standard is expected over what timeframe and what is expected after the “interim measure” finishes.</i></p> <p><i>For discharges to land, more guidance is needed on the level of acceptable adverse effects and criteria used to determine when a discharge to water would be acceptable over a discharge to land. Moving away from an existing discharge to water and towards a discharge to land would require substantial forward planning and financial investment (over and above that of a renewal of a discharge) because of significant considerations such as buying land and the</i></p>	Disallow

	<p><u>and volume of overflows as an interim measure; and</u> <u>(a) Requiring reticulated wastewater systems to be designed, operated, maintained and monitored in accordance with recognised industry standards; and</u> <u>(b) Requiring the implementation of measures to:</u> <u>(i) Progressively reduce the frequency and volume of wet weather overflows; and</u> <u>(ii) Minimise the likelihood of dry weather overflows occurring; and</u> <u>(c) Preferring discharges to land over discharges to water, unless adverse effects associated with a discharge to land are greater than a discharge to water; and</u> <u>(d) Having particular regard to any adverse effects on cultural values.</u></p>		<p>likely need to significantly change treatment processes.</p>	
<p>Federated Farmers of New Zealand - Otago and North Otago Provinces</p>	<p>80090.05</p>	<p>Oppose</p>	<p>While the DCC supports the intent of the amendment, uncertainty remains about what “reasonable” measures and expectations are to reduce wet weather overflows and minimise dry weather</p>	<p>Disallow</p>

			<i>overflows because they are not defined.</i>	
<i>Otago Fish and Game Council and the Central South Island Fish and Game Council</i>	<i>80080.08 - Amend Policy 7.C.5 to insert minimum ecosystem health thresholds for stormwater systems</i>	<i>Oppose</i>	<i>The request to amend Policy 7.C.5 and any other stormwater management related provisions in the RPW to insert minimum ecosystem health thresholds for stormwater systems is supported in principle as it give certainty and clarity for all parties. However, the DCC considers the setting of such ecosystem health thresholds for stormwater systems needs to be undertaken in a wider context and with local community engagement for the best community outcomes and therefore would be more appropriate to address as part of the development of the LWRP. In addition, PC8 gives no guidance on how such ecosystem health thresholds will be applied as there are no proposed changes to the rules framework for stormwater.</i>	<i>Disallow</i>

<p>Otago Fish and Game Council and the Central South Island Fish and Game Council</p>	<p>80080.09 – Amend as follows:</p> <p><u>7.C.5 Avoid Minimise the adverse environmental effects of discharges:</u> ... <u>(d) Measures to filter, attenuate or prevent runoff being discharged during rain events.</u></p>	<p>Oppose</p>	<p>Adverse effects can be minimised through mitigation measures; “avoiding” (prohibiting) adverse effects of new stormwater discharges is an impossible target and sets unrealistic and unachievable standards.</p> <p>Measures to filter, attenuate or prevent runoff being discharged during rain events are supported in principle but are difficult to retrofit on existing stormwater systems, especially at a catchment scale.</p>	<p>Disallow</p>
<p>Otago Fish and Game Council and the Central South Island Fish and Game Council</p>	<p>80080.11 – Amend as follows:</p> <p><u>7.C.6 Reduce and progressively avoid the adverse environmental effects from existing stormwater reticulation systems by:</u> ... <u>(b) To promote-Promoting</u> Require the progressive upgrading of the quality of water discharged from existing stormwater reticulation systems, including through: (i)... (ii)... (iii)...</p>	<p>Oppose</p>	<p>It is unclear how “progressively avoid” (progressively prohibit) the adverse environmental effects from existing stormwater systems could be achieved. Stormwater networks are an essential service for communities and will always result in a discharge. Minimising adverse effects is more appropriate than avoiding.</p> <p>Requiring the progressive upgrading of the quality of discharge from existing stormwater systems is supported in principle, but with no clarity on standards, expectations or guidance is</p>	<p>Disallow</p>

	<i>(iv) Measures to filter, attenuate or prevent runoff being discharged during rain events.</i>		<i>unreasonable, particularly given it is costly and difficult to retrofit measures to an existing stormwater system</i>	
<i>Royal Forest and Bird Protection Society of New Zealand Inc</i>	<i>80082.01 & 80082.02</i>	<i>Oppose</i>	<i>Minimising adverse effects rather than avoiding (prohibiting) significant and other adverse environmental effects from new or extension of existing stormwater systems is more appropriate as 'avoid' is near impossible to achieve.</i>	<i>Disallow</i>
<i>Royal Forest and Bird Protection Society of New Zealand Inc</i>	<i>80082.03</i>	<i>Oppose</i>	<p><i>The addition of avoiding (prohibiting) adverse effects of discharges of human from new reticulated wastewater systems is unclear, unrealistic and near impossible to achieve. Human sewage discharges may have minimal adverse effects but under this request even these discharges would not be allowed.</i></p> <p><i>The DCC agrees that contingency measures are needed for system failures or where design capacity is exceeded, but further guidance is needed on expectations, how these requirements will be implemented and what is</i></p>	

			<p><i>acceptable. Balance is required – sometimes an emergency discharge to water may be a better option than total failure of a wastewater treatment plant, or upstream flooding of property.</i></p>	
<p>Maori Point Vineyard Ltd (Arthur)</p>	<p>80004.02 – Amend by replacing the word 'Promoting' with 'Require':</p> <p><i>(b) To promote <u>Promoting</u> <u>Require</u> the progressive upgrading...</i></p>	<p>Oppose</p>	<p><i>“Requiring” rather than “promoting” the upgrade of the quality of water discharged from existing stormwater systems creates uncertainty on expectations without further guidance within the planning framework.</i></p> <p><i>Insofar as PC8 is an interim measure while the Land and Water Regional Plan (LWRP) is developed, the substantial costs associated with requiring retrofitting of blanket mitigation measures to existing systems at this time may not be effective or efficient.</i></p> <p><i>In addition, there is no certainty or guidance for 3 waters service delivery providers, if it is a requirement, on how the ORC would enforce such a policy, as there are no proposed changes to the rule framework for stormwater.</i></p>	<p>Disallow</p>

Royal Forest and Bird Protection Society of New Zealand Inc	80082.29 - Proposed amendment to policy 10.4.2 and oppose a policy exception for nationally and regionally significant infrastructure.	Oppose	The DCC considers it is appropriate to have a policy exception for nationally and regionally significant infrastructure. As set out in the DCC's submission, the proposed Smooth Hill landfill should be recognised as regionally significant infrastructure.	The DCC seeks that this part of the submission be disallowed.
Queenstown Lakes District Council	80076.04	Oppose in part	Proposed QLDC earthworks definition doesn't align with 2GP definition of earthworks as well as the proposed ORC earthworks definition does.	Disallow
Federated Farmers of New Zealand - Otago and North Otago Provinces	80090.50	Support in part	Proposed amendment aligns with 2GP definition of earthworks which excludes earthworks associated with cultivation, harvesting and tilling, which are included as part of the definition of farming.	Allow
Queenstown Lakes District Council	80076.01	Oppose in part	Alignment of the ORC earthworks provisions with the QLDC earthworks provisions would result in duplication with 2GP plan provisions as detailed in the DCC's original submission.	Disallow
Queenstown Lakes District Council	80076.02	Oppose in part	DCC is concerned about the inefficiencies of plan duplication and the confusion this may cause for plan users. As well as duplication, there is also misalignment of the rules in	Disallow

			the respective plans regarding setbacks from water bodies.	
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Part E: Signature

Signature of person making further submission or person authorised to sign on behalf of person making further submission. Please note a signature is not required for electronic submissions.

Signature:

A handwritten signature in blue ink, appearing to read 'Aaron Hawkins', with a stylized flourish at the end.

Aaron Hawkins, Mayor of Dunedin

Date: 1 October 2020