

## 10.2. INFORMATION Reports Infrastructure Services



21-87

<b>Title:</b>	<b>Update on Implementation of Stormwater Management for Trade and Industrial Premises</b>
<b>Section:</b>	Environmental Services & Protection, Compliance & Enforcement - Monitoring & Compliance
<b>Prepared by:</b>	Kate Sykes – Environmental Risk, Monitoring & Compliance Team Leader
<b>Meeting Date:</b>	Wednesday 26 May 2021

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Legal: No

Financial: No

Significance: **Low**

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### Report to OPERATIONS Committee for information

#### PURPOSE

The purpose of this report is to provide an update on the implementation of the Stormwater Management Plan (SMP) rule for trade and industrial sites that contributes to the ongoing improvement of freshwater quality.

#### SUMMARY

The adoption of the Freshwater Plan (and subsequent inclusion into the wider Tairāwhiti Resource Management Plan) has brought into effect new rules governing the discharge of stormwater, to maintain and enhance the water quality of our rivers and streams.

The SMP rule applies to individual trade and industrial sites, but not domestic properties (which is being addressed by the DrainWise Project).

The new rule affecting trade and industrial sites requires them to meet stormwater quality discharge limits in order to be a permitted activity or to otherwise obtain a resource consent to control the discharge of contaminants.

An engagement and education approach was used to develop a compliance pathway leading to the implementation date. To date 157 SMP's have been received, 50 have been reviewed and are in the process of being accepted. It is estimated 95% of our high-risk sites are included in this figure. Management of sediment (from unpaved industrial yards) is the most common contaminant to be managed, followed by hydrocarbons and detergent. For those sites which are requiring significant investment to meet stormwater discharge water quality rules, the SMP provides a five-year compliance pathway to meet the new rule.

The decisions or matters in this report are considered to be of Low significance in accordance with the Council's Significance and Engagement Policy.

## RECOMMENDATIONS

That the Operations Committee:

1. Notes the contents of this report.

*Authorised by:*

**Helen Montgomery - Director Environmental Services & Protection**

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**Keywords:** stormwater management plan rule, DrainWise project, trmp, freshwater plan

## **BACKGROUND**

1. Rule C6.2.3(3) of the Tairāwhiti Resource Management Plan (TRMP) was introduced as part of the Gisborne Regional Freshwater Plan that came into effect in 2017.
2. The intent of the rule is to ensure point source discharges to the reticulation network and directly into a water body are free from contaminants (including sediment) that could further degrade the quality of that water body.
3. It required all existing trade and industrial sites in Gisborne to submit an SMP addressing best practice stormwater management by May 2020. The discharge of stormwater from land, roofs, paved areas and roads from industrial or trade premises, or diversion of the same to a public stormwater network is a permitted activity, if it complies with the applicable activity standards in rule C6.2.3(3) of the TRMP (Permitted Activity Rule). A resource consent is required if the business cannot achieve the activity standards.
4. The rule imposes a responsibility on both the business occupier and the site owner (where these are different) and requires them to work jointly to address contaminants present on the site as a result of the activity occurring.
5. An implementation project was established in May 2019, to provide information and guidance to customers to help them submit SMPs and manage their stormwater according to the TRMP requirements.

## **DISCUSSION and OPTIONS**

### ***Supporting information material around SMP requirements***

6. As this was a new incoming rule, and to ensure optimal uptake of compliant activity, a review of current information available to stakeholders was undertaken. This resulted in:
  - a) An upgrade of the Industrial Stormwater pages on the Gisborne District Council (GDC) website that outlined the TRMP requirements along with general information regarding stormwater, stormwater contamination and stormwater management.
  - b) A read/writeable template SMP form to make it easier for smaller businesses to submit and to provide guidance for more complex business to design SMPs.
  - c) A supporting guidance document to help business and site owners understand the requirements and what was being asked in the template.
  - d) An educational flyer featuring one of the more polluted streams in the Gisborne region (Waikanae Stream) to give an example on why industrial stormwater management is not only important, but required. This flyer was handed out to businesses and placed in public locations free to take with the aim to give stormwater management a personal aspect.

### ***Education of business and site owners***

7. Both a blanket and targeted approach was adopted for education of the trade and industrial sites and business owners to provide a pathway to compliance.
8. The blanket approach was the initial contact in January 2018. A letter was sent out to all known trade and industrial sites in Gisborne. It resulted in little response for information, possibly due to customers having poor knowledge around the impact of contaminated stormwater, or simply that the compliance date was still too far into the future.

9. The targeted approach began in June 2019 and intensified over the next six months with educational site visits targeting the commercial/industrial area bounded by Stanley/Awapuni/Lytton Roads.
10. The site visits offered the opportunity to provide specific information to the business owner, with discussions about improving site housekeeping practices and treatment device options. This opportunity was also used to gather contact details for site owners and operators, as well as information regarding obstacles like flooding and limited waste disposal options that pose obstacles in our region.
11. Following the educational site visits it was apparent that most site occupiers had poor understanding of the new requirements, council stormwater and trade waste networks, stormwater contamination or stormwater treatment. As a result, several workshops for trade and industrial site owners and businesses, including contractors who might be involved in SMP design and council staff who might be involved in the SMP process, were held in September 2019.
12. The workshops were well received, with over 70 attendees over the two days. Feedback received from workshop attendees showed that the majority found the workshop helpful and would recommend that all owners and operators of trade and industrial sites should attend.
13. In February 2020 a follow up workshop, designed as a drop-in session over two days around lunch time was held. Customers were able to come in with their SMPs, sit down with a council representative and get site specific advice on their SMPs. Staff who aided this process included team members of the trade waste team, environmental risk team, a development engineer and a stormwater treatment specialist. With the range of advisors available, attendees were able to get the help they needed and feel supported in the process of submitting an SMP.
14. Reminder emails to our business contacts, a public notice in the Gisborne Herald and an article in the council newsletter Panui, occurred in March 2020 as a reminder for businesses to submit their SMPs in time.
15. Two months before the compliance date, NZ went into lockdown because of the unforeseen COVID-19 pandemic. This meant that many business owners were unable to access their businesses and could not finalise their SMPs. The decision was made by the Director of Environmental Services & Protection, that the implementation date required under Rule C6.2.3 of the TRMP for businesses and landowners to submit an SMP by 1 May 2020 would be extended to 1 August 2020.

#### **Site assessment and SMP Review**

16. As part of our summer student programme 2019/20 we designed a Stormwater Survey App. The App featured questions around objects or site management practices that could pose risks to stormwater – with drop-down answers, such as fuel storage tanks, sediment accumulation and bad housekeeping practices. This design made it easy to navigate for the summer students without the requirement of intensive training. The survey was then exported into a report, including standard phrases, depending on what features had been selected. Site-specific comments were added by a compliance officer or Environmental Risk team member before sending the reports back to the business.

17. Over the summer of 2020/21 summer students kayaked the length of the Waikanae Stream from the mouth at the Turanganui River to the Lytton Road bridge. During this process they photographed and took GPS coordinates of all pipe work discharging to the stream. This information will be shared with the 4-Waters team to help identify point source dischargers, as they begin to prepare for managing the reticulation network discharge.
18. To date 157 SMP's have been received, 50 have been reviewed and are in the process of being accepted. It is estimated 95% of our high-risk sites are included in this figure. Management of sediment (from unpaved industrial yards) is the most common contaminant to be managed, followed by hydrocarbons and detergents.

## ASSESSMENT of SIGNIFICANCE

Consideration of consistency with and impact on the Regional Land Transport Plan and its implementation

**This Report:** **Low** Significance

Impacts on Council's delivery of its Financial Strategy and Long Term Plan

**This Report:** **Low** Significance

Inconsistency with Council's current strategy and policy

**This Report:** **Low** Significance

The effects on all or a large part of the Gisborne district

**This Report:** **Low** Significance

The effects on individuals or specific communities

**This Report:** **Low** Significance

The level or history of public interest in the matter or issue

**This Report:** **Medium** Significance

19. The decisions or matters in this report are considered to be of **Low** significance in accordance with Council's Significance and Engagement Policy.

## TANGATA WHENUA/MĀORI ENGAGEMENT

20. The Waikanae Stream is by far the largest receiving environment for industrial and trade stormwater discharges and has been heavily impacted by stormwater discharges over past decades.
21. Waikanae Stream has important cultural values to Rongowhakaata. Discussions have been held with Murray Palmer (Rongowhakaata) to outline how this rule will improve the water quality over time, so that these values can be enhanced.

## COMMUNITY ENGAGEMENT.

22. The Department of Conservation (DoC) administers land that borders Waikanae Stream. Some stormwater discharge pipes discharge onto this land and others cross DoC land. The implications of this have been raised with DoC.
23. Several workshops have occurred with trade and industrial site owners and businesses to develop understanding of the common stormwater contaminants and to assist them to develop their own plans.
24. Published literature has included a promotional flyer, an article in He Panui and newspaper advertisements.

## CLIMATE CHANGE – Impacts / Implications

25. Some improvements for stormwater management include sealing of metalled yards. Sealed yards reflect heat to the environment. At the same time, the improved site management may provide further potential for rainwater harvesting for use in building sanitary facilities and landscape enhancements.
26. The potential for rainwater harvesting for future sustainability has been discussed with the 4-Waters Strategic policy planner.

## CONSIDERATIONS

### Financial/Budget

27. With 150 SMPs submitted within a few months, some of them requiring complex treatment designs, the decision was made to procure external support to assist in the evaluation of stormwater devices and systems for SMP's. This cost (\$10k) was accommodated within budgeted operational expenditure.

### Legal

28. Some businesses will require significant expenditure to meet the rule whilst others may achieve compliance simply with housekeeping improvements on site.
29. Council's approach to compliance will be that businesses who may have significant impacts will have up to five years to reach compliance with the discharge rules, provided they have submitted an SMP. Approval of the SMP will require timelines and actions to show progressive improvements towards compliance within the five-year period.
30. Stakeholders have been informed of the approach.
31. As the SMPs are a requirement to comply with a Permitted Activity, businesses receive a letter that confirms the acceptance of the submitted SMPs.

## POLICY and PLANNING IMPLICATIONS

32. The implementation of this rule is part of the planning decisions to improve freshwater quality.
33. Rule C6.2.3(3) of the Tairāwhiti Resource Management Plan (TRMP) was introduced as part of the Gisborne Regional Freshwater Plan that came into effect in 2017 as part of the planning decisions to improve freshwater quality.

## RISKS

34. There are no major risks associated with the decisions or matters in this report.

## NEXT STEPS

Date	Action/Milestone	Comments
Next quarter	Implementation of a compliance programme	If it is a permitted activity if all activity standards are met, compliance is likely to be RFS-based unless otherwise identified. Staff will assist and provide guidance to businesses and site owners regarding resource consents if permitted activity standards cannot be met.