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SUBMISSION TO AUCKLAND COUNCIL REGION-WIDE STORMWATER NETWORK CONSENT (DIS60069613)

1. Business North Harbour Inc. wishes to make a submission opposing the resource consent application made by Auckland Council (Application DIS60069613). Our opposition is focused on Schedule 2 of the Consent, which sets out the Auckland Stormwater NDC Strategic Objectives, Outcomes and Six Yearly Targets. We wish to see: more recognition in Schedule 2 of the risks posed to business from the state of the public stormwater network (e.g. from potential flooding); that asset management targets recognise the needs of business; and that business is a stakeholder in various ongoing engagement processes under the Consent. These concerns are detailed below. We are certain that if these matters are better recognised in the consent, our concerns will be satisfied and our opposition can be withdrawn.

The proposal

2. The proposal involves the diversion and discharge of existing and future Auckland Council stormwater.¹

The Submitter

3. We are a business association and business improvement district located representing over 4500 Rosedale and North Harbour commercial property and business owners.

Reasons for submissions

4. We recognise the importance of good stormwater management for industrial and commercial sites, as the contaminants present in discharged stormwater from these sites is typically higher than for other land uses.
5. We also recognise that industrial and commercial site stormwater management is best dealt with through a combination of on-site management, spill contingency and appropriate treatment methods. Every-day housekeeping practices provide significant benefits to

¹ For clarity, the Auckland Stormwater Consent application does not include: Private stormwater diversions and discharges that do not enter the public network (these are separately regulated by the Auckland Unitary Plan); diversion and discharges from Auckland Transport and New Zealand Transport Agency State Highway roading networks that do not enter the Council owned and operated network; resource consents for structures and other stormwater operational activities (these will be developed or undertaken in accordance with permitted activity requirements or otherwise subject to a separate resource consent(s)); point source contaminant discharges that are discharged to the stormwater network from other activities such as wastewater overflows, pollutant discharges from industrial sites and closed landfills and sediment discharges from urban development (these are separately regulated by the Auckland Unitary Plan).

stormwater quality, with spill contingency being especially paramount in areas where spills are more likely. Appropriate on-site treatment devices required for business are provided for in the Auckland Unitary Plan. Thoughtful site design and the application of low impact urban design principles also contribute significantly, and in a cost-effective manner, to the improvement of stormwater quality. These designs are being incorporated into more modern industrial and commercial site developments and redevelopments.

6. Nonetheless, it is equally important that the when stormwater leaves industrial and commercial sites and enters the public stormwater system that it is managed in an efficient, effective and integrated way so as to minimise any adverse effects on receiving environments, such as streams and the coast.
7. We support this regional network consent replacing the current complex 'patchwork' of consents and other authorisations that is leading to inconsistent stormwater management across Auckland. We also support their replacement as they tend to no longer reflect current best practice, or have become irrelevant to the stormwater infrastructure needs of an area and are out of step with the Auckland Unitary Plan and relevant national statutory instruments.
9. Of significance in terms of the consent is schedule 2, which sets out the Auckland Stormwater NDC Strategic Objectives, Outcomes and Six Yearly Targets. Our Association has identified a number of key issues that we believe must be amended:

Assets: The first objective of this aspect of the Consent is to ensure risk to Auckland's communities, including people, property and infrastructure is reduced – and that risk to people and property is managed to levels that have been established in consultation with the community, and to reduce existing flood risk where it is above these levels. The second is to ensure that stream, groundwater and coastal water values are maintained and enhanced and communities are connected with them, utilising streams, aquifers and harbours as integral natural components of Auckland's stormwater system while reducing the adverse effects of stormwater runoff on, and enhancing the community's connection with its waterways.

We ask that this aspect of the Consent be amended to:

- Clarify that the risks to Auckland's communities include risks to business communities and that property and infrastructure include that owned or used by industry and business;
- Ensure that the agreed levels of risk management (especially for flooding) include those established through consultation with business and business associations in relevant areas; and
- Ensure that the asset management targets to be met appropriately recognise the differences between assets servicing business areas and residential areas.

Growth: The objective of this aspect of the Consent is to enable growth through water sensitive development and the provision of quality stormwater infrastructure, and that new and re-developed areas are supported by effective stormwater management and that good quality infrastructure and development is undertaken in a way that meets the needs of Auckland's communities and maintains and enhances natural water systems.

We ask that this aspect of the Consent be amended to:

- Also align stormwater infrastructure planning and provision for growth to industrial, commercial and business developments
- Ensure that water sensitive development and the provision of quality stormwater infrastructure appropriately meets the needs of business and is cost-effective for businesses
- Ensure that water sensitive design requirements acknowledge the need for business to have generally larger impervious surfaces (such as roofing and yards that create stormwater runoff) but which are collectively smaller overall than these surfaces in residential areas.

Flooding: The objective of this aspect of the Consent is to ensure risk to Auckland's communities, including people, property and infrastructure is reduced – and that risk to people and property is managed to levels that have been established in consultation with the community, and reduce existing flood risk where it is above these levels.

Again, we ask that this aspect of the Consent be amended to:

- Clarify that risks to Auckland's communities include business communities and that property and infrastructure includes that owned or used by business
- Ensure that the agreed levels of risk management (especially for flooding) include those established through consultation with business and are appropriate to business areas and business needs and expectations.
- Ensure the protection of floodplains and overland flowpaths, but in a way that is sensitive to the needs of existing business as well as both greenfield and brownfield business development and growth
- Ensure that the risk of flooding of business areas is minimised and managed, and where flooding occurs, business is appropriately prioritised in terms of any response
- Ensure that the asset management targets and performance standards to be met appropriately recognise the differences and needs of business and residential properties

Stream Health: The objective of this aspect of the Consent is to ensure that stream, groundwater and coastal water values are maintained and enhanced and communities are connected with them, utilising streams, aquifers and harbours as integral natural components of Auckland's stormwater system while reducing the adverse effects of stormwater runoff on, and enhancing our community's connection with, its waterways.

We ask that this aspect of the Consent be amended to:

- Ensure that collaborative community processes to enhance urban stream health include businesses (and as appropriate business associations) where streams run through or adjacent to business areas
- Ensure there is recognition of voluntary business contributions to processes to enhance urban stream health (such as rubbish removal, clean-ups, etc) where streams run through or adjacent to business areas

Coastal Health: The objective of this aspect of the Consent is again to ensure that stream, groundwater and coastal water values are maintained and enhanced and communities are connected with them, utilising streams, aquifers and harbours as integral natural components of Auckland's stormwater system while reducing the adverse effects of stormwater runoff on, and enhancing our community's connection with, its waterways.

We ask that this aspect of the Consent be amended to:

- Ensure that collaborative community processes to enhance the health of coastal areas include businesses (and as appropriate business associations) where coastal or estuarine areas run through or adjacent to business areas
- Ensure there is recognition of voluntary business contributions to processes to enhance coastal areas (such as rubbish removal, clean-ups, etc) where coastal areas run through or adjacent to business areas

Groundwater: The objective of this aspect of the Consent is again to ensure that stream, groundwater and coastal water values are maintained and enhanced and communities are connected with them, utilising streams, aquifers and harbours as integral natural components of Auckland's stormwater system while reducing the adverse effects of stormwater runoff on, and enhancing our community's connection with, its waterways.

We ask that this aspect of the Consent be amended to:

- Ensure that collaborative community processes to enhance health of groundwater include businesses (and as appropriate business associations) where soakage to groundwater is an aspect of stormwater management in a business area.
- Ensure there is recognition of business contributions to processes to enhance the health of groundwater where soakage to groundwater is an aspect of stormwater management in a business area.

Effects on Wastewater System: The objective of this aspect of the Consent is again to ensure that stream, groundwater and coastal water values are maintained and enhanced and communities are connected with them, utilising streams, aquifers and harbours as integral natural components of Auckland's stormwater system while reducing the adverse effects of stormwater runoff on, and enhancing our community's connection with, its waterways.

We ask that this aspect of the Consent be amended to:

- Clarify that investigations and management of identified issues related to cross contamination between wastewater and stormwater systems include risks to business communities and business areas and that solutions prioritise business areas as levels of risk deem this necessary

Common to all Issues: The objectives of this aspect of the Consent are to ensure stakeholders are engaged to achieve the best stormwater outcomes; to ensure the benefits from limited resources are maximised by targeting priorities to achieve the best outcomes; and robust systems, processes, practices and management are implemented.

We ask that this aspect of the Consent be amended to:

- Ensure that collaborative community processes include businesses (and as appropriate business associations).
- Ensure that the asset management targets and performance standards to be met appropriately recognise the differences and needs of businesses and residential properties.
- Recognise concerns we hold that the governance structure of Auckland Council does not clearly separate the regulator of the consent from the operator of the stormwater network. To remedy this, we ask for the Consent to be amended to require the establishment of an Auckland Services Performance Auditor appointed by the Minister of Local Government as a Condition of the Consent, with an annual budget set at 1% of the operational budget of Healthy Waters to undertake the tasks in the Consent currently identified for the Auckland Council 'Manager'.

RMA Part 2 matters and overall adverse effects

10. Overall, we believe the social, economic, health and safety and wellbeing of businesses, as well as people and communities generally under Part 2 of the RMA will not be provided for by this application.

Decision sought from the Council

11. We seek the following decisions from the Council:
 - (a) That the resource consent sought be declined;
 - (b) Alternatively, in the event the Council decides to grant the resource consent, that appropriate conditions be imposed to avoid, remedy or mitigate the adverse effects of the application; and
 - (c) Such alternative or other relief or other consequential amendments considered appropriate or necessary to address the concerns set out in this submission.
12. We wish to be heard at the council planning hearing in support of its submission.
13. We are not a trade competitor for the purposes of section 308B of the Resource Management Act 1991.
14. If others make a similar submission, we will consider presenting a joint case with them at a hearing.



Signature of submitter

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