

A Quick Guide to the ARC's Stormwater Rules

November 2006

Introduction

The purpose of this fact sheet is to provide some guidance to industry on the Stormwater Rules in Chapter 5 of the Proposed Auckland Regional Plan: Air, Land and Water (PARP: ALW).

This fact sheet should be read in conjunction with the PARP: ALW. Obviously, if there are any discrepancies between this document and the PARP: ALW, then the PARP: ALW prevails. Note that many, if not most, of the provisions discussed here are under appeal to the Environment Court and may change through the appeal resolution process. This fact sheet will be updated as relevant appeals are resolved.

Stormwater Management Approach

The ARC's approach to stormwater management is set out in Section 5.1.3.1 of the PARP: ALW. This section explains the rationale for stormwater management in the region and explains that stormwater management techniques are directed at reducing the volume and rate of stormwater discharge (through reuse, evapotranspiration or attenuation of flows) and improving stormwater quality (through treatment or source control). Sections 5.2.1 – 5.2.8 of the PARP: ALW highlight these Issues. Technical Publication 10 Stormwater

Management Devices: Design Guidelines Manual (May 2003) (TP10) provides guidance for developers on approved stormwater management devices which can be used in order to achieve the regional objectives stipulated in the PARP: ALW and the Auckland Regional Plan: Coastal (ARP:C).

The rules and policies for stormwater are split into two sections – individual discharges and associated rules and network discharges. This fact sheet only deals with the individual stormwater discharge rules.

Rules governing individual diversions and discharges relate to the creation of impervious surfaces as a result of development (and in some cases redevelopment) within a catchment, i.e. the amount of new impervious area which is (or which potentially will be) created as a result of a subdivision or development proposal.

The Transitional Regional Plan (TRP)

Currently the TRP is the operative plan for the Auckland Region. The TRP, however, only consists of general authorisations (or permitted activities) and has no policies or objectives.

When trying to work out whether or not your site development requires a stormwater discharge consent you need to take both the TRP and PARP: ALW into account, and the more restrictive plan will apply.

Remember – when working out the amount of new impervious surface you are creating through your development you need to look at all types of impervious surfaces, ie roofs, driveways, roads, footpaths, etc. You also need to look at the property as a whole, not as separate lot sites and your stormwater planning needs to be for the complete development, not just the public roadways.

The tables below will aid you in trying to work out whether a consent is required for your site.

Non-Urban Areas

Existing impervious areas are permitted so long as they were existing at the date of notification of the PARP: ALW (23 October 2001).

For new impervious areas (Table 1):

(assuming the discharge is not to a TLA pipe network or covered by a comprehensive catchment/ network consent that authorises future network discharges [see note below Table 2])

IS A CONSENT REQUIRED?	YES	NO	COMMENT
1. Does the site have an active stormwater discharge permit?	No consent is required.	Go to Q2.	
2. Has the impervious area of the site or road increased since 23 October 2001?	Go to Q3.	No consent is required.	Existing impervious areas are permitted in the PARP: ALW by Rule 5.5.1 (2)
3. Has the impervious area of the site increased by less than 5000m ² for countryside living, rural roading or farming activities since 23 October 2001?	No consent is required.	Go to Item 4.	Increases in impervious areas less than 5000 m ² are permitted by Rule 5.5.1 (1), (3) and (4).
4. Is it a new impervious area?	Consent is required.		The activity type is dependant on the amount of new impervious area being created and the type of land use. Rules 5.5.2 – 5.5.5 refer.

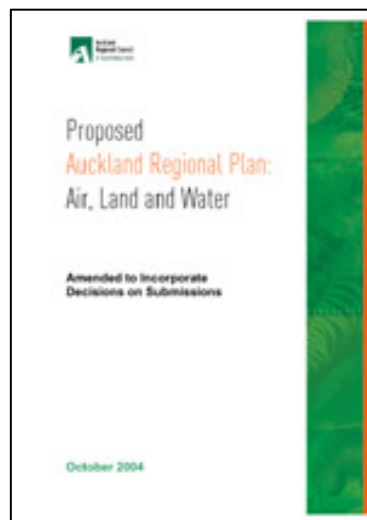
Note: If it is considered, through the use of this table, that no consent is required, the reader should check the relevant conditions given in 5.5.1(1), (2), (3), (4) (a) – (n) to ensure that the proposal does not contravene any of them.

Urban Areas

For new and existing impervious areas (Table 2):

IS A CONSENT REQUIRED?	YES	NO	COMMENT
1. Does the site have an active stormwater discharge permit?	No Consent is required.	Go to Q2	Residential subdivisions often have a stormwater discharge permit that has been transferred to a TA.
2. Is the site within a catchment with a TA stormwater network consent (or old comprehensive consent)?	Generally no consent is required [but MUST check actual CMP consent]	Go to Q3	Comprehensive consents generally authorise discharges within a catchment under the Transitional Regional Plan General Authorisation for comprehensive stormwater rights. Sign-off from the TLA is required
3. Does the site discharge via an existing TA stormwater pipe/ network?	Go to Q4	Go to Q5	Existing discharges (at 30 October 2001) via TA networks are covered by existing use authorities (a deemed resource consent under RMA s386(2)) and TRP GA 11.
4. Has the impervious area of the site increased by less than 1000m ² (or less than 5000m ² if it discharges to an existing piped system and is a residential subdivision) since 30 October 2001?	No consent is required.	Go to Item 6	Permitted under Rule 5.5.1 (1).
5. Is the impervious area of the site less than 1000m ² ?	No consent is required.	Go to Item 7	Permitted under Rule 5.5.1 (1) or (5).
6. A consent is required for new impervious areas.			The activity type is dependant on the amount of new impervious area being created and the type of land use. Rules 5.5.2 – 5.5.5 refer.
7. A consent is required for existing and new impervious areas.			The activity type is dependant on the amount of total impervious area being created and the type of land use. Rules 5.5.2 – 5.5.5 refer.

Note: Comprehensive discharge consents which have either been granted in the past or are being currently processed can be checked on the “Consents and Applications” map on the ARC’s internet mapping site. The maps also contain information regarding file and consent numbers. This is important as, when answering question 2, the original catchment files and consents need to be checked in order to see exactly what type of development has been consented through the catchment discharge consent.



Contact Us

If you want to know more about stormwater management, you can email our stormwater team on stormwaterconsents@arc.govt.nz or you can contact the ARC’s Information Line on (09) 366 2000.

Alternatively, you can find answers to your questions at www.arc.govt.nz.

