



SECOND GENERATION DISTRICT PLAN

PLAN CHANGE 1 – MINOR IMPROVEMENTS

FREQUENTLY ASKED QUESTIONS: STORMWATER OPEN WATERCOURSES (CHANGE RES13)

What is a stormwater open watercourse?

A stormwater open watercourse is defined in the 2GP as a natural or artificial open channel where stormwater collects and flows and is part of the stormwater network. They may be privately or publicly owned and can include river or stream beds, gullies, natural depressions, ditches, and drainage channels. Water may flow through a stormwater open watercourse continually or intermittently.

Stormwater open watercourses are mapped in the 2GP Planning Map and rules apply to ensure earthworks, new development, and some other activities are set back from them.

What is proposed for stormwater open watercourses in Plan Change 1?

Plan Change 1 proposes to add all remaining known stormwater open watercourses to the 2GP Planning Map, including in rural zones. This will ensure the setback rules for activities near these stormwater open watercourses apply.

Plan Change 1 also proposes to add a setback rule specific to stormwater open watercourses in rural zones, add exceptions from the setback rule for fences and small structures, and to clarify the assessment rules that apply when a resource consent is required for activities near stormwater open watercourses.

What 2GP rules apply to stormwater open watercourses?

Setback rules apply to certain activities close to stormwater open watercourses. These activities are new buildings and structures, additions and alterations, earthworks – large scale, storage and use of hazardous substances, and network utility activities (see 2GP Rule 10.3.3).

These activities need to be set back at least 20m from stormwater open watercourses in rural zones, and at least 5m from these watercourses in all other zones. Some structures that need to locate near water, like bridges and culverts, are exempt from these setbacks, and additional exemptions are proposed for fences and for all structures up to 2m² and 2m high.

Resource consent is required for activities that breach the setback rules. The purpose of the setback rules is to ensure the capacity and flow of stormwater open watercourses is not impeded. To obtain resource consent for an activity within the setback, it is necessary to show the proposal will not compromise the current or planned capacity of stormwater infrastructure.

What else does it mean to have a stormwater open watercourse mapped on my property?

The only new requirements that will apply because of mapping the stormwater open watercourse mapped area on your property in the 2GP Planning Map are the setback rules described above.

However, there are other existing 2GP rules that require activities to be set back from natural water bodies. Where stormwater open watercourses are natural rather than man-made (in other words, they are rivers or streams rather than constructed channels) then this setback already applies. This required setback is 5m, except for water bodies over 3m width in rural zones where the required setback is 20m (see 2GP rules 10.3.3.4 to 10.3.3.6). The purpose of this setback is to manage effects on biodiversity values, the natural character of river margins, public access and natural hazards. To obtain resource consent for an activity within the setback, it is necessary to show the proposal will not compromise biodiversity, natural character or public access, and will not exacerbate risk from natural hazards such as erosion or flooding.

The Otago Regional Council (ORC) also administers existing rules for activities in or near water bodies through the Regional Plan: Water. Please contact the Otago Regional Council if you need further information.

Whether a watercourse is mapped in the 2GP or not, property owners are responsible for maintaining watercourses on their property from where they enter their property to where they exit. This includes keeping the watercourse, and any associated grates, clear so the water can flow unimpeded. This maintenance requirement also applies to any culvert or pipe that replaces an open channel on their property.