

## POLICY

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*Water*

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### STOCKWATER RACE - CLOSURE POLICY

#### 1 Introduction

- 1.1 Stockwater races in the Waimakariri District have supplied water for stock since the system was first introduced in 1896. Since then water has been supplied to livestock on a continuing basis throughout the District. There have been few closures of races over that time however with changes in land use, particularly due to rezoning and encroaching urbanisation there has been the need to close several water races. This policy set out the procedures to be followed when further applications for closures of water races are received.

#### 2 Policy Context

- 2.1 This policy has been designed to follow the steps as set out in legislation in the *Local Government Act 2002* (LGA) on decision making in the context of water race closure.
- 2.2 Generally the Council will not allow race closures where they may affect the viability of the water race network.

#### 3 Policy Objective

- 3.1 The objective of this policy is to ensure that all closures are carried out in a systematic fashion and to ensure that effective consultation is carried out.

#### 4 Policy Statement

- 4.1 The steps to closing a water race are initiated once a reason for a closure has been established and investigated. This may be due to an external request or as a result of an internal Council staff review. Once a water race has been identified for closure, a decision process is then to be undertaken as set out in the LGA, specifically Part 6 which deals with decision making.
- 4.2 The first step is to determine if the closure is a matter of significance as set out in the Council's Significance Policy (refer to Financial Management section of the Long Term Plan) and based on the following questions:
- Would the level of service for the supply and delivery of stockwater be significantly affected if the race were closed?
  - Is the race being considered for closure a strategic asset?
  - Would closure significantly affect Council's ability to supply water?
  - Would closure significantly affect the cost to Council and ratepayer to undertake this activity?
- 4.3 If the answer is yes to any of the above questions then the special consultative procedure as set out in Section 83 of the LGA should be initiated. This should include reporting to the Utilities and

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Roading Committee, Water Race Advisory Group and relevant Community Board or Advisory Board on the proposed consultation process and subsequent decision.

- 4.4 If the answer to the questions under Clause 4.2 are no then the decision making process as set out in Sections 77 and 78 of the LGA should be followed.
- 4.5 Whether the process is a Special Consultative Procedure or not, the consultation undertaken may include:
- i. Letters to residents and other affected parties e.g.: developers
  - ii. Consultation with the Heritage New Zealand regarding structures such as culverts, weirs and flumes.
  - iii. Consultation with Environment Canterbury, Te Ngāi Tūāhuriri Rūnanga, and the Waimakariri Water Zone Committee.
  - iv. Public notices in papers and/or on the WDC website
  - v. Proposal open for consultation for at least one calendar month
  - vi. Report to affected Community Board or Ward Advisory Board and Water Race Advisory Group
  - vii. Public meeting
  - viii. Closing date for proposal submissions
  - ix. Send acknowledgement letter to submitters
  - x. Complete report based on the submissions and deliberations
  - xi. Report to Management Team
  - xii. Report to Council Committee (U&R) then Council
  - xiii. Letter to residents with Council decision where appropriate

### 5 Links to other policies and community outcomes

- 5.1 This policy links with the Stockwater Race Bylaw 2019, Stockwater Race Pond Policy and Planting of Trees and Shrubs Alongside Water Races Policy. In addition it is linked to the following Community Outcomes:
- *The demand for water is kept to a sustainable level*
  - *Harm to the environment from the spread of contaminants into ground and surface water is minimised.*

### 6 Adopted by and date

- 6.1 This policy was adopted by the Council on the 2 April 2019

### 7 Review

- 7.1 The review of this policy will be aligned with the Stockwater Race Bylaw 2019 review programme by June 2029.