



## Water Race Policies

The following policies for the Ellesmere, Malvern and Papanui Water Race schemes should be read in conjunction with the Council's Water Race Bylaw and the Local Government Act 1974 and 2002 and their subsequent amendments.



## WATER RACES

W1

The following policies for the Ellesmere, Malvern and Papanua Water Race schemes should be read in conjunction with the Council's water race bylaws and Section 421 to 439 of the Local Government Act.

### IRRIGATION FROM WATER RACES

W101

- 1) Papanua Water Race Scheme Conditions:
  - a) Irrigation is permitted in the Papanua Water Race Scheme.
  - b) Permits continue after October 2001 subject to resource consent conditions.
  - c) Total stock use shall not exceed Resource Consent Conditions
  - d) That the water race that irrigation is proposed to be taken from is of sufficient size so there shall not be detrimental effect to downstream users.
  - e) Application for an irrigation permit must be made in writing to the Asset Delivery Manager
  - f) Application fee is non refundable
  - g) Properties must be rated for stock water.
  - h) If the application is successful
    - i) An irrigation agreement shall be signed between the Selwyn District Council and the landowner
    - ii) A flow monitoring device shall be installed at all abstraction points to the Council's requirements before irrigation commences.
  - i) The proposed irrigation take must be over 5 l/second and based on the 0.6 l/sec/ha formula (except in special circumstances at the discretion of the Asset Delivery Manager). The proposed irrigation take must be for an established business or evidence to support the establishment of a business.
  - j) At the discretion and approval of the Asset Delivery Manager an existing irrigator may reduce their irrigation right to below 5 l/second.
  - k) That the water shall be conveyed to the applicable properties via reticulation and other structures to the approval of the Asset Delivery Manager.
  - l) If the irrigation right is as the result of a subdivision, the subdivided land must prove utilisation of water for irrigation within 12 months of title being made available.
  - m) Yearly charge noted in Annual Plan.
  - n) The applicant shall be required to show conclusively that irrigation take is within  $\pm 5\%$  of approved amount within 48 hours notice from Council.
- 2) There is no guarantee of water for irrigation use.
- 3) No additional water shall be made available over what is required for the normal operation of the Papanua water race scheme.
- 4) Minor irrigation for non-commercial users for house gardens and shelter belts is permitted in the Malvern, Papanua, Selwyn and Ellesmere Schemes subject to application to the Selwyn District Council with each case being treated on its merits.
- 5) Conditions for non commercial users for house gardens:
  - a) Maximum take of 4m<sup>3</sup> (4,000 litres) per day.
  - b) No detrimental effect on downstream users permitted.
  - c) Application to the Council required (no permit fee required).
  - d) Properties must be rated for stock water.
  - e) A maximum of one garden sprinkler shall be used.
  - f) Approval for water taken from the stock water race network for garden use purposes shall be at the discretion of the Asset Delivery Manager as per Policy W118.
  - g) Water taken from the stock water race network for garden use purposes must be held in a holding tank that is constructed and approved by the Asset Delivery Manager.
  - h) Minor commercial irrigation may be required to cease immediately if there is a water shortage.

- 6) Conditions for non commercial uses for shelterbelts:
- a) By permits only for 2 years.
  - b) Maximum rate of 4m<sup>3</sup> (4,000 litres) per day.
  - c) No detrimental effect on downstream users permitted.
  - d) Application to the Council required.
  - e) The application fee is non refundable
  - f) Properties must be rated for stock water.
  - g) Approval for water taken from the stock water race network for shelter belt purposes shall be at the discretion of the Asset Delivery Manager as per Policy W118.
  - h) Water taken from the stock water race network for shelter belt purposes must be held in a holding tank that is constructed and approved by the Asset Delivery Manager.
  - i) The water must be trickle fed via the holding tank to the shelter belt.
  - j) Minor commercial irrigation may be required to cease immediately if there is a water shortage.
- 7) All Illegal Irrigation. Any person irrigating without a permit or approval of the Selwyn District Council shall be required to cease immediately and the Council may at their discretion proceed with prosecution.

*Water Race Committee 24.8.99  
Amended Operations 29.5.01  
Amended Water Race Committee 4.11.02  
Amended Water Race Committee 08.05.06  
Confirmed by Council 11.7.2007  
Council 10.6.2009*

## **WATER RACE PONDS**

## **W102**

- 1) A pond is an area of water being used for purposes other than a watering place for stock or for irrigation storage
- 2) Ponds are permitted subject to the following conditions:
  - a) Size restricted to 100m<sup>2</sup>.
  - b) Maximum depth of water shall be 400mm.
  - c) Separate inlet and outlet pipes to water race.
  - d) Inlet and outlet pipes with valves shall be 100mm diameter (nominal).
  - e) Shall have no detrimental effect on downstream users.
  - f) The pond must be isolated from the water race system.
  - g) A water loss test must be carried out in consultation with a Council representative before the pond is fully functional.
  - h) The pond must be lined with suitable material such as clay to minimise water loss and/or potential leakage
  - i) No detrimental effect on water quality shall occur.
  - j) Construction and maintenance shall be to the satisfaction of the Asset Delivery Manager.
  - k) Property must be rated for stock water.
  - l) Permit fee is non refundable
  - m) Where a proposed pond is felt to have a detrimental effect on the water race scheme then permission for the pond shall be declined.
  - n) Permission for continued use of the pond may be withdrawn if conditions e, f, g, h and i are not met.

*Water Race Committee 22.6.98  
Amended Water Race Committee 08.05.06  
Confirmed by Council 11.7.2007  
Council 10.6.2009*

## RACE CLEANING AND MAINTENANCE

W103

- 1) The Selwyn District Council (the 'Council') is responsible for race cleaning of designated main and lateral water races. Schedules of the designated main and lateral water races are available on the Selwyn District Council web site and at Council Libraries/Service Centres.
- 2) All other races not defined as designated main and lateral water races are the responsibility of the surrounding or adjacent property owner/s to maintain to Council's required Levels of Service
- 3) Culverts, bridges and other structures are the responsibility of the surrounding or adjacent property owner/s except for:
  - a) Culverts across Council's formed roads.
  - b) Weirs and control structures that control flow to more than one property.
- 4) Exemptions –
  - a) Water race crossings including control structures, pipes and culverts supplying stockwater to an individual property are the property owner's responsibility.
  - b) Water race crossings including control structures, pipes and culverts supplying stock water and/or irrigation water to an individual property in the Paparua Water Race Scheme are the property owner's responsibility.
- 5) Public notification by the Selwyn District Council shall be given prior to 31 July in each year advising property owners or lessees of their responsibility to clean races.
- 6) The timing for the cleaning of water races is that all races are to be cleaned by 30<sup>th</sup> December.
- 7) The Council undertakes yearly spraying along designated main and lateral races as per Policy W105. All other races are the responsibility of the surrounding or adjacent landowner and could be subject to rules in the Proposed Natural Resources Regional Plan for Canterbury. Resource consent may be required for this activity.
- 8) This policy does not remove the property owner's responsibility as detailed under the Water Race Bylaw.
- 9) Cleaning means maintaining a continuous flow of water within the water race system in accordance with the Water Race Management Plan.

*Water Race Committee 22.6.98  
Amended Water Race Committee 08.05.06  
Confirmed by Council 11.7.2007  
Council 10.6.2009  
Water Race Committee 11.08.2009  
Confirmed by Council 9.09.2009*

## WATER RACE TAILINGS

W104

### 1) CLEAN TO BANK OR REMOVE FROM BANK

In all three schemes, the Council water races shall be cleaned to truck for a length of 50m outside properties where the road edge is mowed regularly and any additional length shall be at the cost of the property-owner.

*Water Race Committee 5.10.98  
Amended Water Race Committee 08.05.06  
Confirmed by Council 11.7.2007  
Council 10.6.2009*

### 2) NOTIFICATION TO PROPERTY OWNER WHERE WATER RACE IS CLEANED TO BANK AND THE WATER RACE FRONTAGE IS REGULARLY MOWN

- a) The property owner shall be individually advised by the contractor either verbally or in writing that this is to occur, 48 hours prior to work being commenced, and
- b) The property owner shall be advised that they can enter into an arrangement with the cleaning contractor (name and phone number to be supplied) for the removal of a water race tailing to truck at the property owner's cost.
- c) This is to be read in conjunction with Policy W104/1 above.

*Water Race Committee 24.8.99  
Amended Water Race Committee 08.05.06  
Confirmed by Council 11.7.2007  
Council 10.6.2009*

### 3) REMOVAL OF WATER RACE TAILINGS FROM BANK

(These are the race cleanings that have built up over a number of years)

- a) To be removed if it is deemed to be a safety hazard by the Council's Roading Engineer.
- b) To be removed when volume is such that it is within 0.5m of the road formation.
- c) To be removed when operation of the race is comprised by the cleanings.
- d) The proportion of tailings to be removed from each scheme shall be determined by each scheme each year".

*Water Race Committee 1.11.99  
Amended Water Race Committee 4.11.02  
Amended Water Race Committee 08.05.06  
Confirmed by Council 11.7.2007  
Council 10.6.2009*

## SPRAYING OF COUNCIL WATER RACES

**W105**

The control of noxious plants in water race reserves will be by way of agrichemicals containing glyphosate as the active ingredient.

Wherever possible the occupier will be advised of the intention to spray.

*Water Race Committee 22.6.98  
Amended Water Race Committee 08.05.06  
Confirmed by Council 11.7.2007  
Council 10.6.2009*

## RELOCATION OF WATER RACES

**W106**

Relocation of water races shall be permitted subject to:

- 1) Relocation of the race shall not have a detrimental effect on any other water race users or the water race system operation.
- 2) Application for relocation shall be made in writing to the Asset Delivery Manager and shall include:
  - a) Map showing existing and proposed works.
  - b) Specifications for construction of work.
  - c) Non refundable payment of the application fee as per the Annual Report.
- 3) No works can proceed until engineering approval of the works has been obtained from the Asset Delivery Manager.
- 4) All costs associated, including any supervision, with the relocation shall be at the applicant's expense.
- 5) If any leakage occurs from the relocated race, including anytime in the future, the applicant shall undertake all necessary repairs as directed by the Asset Delivery Manager.
- 6) A water loss test must be carried out in consultation with the Council representative prior to the water being fully diverted. If this is not undertaken the Council reserves the right to do this at the applicant's cost and all repairs that may be required are at the applicant's expense.
- 7) Where a water race relocation application is an enhancement to the scheme, then a cost sharing arrangement may be entered into between the Council and the applicant at the Council's discretion.

*Water Race Committee 22.6.98  
Amended Water Race Committee 08.05.06  
Confirmed by Council 11.7.2007*

## **CLOSURES OF WATER RACES**

**W107**

- 1) The race network may be rationalised from the extremities of the Water Race Scheme on a race by race basis, in consultation with property owners, and in light of any other decisions pertaining to enhanced use of the scheme for irrigation and/or aquifer recharge for water supply and stream augmentation.
- 2) The request for a closure of a water race must be made in writing to the Asset Delivery Manager.
- 3) Dependent upon the level of consultation required by Council staff and the length of water race requested for closure, a non refundable application fee may apply. This is at the discretion of the Asset Delivery Manager.

*Water Race Committee 22.6.98  
Amended Water Race Committee 08.05.06  
Confirmed by Council 11.7.2007  
Council 10.6.2009*

## **NEW RACES OR ASSOCIATED STRUCTURES**

**W108**

Installation of new races shall be permitted:

- 1) Where new properties are required to be served.
- 2) To serve additional areas of individual properties.
- 3) Conditions:
  - a) Cost of all works including the associated supervision is at the applicant's expense.
  - b) Design and construction to the approval of the Asset Delivery Manager.
- 4) If any leakage occurs from the race, including anytime in the future, the applicant shall undertake all necessary repairs as directed by the Asset Delivery Manager.
- 5) A water loss test must be carried out in consultation with the Council representative prior to the water being fully diverted. If this is not undertaken, the Council reserves the right to do this at the applicant's cost and all repairs that may be required are at the applicant's expense.

*Water Race Committee 22.6.98  
Amended Water Race Committee 08.05.06  
Confirmed by Council 11.7.2007  
Council 10.6.2009*

## **EXEMPTIONS FROM PAYING WATER RACE RATES**

**W109**

### **MALVERN and ELLESMERE:**

- 1) Where the property is within a water race area and stock water is unable to be supplied to that property or it is impracticable to do so, then:
  - a) The property shall be exempted from payment of stock water rates.
  - b) Application for such exemption must be in writing and not be retrospective prior to the current financial year in question.

### **PAPARUA:**

- 2) Where the property is within the water race area and a water race does not go through the property or adjacent to that property, then:
  - a) The property may be exempted from payment of stock water rates.
  - b) Application for such exemption must be in writing and not be retrospective prior to the current financial year in question.

*Water Race Committee 24.8.98  
Confirmed by Council 11.7.2007*

## **CARRY OUT WORK ON PRIVATE PROPERTY**

**W110**

- 1) Where the Council's Water Race Contractor has had to carry out or commission works on private property to ensure compliance with the Water Race Bylaw and maintenance contract specifications, this work shall be paid by the Council via the appropriate water race account.
- 2) The Council shall then invoice the property owner(s) to recover costs incurred by the Council.

*Water Race Committee 22.6.98  
Confirmed by Council 11.7.2007  
Council 10.6.2009*

## **SUBDIVISIONS**

**W111**

- 1) Where a subdivision is proposed, all lots within that subdivision shall be served by the race system, except if it is physically and or technically impractical to serve each individual lot.
- 2) Piping of the waterrace through these lots shall be undertaken to assist in ensuring continuity of downstream supply
- 3) Exemption: Properties within rural residential, residential, commercial, and industrial zones are not required to be serviced.

*Water Race Committee 22.6.98  
Confirmed by Council 11.7.2007  
Council 10.6.2009*

## **SOAKHOLES**

**W112**

The maintenance and operation of soak holes are the responsibility of:

- i) The Council when the associated water race is within a formed road.
- ii) The property owner(s) when the associated water race and existing soak holes are within the private property.
- iii) Replacement of the soak hole due to its inability to take the water race flow shall be Council's responsibility. Council shall only be responsible for installing a standard soak hole.
- iv) If flow increases due to changes in operation, which has a detrimental effect on existing soak holes, the Council shall be responsible for all costs to upgrade the soak holes.

*Water Race Committee 24.8.98  
Confirmed by Council 11.7.2007  
Council 10.6.2009*

## **REGISTRATION OF COMPLAINTS**

**W113**

- 1) All complaints/requests received by the Council's Water Race Contractor (from either the public or the Council) shall be noted, along with all relevant remarks.
- 2) This information shall be reported to the Water Race Committee where:
  - a) The response times (as per the Maintenance Contract) have not been met.
  - b) It is a recurring complaint.

*Water Race Committee 22.6.98  
Confirmed by Council 11.7.2007  
Council 10.6.2009*

## **HOUSEHOLD WATER SUPPLIES**

**W114**

- 1) In the event of domestic water being required to be delivered:

- a) The Council meets the cost to supply potable water, where the consumer pays the appropriate charges for a domestic supply and the shortage is as a result of a planned outage of the water race system.
- b) The consumer meets the cost where the consumer pays no charges for a domestic supply.

*Water Race Committee 22.6.98  
Amended Water Race Committee 08.05.06  
Confirmed by Council 11.7.2007  
Council 10.6.2009*

## **CREDITS FOR UNPLANNED DISRUPTION OF THE WATER RACE SUPPLY W115**

- 1) A ratepayer may apply for a partial write-off of water race rates where:
  - a) a race is blocked for a minimum of 24 hours by materials.
  - b) a drought situation causes part of a system to run dry for a minimum of 24 hours. (This acknowledges that the majority of the system can be supplied but that the reduced quantity of water in the system leaves some isolated areas with no water.)
- 2) Credits shall only be given upon application by the ratepayer in writing to the Asset Delivery Manager and shall apply from the date of non supply until supply is restored. Supporting evidence of non supply is required via the complaints system, written correspondence received, or the Council contractor.
- 3) A full day's credit shall be given for every part of a day where disruption occurs (e.g. if a ratepayer is not supplied for water for one day and two hours, this would result in a two day credit being given).
- 4) If more than one water race supplies the property a partial rebate shall not apply.
- 5) Credits shall not apply in situations where:
  - a) where the period of unplanned disruption is less than 24 hours; or
  - b) where "Acts of God" occur.
  - c) "Acts of God" cover the following:
    - flood conditions where the intake is closed by:
      - i) the Council to prevent damage to the water race system;
      - ii) flood damage to the intake or associated structure;
      - iii) a change in the course of the river which prevents the intake and associated structures being supplied;
    - drought conditions where the river level is too low to supply the intake.

*Water Race Committee 22.6.98  
Amended Water Race Committee 24.8.98  
Amended Water Race Committee 15.11.04  
Amended Water Race Committee 08.05.06  
Confirmed by Council 11.7.2007  
Council 10.6.2009*

## **REPAIR OF WATER RACE SINKHOLES**

**W116**

The repair of water race sinkholes shall be the responsibility of the Council except where poor maintenance or cleaning by the property-owner has contributed to the problem.

*Water Race Committee 4.11.02  
Confirmed by Council 11.7.2007  
Council 10.6.2009*

## **PLANNED WORKS OUTAGE MANAGEMENT**

**W117**

- (a) The Council may stop the flow of the water in any water race for the purposes of carrying extensions, alterations, enlargements, maintenance or any other purpose deemed necessary by the Asset Delivery Manager.



- (b) A minimum of 14 calendar days notice before commencement of planned maintenance works shall be provided where the works shall result in a temporary stoppage or disruption to supply of greater than 36 hours.
- (c) Notification of temporary outages shall be provided via appropriate advertisements in local and Selwyn District publications. The cost of notification shall be borne by the organisation or person(s) directly undertaking the planned maintenance outage works.
- (d) Notification shall be arranged by the contract or person(s) undertaking the works in accordance with policy conditions and with approval from the Council's Asset Delivery Manager.
- (e) All practicably identifiable properties taking water for domestic consumption and farms relying on stockwater, shall be contacted directly by the maintenance contractor. This shall be completed a minimum of 14 days prior to the planned water race stoppage. Where direct contact is not made, appropriate information shall be left describing the planned water race outage conditions and contact details.
- (f) It shall be the responsibility of those reliant on stockwater to make alternative arrangements for supply of water as required during the planned maintenance outage works.
- (g) No water race credits shall be available resulting from any planned maintenance outage works.
- (h) Failure to Notify as Required  
All costs associated with failure to provide notification as described shall be borne by the organisation/persons directly undertaking the stoppage works. This shall include taking all reasonable measures to ensure that the welfare of persons and stock are not adversely affected.

*Water Race Committee 15.11.04  
Confirmed by Council 11.7.2007  
Council 10.6.2009*

## **PURPOSES OF WATERRACES**

**W118**

1. That the primary purposes of water conveyed via the stock water race networks are:
  - 1a) Stock water and
  - 1b) Drinking water (at the sole risk of the user)
2. The secondary purposes of water conveyed via the stock water race networks are:
  - 2a) Irrigation (as governed by policy and/or agreement)
  - 2b) Fire fighting
  - 2c) Landscaping/Aesthetic
3. Water taken from the stock water race networks for secondary purposes shall be at the discretion of the Asset Delivery Manager.

*Water Race Committee 14.02.05  
Reviewed Water Race Committee 08.05.06  
Confirmed by Council 11.7.2007  
Council 22.7.2009*