



# Water Race Policies

The following policies for the Ellesmere, Malvern, Selwyn and Paparua 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.





<b>IRRIGATION FROM WATER RACES</b>
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<b>W101</b>
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1) Paparua Water Race Scheme Conditions:

- a) Irrigation is permitted in the Paparua Water Race Scheme.
- b) Permits continue after October 2001 subject to resource consent conditions.
- c) Total stock use shall not exceed Resource Consent Conditions of 1300l/second and total irrigation use shall not exceed 800 l/second.
- d) That the water race that irrigation is proposed to be taken from is of sufficient size so there will not be detrimental effect to downstream users.
- e) Application for an irrigation permit must be made in writing to the Asset Manager
- f) Non refundable application fee of \$300
- g) Properties must be rated for stock water.
- h) If the application is successful
  - i) An irrigation agreement will be signed between Selwyn District Council and the landowner
  - ii) A flow monitoring device shall be installed at all abstraction points to 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 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 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 Manager.
- l) If the irrigation right is as the result of a subdivision, the subdivided land must prove utilization of water for irrigation within 12 months of title being made available.
- m) Yearly charge noted in Annual Plan.
- n) 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 will be made available over what is required for the normal operation of the Paparua water race scheme.

4) Minor irrigation for non-commercial users for house gardens and shelter belts is permitted in the Malvern, Paparua, 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 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 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 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 Council required.
  - e) Non refundable application fee of \$200.
  - 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 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 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 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*

**WATER RACE POND****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 minimize 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 Manager.
  - k) Property must be rated for stock water.
  - l) Non refundable permit fee of \$200 (excluding GST).
  - m) Where a proposed pond is felt to have a detrimental effect on the water race scheme then permission for the pond will 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*

**RACE CLEANING AND MAINTENANCE****W103****(A) ELLESMERE AND MALVERN:**

- 1) Selwyn District Council is responsible for race cleaning on designated main races. Schedules of designated main races are available on the Selwyn District Council web site and at Council Service Centres.
- 2) All other races not defined as designated main races are the responsibility of the surrounding or adjacent property owner/s.
- 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 - Water race crossings including control structures, pipes and culverts supplying stockwater to individual properties are the property owner's responsibility.
- 5) Public notification by Selwyn District Council shall be given prior to 30th October 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:
  - (1) All races within areas of grazed land is to be cleaned by 30 December each year,
  - (2) All races within areas of arable land to be cleaned as soon as the crop is removed or by 31 May each year, whichever is the sooner
- 7) Council undertakes yearly spraying along designated main races as per Policy W105. All other races are the responsibility of the surrounding or adjacent landowner.

NOTE: This does not remove the property owner's responsibility as detailed under the Water Race Bylaw.

**(B) PAPARUA:**

- 1) Selwyn District Council is responsible for Race cleaning on designated mains races and all other races that are within legal road maintained by the Council. Schedules of the designated races are available on the Selwyn District Council web site and at Council Service Centres.
- 2) All other races not defined as designated main races are the responsibility of the surrounding or adjacent property owner/s.
- 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 - Water race crossings including control structures, pipes and culverts supplying stockwater or irrigation water to individual properties are the property owner's responsibility.
- 5) Council undertakes yearly spraying along designated main races as per Policy W105. All other races are the responsibility of the surrounding or adjacent landowner.

NOTE: This does not remove the property owner's responsibility as detailed under the Water Race Bylaw.

*Water Race Committee 22.6.98*

*Amended Water Race Committee 08.05.06*

**WATER RACE TAILINGS****W104****1) CLEAN TO BANK OR REMOVE FROM BANK**

In all three schemes 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 will be at the cost of the property-owner .

*Water Race Committee 5.10.98*

*Amended Water Race Committee 08.05.06*

**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*

**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 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*

**SPRAYING OF COUNCIL WATER RACES****W105**

Yearly spraying of noxious plants with non-residual or non-persistent sprays within land deemed water race reserve as required to ensure control of noxious plants as necessary.

NOTE 1: Notification of owner where water race goes through leased land.

*Water Race Committee 22.6.98*

*Reviewed Water Race Committee 08.05.06*

**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 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 Manager.
- 4) All costs associated, including any supervision, with the relocation will be at the applicant's expense.
- 5) If any leakage occurs from the relocated race, including anytime in the future, the applicant will undertake all necessary repairs as directed by the Asset 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 Council reserve 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*

**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 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 of \$200 may apply. This is at the discretion of the Asset Manager.

*Water Race Committee 22.6.98*

*Amended Water Race Committee 08.05.06*



<b>NEW RACES OR ASSOCIATED STRUCTURES</b>
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<b>W108</b>
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Installation of new races will 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 Manager.
- 4) If any leakage occurs from the race, including anytime in the future, the applicant will undertake all necessary repairs as directed by the Asset 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 Council reserve 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*

<b>EXEMPTIONS FROM PAYING WATER RACE RATES</b>
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<b>W109</b>
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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 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.
- 3) Where an individual property sources water from a water race via a private water race crossing the property will be rated accordingly.

*Water Race Committee 24.8.98*

*Reviewed Water Race Committee 08.05.06*

**CARRY OUT WORK ON PRIVATE PROPERTY****W110**

- 1) Where 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 Council via the appropriate water race account.
- 2) Council will then invoice the property owner(s) to recover all costs incurred by Council.

*Water Race Committee 22.6.98**Reviewed Water Race Committee 08.05.06***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) Exemption: Properties within rural residential, residential, commercial, and industrial zones are not required to be serviced.

*Water Race Committee 22.6.98***SOAKHOLES****W112**

The maintenance and operation of soakholes are the responsibility of:

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

*Water Race Committee 24.8.98**Reviewed Water Race Committee 08.05.06***REGISTRATION OF COMPLAINTS****W113**

- 1) All complaints/requests received by the Council's Water Race Contractor (from either the public or Council) shall be noted along with all relevant remarks.
- 2) This information will be reported to the Water Race Committee where:

- a) Response times (as per the Maintenance Contract) have not been met.
- b) Reoccurring complaint.

*Water Race Committee 22.6.98*  
*Reviewed Water Race Committee 08.05.06*

<b>HOUSEHOLD WATER SUPPLIES</b>	<b>W114</b>
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- 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*

<b>CREDITS FOR UNPLANNED DISRUPTION OF THE WATER RACE SUPPLY</b>	<b>W115</b>
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- 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 Manager and will 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 will 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:
  - d) flood conditions where the intake is closed by:
    - i) 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;
  - e) 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*

<b>REPAIR OF WATER RACE SINKHOLES</b>
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<b>W116</b>
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The repair of water race sinkholes will be the responsibility of Council except where poor maintenance or cleaning by the property-owner has contributed to the problem.

*Water Race Committee 4.11.02*  
*Reviewed Water Race Committee 08.05.06*

<b>PLANNED WORKS OUTAGE MANAGEMENT</b>
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<b>W117</b>
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- (a) 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 Manager.
- (b) A minimum of 14 calendar days notice before commencement of planned maintenance works shall be provided where the works will 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 Council's Asset 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 will 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 will 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*  
*Reviewed Water Race Committee 08.05.06*

<b>WATER USAGE</b>	<b>W118</b>
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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)

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 Manager."

*Water Race Committee 14.02.05*  
*Reviewed Water Race Committee 08.05.06*