

## 29. RMA PART 2 ASSESSMENT

### Overview

Section 104(1)(b) of the RMA sets out the matters that decision-makers are required to have regard to when considering an application for resource consent and any submissions received. Similarly, section 171(1)(a) of the RMA sets out the matters that decision-makers must have particular regard to when considering a NoR and any submissions received.

Any such consideration however is subject to Part 2 of the RMA which sets out the purpose and principles of the RMA. The purpose of the RMA as stated in section 5 is to promote the sustainable management of natural and physical resources.

Part 2 of the RMA provides further direction on the matters of national importance (section 6), other matters (section 7) and the principles of the Treaty of Waitangi (section 8) which need to be considered and responded to.

The promotion of sustainable management often requires balancing competing values placed on resources, and the benefits and adverse effects associated with a project. The overall assessment under Part 2 of the RMA is particularly important for a major public project where there is a need for careful consideration of the balance between the regional or national benefits that accrue from the project and the more localised adverse effects that the project might have on the environment, including effects on local people, communities, natural resources and values.

Overall, when the benefits of the Project are considered alongside measures to avoid, remedy and mitigate adverse effects, it is considered the project promotes the sustainable management of natural and physical resources and is consistent with the purpose and principles of the RMA. The purpose of the RMA will be achieved by confirming the NoRs and granting the resource consents sought, subject to the proposed designation and consent conditions set out in Chapters 30 and 31 of this AEE.

### 29.1. Section 5 Purpose

Section 5(2) of the Act defines 'sustainable management' as:

*“means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while—*

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.”*

The construction of this section of the Christchurch Southern Motorway (a RoNS project) will enable people and communities to provide for their social, economic and cultural wellbeing and for their health and safety through:

Supporting the economic growth of the Canterbury Region by:

- improving accessibility and connectivity between Christchurch and the wider Canterbury Region, including between the Port of Lyttelton and its hinterland;
- facilitating residential development south of Christchurch and industrial and business development in Templeton and Wigram;
- completing a significant portion of the Southern Corridor project – a Project with recognised economic benefits.

Providing significant community, social and transport benefits including:

- improved resilience in the transport network;
- social and economic benefits through improved travel time reliability and more efficient movement;
- improved reliability for freight movements and resulting economic and social benefits; and
- improved health and safety for road users.

The Project is consistent with the Canterbury RLTS, and has been identified as an important component of the Region's strategic land transport solution and a key factor in delivering sustainable economic growth for the long term needs of the Canterbury Region. It has also been identified as a road of national significance.

The construction, operation and maintenance of the MSRFL and CSM2 Project is necessary for the NZTA to be able to meet its objectives for the Project, as outlined in section 2.4 of this AEE.

In balancing these considerations with the matters in section 5(2) of the RMA, the following conclusions are derived from the assessment in the preceding chapters of the AEE:

- the Project will help meet the future transportation needs of the Region and does not preclude future opportunities for other transport development, such as improvements to public transport and walking and cycling routes; and
- the Project will help safeguard the life supporting capacity of natural resources, specifically:
  - air - by reducing traffic congestion on SH1 and local road network;
  - water - as no natural watercourses will be directly affected and stormwater discharges will be treated and there will be overall long term benefits arising from re-vegetation and planting;

- soils - by the management of construction works within a confined area (particularly controlling erosion and land disturbance) and landscaping will provide evidence of life supporting capacity; and
- ecosystems - by avoiding, remedying and mitigating the adverse effects on ecological values, including habitats of aquatic, and terrestrial fauna and flora.
- the Project avoids, remedies and mitigates adverse effects on the environment both during construction and operation, through design and through identification of specific mitigation measures which will be recommended as conditions for the consent applications and designations (refer Chapter 27, 30 and 31).

### 29.2. Section 6 – Matters of National Importance

The Project recognises and provides for the matters of national significance within section 6 of the RMA as follows:

- the Project avoids any direct impacts on natural watercourses and wetlands; all watercourses within the Project area are stockwater races. Through proposed planting and the sensitive design of swales and piped water races, there will be an overall improvement in the freshwater habitat and ecological function of the water races (section 6(a));
- the Project avoids outstanding natural features and landscapes. There are no outstanding natural features or landscapes in the vicinity of the Project area (section 6(b));
- the Project will not affect any notable areas of indigenous vegetation. Biodiversity within the Project area will be enhanced through establishment of areas of new planting, and there will be no significant adverse effects on habitats of indigenous fauna (section 6(c));
- the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga was taken into account in the development of the Project and through the preparation of a Cultural Impact Assessment (section 6(e));
- the protection of archaeological and historic heritage has been recognised in the route selection process as the route alignment avoids recorded archaeological and heritage sites and there will be no effects on identified sites in the surrounding area (section 6(f)); and
- the Project does not impact on any protected customary activities as there are no known activities taking place within the Project area (section 6(g)).

### 29.3. Section 7 Other Matters

The Project has also had particular regard to and has appropriately responded to the matters set out in section 7 of the RMA. The following matters are considered relevant:

- the kaitiakitanga of tangata whenua has been recognised in preparation of a cultural impact assessment with local iwi (section 7(a));

- the ethic of stewardship has been recognised through participation of tangata whenua early in the development of the Project (section 7(aa));
- community groups who have a specific interest in and who have exercised stewardship over particular resources of relevance to the Project have been involved in the scheme assessment phase of the Project and considered in the design of the Project (section 7(aa));
- the Project will improve the efficient use of the Canterbury State highway network as a physical resource and improve the use and function of the wider road network (section 7(b));
- the selected alignment and design seeks to mitigate the effect of the Project on local amenity values. Urban areas and residential communities are largely avoided by the alignment with mitigation proposed for affected rural dwellings; An inter-disciplinary approach has been used to identify and mitigate potential adverse effects of the proposed design relating to noise, air quality, lighting, urban design, landscape and visual effect, and ecology (section 7(c));
- the alignment avoids any material adverse effects on intrinsic values of ecosystems (section 7(d));
- it is recognised that the Project represents a permanent change to the existing character of the area and the quality of the environment. In general terms, the development and use of a State highway that connects a large and growing urban area with the wider Region is in keeping with the existing and anticipated urban form of the Greater Christchurch area (section 7(g)); and
- the effects of climate change have been taken account of in the stormwater modelling and design has responded to relevant natural hazards (section 7(i)).

#### 29.4. Section 8 Treaty of Waitangi

The NZTA as a Crown agency recognises its role in taking into account the principles of the Treaty of Waitangi through its partnership with local Iwi. This is endorsed through a Memorandum of Understanding (MoU) between the NZTA and Ngai Tahu. The Project reflects the MoU and Treaty of Waitangi principles through the retention by Māori of rangatiratanga over their resources and taonga in the surrounding area. A Cultural Impact Assessment is under preparation for this Project in consultation with Ngai Tahu (through MKT), which considers relevant Treaty principles at a Project-specific level.

#### 29.5. Conclusion

Overall, when the benefits of the Project are considered alongside measures to avoid, remedy and mitigate adverse effects, it is considered the Project promotes the sustainable management of natural and physical resources and is consistent with the purpose and principles of the RMA. The purpose of the RMA will be achieved by confirming the NoRs and granting the resource consents sought, subject to the proposed designation and consent conditions set out in Chapters 30 and 31 of this AEE.