

Technical Report No. 20

# Christchurch Southern Motorway Stage 2 and Main South Road Four Laning


## Statutory Provisions Report

November 2012



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Quality Assurance Statement			
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This Technical Report has been produced in support of the Assessment of Environmental Effects (AEE) for the Main South Road Four Laning and Christchurch Southern Motorway Stage 2 Project. It is one of 20 Technical Reports produced (listed below), which form Volume 3 of the lodgement document. Technical information contained in the AEE is drawn from these Technical Reports, and cross-references to the relevant reports are provided in the AEE where appropriate.

A Construction Environmental Management Plan (CEMP) has been prepared to provide the framework, methods and tools for avoiding, remedying or mitigating environmental effects of the construction phase of the Project. The CEMP is supported by Specialised Environmental Management Plans (SEMPs), which are attached as appendices to the CEMP. These SEMPs are listed against the relevant Technical Reports in the table below. This Technical Report is highlighted in grey in the table below. For a complete understanding of the project all Technical Reports need to be read in full along with the AEE itself; however where certain other Technical Reports are closely linked with this one they are shown in bold.

## Schedule of Technical Reports for the AEE

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3	Assessment of stormwater disposal and water quality	19	Erosion and Sediment Control Plan, Accidental Aquifer Interception Management Plan
4	Landscape and visual effects	15	Landscape Management Plan
5	Assessment of effects – urban design	14	Landscape Management Plan
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For further information on the structure of the lodgement documentation, refer to the 'Guide to the lodgement documentation' document issued with the AEE in Volume 1.

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# 1 Introduction

This Technical Report identifies the relevant statutory provisions under the Resource Management Act 1991 ('RMA') that must be considered in relation to the Notices of Requirement (NoR) for designations and resource consent applications for the proposed Main South Road Four Laning (MSRFL) and Christchurch Southern Motorway: Stage Two (CSM2), referred to hereafter as the 'Project'. The assessment of the Project against the identified relevant statutory provisions is provided in Chapter 28 of the AEE.

This report and the assessment in Chapter 28 have been prepared to support the NoR and resource consent applications for the statutory authorisations required for the Project under the RMA. These applications have been lodged with the Environmental Protection Authority (EPA) as a proposal of national significance under Part 6AA of the RMA.

The following documents have been addressed:

Assessment matter	Abbreviations	Section of this report
<b>National Policy Statements</b>		
NPS Freshwater Management	NPS FM	2.1
NPS Electricity Transmission	NPS ET	2.2
<b>National Environmental Standards</b>		
NES Air Quality	NES AQ	3.1
NES Sources of Human Drinking Water	NES SHDW	3.2
NES Electricity Transmission Activities	NES ETA	3.3
NES Assessing and Managing Contaminants in Soil to Protect Human Health	Soil NES	3.4
<b>Regional Policy Statements</b>		
Canterbury Regional Policy Statement	RPS	4.1
Proposed Canterbury Regional Policy Statement	PRPS	4.2
<b>Regional Plans</b>		
Canterbury Natural Resources Regional Plan	NRRP	5.1
Proposed Canterbury Land and Water Regional Plan	PLWRP	5.2
<b>District Plan</b>		
Selwyn District Plan	SDP	6.1
Christchurch City Plan	CCP	6.2
<b>Recovery Strategy</b>		
Canterbury Earthquake Recovery Act 2011	CERA	7.1
Recovery Strategy for Greater Christchurch 2011	RS	7.2
<b>Other Relevant Matters</b>		
Land Transport Management Act	LTMA	8.1
Connecting New Zealand		8.2
Government Policy Statement on Land Transport Funding	GPS	8.3
National Infrastructure Plan	NIP	8.4
National State Highway Strategy	NSHS	8.5

<b>Assessment matter</b>	<b>Abbreviations</b>	<b>Section of this report</b>
Canterbury Regional Land Transport Strategy	RLTS	8.6
Canterbury Regional Land Transport Programme	RLTP	8.7
Draft Christchurch Transport Plan	DCTP	8.8
NZTA Environmental Plan	NZTA EP	8.9
New Zealand Walking and Cycling Strategy	NZ WCS	8.10
New Zealand Urban Design Protocol	NZ UDP	8.11
Greater Christchurch Urban Development Strategy	UDS	8.12
South-West Christchurch Area Plan	SWAP	8.13
Proposed NPS Indigenous Biodiversity	NPS IB	8.14
Wildlife Act 1953		8.15
Selwyn District Council Water Race Bylaw 2008	SDC	8.16
Freshwater Fisheries Regulations 1983		8.17

## 2 National Policy Statements

### 2.1 National Policy Statement for Freshwater Management

The National Policy Statement for Freshwater Management came into effect on 1 July 2011.

The NPS is primarily relevant in developing regional plans but is a matter to be given regard in the consideration of regional resource consents involving water takes and discharges and needs to be considered with respect to proposed storm water discharges.

Reference	Provision
NPS FM Section A: Water Quality Objective A1	To safeguard the life-supporting capacity, ecosystem processes and indigenous species including their associated ecosystems of fresh water, in sustainably managing the use and development of land, and of discharges of contaminants.
NPS FM Section A: Water Quality Objective A2	The overall quality of fresh water within a region is maintained or improved while: <ul style="list-style-type: none"> <li>a) protecting the quality of outstanding freshwater bodies</li> <li>b) protecting the significant values of wetlands and</li> <li>c) improving the quality of fresh water in water bodies that have been degraded by human activities to the point of being over-allocated.</li> </ul>
NPS FM Section A: Water Quality Policy A1	By every regional council making or changing regional plans to the extent needed to ensure the plans: <ul style="list-style-type: none"> <li>a) establish freshwater objectives and set freshwater quality limits for all bodies of fresh water in their regions to give effect to the objectives in this national policy statement, having regard to at least the following: <ul style="list-style-type: none"> <li>i) the reasonably foreseeable impacts of climate change</li> <li>ii) the connection between water bodies</li> </ul> </li> <li>b) establish methods (including rules) to avoid over-allocation.</li> </ul>



<p>NPS FM Section A: Water Quality Policy A4 and direction (under section 55) to regional councils</p>	<p>By every regional council amending regional plans (without using the process in Schedule 1) to the extent needed to ensure the plans include the following policy to apply until any changes under Schedule 1 to give effect to Policy A1 and Policy A2 (freshwater quality limits and targets) have become operative:</p> <p><i>“1. When considering any application for a discharge the consent authority must have regard to the following matters:</i></p> <p><i>a) the extent to which the discharge would avoid contamination that will have an adverse effect on the life-supporting capacity of fresh water including on any ecosystem associated with fresh water; and</i></p> <p><i>b) the extent to which it is feasible and dependable that any more than minor adverse effect on fresh water, and on any ecosystem associated with fresh water, resulting from the discharge would be avoided.</i></p> <p><i>2. This policy applies to the following discharges (including a diffuse discharge by any person or animal):</i></p> <p><i>a) A new discharge or</i></p> <p><i>b) A change or increase in any discharge</i></p> <p><i>of any contaminant into fresh water, or onto or into land in circumstances that may result in that contaminant (or, as a result of any natural process from the discharge of that contaminant, any other contaminant) entering fresh water.</i></p> <p><i>3. This policy does not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management takes effect on 1 July 2011.”</i></p>
<p>NPS FM Section B: Water Quality Objective B1</p>	<p>To safeguard the life-supporting capacity, ecosystem processes and indigenous species including their associated ecosystems of fresh water, in sustainably managing the taking, using, damming, or diverting of fresh water.</p>
<p>NPS FM Section B: Water Quality Objective B3</p>	<p>To improve and maximise the efficient allocation and efficient use of water.</p>

<p>NPS FM Section B: Water Quality Policy B7 and direction (under section 55) to regional councils</p>	<p>By every regional council amending regional plans (without using the process in Schedule 1) to the extent needed to ensure the plans include the following policy to apply until any changes under Schedule 1 to give effect to Policy B1 (allocation limits), Policy B2 (allocation), and Policy B6 (over-allocation) have become operative:</p> <p><i>“1. When considering any application the consent authority must have regard to the following matters:</i></p> <p><i>a) The extent to which the change would adversely affect safeguarding the life-supporting capacity of fresh water and of any associated ecosystem and</i></p> <p><i>b) The extent to which it is feasible and dependable that any adverse effect on the life-supporting capacity of fresh water and of any associated ecosystem resulting from the change would be avoided.</i></p> <p><i>2. This policy applies to:</i></p> <p><i>a) Any new activity and</i></p> <p><i>b) Any change in the character, intensity or scale of any established activity, that involves any taking, using, damming or diverting of fresh water or draining of any wetland which is likely to result in any more than minor adverse change in the natural variability of flows or level of any fresh water, compared to that which immediately preceded the commencement of the new activity or the change in the established activity (or in the case of a change in an intermittent or seasonal activity, compared to that on the last occasion on which the activity was carried out).</i></p> <p><i>3. This policy does not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management takes effect on 1 July 2011.”</i></p>
<p>NPS FM Section C: Integrated Management Objective C1</p>	<p>To improve integrated management of fresh water and the use and development of land in whole catchments, including the interactions between fresh water, land, associated ecosystems and the coastal environment.</p>
<p>NPS FM Section C: Integrated Management Policy C1</p>	<p>By every regional council managing fresh water and land use and development in catchments in an integrated and sustainable way, so as to avoid, remedy or mitigate adverse effects, including cumulative effects.</p>
<p>NPS FM Section C: Integrated Management Policy C2</p>	<p>By every regional council making or changing regional policy statements to the extent needed to provide for the integrated management of the effects of the use and development of land on fresh water, including encouraging the co-ordination and sequencing of regional and/or urban growth, land use and development and the provision of infrastructure.</p>

<p>NPS FM Section D: Tangata whenua roles and interests Objective D1</p>	<p>To provide for the involvement of iwi and hapū, and to ensure that tāngata whenua values and interests are identified and reflected in the management of fresh water including associated ecosystems, and decision-making regarding freshwater planning, including on how all other objectives of this national policy statement are given effect to.</p>
<p>NPS FM Section D: Tangata whenua roles and interests Policy D1</p>	<p>Local authorities shall take reasonable steps to:</p> <ol style="list-style-type: none"> <li>a) involve iwi and hapū in the management of fresh water and freshwater ecosystems in the region</li> <li>b) work with iwi and hapū to identify tāngata whenua values and interests in fresh water and freshwater ecosystems in the region and</li> <li>c) reflect tāngata whenua values and interests in the management of, and decision making regarding, fresh water and freshwater ecosystems in the region.</li> </ol>

## 2.2 National Policy Statement on Electricity Transmission

The National Policy Statement on Electricity Transmission came into effect on 10 April 2008.

Reference	Provision
<p>NPS ET Objective 1</p>	<p>To recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission resources to meet the needs of present and future generations, while:</p> <ul style="list-style-type: none"> <li>• managing the adverse environmental effects of the network; and</li> <li>• managing the adverse effects of other activities on the network.</li> </ul>
<p>NPS ET Policy 1</p>	<p>In achieving the purpose of the Act, decision-makers must recognise and provide for the national, regional and local benefits of sustainable, secure and efficient electricity transmission. The benefits relevant to any particular project or development of the electricity transmission network may include:</p> <ol style="list-style-type: none"> <li>i) maintained or improved security of supply of electricity; or</li> <li>ii) efficient transfer of energy through a reduction of transmission losses; or</li> <li>iii) the facilitation of the use and development of new electricity generation, including renewable generation which assists in the management of the effects of climate change; or</li> <li>iv) enhanced supply of electricity through the removal of points of congestion.</li> </ol> <p>The above list of benefits is not intended to be exhaustive and a particular policy, plan, project or development may have or recognise other benefits.</p>

<p>NPS ET Managing the environmental effects of transmission Policy 2</p>	<p>In achieving the purpose of the Act, decision-makers must recognise and provide for the effective operation, maintenance, upgrading and development of the electricity transmission network.</p>
<p>NPS ET Policy 3 Managing the environmental effects of transmission</p>	<p>When considering measures to avoid, remedy or mitigate adverse environmental effects of transmission activities, decision-makers must consider the constraints imposed on achieving those measures by the technical and operational requirements of the network.</p>
<p>NPS ET Policy 4 Managing the environmental effects of transmission</p>	<p>When considering the environmental effects of new transmission infrastructure or major upgrades of existing transmission infrastructure, decision-makers must have regard to the extent to which any adverse effects have been avoided, remedied or mitigated by the route, site and method selection.</p>
<p>NPS ET Policy 5 Managing the environmental effects of transmission</p>	<p>When considering the environmental effects of transmission activities associated with transmission assets, decision-makers must enable the reasonable operational, maintenance and minor upgrade requirements of established electricity transmission assets.</p>
<p>NPS ET Policy 7 Managing the environmental effects of transmission</p>	<p>Planning and development of the transmission system should minimise adverse effects on urban amenity and avoid adverse effects on town centres and areas of high recreational value or amenity and existing sensitive activities.</p>
<p>NPS ET Policy 8 Managing the environmental effects of transmission</p>	<p>In rural environments, planning and development of the transmission system should seek to avoid adverse effects on outstanding natural landscapes, areas of high natural character and areas of high recreation value and amenity and existing sensitive activities.</p>

<p>NPS ET Policy 10 Managing the adverse effects of third parties on the transmission network</p>	<p>In achieving the purpose of the Act, decision-makers must to the extent reasonably possible manage activities to avoid reverse sensitivity effects on the electricity transmission network and to ensure that operation, maintenance, upgrading, and development of the electricity transmission network is not compromised.</p>
<p>NPS ET Policy 11 Managing the adverse effects of third parties on the transmission network</p>	<p>Local authorities must consult with the operator of the national grid, to identify an appropriate buffer corridor within which it can be expected that sensitive activities will generally not be provided for in plans and/or given resource consent. To assist local authorities to identify these corridors, they may request the operator of the national grid to provide local authorities with its medium to long-term plans for the alteration or upgrading of each affected section of the national grid (so as to facilitate the long-term strategic planning of the grid).</p>

## 3 National Environmental Standards

### 3.1 National Environmental Standard for Air Quality

The National Environmental Standard for Air Quality regulations were gazetted and came into effect on 8 October 2004. These were amended on 1 June 2011.

Regional councils and unitary authorities are responsible for managing air quality under the Resource Management Act. They are required to identify areas where air quality is likely, or known, to exceed the standards.

Reference	Provision
NES AQ Regulation 13	<p>Ambient air quality standards</p> <p>(1) The ambient air quality standard for a contaminant specified in the first column of the table in Schedule 1 is that the contaminant must not exceed its threshold concentration in an airshed unless the exceedance is a permissible exceedance.</p> <p>(2) The ambient air quality standard for a contaminant is breached if the contaminant exceeds its threshold concentration in an airshed and the exceedance is not a permissible exceedance.</p> <p>(3) In these regulations,—</p> <ul style="list-style-type: none"> <li>a) exceedance, for a contaminant, means an instance where the contaminant exceeds its threshold concentration in an airshed</li> <li>b) permissible exceedance, for a contaminant, means 1 of the number of exceedances allowed for the contaminant in an airshed as specified in the third column of the table in Schedule 1</li> <li>c) threshold concentration, for a contaminant, means the concentration of the contaminant specified in the second column of the table in Schedule 1 calculated as a mean for the time period specified in that column.</li> </ul>

### 3.2 National Environmental Standards for Sources of Human Drinking Water

The National Environmental Standards for Sources of Human Drinking Water regulations came into effect on 20 June 2008.

The Standard requires regional councils to ensure that effects on drinking water sources are considered in decisions on resource consents and regional plans.

Reference	Provision
NES SHDW Regulation 6	<p>Water and discharge permits in respect of activities with potential to affect certain drinking water supplies.</p> <p>Regulations 7 and 8 only apply to an activity that has the potential to affect a registered drinking-water supply that provides no fewer than 501 people with drinking water for not less than 60 days each calendar year.</p>
NES SHDW Regulation 7	<p>A regional council must not grant a water permit or discharge permit for an activity that will occur upstream of an abstraction point where the drinking water concerned meets the health quality criteria if the activity is likely to –</p> <ul style="list-style-type: none"> <li>a) Introduce or increase the concentration of any determinands in the drinking water, so that, after existing treatment, it no longer meets the health quality criteria; or</li> <li>b) Introduce or increase the concentration of any aesthetic determinands in the drinking water so that, after existing treatment, it contains aesthetic determinands at values exceeding the guideline values.</li> </ul>

<p>NES SHDW Regulation 8</p>	<p>(1) A regional council must not grant a water permit or discharge permit for an activity that will occur upstream of an abstraction point where the drinking water concerned is not tested in accordance with the compliance monitoring procedures in the Drinking-water Standard if the activity is likely to—</p> <ul style="list-style-type: none"> <li>a) increase the concentration of any determinands in the water at the abstraction point by more than a minor amount or</li> <li>b) introduce or increase the concentration of any aesthetic determinands in the drinking water so that, after existing treatment, it contains aesthetic determinands at values exceeding the guideline values.</li> </ul> <p>(2) A regional council must not grant a water permit or discharge permit for an activity that will occur upstream of an abstraction point where the drinking water concerned does not meet the health quality criteria if the activity is likely to—</p> <ul style="list-style-type: none"> <li>a) increase, by more than a minor amount, the concentration of any determinands in the water at the abstraction point that in the drinking water already exceed the maximum acceptable values for more than the allowable number of times as set out in Table A1.3 in Appendix 1 of the Drinking-water Standard; or</li> <li>b) increase the concentration of any determinands in the water at the abstraction point that in the drinking water do not exceed the maximum acceptable values for more than the allowable number of times as set out in Table A1.3 in Appendix 1 of the Drinking-water Standard to the extent that the drinking water, after existing treatment, exceeds the maximum acceptable values for more than the allowable number of times as set out in the Table in relation to those determinands; or</li> <li>c) introduce or increase the concentration of any aesthetic determinands in the drinking water so that, after existing treatment, it contains aesthetic determinands at values exceeding the guideline values.</li> </ul>
<p>NES SHDW Regulation 10</p>	<p>A regional council must not include a rule to allow a permitted activity upstream of an abstraction point where the drinking water concerned meets the health quality criteria unless satisfied that the activity is not likely to –</p> <ul style="list-style-type: none"> <li>a) Introduce or increase the concentration of any determinands in the drinking water so that, after existing treatment, it no longer meets the health quality criteria; or</li> <li>b) Introduce or increase the concentration of any aesthetic determinands in the drinking water so that, after existing treatment, it contains aesthetic determinands at values exceeding the guideline values.</li> </ul>

<p>NES SHDW Regulation 12</p>	<p>(1) When considering a resource consent application, a consent authority must consider whether the activity to which the application relates may –</p> <ul style="list-style-type: none"> <li>a) Itself lead to an event occurring (for example, the spillage of chemicals) that may have a significant adverse effect on the quality of the water at any abstraction point; or</li> <li>b) As a consequence of an event (for example, an unusually heavy rainfall) have a significant adverse effect on the quality of the water at any abstraction point.</li> </ul> <p>(2) If the consent authority considers that the circumstances in subclause (1) apply, and it grants the application, it must impose a condition on the consent.</p> <p>(3) The condition must require the consent holder to notify, as soon as reasonably practicable, the registered drinking-water supply operators concerned and the consent authority, if an event of the type described in subclause (1) occurs that may have a significant adverse effect on the quality of the water at the abstraction point.</p>
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### 3.3 National Environmental Standards for Electricity Transmission Activities

The National Environmental Standards for Electricity Transmission (NES ETA) contains regulations relating to the relocation of existing transmission lines. The NES ETA came into effect on 14 January 2010.

Reference	Provision
<p>NES ET Regulation 4</p>	<p><i>Regulations apply only to certain activities relating to existing transmission lines</i></p> <p>(1) These regulations apply only to an activity that relates to the operation, maintenance, upgrading, relocation, or removal of an existing transmission line, including any of the following activities that relate to those things:</p> <ul style="list-style-type: none"> <li>a) a construction activity;</li> <li>b) a use of land or occupation of the coastal marine area (within the meanings of use and occupy given by section 2(1) of the Act);</li> <li>c) an activity relating to an access track to an existing transmission line;</li> <li>d) undergrounding an existing transmission line.</li> </ul> <p>(2) However, these regulations do not apply to—</p> <ul style="list-style-type: none"> <li>a) the construction or use of a bridge or culvert to access an existing transmission line; or</li> <li>b) the control of the use of land for the purpose of the prevention or mitigation of any adverse effects of the storage, use, disposal, or transportation of hazardous substances; or</li> <li>c) the refuelling of a vehicle or equipment; or</li> <li>d) the use of land as a landing area for helicopters; or</li> <li>e) an activity carried out in relation to an electricity substation; or</li> <li>f) earthworks to the extent that they are subject to a regional rule.</li> </ul>



NES ET  
Regulation 14

*Transmission line support structures: Alteration, relocation, and replacement*

*Permitted Activities*

- (1) Altering, relocating, or replacing a tower of an existing transmission line (other than as part of a temporary line deviation or undergrounding) is a permitted activity if all of the applicable conditions in subclauses (3) to (6) are complied with.
- (2) Altering, relocating, or replacing a pole of an existing transmission line (other than as part of a temporary line deviation or undergrounding) is a permitted activity if all of the applicable conditions in subclauses (3), (4), (7), and (8) are complied with.

*Conditions*

- (3) If a transmission line support structure is increased in height (including by being replaced with another structure),—
  - a) the structure may be made no more than 15% higher than its base height; and
  - b) the additional height must comply with any height restrictions for airport purposes, or any public view shafts, specified in a rule.
- (4) A transmission line support structure must not be relocated, or replaced with another transmission line support structure, so that any part of the structure at ground level is—
  - a) within 12 metres of an occupied building (measured horizontally); or
  - b) any closer to an occupied building, if the existing structure is within 12 metres of the building (measured horizontally).
- (5) If a tower is widened (including by being replaced with another tower), each side of the tower's footprint may be made no longer than the total of—
  - a) the length of that side of the tower's base footprint; and
  - b) 25% of the tower's base width.
- (6) A tower must not be relocated, or replaced with another tower, so that any part of the tower at ground level falls outside the tower's envelope for permitted activities.
- (7) A pole must not be replaced with a tower.
- (8) A pole must not be relocated, or replaced with another pole, more than 5 metres from the pole's base position (measured horizontally).

NES ET  
Regulation 15

*Transmission line support structures: Alteration, relocation, and replacement*

*Controlled Activities*

- (1) Altering, relocating, or replacing a tower of an existing transmission line (other than as part of a temporary line deviation or undergrounding) is a controlled activity if—
  - a) all of the applicable conditions in regulation 14(3) to (5) are complied with; and
  - b) the condition in regulation 14(6) is breached; but
  - c) the tower is not relocated, or replaced with another tower, so that any part of the tower at ground level falls outside the tower's envelope for controlled activities.
- (2) Altering, relocating, or replacing a pole of an existing transmission line (other than as part of a temporary line deviation or undergrounding) is a controlled activity if—
  - a) all of the applicable conditions in regulation 14(3), (4), and (7) are complied with; and
  - b) the condition in regulation 14(8) is breached; but
  - c) the pole is not relocated, or replaced with another pole, more than 10 metres from the pole's base position (measured horizontally).
- (3) Altering, relocating, or replacing a tower or pole of an existing transmission line as part of undergrounding, so that the tower or pole becomes a termination structure, is a controlled activity if all of the applicable conditions in regulation 14(3), (4), and (7) are complied with.

*Matters over which control reserved*

- (4) Control is reserved over the following matters in relation to a controlled activity under this regulation:
  - a) visual, landscape, and ecological effects; and
  - b) the effects on historic heritage; and
  - c) the effects and timing of construction works; and
  - d) the effects on services and infrastructure.

<p>NES ET Regulation 16</p>	<p><i>Transmission line support structures: Alteration, relocation, and replacement</i> <i>Restricted Discretionary Activities</i></p> <p>(1) Altering, relocating, or replacing a tower of an existing transmission line (other than as part of a temporary line deviation or undergrounding) is a restricted discretionary activity if—</p> <ul style="list-style-type: none"> <li>a) 1 or more of the conditions in regulation 14(3) to (5) are breached; or</li> <li>b) both of the following apply: <ul style="list-style-type: none"> <li>(i) the requirement described in regulation 15(1)(c) is breached; but</li> <li>(ii) all of the applicable conditions in regulation 10(2) to (8) are complied with.</li> </ul> </li> </ul> <p>(2) Altering, relocating, or replacing a pole of an existing transmission line (other than as part of a temporary line deviation or undergrounding) is a restricted discretionary activity if—</p> <ul style="list-style-type: none"> <li>a) 1 or more of the conditions in regulation 14(3), (4), and (7) are breached; or</li> <li>b) both of the following apply: <ul style="list-style-type: none"> <li>(i) the requirement described in regulation 15(2)(c) is breached; but</li> <li>(ii) all of the applicable conditions in regulation 10(2) to (8) are complied with.</li> </ul> </li> </ul> <p>(3) Altering, relocating, or replacing a tower or pole of an existing transmission line as part of undergrounding, so that the tower or pole becomes a termination structure, is a restricted discretionary activity if 1 or more of the conditions in regulation 14(3), (4), and (7) are breached.</p> <p><i>Matters to which discretion restricted</i></p> <p>(4) Discretion is restricted to the following matters in relation to a restricted discretionary activity under this regulation:</p> <ul style="list-style-type: none"> <li>a) the location and height of the transmission line support structures in relation to— <ul style="list-style-type: none"> <li>(i) visual, landscape, and ecological effects; and</li> <li>(ii) the effects on historic heritage; and</li> <li>(iii) the effects on sensitive land uses; and</li> </ul> </li> <li>b) earthworks, clearance of trees and vegetation, and restoration of the land; and</li> <li>c) the effects and timing of construction works.</li> </ul>
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### 3.4 National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health

The National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health (Soil NES) regulations came into effect on 1 January 2012.

The Standard ensures that land affected by contaminants in soil is appropriately identified and assessed before it is developed. If necessary, the land should be remediated or the contaminants contained to make the land safe for human use.

Reference	Provision
Soil NES Regulation 5	<p>(1) These regulations—</p> <p>(a) apply when a person wants to do an activity described in any of subclauses (2) to (6) on a piece of land described in subclause (7) or (8):</p> <p>(b) do not apply when a person wants to do an activity described in any of subclauses (2) to (6) on a piece of land described in subclause (9).</p> <p>Activities</p> <p>(2) An activity is removing a fuel storage system from the piece of land or replacing a fuel storage system in or on the piece of land, which means—</p> <p>(a) doing any of the following:</p> <p>(i) removing or replacing the whole system:</p> <p>(ii) removing or replacing an underground part of the system:</p> <p>(iii) taking away or putting back soil associated with the removal or replacement of the system or the part:</p> <p>(b) doing any of the following for purposes associated with removing or replacing the whole system or part of the system:</p> <p>(i) sampling the soil of the piece of land:</p> <p>(ii) investigating the piece of land:</p> <p>(iii) remediating the piece of land:</p> <p>(iv) validating the piece of land:</p> <p>(v) managing the piece of land.</p> <p>(3) An activity is sampling the soil of the piece of land, which means sampling it to determine whether or not it is contaminated and, if it is, the amount and kind of contamination.</p> <p>(4) An activity is disturbing the soil of the piece of land, which—</p> <p>(a) means disturbing the soil of the piece of land for a particular purpose:</p> <p>(b) does not include disturbing the soil of the piece of land, whatever the purpose, if the land is land to which regulation 33(9) or 36 of the Resource Management (National Environmental Standard for Electricity Transmission Activities) Regulations 2009 applies.</p> <p>(5) An activity is subdividing land, which means subdividing land—</p> <p>(a) that has boundaries that are identical with the boundaries of the piece of land; or</p> <p>(b) that has all the piece of land within its boundaries; or</p> <p>(c) that has part of the piece of land within its boundaries.</p> <p>(6) An activity is changing the use of the piece of land, which means changing it to a use that, because the land is as described in subclause (7), is reasonably likely to harm human health.</p>

Reference	Provision
	<p>Land covered</p> <p>(7) The piece of land is a piece of land that is described by 1 of the following:</p> <ul style="list-style-type: none"> <li>(a) an activity or industry described in the <i>HAIL</i> is being undertaken on it:</li> <li>(b) an activity or industry described in the <i>HAIL</i> has been undertaken on it:</li> <li>(c) it is more likely than not that an activity or industry described in the <i>HAIL</i> is being or has been undertaken on it.</li> </ul> <p>(8) If a piece of land described in subclause (7) is production land, these regulations apply if the person wants to—</p> <ul style="list-style-type: none"> <li>(a) remove a fuel storage system from the piece of land or replace a fuel storage system in or on the piece of land:</li> <li>(b) sample or disturb— <ul style="list-style-type: none"> <li>(i) soil under existing residential buildings on the piece of land:</li> <li>(ii) soil used for the farmhouse garden or other residential purposes in the immediate vicinity of existing residential buildings:</li> <li>(iii) soil that would be under proposed residential buildings on the piece of land:</li> <li>(iv) soil that would be used for the farmhouse garden or other residential purposes in the immediate vicinity of proposed residential buildings:</li> </ul> </li> <li>(c) subdivide land in a way that causes the piece of land to stop being production land:</li> <li>(d) change the use of the piece of land in a way that causes the piece of land to stop being production land.</li> </ul> <p>Land not covered</p> <p>(9) These regulations do not apply to a piece of land described in subclause (7) or (8) about which a detailed site investigation exists that demonstrates that any contaminants in or on the piece of land are at, or below, background concentrations.</p>

Reference	Provision
Soil NES Regulation 7	<p>(1) In this regulation, <b>land use</b> means—</p> <p>(a) the current use, if the activity the person wants to do is—</p> <p>(i) to remove a fuel storage system from the piece of land or replace a fuel storage system in or on the piece of land:</p> <p>(ii) to sample the soil of the piece of land:</p> <p>(iii) to disturb the soil of the piece of land:</p> <p>(b) the intended use, if the activity the person wants to do is—</p> <p>(i) to subdivide land:</p> <p>(ii) to change the use of the piece of land</p> <p><b>Methodology</b> means the current edition of the <i>Methodology for Deriving Standards for Contaminants in Soil to Protect Human Health</i>, Wellington, Ministry for the Environment</p> <p><b>Priority contaminant</b> means a contaminant for which the Methodology derives a soil contaminant standard.</p> <p>(2) If the contaminant of concern is a priority contaminant and the land use fits within an exposure scenario adopted in the <i>Methodology</i>, the applicable standard is the soil contaminant standard for the priority contaminant.</p> <p>(3) If the contaminant of concern is a priority contaminant and the land use does not fit within an exposure scenario adopted in the <i>Methodology</i>, the applicable standard is whichever of the following is more appropriate in the circumstances:</p> <p>(a) The guideline value derived in accordance with the methods and guidance on site-specific risk assessment provided in the <i>Methodology</i>.</p> <p>(b) The soil contaminant standard for the priority contaminant of the exposure scenario adopted in the <i>Methodology</i> with greater assumed exposure than the actual exposure.</p> <p>(4) If the contaminant of concern is not a priority contaminant, the applicable standard is whichever of the following is more appropriate in the circumstances:</p> <p>(a) The guideline value derived in accordance with the methods and guidance on site-specific risk assessment provided in the <i>Methodology</i>.</p> <p>(b) A guideline value for the protection of human health that is chosen in accordance with the current edition of <i>Contaminated Land Management Guidelines No. 2—Hierarchy and Application in New Zealand of Environmental Guideline Values</i>, Wellington, Ministry for the Environment.</p>
Soil NES Regulation 8	<p>Permitted activities</p> <p>Removing or replacing fuel storage system</p>

Reference	Provision
	<p>(1) Removing or replacing a fuel storage system is a permitted activity while the following requirements are met:</p> <ul style="list-style-type: none"> <li>(a) the activity must be done in accordance with the current edition of <i>Guidelines for Assessing and Managing Petroleum Hydrocarbon Contaminated Sites in New Zealand</i>, Wellington, Ministry for the Environment:</li> <li>(b) the territorial authority of the district where the system is located must be notified of— <ul style="list-style-type: none"> <li>(i) the place where the activity is to be done:</li> <li>(ii) the dates on which it is intended that the activity begin and end:</li> <li>(iii) the facility at which it is intended that soil taken away in the course of the activity be disposed of:</li> </ul> </li> <li>(c) notification under paragraph (b) must be done no sooner than 1 month and no later than 1 week before the activity begins:</li> <li>(d) the volume of soil disturbed must be no more than 30 m<sup>3</sup> for each tank in the system:</li> <li>(e) the volume of soil taken away in the course of the activity must be no more than 30 m<sup>3</sup> for each tank in the system:</li> <li>(f) soil taken away in the course of the activity must be disposed of at a facility authorised to receive soil of that kind:</li> <li>(g) the duration of the activity must be no longer than 2 months:</li> <li>(h) the results of the investigation of the piece of land required by the guidelines described in paragraph (a) must be reported to the territorial authority within 3 months after the activity ends.</li> </ul> <p>Sampling soil</p> <p>(2) Sampling the soil of the piece of land is a permitted activity while the following requirements are met:</p> <ul style="list-style-type: none"> <li>(a) controls to minimise the exposure of humans to mobilised contaminants must— <ul style="list-style-type: none"> <li>(i) be in place when the activity begins:</li> <li>(ii) be effective while the activity is done:</li> <li>(iii) be effective until the soil is reinstated to an erosion-resistant state:</li> </ul> </li> <li>(b) the soil must be reinstated to an erosion-resistant state within 1 month after the end of the course of sampling for which the activity was done:</li> <li>(c) soil must not be taken away in the course of the activity except as samples taken for the purpose of laboratory analysis:</li> <li>(d) the integrity of a structure designed to contain contaminated soil or other contaminated materials must not be compromised.</li> </ul> <p>Disturbing soil</p> <p>(3) Disturbing the soil of the piece of land is a permitted activity while the following requirements are met:</p> <ul style="list-style-type: none"> <li>(a) controls to minimise the exposure of humans to mobilised contaminants must—</li> </ul>

Reference	Provision
	<ul style="list-style-type: none"> <li>(i) be in place when the activity begins:</li> <li>(ii) be effective while the activity is done:</li> <li>(iii) be effective until the soil is reinstated to an erosion-resistant state:</li> </ul> <p>(b) the soil must be reinstated to an erosion-resistant state within 1 month after the serving of the purpose for which the activity was done:</p> <p>(c) the volume of the disturbance of the soil of the piece of land must be no more than 25 m<sup>3</sup> per 500 m<sup>2</sup>:</p> <p>(d) soil must not be taken away in the course of the activity, except that,—</p> <ul style="list-style-type: none"> <li>(i) for the purpose of laboratory analysis, any amount of soil may be taken away as samples:</li> <li>(ii) for all other purposes combined, a maximum of 5 m<sup>3</sup> per 500 m<sup>2</sup> of soil may be taken away per year:</li> </ul> <p>(e) soil taken away in the course of the activity must be disposed of at a facility authorised to receive soil of that kind:</p> <p>(f) the duration of the activity must be no longer than 2 months:</p> <p>(g) the integrity of a structure designed to contain contaminated soil or other contaminated materials must not be compromised.</p> <p>Subdividing or changing use</p> <p>(4) Subdividing land or changing the use of the piece of land is a permitted activity while the following requirements are met:</p> <ul style="list-style-type: none"> <li>(a) a preliminary site investigation of the land or piece of land must exist:</li> <li>(b) the report on the preliminary site investigation must state that it is highly unlikely that there will be a risk to human health if the activity is done to the piece of land:</li> <li>(c) the report must be accompanied by a relevant site plan to which the report is referenced:</li> <li>(d) the consent authority must have the report and the plan.</li> </ul>
Soil NES Regulation 9	<p>Controlled activities</p> <p>Removing or replacing fuel storage system, sampling soil, or disturbing soil</p> <p>(1) If a requirement described in any of regulation 8(1) to (3) is not met, the activity is a controlled activity while the following requirements are met:</p> <ul style="list-style-type: none"> <li>(a) a detailed site investigation of the piece of land must exist:</li> <li>(b) the report on the detailed site investigation must state that the soil contamination does not exceed the applicable standard in regulation 7:</li> <li>(c) the consent authority must have the report:</li> <li>(d) conditions arising from the application of subclause (2), if there are any, must be complied with.</li> </ul> <p>(2) The matters over which control is reserved are as follows:</p> <ul style="list-style-type: none"> <li>(a) the adequacy of the detailed site investigation, including—</li> </ul>



Reference	Provision
	<ul style="list-style-type: none"> <li>(i) site sampling:</li> <li>(ii) laboratory analysis:</li> <li>(iii) risk assessment:</li> </ul> <p>(b) how the activity must be—</p> <ul style="list-style-type: none"> <li>(i) managed, which may include the requirement of a site management plan:</li> <li>(ii) monitored:</li> <li>(iii) reported on:</li> </ul> <p>(c) the transport, disposal, and tracking of soil and other materials taken away in the course of the activity:</p> <p>(d) the timing and nature of the review of the conditions in the resource consent:</p> <p>(e) the duration of the resource consent.</p> <p>Subdividing or changing use</p> <p>(3) If a requirement described in regulation 8(4) is not met, the activity is a controlled activity while the following requirements are met:</p> <ul style="list-style-type: none"> <li>(a) a detailed site investigation of the piece of land must exist:</li> <li>(b) the report on the detailed site investigation must state that the soil contamination does not exceed the applicable standard in regulation 7:</li> <li>(c) the consent authority must have the report:</li> <li>(d) conditions arising from the application of subclause (4), if there are any, must be complied with.</li> </ul> <p>(4) The matter over which control is reserved is the adequacy of the detailed site investigation, including—</p> <ul style="list-style-type: none"> <li>(a) site sampling:</li> <li>(b) laboratory analysis:</li> <li>(c) risk assessment.</li> </ul> <p>No public notification of application for resource consent</p> <p>(5) The consent authority must not give public notification of an application for a resource consent to do any of the activities.</p>

Reference	Provision
<p>Soil NES Regulation 10</p>	<p>Restricted discretionary activities</p> <p>(1) This regulation applies to an activity described in any of regulation 5(2) to (6) on a piece of land described in regulation 5(7) or (8) that is not a permitted activity or a controlled activity.</p> <p>(2) The activity is a restricted discretionary activity while the following requirements are met:</p> <ul style="list-style-type: none"> <li>(a) a detailed site investigation of the piece of land must exist:</li> <li>(b) the report on the detailed site investigation must state that the soil contamination exceeds the applicable standard in regulation 7:</li> <li>(c) the consent authority must have the report:</li> <li>(d) conditions arising from the application of subclause (3), if there are any, must be complied with.</li> </ul> <p>(3) The matters over which discretion is restricted are as follows:</p> <ul style="list-style-type: none"> <li>(a) the adequacy of the detailed site investigation, including— <ul style="list-style-type: none"> <li>(i) site sampling:</li> <li>(ii) laboratory analysis:</li> <li>(iii) risk assessment:</li> </ul> </li> <li>(b) the suitability of the piece of land for the proposed activity, given the amount and kind of soil contamination:</li> <li>(c) the approach to the remediation or ongoing management of the piece of land, including— <ul style="list-style-type: none"> <li>(i) the remediation or management methods to address the risk posed by the contaminants to human health:</li> <li>(ii) the timing of the remediation:</li> <li>(iii) the standard of the remediation on completion:</li> <li>(iv) the mitigation methods to address the risk posed by the contaminants to human health:</li> <li>(v) the mitigation measures for the piece of land, including the frequency and location of monitoring of specified contaminants:</li> </ul> </li> <li>(d) the adequacy of the site management plan or the site validation report or both, as applicable:</li> <li>(e) the transport, disposal, and tracking of soil and other materials taken away in the course of the activity:</li> <li>(f) the requirement for and conditions of a financial bond:</li> <li>(g) the timing and nature of the review of the conditions in the resource consent:</li> <li>(h) the duration of the resource consent.</li> </ul>
<p>Soil NES Regulation 11</p>	<p>Discretionary activities</p> <p>(1) This regulation applies to an activity described in any of regulation 5(2) to (6) on a piece of land described in regulation 5(7) or (8) that is not a permitted activity, controlled activity, or restricted discretionary activity.</p> <p>(2) The activity is a discretionary activity.</p>

## 4 Regional Policy Statements

### 4.1 Canterbury Regional Policy Statement

The operative Regional Policy Statement (RPS) for the Canterbury Region came into effect in 1998. The RPS identifies the regionally significant issues concerning the management of Canterbury's natural and physical resources and sets out the objectives, policies and methods to address these resource management issues.

The RPS was amended on 17 October 2011, as authorised by the Canterbury Earthquake Recovery Authority (CERA) to include Chapter 12A, which superseded the previous Proposed Change 1 (PC1) to the RPS. As a result of a High Court judicial review decision setting aside the Minister's decision to insert Chapter 12A and revoke PC1, the previous version of PC1 is now reinstated and must be the version to have regard to at the time this application is lodged. PC1 addresses land-use and urban growth management in Greater Christchurch until 2041 including the supply of both residential and industrial land. The Chapter identifies areas available for urban development, specifies residential densities, makes provision for businesses, requires local authorities to provide for sequencing of developments and provides for form, design and development plans to enable integrated management.

The specific RPS objectives and policies relating to urban development and other relevant matters include:

Reference	Provision
Tangata Whenua Chapter 6 Objective 1	To enable Tangata Whenua to exercise their relationship, their culture and their traditions with their ancestral lands, water, sites, wahi tapu and other taonga and to take into account the Treaty principles of partnership and active protection of Tangata Whenua in the use of their lands and waters to the fullest extent practicable.
Tangata Whenua Chapter 6 Policy 1	The Regional Council, in recognition of the role of Tangata Whenua in resource management, will continue to develop its relationship with runanga for the management of natural and physical resources and to resolve conflict that may arise over resource management issues. In fostering this relationship the Regional Council will take into account the principles of the Treaty of Waitangi as expressed in case law, and as appropriate to the circumstances, those principles expressed by the Waitangi Tribunal. It will seek to give effect to these principles with the utmost good faith.
Tangata Whenua Chapter 6 Policy 3	Specific aspects of the relationship of Tangata Whenua, their culture and their traditions with their ancestral lands, water, sites, wahi tapu and other taonga should be recognised and provided for through resource management and planning including provisions in plans, decisions on resource consents and monitoring the state of the environment.

Reference	Provision
Tangata Whenua Chapter 6 Policy 4	To promote the protection of any site or activity that yields evidence of koiwi tangata (human bones) or artefacts (taonga) from violation or desecration.
Soils and Land Use Chapter 7 Objective 1	(a) Safeguard the life-supporting capacity of soil by maintaining or restoring where appropriate, soil quality factors including: soil depth, soil structure, water holding capacity, organic matter, soil fertility and soil fauna. (b) Prevent, as far as practicable, induced soil erosion in Canterbury.
Soils and Land Use Chapter 7 Policy 1	Land use activities that actually or potentially have significant adverse effects on the following soil quality factors: soil structure, organic content, soil fauna, water holding capacity and soil fertility, should be avoided, or those effects remedied or mitigated. Significant adverse effects on any of these factors include: (a) any deleterious change in a soil quality factor which would persist for 25 years or more, or would be impracticable to remedy; (b) a change in a soil quality factor that increases the rate of runoff and/or nutrient contribution to water bodies.
Soils and Land Use Chapter 7 Policy 2	(a) Wherever any action or activity is carried out that increases the likelihood of soil depth being lost, the best practicable method for reducing the amount of erosion likely to occur as a result of that action or activity should be adopted. (b) Activities that have the potential, regardless of the method adopted, to result in significant soil erosion, or to lead to significant off-site effects, including sedimentation of water bodies or the coastal environment, should be avoided unless these adverse effects can be offset by mitigation measures undertaken elsewhere.
Soils and Land Use Chapter 7 Objective 2	Minimise the irreversible effect of land use activities on land comprising versatile soils where such use would foreclose future land use options that benefit from being located on those soils, where it is practicable to so.
Soils and Land Use Chapter 7 Policy 6	(a) Where consideration is being given to the use, development or protection of land comprising versatile soils, in circumstances where such use development or protection is necessary to achieve the purpose of the RM Act, particular regard shall be had, in the circumstances of the case, to any need to protect such land from irreversible effects that may foreclose some future land use options that benefit from being located on such land. (b) Provided that where a proposed activity will irreversibly affect land comprising versatile soils and there is a choice in the locality between such activity occurring on that land or on less versatile land, the preference shall be to protect versatile land from such activity, unless the proposed activity would better achieve the purpose of the RM Act.

Reference	Provision
Soils and Land Use Chapter 7 Objective 3	Protection of the environment from on-site and off-site adverse effects: (a) resulting from land that has become contaminated; (b) by prevention of land contamination.
Soils and Land Use Chapter 7 Policy 7	Any use or activity that has the potential to result in contamination of land should not be established or continued unless effective precautions have been taken to avoid significant adverse effects on the environment.
Landscape, Ecology and Heritage Chapter 8 Objective 2	Protection or enhancement of the natural features and landscapes that contribute to Canterbury's distinctive character and sense of identity, including their associated ecological, cultural, recreational and amenity values.
Landscape, Ecology and Heritage Chapter 8 Policy 3	Natural features and landscapes that meet the relevant criteria of sub-chapter 20.4(1) should be protected from adverse effects of the use, development, or protection of natural and physical resources, and their enhancement should be promoted. Activities that may have adverse effects include those involving the clearance or modification of areas of indigenous vegetation (particularly tall tussock), earthworks, alteration to landforms, tree planting, or the erection of structures. The particular sensitivity of these natural features and landscapes to regionally significant adverse effects in terms of sub-chapter 20.4(2) should be reflected in the provisions of district plans in the region. Assessments of effects should be made by considering: (i) aesthetic values; (ii) expressiveness; (iii) transitory value; (iv) natural science factors.
Landscape, Ecology and Heritage Chapter 8 Objective 3	Protection or enhancement of: (i) Indigenous biodiversity, (including the survival of threatened species, communities and habitats, and species, biological communities and habitats unusual in, or characteristic of Canterbury); (ii) Indigenous ecosystem functioning; and (iii) Indigenous vegetation and habitats which contribute to the region's natural character.

Reference	Provision
Landscape, Ecology and Heritage Chapter 8 Policy 4	Areas of indigenous vegetation and habitats of indigenous fauna that meet the relevant criteria of sub-chapter 20.4(1) should be protected from adverse effects of the use, development or protection of natural and physical resources and their enhancement should be promoted. In particular, indigenous species, communities and habitats that are threatened, unusual in, or characteristic of Canterbury should be identified, and their survival, and the survival of ecosystems on which they depend, safeguarded as far as practicable. The particular sensitivity of these areas of vegetation or habitats to regionally significant adverse effects in terms of sub-chapter 20.4(2) should be reflected in the provisions of district plans in the region.
Landscape, Ecology and Heritage Chapter 8 Objective 4	Protection or enhancement of the historical and cultural heritage sites, buildings, places and areas, including their cultural, recreational and amenity values which contribute to Canterbury's distinctive character and sense of identity.
Landscape, Ecology and Heritage Chapter 8 Policy 5	(a) Historic sites, buildings, places or areas that meet the relevant criteria of sub-chapter 20.4(1), including their associated cultural and heritage values, should be protected from adverse effects of the use, development, or protection of natural and physical resources, and their conservation should be promoted. The particular sensitivity of these historic sites, buildings, places or areas to regionally significant adverse effects in terms of sub-chapter 20.4(2) should be reflected in the provisions of district plans in the region.
Water Chapter 9 Objective 3	Enable present and future generations to gain cultural, social, recreational, economic, health and other benefits from the water quality in Canterbury's water bodies and coastal waters, while: (a) Safeguarding the existing value of water bodies for efficiently providing sources of drinking water for people; (b) Safeguarding the life-supporting capacity of the water.
Water Chapter 9 Policy 9	To manage point and non-point source discharge and set water quality conditions and standards and terms in plans, and conditions on resource consents, that achieve (a) to (h) of Objective 3. Adverse effects of discharges on existing water quality should be avoided, remedied or mitigated and, where appropriate, degraded water quality should be enhanced.
Water Chapter 9 Policy 11	Promote land use practices which maintain, and where appropriate, enhance water quality.

Reference	Provision
Settlement and the Built Environment Chapter 12 Objective 1	Enable urban development and the physical expansion of settlements and the use and provision of network utilities to occur while avoiding, remedying or mitigating adverse effects on the environment, including water quality, air quality, ancestral land and heritage values.
Settlement and the Built Environment Chapter 12 Policy 1	Promote settlement and transport patterns and built environments that will: (a) result in increasingly effective and efficient use of resources, particularly energy. (b) reduce the rate of use of non-renewable energy sources. (c) minimise the adverse effects of emissions into the atmosphere resulting from the use of motor vehicles and building heating.
Development of Greater Christchurch Proposed Change 1 (Chapter 12A) Objective 1	Urban Consolidation Urban Development in Greater Christchurch shall be managed to achieve consolidation of existing urban areas, to avoid unsustainable expansion outside existing urban areas and to bring about: (a) Higher density living environments, particularly in the Christchurch City Centre Area, in and around Key Activity Centres, and in Greenfields Areas; (b) Reinforcement of the role of the Christchurch central business district within the Greater Christchurch sub-region; (c) Greenfield development on the periphery of Christchurch's urban area, and surrounding towns at a rate which enables the efficient provision and use of network infrastructure (d) Initiatives by the Christchurch City Council to promote intensification within Christchurch urban area; (e) A move towards sustainable and self-sufficient growth of the towns of Rangiora, Kaiapoi, Woodend, Lincoln, Rolleston and consolidation of the existing settlement of Prebbleton; and (f) Growth in rural-residential development to equate to no more than 5% of the planned growth of households within urban areas.
Development of Greater Christchurch Proposed Change 1 (Chapter 12A) Objective 4	Integration of Land Use, Infrastructure and Funding: Long-term planning for land use change, which ensures that the rate and location of development is integrated with the provision of strategic and other infrastructure, the provision of services, and associated funding mechanisms.

Reference	Provision
<p>Development of Greater Christchurch Proposed Change 1 (Chapter 12A) Objective 7</p>	<p>Integration of Transport Infrastructure and Land Use: Ensure that the planning and provision of transport infrastructure is integrated with development and settlement patterns and facilitates the movement of goods and provision of services in Greater Christchurch, while:</p> <ul style="list-style-type: none"> <li>(a) limiting network congestion;</li> <li>(b) reducing dependency on private motor vehicles;</li> <li>(c) reducing emission of contaminants to air and energy use; and</li> <li>(d) promoting the use of active transport modes</li> </ul>
<p>Development of Greater Christchurch Proposed Change 1 (Chapter 12A) Objective 8</p>	<p>Development and Protection of Strategic Infrastructure: Achieve urban land use and development that does not adversely affect the efficient operation, use and development of strategic infrastructure and enables the development of the additional Strategic Infrastructure necessary to meet the needs of growth in population and economic activity in the Greater Christchurch area.</p>
<p>Development of Greater Christchurch Proposed Change 1 (Chapter 12A) Policy 4</p>	<p>Existing Towns: Rangiora, Kaiapoi, Woodend, Lincoln, Prebbleton and Rolleston will expand to accommodate urban growth that:</p> <ul style="list-style-type: none"> <li>(a) Provides for healthy, vibrant living environments;</li> <li>(b) Enables efficient and economic provision of network infrastructure; and</li> <li>(c) Encourages self-sufficiency for employment, commercial, community and recreational activities, particularly for those communities which have Key Activity Centres.</li> </ul>
<p>Development of Greater Christchurch Proposed Change 1 (Chapter 12A) Policy 9</p>	<p>Transport Effectiveness:</p> <ul style="list-style-type: none"> <li>(a) Development of Greenfields Areas, Key Activity Centres, and areas accommodating intensification and rural residential activities shall avoid overloading existing and proposed transport network infrastructure, particularly strategic roads, and avoid detracting from the primary through-traffic function of State Highways and arterial roads;</li> <li>(b) The Canterbury Regional Council, territorial authorities and transport infrastructure providers shall ensure that the transport networks within Greater Christchurch provide for the safe, sustainable, integrated movement of goods and people both within the sub-region, and to and from locations outside the sub-region.</li> </ul>
<p>Air Quality Chapter 13 Objective 1</p>	<p>Maintain or improve ambient air quality so that it is not a danger to people's health and safety, and reduce the nuisance effects of low ambient air quality.</p>
<p>Air Quality Chapter 13 Objective 2</p>	<p>Avoid, remedy or mitigate the adverse effects on people, flora and fauna, and other natural and physical resources resulting from discharges of contaminants into the air.</p>



Reference	Provision
Air Quality Chapter 13 Policy 2	Promote measures that reduce emissions from the use of carbon based fuels.
Transport Chapter 15 Objective 1	Enable a safe, efficient and cost-effective transport system to meet present and future regional, inter-regional and national needs for transport.
Transport Chapter 15 Objective 2	Avoid, remedy, or mitigate the adverse effects on the environment of transport use and provision.
Transport Chapter 15 Policy 1	Protect Canterbury's existing transport infrastructure and land transport corridors necessary for future strategic transport requirements by avoiding, remedying, or mitigating the adverse effects of the use, development or protection of land and associated natural and physical resources on the transport infrastructure.
Transport Chapter 15 Policy 2	Promote the use of transport modes which have low adverse environmental effects.
Transport Chapter 15 Policy 4	Ensure that in the provision, realignment or maintenance of transport infrastructure, adverse effects on natural resources that meet the criteria of sub-chapter 20.4 are avoided, remedied, or mitigated.
Natural Hazards Chapter 16 Objective 1	Avoid or mitigate the actual or potential costs of loss or damage to life, property, or other parts of the environment from natural hazards.
Natural Hazards Chapter 16 Policy 1	In managing natural hazards, highest priority should be given to the combination of measures which delivers the greatest net benefit.
Hazardous Substances Chapter 17 Objective 1	Prevent or mitigate the adverse effects on the environment from the storage, use, disposal and transportation of hazardous substances.

Reference	Provision
Hazardous Substances Chapter 17 Policy 3	Ensure that the adverse effects on the environment of unintended releases of hazardous substances from the storage, use, disposal or transportation of such substances are prevented or mitigated as far as practicable.
Hazardous Substances Chapter 17 Policy 4	Discharges of hazardous substances should only be authorised when adverse environmental effects are prevented or mitigated.

## 4.2 Proposed Canterbury Regional Policy Statement

The Proposed Regional Policy Statement (PRPS) for the Canterbury Region was publicly notified on 18 June 2011. A second notice was prepared noting an error in the initial notice and submissions on the content of the error were sought on 20 August 2011. A summary of decisions requested was released and further submissions were sought on 29 October 2011.

The hearings commenced on the 30 January 2012. A total of 18 hearing days were required and the hearings concluded on the 16 March 2012.

On the 19 July 2012, the Canterbury Regional Council accepted the Hearing Commissioners Recommendations on submissions on the Proposed Canterbury Regional Policy Statement (2011). The decisions on submissions were publicly notified on 21 July 2012. The appeal period for those who made submissions closed on 10 August 2012. Four appeals were received.

The objectives and policies of the PRPS are broad and reflect the purpose and principles of the RMA.

The Commissioners' Report confirms that the general structure of the PRPS is *'sound'*. However, in response to submissions it is considered that a few amendments are required to the proposed document.

The following objectives and policies as listed in the PRPS relating to land use and infrastructure are of particular relevance to the Project:

Reference	Provision
<p>Land use and Infrastructure Chapter 5 Objective 5.2.1 (Entire Region)</p>	<p>Development, is located and designed so that it functions in a way that:</p> <ul style="list-style-type: none"> <li>(1) achieves consolidated, well designed and sustainable growth in and around existing urban areas as the primary focus for accommodating the region's growth; and</li> <li>(2) enables people and communities, including future generations, to provide for their social, economic and cultural well-being and health and safety; and which: <ul style="list-style-type: none"> <li>(a) maintains, and where appropriate, enhances the overall quality of the natural environment of the Canterbury region, including its coastal environment, outstanding natural features and landscapes and natural values;</li> <li>(b) provides sufficient housing choice to meet the region's housing needs;</li> <li>(c) encourages sustainable economic development by enabling business activities in appropriate locations;</li> <li>(d) minimises energy use and/or improves energy efficiency;</li> <li>(e) enables rural activities that support the rural environment including primary production;</li> <li>(f) is compatible with and will result in the continued safe, efficient and effective use of regionally significant infrastructure;</li> <li>(g) avoids adverse effects on significant natural and physical resources, including regionally significant infrastructure, and where avoidance is impracticable, remedies or mitigates those effects on those resources and infrastructure;</li> <li>(h) facilitates the establishment of papakāinga and marae; and</li> <li>(i) avoids conflicts between incompatible activities.</li> </ul> </li> </ul>
<p>Development of Greater Christchurch Chapter 6</p>	<p>Proposed Change 1 to the Operative RPS will be incorporated into the Proposed RPS as Chapter 6 at the time the Proposed Change 1 becomes operative.</p>
<p>Fresh Water Chapter 7 Objective 7.2.1</p>	<p>The region's fresh water resources are sustainably managed to enable people and communities to provide for their economic and social well-being through both abstracting and / or using water for irrigation, hydroelectricity generation and other economic activities and for in-stream recreational and amenity values and any economic and social activities associated with those values, providing :</p> <ul style="list-style-type: none"> <li>(1) the life-supporting capacity ecosystem processes, and indigenous species and their associated freshwater ecosystems, and mauri of the fresh water is safe-guarded;</li> <li>(2) the natural character values of wetlands, lakes and rivers and their margins are preserved and these areas are protected from inappropriate subdivision, use and development, and where appropriate restored or enhanced; and</li> <li>(3) any actual or reasonably foreseeable requirements for community and stockwater supplies and customary uses, are provided for.</li> </ul>

Reference	Provision
<p>Fresh Water Chapter 7 Objective 7.2.3</p>	<p>Freshwater is sustainably managed in an integrated way within and across catchments, between activities, and between agencies and people with interests in water management in the community, considering:</p> <ul style="list-style-type: none"> <li>(1) the Ngāi Tahu ethic of Ki Uta Ki Tai (from the mountains to the sea);</li> <li>(2) the interconnectivity of surface water and groundwater;</li> <li>(3) the effects of land uses and intensification of land uses on demand for water and on water quality;</li> <li>(4) kaitiakitanga and the ethic of stewardship; and</li> <li>(5) any net benefits of using water, and water infrastructure, and the significance of those benefits to the Canterbury region.</li> </ul>
<p>Fresh Water Chapter 7 Policy 7.3.5</p>	<p>To avoid, remedy or mitigate adverse effects of land uses on the flow of water in surface water bodies or the recharge of groundwater by:</p> <ul style="list-style-type: none"> <li>(1) controlling the diversion of rainfall run-off overland, and changes in land uses, site coverage or land drainage patterns that will, either singularly or cumulatively, adversely affect the quantity or rate of water flowing into surface water bodies or the rate of groundwater recharge; and</li> <li>(2) managing the planting or spread of exotic vegetation species in catchments where, either singularly or cumulatively, those species are or are likely to have significant adverse effects on flows in surface water bodies.</li> </ul>
<p>Fresh Water Chapter 7 Policy 7.3.7</p>	<p>To avoid, remedy or mitigate adverse effects of changes in land uses on the quality of fresh water (surface or ground) by:</p> <ol style="list-style-type: none"> <li>1. Identifying catchments where water quality may be adversely affected, either singularly or cumulatively, by increases in the application of nutrients to land or other changes in land use; and</li> <li>2. Controlling changes in land uses to ensure water quality standards are maintained or where water quality is already below the minimum standard for the water body, it is improved to the minimum standard within an appropriate timeframe.</li> </ol>
<p>Ecosystems and Indigenous Biodiversity Chapter 9 Objective 9.2.1</p>	<p>The decline in the quality and quantity of Canterbury's ecosystems and indigenous biodiversity is halted and their life-supporting capacity and mauri safeguarded.</p>
<p>Ecosystems and Indigenous Biodiversity Chapter 9 Policy 9.3.4</p>	<p>To promote the enhancement and restoration of Canterbury's ecosystems and indigenous biodiversity in appropriate locations, where this will improve the functioning and long term sustainability of these ecosystems.</p>
<p>Natural Hazards Chapter 11 Objective 11.2.1</p>	<p>New subdivision, use and development of land which increases the risk of natural hazards to people, property and infrastructure is avoided or, where avoidance is not possible, mitigation measures minimise such risks.</p>

Reference	Provision
Natural Hazards Chapter 11 Objective 11.2.3	The effects of climate change, and its influence on sea levels and the frequency and severity of natural hazards, are recognised and provided for.
Natural Hazards Chapter 11 Policy 11.3.3	New subdivision, use and development of land on or close to an active earthquake fault trace, or in areas susceptible to liquefaction and lateral spreading, shall be managed in order to avoid or mitigate the adverse effects of fault rupture, liquefaction and lateral spreading.
Natural Hazards Chapter 11 Policy 11.3.4	New critical infrastructure will be located outside high hazard areas unless there is no reasonable alternative. In relation to all areas, critical infrastructure must be designed to maintain, as far as practicable, its integrity and function during natural hazard events.
Landscape Chapter 12 Objective 12.2.2	The identification and management of other important landscapes that are not outstanding natural landscapes: Other important landscapes may include: (1) Natural character. (2) Amenity (3) Historic and cultural heritage
Landscape Chapter 12 Policy 12.3.3	Identifying and managing other important landscapes that are not outstanding natural landscapes—for natural character, historic cultural, historic heritage and amenity purposes.
Historic Heritage Chapter 13 Objective 13.2.1	Identification and protection of significant historic heritage items, places and areas and their particular values that contribute to Canterbury’s distinctive character and sense of identity from inappropriate subdivision, use and development.
Historic Heritage Chapter 13 Objective 13.2.2	Recognition that cultural and heritage values are often expressed in a landscape setting and to make provision for the protection of such landscapes from inappropriate subdivision, use and development.

Reference	Provision
<p>Historic Heritage Chapter 13 Policy 13.3.1</p>	<p>To recognise and provide for the protection of the historic and cultural heritage resource of the region from inappropriate subdivision, use and development by:</p> <p>(1) Identifying and assessing the significance of the historic and cultural heritage resource according to criteria based on the following matters:</p> <ul style="list-style-type: none"> <li>(a) Historic</li> <li>(b) Cultural</li> <li>(c) Architectural;</li> <li>(d) Archaeological</li> <li>(e) Technological</li> <li>(f) Scientific</li> <li>(g) Social</li> <li>(h) Spiritual</li> <li>(i) Traditional</li> <li>(j) Contextual</li> <li>(k) Aesthetic</li> </ul> <p>(2) Work with Ngāi Tahu to identify items, places or areas of historic heritage significance to them.</p> <p>(3) Having regard to any relevant entry in the Historic Places Register in the process of identifying and assessing the historic heritage resource.</p> <p>(4) Considering historic heritage items, places or areas of significance or importance to communities in the process of identifying and assessing the historic heritage resource.</p> <p>(5) Recognising that knowledge about some historic heritage may be culturally sensitive and support protection of those areas through the maintenance of silent files held by local authorities.</p>
<p>Historic Heritage Chapter 13 Policy 13.3.2</p>	<p>To recognise places of historic and cultural heritage significance to Ngāi Tahu and protect their relationship and culture and traditions with these places from the adverse effects of inappropriate subdivision, use and development</p>
<p>Air Quality Chapter 14 Objective 14.2.1</p>	<p>Maintain or improve ambient air quality so that it is not a danger to people's health and safety, and reduce the nuisance effects of low ambient air quality.</p>
<p>Air Quality Chapter 14 Objective 14.2.2</p>	<p>Enable the discharges of contaminants into air provided there are no significant localised adverse effects on social, cultural and amenity values, flora and fauna and other natural and physical resources.</p>

Reference	Provision
Air Quality Chapter 14 Policy 14.3.2	To promote measures including the transfer to cleaner technology and fuel sources that reduce the adverse effect on ambient air quality from the use of solid and liquid based fuels.
Air Quality Chapter 14 Policy 14.3.3	To set standards, conditions and terms for discharges of contaminants into the air to avoid, remedy or mitigate localised adverse effects on air quality.
Soils Chapter 15 Objective 15.2.1	Maintenance and improvement of the quality of Canterbury's soil to safeguard their mauri, their life supporting capacity, their health and their productive capacity.
Contaminated Land Chapter 17 Objective 17.2.1	Protection of people and the environment from both on-site and off-site adverse effects of contaminated land.
Contaminated Land Chapter 17 Policy 17.3.2	In relation to actually or potentially contaminated land, where new subdivision, use or development is proposed on that land, or where there is a discharge of the contaminant from that land: (1) a site investigation is to be undertaken to determine the nature and extent of any contamination; and (2) if it is found that the land is contaminated, except as provided for in Policy 17.3.3, the actual or potential adverse effects of that contamination, or discharges from the contaminated land shall be avoided, remedied or mitigated in a manner that does not lead to further significant adverse effects.
Contaminated Land Chapter 17 Policy 17.3.3	Where land has been identified as being contaminated, contaminants should only be allowed to remain in the ground if discharges of contaminants beyond the site to air, water or land will not result in significant risk to human health or the environment.
Hazardous Substances Chapter 18 Policy 18.2.1	Adverse effects on the environment from the storage, use, disposal and transportation of hazardous substances are avoided, remedied or mitigated.
Hazardous Substances Chapter 18 Policy 18.3.2	To avoid, remedy or mitigate adverse effects on the environment, including contamination of land, air and water, associated with the storage, use, transportation or disposal of hazardous substances.

## 5 Regional Plans

### 5.1 Canterbury Natural Resources Regional Plan

The Canterbury Natural Resources Regional Plan (NRRP) was made fully operative on 11 June 2011.

The NRRP consists of eight chapters which address the sustainable management of natural resources in the Canterbury Region. The topics encompassed by these chapters includes the role and significant issues for Ngāi Tahu, air quality, water quality, water quantity, land use within the beds and margins of lakes and rivers, wetland issues and the prevention of soil erosion and soil quality (contaminants in soil).

The relevant objectives and policies are as follows:

Reference	Provision
Ngāi Tahu Chapter 2 Statement	The overall purpose of resource management for Ngāi Tahu is the maintenance of the mauri of natural and physical resources, and to enhance mauri where it has been degraded by the actions of humans.
Air Quality Chapter 3 Objective AQL1	Localised contaminant discharges into air do not, either on their own or in combination with other discharges, result in significant adverse effects on the environment, including: (a) the loss of air as a taonga to Tāngata Whenua; and (b) adverse effects on human health and safety; and (c) offensive or objectionable odours; and (d) diminished visibility, as a consequence of human activities; and (e) corrosion and soiling of structures, not being property owned by those causing the discharge; and (f) adverse effects on health and functioning of ecosystems, plants and animals; and (g) contamination of water.
Air Quality Chapter 3 Policy AQL3	Promote measures to address motor vehicle exhaust emissions: (a) Promote traffic management that avoids the occurrence of localised air quality problems associated with exhaust emissions from motor vehicles; (b) Promote initiatives to reduce the occurrence of smoky motor vehicle exhaust emissions.



Reference	Provision
<p>Air Quality Chapter 3 Objective AQL3</p>	<p>In the Christchurch Clean Air Zones 1 and 2, improve current poor winter ambient air quality so that by the year 2012 there is a reduction in the concentration of PM10 to less than 50 µg/m<sup>3</sup> (24 hour average), with no more than one annual exceedence (averaged over three years), so as to reduce nuisance effects and adverse effects on human health.</p>
<p>Air Quality Chapter 3 Policy AQL6</p>	<p>(a) The discharge to air of dust shall not be corrosive, noxious, dangerous, objectionable, or offensive to the extent that it has or is likely to cause an adverse effect on the environment beyond the boundary of the site where the discharge originates.</p> <p>(b) Avoid the encroachment of sensitive activities on existing activities discharging dust into air, unless adverse effects of the discharge can be avoided or mitigated by the encroaching activity.</p> <p>(c) Recognise and provide for the handling of bulk materials at the Ports of Lyttelton and Timaru while avoiding, remedying or mitigating adverse effects on the environment caused by the associated discharge of dust.</p> <p>For the purposes of this policy existing activities are those activities which are lawfully established on or before 1 June 2002.</p>
<p>Air Quality Chapter 3 Policy AQL20</p>	<p>Promote measures to address discharges to air from motor vehicles in the Christchurch Clean Air Zones 1 and 2:</p> <p>(a) Promote a nationally co-ordinated initiative to reduce the adverse effects of motor vehicle exhaust emissions. This initiative shall:</p> <ul style="list-style-type: none"> <li>(i) develop national motor vehicle exhaust emission criteria; and</li> <li>(ii) encourage the use of transport fuels or energy sources which minimise contaminant discharges to air; and</li> <li>(iii) promote the use of vehicle technologies which minimise contaminant discharges to air and</li> <li>(iv) promote the use of efficient and well-maintained vehicles; and</li> <li>(v) encourage the use of modes of transport that have low or no emissions.</li> </ul> <p>(b) Promote land use planning that results in land use patterns encouraging less polluting methods of transportation.</p> <p>(c) Promote traffic management that avoids the occurrence of ambient air quality problems associated with exhaust emissions from motor vehicles.</p>

Reference	Provision
<p>Water Quality Chapter 4 Objective WQL1.1 Water Quality Outcomes for Rivers and Lakes</p>	<p>(1) To maintain in a natural state, the water quality and the bed of rivers within land administered for conservation purposes by the Department of Conservation.</p> <p>(2) (a) In rivers where the outcomes in Table WQL5 are being achieved, manage the quality of the water and the bed to at least achieve the outcomes in Table WQL5; and (b) In rivers where one or more of the outcomes in Table WQL5 are not being achieved, progressively improve the existing quality of the water and the bed.</p>
<p>Water Quality Chapter 4 Policy WQL4: Minor point source discharge to surface water</p>	<p>Allow as a permitted activity, the discharge of a contaminant or water from a point source to surface water, or to land where it may enter surface water provided:</p> <p>(1) The following criteria are met:</p> <p>(a) the concentration of any contaminant or the volume of water in the discharge will have no more than a minor adverse effect on water quality, aquatic biota or instream values of the receiving water body;</p> <p>(b) the discharge will not result in the accumulation, above the natural concentration, in the aquatic ecosystem or sediment of the bed, of a persistent or toxic contaminant;</p> <p>(c) any change to the flow of a river will not;</p> <p>(i) cause a significant increase in the risk in flooding to land or a dwelling;</p> <p>(ii) cause a significant increase in the erosion rate of the bed or banks;</p> <p>(iii) increase by more than one per cent, the flow of a flood event with an Annual Exceedance Probability of 20 per cent.</p> <p>(2) The discharge will not result, outside the specified Mixing Zone, in any of the following adverse effects:</p> <p>(a) the production of conspicuous oil or grease films, scums or foams, or suspended materials;</p> <p>(b) any conspicuous change in the colour or significant decrease in the clarity of the water;</p> <p>(c) any emission of objectionable odour;</p> <p>(d) the rendering of fresh water unsuitable for consumption by farm animals; or</p> <p>(e) any significant adverse effects on aquatic life.</p> <p>(3) There shall be no Mixing Zone where the discharge occurs within 500 metres upstream in a river or artificial watercourse, or within 500 metres in a lake, from an intake for a community drinking water supply.</p>

Reference	Provision
<p>Water Quality Chapter 4 Objective WQL2.1: Water Quality Outcomes for Groundwater</p>	<p>(1) In the Coastal Confined Gravel Aquifer System between the Ashley River/Rakahuri and the Rakaia River, the water quality in each aquifer is maintained at least in the state recorded or reasonably deduced in the three years prior to 1 November 2010.</p> <p>(2) In semi-confined, unconfined, or other confined aquifers manage groundwater quality to meet the following:</p> <p>(a) If, during the life of the NRRP, the overall maximum nitrate-nitrogen concentration exceeds 5.6 milligrams per litre in any aquifer, any increase in nitrate-nitrogen concentration shall not exceed a rate of 1.5 milligrams per litre every ten years. This rate shall be based on the overall maximum concentration measured or reasonably deduced in an aquifer in the three years prior to 1 November 2010;</p> <p>(b) Notwithstanding (a) above, the overall maximum nitrate-nitrogen concentration in any aquifer shall not exceed 11.3 milligrams per litre;</p> <p>(c) The water quality shall remain within the Guideline Value for any aesthetic determinand listed in the Drinking-water Standards for New Zealand 200537, except for natural exceedances of the Guideline Value. If the water quality does not meet the Guideline Value, as a result of human activities, the water quality shall be improved so that the Guideline Value is achieved;</p> <p>(d) The median concentration of Escherichia coli shall be less than one colony forming unit per 100 millilitres of water; and</p> <p>(e) Any other inorganic or organic determinand of health significance or pesticide (excluding nitrate-nitrogen or Escherichia coli) listed in the Drinking-water Standards for New Zealand 2005 shall not be detected at a concentration greater than one half of the Maximum Acceptable Value for that determinand.</p> <p>(3) Where groundwater enters a river or lake, the concentration of any contaminant in the groundwater shall not result in the surface water quality being reduced below the relevant provisions of Objective WQL1, or the standards set by a water conservation order.</p>

Reference	Provision
<p>Water Quality Chapter 4 Policy WQL8: Minor point source discharges onto or into land or land uses that may affect groundwater quality.</p>	<p>(1) Allow the discharge of a contaminant into or onto land, including where a contaminant may enter groundwater provided:</p> <ul style="list-style-type: none"> <li>(a) a contaminant in the discharge, or any other contaminant emanating as a result of natural processes from that contaminant, is not persistent in soil or sediment and will not reach a concentration likely to pose a risk to human health or have a more than minor effect on the environment; and</li> <li>(b) the discharge does not result in the groundwater being rendered unsuitable or unpalatable for consumption by farm animals or humans, or having toxic or persistent chemicals present.</li> </ul> <p>(2) Allow the use of land for a facility used to store effluent or organic matter, or a stockholding area, or a new cemetery, provided these land uses are located, constructed and operated to minimise contaminants from these facilities entering groundwater.</p>

Reference	Provision
<p>Water Quality Chapter 4 Policy WQL9: Prevent the entry of hazardous contaminants to groundwater</p>	<ol style="list-style-type: none"> <li>1. Avoid the discharge of contaminants into groundwater from new solid or hazardous waste landfills by:               <ol style="list-style-type: none"> <li>(a) Not locating new landfills, except for clean fills, over unconfined or semi-confined aquifers; and</li> <li>(b) Prohibiting new landfills, except for clean fills, in the Coastal Confined Gravel Aquifer System and in Community Drinking Water Supply Protection Zones.</li> </ol> </li> <li>2. Prevent, as far as practicable, the discharge of contaminants onto or into land where they may enter groundwater, or directly into groundwater from; a hazardous facility, waste storage facility, or a pipeline used to transport contaminants, by:               <ol style="list-style-type: none"> <li>(a) Not locating new facilities or pipelines in areas where there is a significant risk that the contaminants could enter an aquifer as a result of:                   <ol style="list-style-type: none"> <li>(i) permanent ground deformation caused by movement on an active fault line;</li> <li>(ii) inundation by flood waters; or</li> <li>(iii) subsidence or slippage of land.</li> </ol> </li> <li>(b) Requiring the implementation of best practices in the design, construction and use of hazardous or waste storage facilities and associated pipelines transporting contaminants, including appropriate containment and emergency response measures, to minimise the risk of contaminants being discharged and entering an aquifer as a result of:                   <ol style="list-style-type: none"> <li>(i) a system failure, including leakage or accidental discharge; or</li> <li>(ii) seismic activity that is likely to result in structural damage from ground motion or liquefaction.</li> </ol> </li> </ol> </li> <li>3. Prohibit the discharge of the following contaminants into groundwater via a bore, excavation, storage tank or other means:               <ol style="list-style-type: none"> <li>(a) hazardous substances and hazardous wastes, except where the discharge occurs during the remediation of contaminated land or it is required as part of a groundwater investigation, provided the discharge does not result in any significant adverse effects on groundwater quality;</li> <li>(b) wastes from industrial or trade processes, excluding heated water or clean fill material;</li> <li>(c) human sewage effluent; or</li> <li>(d) animal effluent from a collection system.</li> </ol> </li> </ol>

Reference	Provision
<p>Water Quality Policy WQL11: Avoid contamination of groundwater via bores or excavations</p>	<p>Avoid contamination of groundwater via bores or excavations:</p> <ol style="list-style-type: none"> <li>1. Within the Coastal Confined Gravel Aquifer System, maintain the integrity of the confining layer overlying Aquifer 1 by ensuring that:               <ol style="list-style-type: none"> <li>(a) The thickness of the sediment in the confining layer between Aquifer 1 and the deepest point reached by an excavation is adequate to prevent contaminants moving downwards into Aquifer 1; or</li> <li>(b) Where the confining layer has to be breached, or where the impermeable sediment remaining in the confining layer beneath the activity is not likely to be an effective barrier to downwards movement of a contaminant, adequate measures are in place to prevent the movement of a contaminant into the aquifer.</li> </ol> </li> <li>2. In other areas, where there is an unconfined, semi-confined or confined aquifer:               <ol style="list-style-type: none"> <li>(a) Prevent, as far as practicable, the entry of contaminants into groundwater from excavations, in particular those excavations which intercept or expose the groundwater;</li> <li>(b) Allow the backfilling of gravel pits where excavation has ceased, with inert material so that groundwater is not exposed, and ensure there is sufficient thickness of material to form an adequate barrier to prevent the entry of contaminants into groundwater.</li> </ol> </li> <li>3. Groundwater bores and water infiltration galleries are to be constructed and maintained so that contaminants are prevented from entering a bore or gallery from the land surface, or from the backflow of water down the bore, or down the side of the bore casing or gallery, in accordance with the following:               <ol style="list-style-type: none"> <li>(a) When an application is made for a resource consent to take water from an existing bore or gallery, the applicant will be required to demonstrate that there are effective measures in place to prevent contaminants entering the bore or gallery;</li> <li>(b) Any new bore or gallery authorised after 3 July 2004 shall comply with Schedule WQL4 and Policy WQN10(7); and</li> <li>(c) Any bore or gallery used to take groundwater and located within: a Community Drinking Water Supply Protection Zone; the Christchurch Groundwater Protection Zone 1, Zones 1A, 1B, 1C and 1D, Zone 2 and Zone 3; or a site where an activity listed in Schedule WQL3 is occurring, shall have effective measures in place to prevent contaminants from entering the bore or gallery within three years of the relevant provisions of the NRRP becoming operative</li> </ol> </li> </ol>

Reference	Provision
<p>Water Quality Chapter 4 Objective WQL3: Water quality of community drinking water sources</p>	<p>The quality of the source water for a community drinking water supply is protected from adverse effects of activities in a protection zone for a well or within a specified distance of a surface water intake.</p>
<p>Water Quality Chapter 4 Policy WQL13: Avoid the potential for contamination of community drinking water sources</p>	<p>Contamination of community drinking water sources will be avoided by:</p> <ol style="list-style-type: none"> <li>(1) Identifying a protection zone around each community drinking water supply well (Schedule WQL2) or a specified distance from a surface water intake for a community water supply (Policies WQL1, WQL4 and WQL5).</li> <li>(2) Recognising and providing for the protection of the quality of the source water for the community drinking water supply when authorising an activity by a rule in a district or regional plan or by a resource consent, within a zone or distance identified in (1) above.</li> <li>(3) Implementing measures to reverse any decline in water quality as a result of activities within a zone or distance identified in (1) above. If it is not practicable to reverse the decline, the measures shall at least prevent any further decline in the water quality.</li> </ol>
<p>Water Quality Chapter 4 Objective WQL4: The Quality of Christchurch Ground Water</p>	<ol style="list-style-type: none"> <li>(a) The quality of Christchurch groundwater is maintained or enhanced as far as practicable in its overall high quality state in the long term.</li> <li>(b) Christchurch groundwater subject to existing localised contamination will be remediated as far as practicable to endeavour to re-establish its overall high quality state.</li> </ol>
<p>Water Quality Chapter 4 Policy WQL14: Effects of Activities in Christchurch Groundwater Protection Zone 1</p>	<p>Manage the adverse effects of activities in the Christchurch Groundwater Protection Zone 1 so that there is no significant increase in the effects of contamination of groundwater by avoiding or mitigating the adverse effects of activities that may result in contaminants entering and persisting in groundwater, and minimising effects of activities where contaminants will exist in groundwater for only a short period. In particular:</p> <ol style="list-style-type: none"> <li>(1) Enable the establishment of activities provided for in the City of Christchurch District Plan or Selwyn District Plan, or the Canterbury Regional Policy Statement, to the extent that: <ol style="list-style-type: none"> <li>(a) the effects of the activity are consistent with the protection of groundwater quality; and</li> <li>(b) where appropriate best management practice measures are implemented to avoid or mitigate adverse effects on</li> </ol> </li> </ol>

Reference	Provision
	<p>groundwater quality.</p> <p>(2) Minimise the adverse effects on groundwater of lawfully established existing activities by requiring that all practicable management measures are implemented.</p> <p>(3) Ensure that for all new activities enabled in (1) above:</p> <ul style="list-style-type: none"> <li>(a) any onsite sewage collection, treatment and disposal system is designed, constructed and maintained in accordance with best management practices; and</li> <li>(b) any stormwater collection, treatment and disposal system is designed, constructed and maintained in accordance with best management practices.</li> </ul> <p>(4) Avoid or mitigate the adverse effects of the development of land for urban purposes in circumstances where that the adverse effects of the contamination of groundwater may be increased, including the development of land for commercial or industrial purposes listed in Schedule WQL13 that aggregates large quantities of hazardous substances in a manner where adverse effects to groundwater might potentially arise.</p> <p>(5) Ensure existing lawfully established hazardous facilities implement the design and management standards required under the Hazardous Substances and New Organisms Act 1996.</p> <p>(6) New hazardous facilities, and additions or extensions to existing lawfully established hazardous facilities, must:</p> <ul style="list-style-type: none"> <li>(a) not aggregate large quantities of hazardous substances on a site in a manner which might potentially give rise to adverse effects on groundwater; and</li> <li>(b) be designed, constructed and maintained in accordance with best management practice so as to avoid or mitigate the effects of hazardous substances entering groundwater and causing significant adverse effects to groundwater quality as a result of day-to-day use, leakage, accident or a natural hazard event.</li> </ul> <p>(7) Mobile hazardous substance facilities must be managed so as to avoid hazardous substances entering land or groundwater, including during machinery refuelling and in the event of accidental spillage so as to avoid causing significant adverse effects to groundwater quality.</p> <p>(8) Existing lawfully established rural production land uses must reduce potential adverse effects from contaminants entering groundwater by instituting all practicable management measures relating to such effects arising from:</p> <ul style="list-style-type: none"> <li>(a) the application of water;</li> <li>(b) the use and storage of fertiliser;</li> <li>(c) agrichemical storage and application; and</li> </ul>



Reference	Provision
	<p>(d) incidental farm management activities such as farm landfills and offal pits.</p> <p>(9) Adverse effects on groundwater quality arising from rural production land uses existing at the date this policy becomes operative must be avoided or mitigated, and adverse effects from new rural production uses, that increase the potential for nutrient, chemical and microbiological contaminants to adversely affect groundwater quality, must also be avoided or mitigated.</p> <p>(10) Avoid or mitigate the adverse effects of all other activities that may result in contaminants entering and persisting in groundwater and which have an adverse effect on groundwater quality, including prohibiting the establishment of a new municipal solid or hazardous waste landfill.</p> <p>(11) Where mineral extraction activities occur, reduce the potential for adverse effects from contaminants entering groundwater by requiring:</p> <ul style="list-style-type: none"> <li>(a) an effective buffer including; an appropriate thickness of soils, an impermeable liner, a containment bund, and a depth to groundwater, to be maintained between the bottom of the excavation and the top of the highest level of groundwater to avoid or mitigate any adverse effect from contaminants directly or indirectly entering groundwater;</li> <li>(b) the extraction site to be developed and worked so as to avoid or mitigate any adverse effect from hydrocarbons entering land, and in the event they do enter land, ensure any contaminated land is removed and reinstated with uncontaminated material;</li> <li>(c) a rehabilitation or re-instatement plan to be adopted prior to excavation ceasing;</li> <li>(d) a groundwater quality and/or soil quality monitoring programme to be adopted prior to excavation commencing;</li> <li>(e) any rehabilitation or re-instatement that utilises fill material to be undertaken in accordance with the Ministry for the Environment “A Guide to the Management of Cleanfills” (2002);</li> <li>(f) any rehabilitation or re-instatement that utilises inert uncontaminated cleanfill material must not adversely impact on groundwater quality and is contoured so that surface ponding of water does not occur; and</li> <li>(g) land uses occurring on the site following completion of the extraction avoid or mitigate any adverse effects from contaminants potentially entering groundwater.</li> </ul>

Reference	Provision
<p>Water Quality Chapter 4 Policy WQL15: Effects of Activities in Christchurch Groundwater Protection Zone 1A (Urban)</p>	<p>Manage activities in the Christchurch Groundwater Protection Zone 1A so that there is no significant increase of the adverse effects affecting groundwater quality arising from contamination of groundwater by avoiding or mitigating the adverse effects of activities that may result in contaminants entering and persisting in groundwater, and minimising effects of activities where contaminants will exist in groundwater for only a short period. In particular:</p> <ol style="list-style-type: none"> <li>1. Enable the establishment of activities provided for in the City of Christchurch District Plan or Selwyn District Plan, or the Canterbury Regional Policy Statement, to the extent that:               <ol style="list-style-type: none"> <li>(a) the effects of the activity are consistent with the protection of groundwater quality; and</li> <li>(b) where appropriate best management practice measures are implemented to avoid or mitigate adverse effects on groundwater quality.</li> </ol> </li> <li>2. Manage the effects of existing lawfully established activities occurring in existing urban areas, by requiring where appropriate, implementation of all practicable management measures to protect groundwater quality, including:               <ol style="list-style-type: none"> <li>(a) current industry design standards; and</li> <li>(b) any relevant codes of practice.</li> </ol> </li> <li>3. Ensure that for all new activities enabled in (1) above:               <ol style="list-style-type: none"> <li>(a) any sewage collection, treatment and disposal system is designed, constructed and maintained in accordance with best management practices; and</li> <li>(b) any stormwater collection, treatment and disposal system is designed, constructed and maintained in accordance with best management practices.</li> </ol> </li> <li>4. Any extension to existing lawfully established hazardous facilities, or any new hazardous facility, must provide adequate measures to avoid or mitigate the adverse effects of toxic, mobile or persistent contaminants entering groundwater as a result of:               <ol style="list-style-type: none"> <li>(a) the routine use of a hazardous substance;</li> <li>(b) leakage or spill from a hazardous facility or pipeline;</li> <li>(c) seismic activity that is likely to result in structural damage from ground motion; or</li> <li>(d) emergency situations.</li> </ol> </li> <li>5. All hard surfaces and vehicle standing areas associated with urban activities must be designed, constructed and maintained so as to avoid or mitigate the effects of hazardous substances and contaminants entering groundwater.</li> <li>6. Mobile hazardous facilities associated with urban activities must be managed so as to avoid or mitigate the adverse effects of hazardous substances entering land or groundwater, including during machinery refuelling, hazardous substance transportation, hazardous substance use and handling, and in the event of accidental spillage.</li> </ol>
<p>Final</p>	<p>9. Avoid or mitigate the adverse effects of all other activities that may result in contaminants entering and persisting in groundwater and which have an adverse effect on groundwater quality including by avoiding if possible mineral extraction activities, including prohibiting the establishment of a new municipal solid or hazardous waste landfill.</p>

Reference	Provision
<p>Water Quality Chapter 4 Policy WQL19: Effects of Activities in Christchurch Groundwater Protection Zone 2</p>	<p>Manage the adverse effects of activities in the Christchurch Groundwater Protection Zone 2 so that there is no significant increase in the effects of contamination of groundwater by avoiding or mitigating the adverse effects of activities that may result in contaminants entering and persisting in groundwater, and minimising effects of activities where contaminants will exist in groundwater for only a short period. In particular:</p> <p>(1) Where the groundwater system is not protected by permanent upwards hydraulic water pressure gradient and a confining layer of at least three metres thickness, minimise adverse effects on groundwater quality by requiring that all appropriate practicable management measures are implemented.</p> <p>(2) Where the groundwater system is protected by permanent upwards hydraulic water pressure gradient and a confining layer of at least three metres thickness, ensure the protection afforded to groundwater quality by these hydrogeological features is not compromised or is appropriately mitigated.</p> <p>(3) Manage the effects of existing lawfully established activities occurring in existing urban areas, by requiring where appropriate, implementation of all practicable management measures to protect groundwater quality, including:</p> <ul style="list-style-type: none"> <li>(a) current industry design standards; and</li> <li>(b) any relevant codes of practice.</li> </ul> <p>(4) Within the non-urbanised rural portion, minimise the adverse effects on groundwater to the extent that where appropriate, all practicable management measures are implemented.</p> <p>(5) Control the location of mineral extraction activities to manage any potential adverse effects on groundwater quality and reduce the potential for contaminants to enter groundwater by:</p> <ul style="list-style-type: none"> <li>(a) recognising and providing for mineral extraction activities that are lawfully established, or provided for in the City of Christchurch District Plan or Selwyn District Plan, or provided for in the Canterbury Regional Policy Statement; and</li> <li>(b) avoiding or mitigating the adverse effects of mineral extraction activities in other locations.</li> </ul> <p>(6) Where mineral extraction activities occur, reduce the potential for adverse effects from contaminants entering groundwater by requiring:</p> <ul style="list-style-type: none"> <li>(a) an effective buffer including; an appropriate thickness of soils, an impermeable liner, a containment bund, and a depth to groundwater, to be maintained between the bottom of the excavation and the top of the highest level of groundwater to avoid or mitigate adverse effects from contaminants directly or indirectly entering groundwater;</li> <li>(b) the extraction site to be developed and worked so as to avoid any adverse effects from hydrocarbons entering land, and in the event they do enter land, ensure any contaminated land is removed and reinstated with uncontaminated material;</li> </ul>

Reference	Provision
	<p>(c) a rehabilitation or re-instatement plan to be adopted prior to excavation ceasing;</p> <p>(d) a groundwater quality and/or soil quality monitoring programme to be adopted prior to excavation commencing;</p> <p>(e) any rehabilitation or re-instatement that utilises fill material to be undertaken in accordance with the Ministry for the Environment “A Guide to the Management of Cleanfills” (2002);</p> <p>(f) any rehabilitation or re-instatement that utilises inert uncontaminated cleanfill material must not adversely impact on groundwater quality and is contoured so that surface ponding of water does not occur; and</p> <p>(g) land uses occurring on the site following completion of the extraction avoid or mitigate any adverse effects from contaminants potentially entering groundwater.</p> <p>(7) Prohibit the establishment of a new municipal solid or hazardous waste landfill.</p>
<p>Water Quantity Chapter 5 Objective WQN1: Surface water management</p>	<p>Enable present and future generations to access the region's surface water and groundwater resources to gain cultural, social, recreational, economic and other benefits, while:</p> <p>(a) safeguarding their value for efficiently providing sources of drinking water for people and stock;</p> <p>(b) safeguarding the life-supporting capacity of the water, including its associated aquatic ecosystems, significant habitats of indigenous fauna, and areas of significant indigenous vegetation;</p> <p>(c) safeguarding their value for providing mahinga kai for Ngai Tahu;</p> <p>(d) protecting wahi tapu and other wahi taonga of value to Ngai Tahu;</p> <p>(e) preserving the natural character of lakes, rivers and wetlands and protecting them from inappropriate use and development;</p> <p>(f) protecting outstanding natural features and landscapes from inappropriate use and development;</p> <p>(g) protecting significant habitat of trout and salmon; and</p> <p>(h) maintaining, and, where appropriate, enhancing amenity values.</p>

Reference	Provision
<p>Water Quantity Chapter 5 Objective WQN3: Groundwater management</p>	<p>Enable present and future generations to gain access to the region's groundwater resources for social, economic, cultural and other benefits while ensuring that:</p> <p>(a) abstractions from groundwater that is hydraulically connected to surface water do not cause adverse effects on flow, level and allocation regimes, including effects such as:</p> <ul style="list-style-type: none"> <li>(i) not maintaining instream values;</li> <li>(ii) significantly increasing the length and frequency of naturally occurring dry river or stream beds; and</li> <li>(iii) drying of wetlands;</li> </ul> <p>(b) the cumulative effects of groundwater abstractions do not cause a significant continuing long-term decline in groundwater levels and artesian pressures in each aquifer;</p> <p>(c) in the Woolston/Heathcote groundwater management zones defined in Figure WQN6, groundwater abstractions are managed so that groundwater that is taken is of a quality that is suitable for potable use;</p> <p>(d) in coastal confined aquifers, an overall upwards pressure gradient is maintained between aquifers, and between the first confined aquifer and the overlying confining layer;</p> <p>(e) in the coastal confined aquifers between the Ashley River/Rakahuri and Rakaia River, the freshwater/seawater interface is maintained offshore at all times, except where saline water is already present in the coastal confined volcanic rock aquifers, ensure localised pressure reversal does not result in seawater intrusion that compromises the existing water quality in neighbouring bores;</p> <p>(f) in the coastal unconfined aquifers, there is no significant landward movement of the freshwater/seawater interface;</p> <p>(g) in the first confined aquifer, excluding the Woolston/Heathcote groundwater management zone, significant localised pressure reversal is avoided, particularly near ground surface sources of contamination, to ensure water quality in abstraction wells is not adversely affected ;</p> <p>(h) deterioration in water quality and water loss from one aquifer to another as a result of cross-connection between aquifers is avoided; and</p> <p>(i) groundwater abstraction does not cause localised land subsidence.</p>

Reference	Provision
<p>Water Quantity Chapter 5 Policy WQN10: Confined/ semi-confined aquifer management</p>	<p>(1) For the confined aquifer system for which groundwater level regimes have been set in Schedule WQN3, manage abstractions so that the groundwater level in the first confined aquifer is always maintained at or above the level set in Schedule WQN3.</p> <p>(2) For the coastal confined aquifers not included in Schedule WQN3, control the rate of abstractions so that the groundwater level in the first confined aquifer is always maintained at least 1.5 metres above mean sea level at the coast.</p> <p>(3) For the coastal confined gravel aquifer system between the Ashley River/Rakahuri and Rakaia River shown in Figure WQN2 and the Map Volume Part 1 – Planning Maps, in the area extending 1.5 kilometres inland of the Coastal marine area, prevent the installation of pumps for bores abstracting from the first confined aquifer.</p> <p>(4) For the coastal confined volcanic rock aquifers, control the rate and duration of individual abstractions to ensure that singly, or in combination with abstractions from other nearby bores, localised pressure reversal does not result in compromising the existing water quality in neighbouring bores.</p> <p>(5) For the uppermost confined aquifers, control the rate and duration of individual abstractions to ensure that singly, or in combination with other nearby bores, localised pressure reversal does not result in the downward movement of contaminants that could adversely affect water quality in abstraction bores.</p> <p>(6) For the confined aquifers, in any location where an overall upwards pressure gradient exists between confined aquifers, restrict the taking of groundwater so that at all times the overall upward pressure difference is maintained between any one aquifer and the next overlying aquifer</p> <p>(7) Any bore from which groundwater is taken, shall only take from one aquifer unless:</p> <ul style="list-style-type: none"> <li>(a) taking from more than one aquifer is provided for in Schedule WQN3; or</li> <li>(b) the bore allows water from each aquifer to be pumped or to flow independently to the surface without risk of cross-flow between aquifers; or</li> <li>(c) it can be demonstrated that the risk of contamination or water loss is low due to: <ul style="list-style-type: none"> <li>(i) a high level of hydraulic connection between the aquifers;</li> <li>(ii) there being no significant difference in water quality between the aquifers at the time of the application and no likelihood of deterioration over the life of the bore.</li> </ul> </li> </ul>

Reference	Provision
<p>Water Quantity Chapter 5 Policy WQN12: Effects of de-watering</p>	<p>Control the de-watering of construction sites or de-watering for other activities, by limiting the rate and duration of pumping from groundwater, and/or requiring other mitigation measures, to prevent localised land subsidence and significant adverse effects on flow, level and allocation regimes.</p>
<p>Water Quantity Chapter 5 Objective WQN5: Efficient use of water</p>	<p>Achieve a high level of efficiency in terms of resource availability and the use of water.</p>
<p>Water Quantity Chapter 5 Policy WQN16: Reasonable and efficient use of water</p>	<p>(1) When assessing water permit applications to take, divert and use water, ensure that:</p> <ul style="list-style-type: none"> <li>(a) the instantaneous rate of abstraction, the return period and the annual volume are specified as conditions of water permits and are no more than reasonable for the intended end use;</li> <li>(b) significant wastage of water is avoided; and</li> <li>(c) any adverse effect on water quality is avoided or limited to meet the requirements of Policies WQL5.1, WQL5.2, WQL10 and WQL13.</li> </ul> <p>(2) When assessing water permit applications to take, divert and use water for irrigation (new or replacement) in terms of (1) above, the instantaneous rate of abstraction, the return period and the seasonal volume of the proposal will be required to meet a reasonable use test, including:</p> <ul style="list-style-type: none"> <li>(a) the water requirements of the intended land use activity;</li> <li>(b) consideration of on-site physical factors such as soil water-holding capacity, and climatic factors such as rainfall variability and potential evapotranspiration; and</li> <li>(c) there is an irrigation application efficiency of at least 80% even if the actual system being used has a lower application efficiency. Where the water permit application is for an irrigation system with a higher application efficiency, the higher figure will be used.</li> </ul> <p>(6) For existing users, ensure that the water allocation specified on the water permit reflects the actual quantity needed to undertake the land use activity. Review the conditions of water permits where necessary when an allocation regime becomes operative under Schedule WQN1 or Schedule WQN3 as per Policy WQN13.2(4) and Policy WQN15(3), or where monitoring over several years indicates that they have been allocated more than is needed</p>

Reference	Provision
	<p>and have actually used.</p> <p>(7) In addition to requiring the measuring and recording of water that is taken in accordance with Policy WQN15, encourage irrigators to monitor their water application rates, soil moisture, and production as a method for achieving more efficient use of irrigation water.</p> <p>(8) Develop guidelines in conjunction with water users, other agencies and the community for cost-effective improvements in water efficiency and conservation, and promote and encourage the use of these across the region.</p> <p>(10) Promote the capture and use of stormwater, and the re-use of water and greywater to improve water use efficiency.</p> <p>(11) Encourage and, where appropriate, require the progressive upgrade and piping of stock water races where there is an environmental or economic benefit for so doing, but recognise that some stockwater races may provide important habitats for indigenous species and provide additional base flow to spring-fed streams and wetlands, and may justify strategic continuance or other management to protect these values (Refer to Policy WQN13.2(2)(e)).</p> <p>(12) Encourage, and where appropriate, require territorial authorities, and other suppliers of stockwater, and community and group drinking water to take all reasonable steps to progressively upgrade those reticulated supply systems where there is a significant amount of leakage.</p>
<p>Beds of Lakes and Rivers Chapter 6 Objective BLR1: Activities within the beds of lakes and rivers and land adjacent to the bed</p>	<p>Activities within the beds of lakes and rivers and/or land adjacent to the bed are able to be undertaken while:</p> <ul style="list-style-type: none"> <li>(a) protecting flood carrying capacity to avoid or mitigate increased risk of flooding of surrounding lands;</li> <li>(b) protecting the stability and integrity of lawfully established structures and the banks of lakes and rivers;</li> <li>(c) minimising the spreading or colonising by pest or undesirable plants;</li> <li>(d) preserving natural character;</li> <li>(e) protecting outstanding natural features and landscapes from inappropriate use and development;</li> <li>(f) protecting areas of significant indigenous vegetation and significant habitat of indigenous fauna;</li> <li>(g) promoting the maintenance and enhancement of amenity values;</li> <li>(h) providing for the relationship of Ngai Tahu and their culture and traditions with their ancestral lands, water, sites, wahi tapu, and other taonga;</li> <li>(i) avoiding, remedying or mitigating adverse effects of reductions in sediment transport to the coast where there is a crucial link to rates of coastal erosion;</li> <li>(j) protecting significant habitat of trout and salmon; and</li> <li>(k) protecting historic heritage from inappropriate use and development.</li> </ul>



Reference	Provision
<p>Beds of Lakes and Rivers Chapter 6 Policy BLR1: Effects of activities within the bed of lakes and rivers and/or land adjacent to the bed</p>	<p>Control land use activities, including:</p> <ul style="list-style-type: none"> <li>(a) the use, erection, reconstruction, placement, alteration, extension, demolition or removal of structures;</li> <li>(b) excavating, drilling, tunnelling or other disturbance;</li> <li>(c) the introduction, planting, pruning, removal or harvesting of plants;</li> <li>(d) the depositing of any substance, including rock, concrete, bed material, residential, commercial and industrial waste, such that: <ul style="list-style-type: none"> <li>(i) no hazardous substance is included in the substance deposited;</li> <li>(ii) adverse effects on the natural amenity and character of the location are mitigated;</li> <li>(iii) adverse effects on ecological values are avoided; and</li> </ul> </li> <li>(e) reclamation or drainage, <ul style="list-style-type: none"> <li>within: <ul style="list-style-type: none"> <li>(i) the beds of lakes and rivers;</li> <li>(ii) 7.5 metres of the bed of a lake or river; or</li> <li>(iii) 7.5 metres of any flood control structure,</li> </ul> </li> </ul> </li> </ul> <p>to ensure that the achievement of Objective BLR1 is not compromised. In particular, activities shall not:</p> <ol style="list-style-type: none"> <li>1. restrict the passage and/or the dynamics of water flow in a manner that generates or leads to a significant reduction in flood carrying capacity;</li> <li>2. cause localised scouring or erosion that adversely impacts on the bed or banks of lakes and rivers, or the stability of lawfully established structures;</li> <li>3. create an increase in undesirable or pest plant infestation; or</li> <li>4. include the planting of crack willow within the beds of lakes and rivers, including estuarine areas, except if the location is identified in Schedule BLR4,</li> </ol>

Reference	Provision
<p>Earthworks and vegetation clearance activities</p> <p>Chapter 8</p> <p>Policy SCN5</p>	<p>(1) Wherever any earthworks or vegetation clearance activity is carried out that increases the risk of soil erosion, the use of best management practices for reducing the amount of erosion likely to occur as a result of that activity should be adopted.</p> <p>(2) Earthworks and vegetation clearance activities that have the potential, regardless of the method adopted, to result in significant induced soil erosion, or to lead to significant off-site effects, should not be undertaken unless effective measures are in place to:</p> <ul style="list-style-type: none"> <li>(a) minimise the risk of induced erosion occurring;</li> <li>(b) contain the movement of sediment transported in runoff generated from the activity site;</li> <li>(c) undertake land rehabilitation necessary to stabilise the site, and to restore an intact vegetation cover wherever practicable; and</li> <li>(d) avoid any significant adverse effects of erosion or sediment deposition on: <ul style="list-style-type: none"> <li>(i) water bodies, including their aquatic habitat and beds, associated wetlands and their flood carrying capacity;</li> <li>(ii) areas important for the protection of indigenous biodiversity, including indigenous flora, and the habitats of indigenous fauna;</li> <li>(iii) sites of significance to Ngai Tahu, including Wahi Tapu;</li> <li>(iv) sources of mahinga kai;</li> <li>(v) outstanding natural features and landscapes or amenity values for the area; and</li> <li>(vi) property or built assets including network utilities.</li> </ul> </li> </ul> <p>(3) Priority areas for the management of activities in (2) will focus on:</p> <ul style="list-style-type: none"> <li>(a) all land above 900 metres altitude;</li> <li>(b) all land with a slope greater than 25 degrees; and</li> <li>(c) all soft rock and loess-mantled hill slopes greater than 20 degrees.</li> </ul>

Reference	Provision
Contaminant accumulation Chapter 8 Objective SCN3	The widespread accumulation of any potentially contaminating substance that is persistent, immobile and toxic in the soil does not reach concentrations likely to:  (a) reduce the life-supporting capacity of the soil, including the health and functioning of soil ecosystems; (b) reduce the productivity and versatility of soils for future uses; or (c) impact on important cultural values associated with the land, including sites of significance to Ngāi Tahu, and mahinga kai values.
Avoid future contamination Chapter 8 Policy SCN9	Any future land use, or the application of any substance to land, that has the potential to result in the widespread, persistent and toxic contamination of soils should not be undertaken unless effective measures have been taken to avoid significant adverse effects on the soil environment.

## 5.2 Proposed Land and Water Regional Plan

The Proposed Land and Water Regional Plan was notified on 11 August 2012. The PLWRP will replace Chapters 4 to 8 of the NRRP along with embedding throughout the Plan the provisions currently found in Chapter 2. The PLWRP is a relevant statutory document to be considered in relation to the regional consent applications sought for the Project.

The objectives in this Plan identify the resource management outcomes or goals for land and water resources in Canterbury region, to achieve the purpose of the RMA. The objectives form a comprehensive suite of outcomes to be attained. The policies implement the Plan's objectives. The Plan contains two forms of policies. The Plan first lists strategic policies, which apply to all activities. These key policies provide an overall direction for the integrated management of land and water. The strategic policies are followed by more specific policies which apply to activities. These policies are 'outcome-based' policies, identifying the outcomes sought from the management of land and water resources.

Reference	Provision
Section 3 – Objectives 3.1	Water is recognised as essential to all life and is respected for its intrinsic values.
Section 3 – Objectives 3.2	Water and land are recognised as an integrated resource embracing the philosophy and practice of ki uta ki tai thus recognising the connections between land, groundwater, surface water and coastal waters.
Section 3 – Objectives 3.3	The relationship of Ngāi Tahu and their culture and traditions with the water and land of Canterbury is protected.

Section 3 – Objectives 3.4	In keeping with the philosophy and practice of ki uta ki tai the interconnectivity of land, water and the coast is reflected in its management.
Section 3 – Objectives 3.7	The mauri of lakes, rivers, hāpua and natural wetlands is maintained or restored and they are suitable for use by Ngāi Tahu and the community.
Section 3 – Objectives 3.8	The health of ecosystems is maintained or enhanced in lakes, rivers, hāpua and wetlands.
Section 3 – Objectives 3.10	The significant indigenous biodiversity values, mahinga kai values, and natural processes of rivers are protected.
Section 3 – Objectives 3.11	Water is available for sustainable abstraction or use to support a variety of economic and social activities and maximum social and economic benefits are obtained from the efficient storage, distribution and use of the water which is available for abstraction.
Section 3 – Objectives 3.12	Groundwater continues to provide a sustainable source of high quality water for flows and ecosystem health in surface waterbodies and for abstraction.
Section 3 – Objectives 3.14	High quality fresh water is available to meet actual and reasonably foreseeable needs for community drinking water supplies.
Section 3 – Objectives 3.16	Infrastructure of national or regional significance is resilient and positively contributes to economic, cultural and social wellbeing through its efficient and effective operation, ongoing maintenance, repair, development and upgrading.
Section 3 – Objectives 3.17	The mauri and the productive quality and quantity of soil are not degraded.
Section 3 – Objectives 3.18	The risk of flooding or erosion of land or damage to structures is not exacerbated by the diversion of water, erection, placement or failure of structures, the removal of gravel or other alteration of the bed of a lake or river, removal of vegetation or the re-contouring of adjacent land.
Section 3 – Objectives 3.21	Land uses continue to develop and change in response to socio-economic and community demand while remaining consistent with the CWMS targets.
Section 3 – Objectives 3.23	All activities operate at “good practice” or better to protect the region’s fresh water resources from quality and quantity degradation.

<p>Section 4 – Policies Strategic Policies 4.1</p>	<p>Lakes, rivers, wetlands and aquifers will meet the freshwater outcomes set in Sections 6-15. If outcomes have not been established for a catchment, then each type of lake, river or aquifer will meet the outcomes set out in Table 1.</p>
<p>Section 4 – Policies Strategic Policies 4.2</p>	<p>The management of lakes, rivers, wetlands and aquifers will take account of the cumulative effects of land uses, discharges and abstractions in order to meet the fresh water outcomes in accordance with Policy 4.1.</p>
<p>Section 4 – Policies Strategic Policies 4.3</p>	<p>The discharge of contaminants to water or the damming, diversion or abstraction of any water or disturbance to the bed of a fresh water body shall not diminish any values of cultural significance to Ngai Tahu.</p>
<p>Section 4 – Policies Strategic Policies 4.4</p>	<p>Water is managed through the setting of limits to maintain the life-supporting capacity of ecosystems, support customary uses, and provide for community and stock drinking water supplies, as a first priority and to meet the needs of people and communities for water for irrigation, hydro-electricity generation and other economic activities and to maintain river flows and lake levels needed for recreational activities, as a second priority.</p>
<p>Section 4 – Policies Activity and Resource Policies Discharge of Contaminants to Land or to Water 4.9</p>	<p>There are no direct discharges to surface waterbodies or groundwater of:</p> <ul style="list-style-type: none"> <li>(a) Untreated sewage, wastewater or bio-solids;</li> <li>(b) Solid or hazardous waste or solid animal waste;</li> <li>(c) Animal effluent from an effluent storage facility or a stock holding area;</li> <li>(d) Organic waste or leachate from storage of organic material; and</li> <li>(e) Untreated industrial or trade waste.</li> </ul>
<p>Section 4 – Policies Activity and Resource Policies Discharge of Contaminants to Land or to Water 4.10</p>	<p>For other discharges of contaminants to surface waterbodies or groundwater, the effects of any discharge are minimised by the use of measures that:</p> <ul style="list-style-type: none"> <li>(a) First, avoids the production of the contaminant;</li> <li>(b) Secondly, reuses, recovers or recycles the contaminant;</li> <li>(c) Thirdly, reduce the volume or amount of the discharge; or</li> <li>(d) Finally, wherever practical utilize land-based treatment, a wetland constructed to treat contaminants or a designed treatment system prior to discharge; and</li> <li>(e) Meets the receiving water standards in Schedule 5.</li> </ul>

<p>Section 4 – Policies Activity and Resource Policies Discharge of Contaminants to Land or to Water 4.11</p>	<p>Any discharge of a contaminant into or onto land where it may enter groundwater shall:</p> <ul style="list-style-type: none"> <li>(a) Not exceed the natural capacity of the soil to treat or remove the contaminant; and</li> <li>(b) Not exceed available water storage capacity of the soil; and</li> <li>(c) Where this is not practicable: <ul style="list-style-type: none"> <li>(i) Meet any nutrient allowance in Sections 6-15 of this Plan;</li> <li>(ii) Utilise the best practicable option to ensure the size of any contaminant plume is as small as is reasonably practicable, and there is sufficient distance between the point of discharge, any other discharge and drinking water supplies to allow for the natural decay or attenuation of pathogenic micro-organisms in the contaminant plume;</li> <li>(iii) Not result in the accumulation of pathogens, or a persistent or toxic contaminant that would render the land unsuitable for agriculture, commercial, domestic or recreational use or water unsuitable as a source of potable water or for agriculture;</li> <li>(iv) Not raise groundwater levels so that land drainage is impeded; and</li> <li>(v) Not have any adverse effects on the drinking water quality of the groundwater, including any risk to public health.</li> </ul> </li> </ul>
<p>Section 4 – Policies Activity and Resource Policies Stormwater and Community Wastewater Systems 4.13</p>	<p>Any public reticulated stormwater system for any urban area shall be managed in accordance with a stormwater management plan that addresses the following matters:</p> <ul style="list-style-type: none"> <li>(a) The management of all discharges of stormwater into the stormwater system;</li> <li>(b) For any public reticulated stormwater system established after 11 August 2012, including any extension to any existing public reticulated stormwater system, the discharge of stormwater being subject to a land-based treatment system or wetland treatment prior to any discharge to a lake or river;</li> <li>(c) How any discharge of stormwater, treated or untreated, into water or onto land where it may enter water meets the water quality outcomes for that waterbody set out in Sections 6-15 or Table 1 (whichever applies): and</li> <li>(d) The management of the discharge of stormwater from sites involving the use, storage or disposal of hazardous substances.</li> </ul>
<p>Section 4 – Policies Activity and Resource Policies Stormwater and Community Wastewater Systems 4.14</p>	<p>Stormwater run-off volumes and peak flows are managed so that they do not cause or exacerbate the risk of inundation, erosion or damage to property or infrastructure downstream.</p>

<p>Section 4 – Policies Activity and Resource Policies Earthworks, land Excavation and Deposition of Material into Land over Aquifers 4.15</p>	<p>The discharge of sediment and other contaminants to surface water from earthworks, including roading, works in the bed of a river or lake, land development or construction, is avoided, and if this is not achievable, the best practicable option is used to minimise the discharge to water.</p>
<p>Section 4 – Policies Activity and Resource Policies Earthworks, land Excavation and Deposition of Material into Land over Aquifers 4.16</p>	<p>The discharge of contaminants to groundwater from earthworks, excavation, waste collection or disposal sites and contaminated sites is avoided or minimised by ensuring that:</p> <ul style="list-style-type: none"> <li>(a) Activities are sited, designed and managed to avoid the contamination of groundwater;</li> <li>(b) Existing or closed landfills and contaminated sites are managed and monitored to minimise any contamination of groundwater; and</li> <li>(c) There is sufficient thickness of undisturbed sediment in the confining layer over the Coastal Confined Aquifer System to prevent the entry of contaminants into the aquifer.</li> </ul>
<p>Section 4 – Policies Activity and Resource Policies Soil stability 4.17</p>	<p>On erosion-prone land, any medium and large-scale earthworks, harvesting of forestry or other clearance of vegetation is undertaken in a manner which minimises the exposure of soil to erosion, controls sediment run-off and re-establishes vegetation cover as quickly as possible.</p>
<p>Section 4 – Policies Activity and Resource Policies Soil stability 4.19</p>	<p>Sedimentation of waterbodies as a result of land clearance, earthworks and cultivation is prevented by maintaining continuous vegetation cover adjacent to waterbodies, or capturing surface run-off to remove sediment and other contaminants.</p>
<p>Section 4 – Policies Activity and Resource Policies Protect Sources of Human Drinking Water 4.20</p>	<p>Any water source used for drinking water supply is protected from any discharge of contaminants that may have any actual or potential effect on the quality of drinking water supply including its taste, clarity and smell and group and community water supplies are protected so that they align with the CWMS drinking water targets and meet the Drinking-water Standards for New Zealand.</p>

<p>Section 4 – Policies Activity and Resource Policies Hazardous Substances and Hazardous Activities 4.22</p>	<p>Activities involving the use, storage or discharge of hazardous substances will be undertaken using best practicable measures to:</p> <ul style="list-style-type: none"> <li>(a) As a first priority, avoid the discharge (including accidental spillage) of hazardous substances onto land or into water, including reticulated stormwater systems; and</li> <li>(b) As a second priority, to ensure, where there is a residual risk of a discharge of hazardous substances including any accidental spillage, it is contained on-site and does not enter surface water bodies, groundwater or stormwater systems.</li> </ul>
<p>Section 4 – Policies Activity and Resource Policies Damming and Diversion of Water Bodies 4.44</p>	<p>Small-scale diversions of water within the beds of lakes, rivers or adjoining wetlands are provided for as part of:</p> <ul style="list-style-type: none"> <li>(a) Establishing, maintaining or repairing infrastructure;</li> <li>(b) Removing gravel or other earthworks or;</li> <li>(c) Undertaking minor flood or erosion control or repair works and the diversion is occurring within the boundaries of an individuals property and there are no potential adverse effects on any other person, their property, or any ecological, cultural, recreational, or amenity values of the fresh water body.</li> </ul>
<p>Section 4 – Policies Activity and Resource Policies Abstraction of Water 4.54</p>	<p>Any abstraction of groundwater does not result in cross-contamination between the aquifers or water-bearing layers that results in, or may result in, adverse effects on water quality.</p>
<p>Section 4 – Policies Activity and Resource Policies Abstraction of Water 4.55</p>	<p>Non-consumptive groundwater takes, including the taking of heat from or adding heat to groundwater, will not be subject to any groundwater allocation zone limits, and will generally be supported, provided the water either remains in the aquifer, or is returned to the same aquifer within 24 hours and is protected from contamination.</p>
<p>Section 4 – Policies Activity and Resource Policies Abstraction of Water 4.56</p>	<p>The use of bores or galleries, including decommissioned bores, does not result in the contamination of surface water or groundwater through backflow of water, or surface water and contaminants entering bores or galleries.</p>



<p>Section 4 – Policies Activity and Resource Policies Abstraction of Water 4.58</p>	<p>The direct cumulative interference effect from new groundwater takes on existing groundwater takes is minimised by limiting the drawdown of any existing bore within a 2 km radius to no more than 20% of the available drawdown.</p>
<p>Section 4 – Policies Activity and Resource Policies Site dewatering 4.65</p>	<p>Localised land subsidence or other significant effects on the flows or levels of surface water or groundwater from the dewatering of construction sites, is avoided by limiting the rate or duration of pumping or other appropriate mitigation measures.</p>
<p>Section 4 – Policies Activity and Resource Policies Activities in the beds of lakes and rivers 4.84</p>	<p>Earthworks and structures in the beds or margins of lakes, rivers, natural wetlands, hāpua, coastal lakes and, lagoons: (a) maintain the character and variable channel characteristics of braided rivers; (b) protect sites and areas of significant indigenous biodiversity values or of cultural significance to Ngāi Tahu; and (c) do not preclude any existing lawful access to the bed of the lake, river, natural wetland hāpua, coastal lake, or lagoon for recreational, customary use, or flood control purposes.</p>
<p>Section 4 – Policies Activity and Resource Policies Activities in the beds of lakes and rivers 4.85</p>	<p>Plant species listed in the Biosecurity NZ Unwanted Organisms Register or the Regional Pest Management Strategy are not introduced or planted in the beds or margins of lakes, rivers, hāpua, coastal lakes and lagoons, or in wetlands.</p>
<p>Section 4 – Policies Activity and Resource Policies Activities in the beds of lakes and rivers 4.86</p>	<p>Earthworks, structures, or the planting or removal of vegetation (other than by spraying) in the beds of lakes, rivers, hāpua, coastal lakes and lagoons, or within a wetland boundary do not occur in flowing or standing water unless any effects on water quality, ecosystems, or the amenity, recreational or cultural values will be minor or the effects of diverting water are more significant than the effects of the activity occurring in flowing or standing water.</p>

<p>Section 4 – Policies Activity and Resource Policies Activities in the beds of lakes and rivers 4.87</p>	<p>Earthworks, structures (including flood control structures), vegetation planting or removal, or other activities in the beds of lakes or rivers, do not restrict flood flows in any river, or create or exacerbate erosion of the bed or banks of any river or the bed or margins of any lake.</p>
<p>Section 9 – Christchurch- West Melton 9.4 – Policies 9.4.1</p>	<p>Protect the high quality, untreated groundwater sources available to Christchurch City as a potable water supply in the area shown on the Planning Maps as the Christchurch Groundwater Protection Zone by:</p> <ul style="list-style-type: none"> <li>(a) Ensuring any abstraction of groundwater maintains upward hydraulic pressure of groundwater where this pressure exists;</li> <li>(b) Adopting best practicable options for the treatment and disposal of stormwater, contaminants containing hazardous substances, and other contaminants which are discharged onto land where it may enter groundwater;</li> <li>(c) Limiting the use of land for activities which involve the aggregation of large quantities of hazardous substances in ways which may spill, leach or otherwise contaminate groundwater;</li> <li>(d) Preventing new landfills or any expansion of existing landfill disposal areas, except for the disposal of inert fill or clean fill only; and</li> <li>(e) Ensuring any land uses maintain an overlying confining layer above the aquifer of at least 3 m thickness or where this layer is removed or reduced, including as part of site construction or gravel or mineral extraction, measures are put in place to mitigate the risk of contaminants from land uses entering groundwater and sites are rehabilitated once excavation ceases using inert fill.</li> </ul>

## 6 District Plans

### 6.1 Selwyn District Plan

The Selwyn District Plan (SDP) was made partially operative on 10 June 2008. The SDP comprises two volumes:

- Township Volume - comprising Contents and Preparation (Part A), Objectives and Policy (Part B), Rules and Definitions (Part C) and Township Appendix
- Rural Volume – comprising Contents and Preparation (Part A), Objectives and Policy (Part B), Rules and Definitions (Part C) and Rural Appendix

The land required for the Project is all zoned Inner Plains (Rural). Accordingly, the objectives and policies in the Rural Volume (Part B) are relevant to the consideration of this Project. Living 1 zoning adjoins the alignment near the Rolleston end of the Project. Objectives and policies within the Township Volume (Part B) of the SDP concerning the Living 1 zoning are similar to the provisions listed below from the rural volume so are not listed and are not directly relevant to this Project.

The following table outlines the relevant provisions of the SDP. Where text is outlined in bold with underline or strikethrough these are the amendments proposed under Plan Change 12 which is awaiting a Commissioners recommendation:

Reference	Provision
<b>SDP Rural Volume Objectives &amp; Policies (Section B)</b>	
Section B1 Natural Resources Land & Soil Objective B1.1.1	Adverse effects of activities on the District's land and soil resources are avoided, remedied or mitigated.
Section B1 Natural Resources Land & Soil Objective B1.1.2	People and their property are not affected by contaminated soil or unstable land and any adverse effects on the environment are avoided, remedied or mitigated.
Section B1 Natural Resources Contaminated Land Policy B1.1.1	Ensure any activity involving hazardous substance or waste disposal is carried out in a way which reduces the risk of contaminating land or soil.
Section B1 Natural Resources Contaminated Land Policy B1.1.2	Avoid adverse effects on people through exposure to contaminated land and mitigate or remedy any adverse effects on the environment.

Section B1 Natural Resources Contaminated Land Policy B1.1.3	Encourage the management of contaminated sites so that effects on peoples' health or the environment are avoided.
Section B1 Natural Resources Unstable Land Policy B1.1.5	Avoid adverse effects on people or their property from locating buildings or infrastructure on unstable land.
Section B1 Natural Resources Vegetation and Ecosystems Objective B1.2.4	The potential adverse effects from activities on areas of indigenous vegetation, habitats of indigenous fauna, and indigenous biodiversity and functioning are avoided, remedied or mitigated.
Section B1 Natural Resources Vegetation and Ecosystems Policy B1.2.6	Adverse effects on indigenous ecosystems, vegetation and habitat should be avoided, remedied or mitigated where these areas are important for maintaining the indigenous biodiversity and ecosystem functions and natural character of the District.
Section B1 Natural Resources Water - Objectives Objective B1.3.6	Land use activities, and particularly earthworks, forestry, vegetation clearance and modification and agricultural activities, are managed within catchments and riparian areas to protect water quantity and quality, aquatic habitat, and natural character.
Section B1 Natural Resources Ground and Surface Water Policy B1.3.4	Manage land to protect water resources and avoid, remedy, or mitigate adverse effects on surface water quality and quantity, and aquatic habitat from activities and development, including: <ul style="list-style-type: none"> <li>– Activities locating close to waterbodies; or</li> <li>– Activities which may result in surface run-off of contaminants, or leaching of contaminants into groundwater.</li> </ul>
Section B2 Physical Resources Transport Networks Objectives Objective B2.1.2	An integrated approach to land use and transport planning to manage and minimise adverse effects of transport networks on adjoining land uses, and to avoid “reverse sensitivity” effects on the operation of transport networks.

Section B2 Physical Resources Transport Networks - Roads Policy B2.1.3	Recognise and protect the primary function of roads classified as State Highways or Arterial Roads in Appendix 9, to ensure the safe and efficient flow of through traffic en route to its destination.
Section B2 Physical Resources Transport Networks - Roads Policy B2.1.27	Discourage adverse effects from constructing or maintaining roads or railway lines on the natural environment, landscape values, and sites with heritage or cultural values.
Section B3 Health Safety Values Natural Hazards - Objectives Objective B3.1.1	Activities do not cause or exacerbate natural hazards.
Section B3 Health Safety Values Natural Hazards - Objectives Objective B3.1.2	Measures to mitigate natural hazards do not cause or exacerbate adverse effects on the environment.
Section B3 Health Safety Values Localised Natural Hazards Policy B3.1.5	Ensure any activity does not adversely affect the efficiency of the District's land drainage system, or increase the rate of stormwater runoff into waterbodies.
Section B3 Health Safety Values Localised Natural Hazards Policy B3.1.8	Ensure any measures proposed to mitigate a potential natural hazard: – Do not lead to or intensify a potential natural hazard elsewhere; and – Any other adverse effects on the environment being avoided, remedied or mitigated.
Section B3 Health Safety Values Contamination Objective B3.2.1	To ensure that adequate measures are taken to avoid, remedy or mitigate any adverse effects to human health, to the amenity of townships, the rural environment and to the natural environment arising from the manufacture, storage, transport on water bodies and disposal of hazardous substances.

Section B3 Health Safety Values Contamination Objective B3.2.2	To ensure that adequate measures are taken during the manufacture, storage and disposal of hazardous substances to avoid, remedy or mitigate any adverse effects to the health of livestock and other farm animals, to domestic animals, to flora and fauna, and to the life sustaining capacity and amenity values of waterbodies, land and soil resources.
Section B3 Health Safety Values Hazardous Substances Policy B3.2.1(b)	Ensure hazardous substances are used and stored under conditions which reduce the risk of any leaks or spills contaminating land or water.
Section B3 Health Safety Values Culture and Historic Heritage Objective B3.3.1	Sites of wahi tapu, wahi taonga, mahinga kai and other importance to tangata whenua are protected in partnership with local runanga and landholders.
Section B3 Health Safety Values – Objective B3.3.2 Culture and Historic Heritage	Sites and buildings with heritage values are recognised and protected, where appropriate, in partnership with landholders.
Section B3 Health Safety Values Policy B3.3.9 Culture and Historic Heritage	Discourage the demolition or destruction of heritage sites or buildings listed in Appendix 3, except where necessary to: <ul style="list-style-type: none"> <li>– Avoid danger to people or property; or</li> <li>– Allow reasonable use of the site; and</li> <li>– There are no appropriate options to retain the site or building.</li> </ul>
Section B3 Health Safety Values – Objective B3.3.5 Culture and Historic Heritage	Recognise the areas of Statutory Acknowledgement identified in Appendix 8 as areas of cultural importance to Ngai Tahu.
Section B3 Health Safety Values Objective B3.4.1 Quality of the Environment	The District's rural area is a pleasant place to live and work in.

Section B3 Health Safety Values Objective B3.4.2 Quality of the Environment	A variety of activities are provided for in the rural area, while maintaining rural character and avoiding reverse sensitivity effects.
Section B3 Health Safety Values - Policy B3.4.1 Rural Character	Recognise the Rural zone as an area where a variety of activities occur and maintain environmental standards that allows for primary production and other business activities to operate.
Section B3 Health Safety Values Policy B3.4.3 Rural Character	Avoid, remedy or mitigate significant adverse effects of activities on the amenity values of the rural area.
Section B3 Health Safety Values Policy B3.4.9 Glare	Avoid night lighting shining directly into houses, other than a house located on the same site as the activity, or from vehicles using roads in the District.
Section B3 Health Safety Values Policy B3.4.11 Noise	Recognise temporary noise associated with short-term, seasonal activities as part of the rural environment, but ensure continuous or regular noise is at a level which does not disturb people indoors on adjoining properties.
Section B3 Health Safety Values Policy B3.4.13 Vibration	Avoid, remedy or mitigate adverse effects caused by excessive or prolonged vibration.
Section B3 Health Safety Values Policy B3.4.14 Dust	Mitigate nuisance effects on adjoining dwellings caused by dust from earthworks, or stockpiled material.

## 6.2 Christchurch City Plan

The proposed CSM2 route involves land in the following zones:

- Business 7 (Wilmers Road – subject to special provisions);
- Rural 2 (Templeton – Halswell);
- Business 5 (General Industrial)

The following table contains an assessment of the relevant provisions:

Reference	Provision
Volume 2 Section 2: Natural Environment Land and Soil Objective 2.1	To maintain and enhance those physical, chemical and biological characteristics of land and soils, and the ecosystems they contain, in a way that best enables them to support life and provide for community needs.
Volume 2 Section 2: Natural Environment Land and Soil Policy 2.1.1	<p>(a) Where consideration is being given to the use, development or protection of land comprising versatile soils, in circumstances where such use development or protection is necessary to achieve the purpose of the RM Act, particular regard shall be had, in the circumstances of the case, to any need to protect such land from irreversible effects that may foreclose some future land use options that benefit from being located on such land.</p> <p>(b) Provided that where a proposed activity will irreversibly affect land comprising versatile soils and there is a choice in the locality between such activity occurring on that land or on less versatile land, the preference shall be to protect versatile land from such activity, unless the proposed activity would better achieve the purpose of the RM Act.</p>
Volume 2 Section 2: Natural Environment Land and Soil Policy 2.1.2	To avoid the degradation of soil and land resources, and to promote their rehabilitation where these resources are degraded as a result of a loss of soil stability, erosion or contamination.



<p>Volume 2 Section 2: Natural Environment Section 2: Land and Soil Policy 2.1.3</p>	<p>To manage the effects of any manufacturing, storage, use or disposal of hazardous substances or wastes, by ensuring these are contained to avoid adverse effects on the life supporting capacity of land and soils.</p>
<p>Volume 2 Section 2: Natural Environment Water Objective 2.2</p>	<p>Maintenance and enhancement of the quality and availability of the City's water resources, and of the natural and cultural values and public accessibility of waterways and their margins.</p>
<p>Volume 2 Section 2: Natural Environment Water Policy 2.2.1</p>	<p>To ensure land use activities do not detract from the quality or availability of groundwater.</p>
<p>Volume 2 Section 2: Natural Environment Water Policy 2.2.3</p>	<p>To manage the disposal of stormwater in a manner that minimises potential flooding, and promotes groundwater recharge.</p>
<p>Volume 2 Section 2: Natural Environment Water Policy 2.2.4</p>	<p>To manage the location and scale of land use activities and the disposal of stormwater, in a manner which avoids, remedies or mitigates the pollution of surface waters and adverse effects on aquatic ecosystems.</p>
<p>Volume 2 Section 2: Natural Environment Air Objective 2.3</p>	<p>Improvement of the standards of air quality over the City influenced by the location and nature of land use activities.</p>

<p>Volume 2 Section 2: Natural Environment Air – Transport Emissions Policy 2.3.1</p>	<p>To promote reduced air emissions from transport through a strategy of consolidating the urban form, which also provides for the ability to retain a viable public transport system and promotes lessening dependence on motor vehicle use.</p>
<p>Volume 2 Section 2: Natural Environment Natural Features and Habitats Objective 2.4</p>	<p>The protection and enhancement of key elements and processes comprising the City's natural environment.</p>
<p>Volume 2 Section 2: Natural Environment Ecosystems and Habitats Policy 2.4.4</p>	<p>To maintain and enhance the integrity and diversity of natural ecosystems and habitats within the City.</p>
<p>Volume 2 Section 2: Natural Environment Biodiversity Policy 2.4.6</p>	<p>To conserve biological diversity by protecting, enhancing and restoring the variety of species which make up this diversity, recognising particular responsibility for indigenous species within that diversity</p>
<p>Volume 2 Section 2: Natural Environment Natural Hazards Objective 2.5</p>	<p>To avoid or mitigate the actual or potential adverse effects of loss or damage to life, property, or other parts of the environment from natural hazards.</p>
<p>Volume 2 Section 2: Natural Environment Natural Hazards Policy 2.5.1</p>	<p>To control development within the City to protect life and investment, taking account of the presence of natural hazards and the degree of risk that those hazards impose on the environment.</p>

<p>Volume 2 Section 2: Natural Environment Natural Hazards Policy 2.5.2</p>	<p>To avoid any increased risk of adverse effects on property, wellbeing and safety from natural hazards by limiting the scale and density of development, which:</p> <p>(a) is within an area subject to moderate to high risk of damage from natural hazards; or</p> <p>(b) would result in an increased risk of damage from natural hazards elsewhere.</p>
<p>Volume 2 Section 4: City Identity Amenity Objective 4.2</p>	<p>A pleasant and attractive City.</p>
<p>Volume 2 Section 4: City Identity Impacts of Noise Policy 4.2.9</p>	<p>To achieve a low ambient level of noise in the City and the protection of the environment from noise that can disturb the peace, comfort, or repose of people to the extent necessary to avoid, remedy or mitigate unreasonable levels of sound.</p>
<p>Volume 2 Section 4: City Identity Hazardous Substances Policy 4.2.12</p>	<p>To ensure that the manufacturing, use, storage, handling and disposal of hazardous substances is managed to avoid, remedy or mitigate any adverse effects on amenity, public safety, and functioning of ecosystems.</p>
<p>Volume 2 Section 4: City Identity Airborne Contamination Policy 4.2.13</p>	<p>To ensure that processes giving rise to airborne contamination, particularly odours, are located so that any adverse effects on the amenities of adjoining areas are avoided, remedied or mitigated.</p>
<p>Volume 2 Section 4: City Identity Glare Policy 4.2.14</p>	<p>To address the adverse effects of glare caused by lighting, or where practicable reflection, on the amenities of the surrounding environment.</p>
<p>Volume 2 Section 4: City Identity Heritage Protection Objective 4.3</p>	<p>The conservation and restoration of heritage items and values.</p>

Volume 2 Section 4: City Identity Heritage Items Policy 4.3.1	To identify and provide for the protection of heritage items having regard to their significance.
Volume 2 Section 4: City Identity Tangata Whenua Policy 4.3.2	To identify places of special significance to the Tangata Whenua and avoid, remedy or mitigate adverse effects upon their values.
Volume 2 Section 5: Tangata Whenua Maori and their Resources Objective 5.1	To recognise the importance of, and provide for, the relationship of Maori, their culture and traditions with ancestral lands, waters, sites, waahi tapu and other taonga
Volume 2 Section 5: Tangata Whenua Places of Special Significance Policy 5.1.4	To identify places of special significance to Tangata Whenua and avoid, remedy or mitigate adverse effects upon their values.
Volume 2 Section 7: Transport A Sustainable Transport System Objective 7.1	A safe, efficient and sustainable transport system.
Volume 2 Section 7: Transport Transport Policies: Minimising Adverse Effects Policy 7.1.2	To promote integration of transport and land use planning.

Volume 2 Section 7: Transport Transport Policies: Minimising Adverse Effects Policy 7.1.3	To promote integration of the planning, management, and operation of all elements of the transport system.
Volume 2 Section 7: Transport Amenity Policy 7.1.7	To design new roading works to visually complement or improve the area.
Volume 2 Section 7: Transport Amenity Policy 7.1.8	To maximise planting and landscaping associated with roading improvements, to avoid, remedy or mitigate their impact on the environment.
Volume 2 Section 7: Transport Road Network Objective 7.2	An efficient and effective road network that allows the City to function and develop with minimal conflict between land uses, traffic and people.
Volume 2 Section 7: Transport Hierarchy of roads Policy 7.2.1	To continue to plan, build, maintain, and manage the operation of the roads in Christchurch as a hierarchical network comprised of roads of different classifications, and to recognise the different functions and roles of roads and their environmental impacts within those classifications.
Volume 2 Section 7: Transport Planning the Network Policy 7.2.4	To take account of social and environmental impacts as well as economic benefits when planning changes to the road network.
Volume 2 Section 7: Transport Public Participation Policy 7.2.6	To encourage public participation in the planning of transport and roading improvements to avoid, remedy or mitigate adverse effects and make use of local knowledge.

Volume 2 Section 7: Transport Transport Safety Objective 7.7	The maintenance and improvement of transport safety throughout the City.
Volume 2 Section 7: Transport Road Safety Policy 7.7.1	To continue a substantial programme of traffic improvements, principally for safety reasons.
Volume 2 Section 7: Transport Access to the City Objective 7.8	Recognition of the need for regional, national and international links with the City and provision for those links.
Volume 2 Section 7: Transport Access to the City Policy 7.8.5	To ensure high quality transport links between rail, road, port and airport facilities and the City for passengers, freight, employees and visitors.
Volume 2 Section 12: Business Activity Distribution of Commercial Activity Policy 12.1.2	To provide for varying levels of commercial activity, both within and beyond identified commercial centres and areas, to meet the wider community's social and economic needs. This is to be achieved by mechanisms including: 'ensuring the continuing ability to make efficient use of, and undertake long-term planning and management for, the transport network and other public and private infrastructural resources'.
Volume 2 Section 13: Rural Road and Rail Networks Policy 13.3.2	To ensure that the pattern of rural development does not compromise the operational efficiency and safety of the rail or roading network and in particular arterial roads.
Volume 2 Section 13: Rural Rural Amenity Values Objective 13.4	That over the rural area as a whole, rural amenity values, including visual character, heritage values, cultural and recreational opportunities are maintained and whenever possible enhanced and adverse effects of activities are recognised and controlled.

<p>Volume 2 Section 13: Rural Amenity Values Natural and Landscape Values Policy 13.4.2</p>	<p>To recognise and provide additional protection for those areas in the rural parts of the City which have significant natural and landscape values while not rendering the land incapable of reasonable use.</p>
<p>Volume 2 Section 13: Rural Amenity Avoiding mitigating or remedying adverse effects Policy 13.4.3</p>	<p>To ensure that activities in the rural area, including pastoral, agricultural and horticultural farming, or intensive livestock management and forestry do not give rise to adverse effects (dust, noise, smell, airborne sprays and visual detraction) without separation or mitigation measures.</p>

## 7 Canterbury Earthquake Recovery

### 7.1 Canterbury Earthquake Recovery Act 2011

The Canterbury Earthquake Recovery Act (CER Act) came into effect on 19 April 2011.

The purpose of the Act is to put in place extraordinary powers, processes and roles (e.g. the Canterbury Earthquake Recovery Authority) for five years to ensure that greater Christchurch and the councils and their communities respond to and recover from, the impacts of the Canterbury earthquakes.

Specifically, the purposes set out in Section 3 of the CER Act are:

- (a) To provide appropriate measures to ensure that greater Christchurch and the councils and their communities respond to, and recover from, the impacts of the Canterbury earthquakes;
- (b) To enable a focused, timely, and expedited recovery;
- (c) To facilitate, co-ordinate, and direct the planning, rebuilding, and recovery of affected communities, including the repair and rebuilding of land, infrastructure, and other property; and
- (d) To restore the social, economic, cultural, and environmental well-being of greater Christchurch communities.

The Project is considered to be strategically aligned with the purpose of the CER Act. It will support the recovery of Greater Christchurch for its short term and long term settlement pattern. In particular, growth in the southern corridor and to the south of Christchurch City is expected to occur more rapidly in response to more immediate demands following earthquake damage to existing residential and business areas.

The CER Act provides for various mechanisms of “intervention” to override standard planning and decision-making processes where necessary to achieve recovery. For example, Recovery Plans can be developed which override district plans, the Minister can make directions, or Orders in Council can be promulgated which set new regulatory processes. There are no Recovery Plans or Orders in Council currently in place that would directly apply to this Project. However alternative mechanisms do potentially exist for this Project.

## 7.2 Recovery Strategy for Greater Christchurch 2012

The Recovery Strategy came into effect on 1 June 2012. Under the CER Act, the Recovery Strategy is to be read together with, and forms part of, RMA documents. The statutory part of the Recovery Strategy (sections 3-8) are therefore a part of the RPS, NRRP, SDP and CCP and must be given statutory regard in considering the NoR and resource consent applications.

The Recovery Strategy provides a vision, goals and a road map for ensuring the success of greater Christchurch for recovery and future leadership in earthquake resilience. The Recovery Strategy Vision is “Greater Christchurch recovers and progresses as a place to be proud of an attractive and vibrant place to live, work, visit and invest - *mō tātou, ā, mō kāuri ā muri ake nei* - for us and our children after us”.

The CER Act defines recovery as including both restoration and enhancement. Recovery is inherently future focused and there will be opportunities to “build back better” when repairing damage caused by the earthquakes. The Recovery Strategy states that “recovery” does not mean returning greater Christchurch to how it was on 3 September 2010.

The most relevant goals in the Recovery Strategy are in the Built Environment Recovery component:

- Coordinating and prioritising infrastructure investment that effectively contributes to the economy and community during recovery and into the future;
- Supporting innovative urban design, buildings, technology and infrastructure to redefine greater Christchurch as a safe place built for the future;
- Rebuilding infrastructure and buildings in a resilient, cost-effective and energy-efficient manner;
- Developing an integrated transport system that meets the changed needs of people and businesses and enables accessible, sustainable, affordable and safe travel choices;
- Zoning sufficient land for recovery needs within settlement patterns consistent with an urban form that provides for the future development of greater Christchurch;



- Having a range of affordable housing options connected to community and strategic infrastructure that provides for residents participation in social, cultural and economic activities; and
- Drawing on sound information about on-going seismic activity and environmental constraints including other natural hazards and climate change.

## 8 Other Relevant Matters

There are a number of other national, regional and local documents which, although not documents prepared under the RMA, still warrant consideration as they contain policy and direction for the development of the Project. These documents are as follows:

- Land Transport Management Act 2003
- Connecting New Zealand
- Government Policy Statement on Land Transport Funding 2009/10 – 2018/19
- National Infrastructure Plan 2011
- National State Highway Strategy 2007
- Canterbury Regional Land Transport Strategy 2012-2042
- Canterbury Regional Land Transport Programme
- Draft Christchurch Transport Plan 2012-2042
- NZTA Environmental Plan 2008
- New Zealand Cycling and Walking Strategy – Getting there On Foot By Cycle 2005
- New Zealand Urban Design Protocol 2005
- Greater Christchurch Urban Development Strategy 2007
- South-West Christchurch Area Plan 2009
- Proposed National Policy Statement on Indigenous Biodiversity (under preparation)
- Wildlife Act 1953
- Selwyn District Council Water Bylaw
- Freshwater Fisheries Regulations 1983

Each of these documents are analysed in the following subsections.

## 8.1 Land Transport Management Act (2003)

The Land Transport management Act 2003 (LTMA) is the main statute for New Zealand's land transport planning and funding system. The purpose of the LTMA is to contribute to the aim of achieving an affordable, integrated, safe, responsive and sustainable land transport system. It also sets out five key transport objectives of:

- Assisting economic development (improving trip reliability and reducing journey times on critical routes);
- Assisting safety and personal security (reducing deaths and serious injuries as a result of road crashes);
- Improving access and mobility (increasing mode share of public transport, walking and cycling and other active modes);
- Protecting and promoting public health (reducing the number of people exposed to health endangering levels of noise and air pollution); and
- Ensuring environmental sustainability (reducing the use of non-renewable resources and carbon emissions).

The LTMA provides for three national level planning documents including the National Land Transport Strategy and the Government Policy Statement on Land Transport Funding (GPS) to guide land transport planning and investment and the National Land Transport Programme which is an operational document prepared by the NZTA. At a regional level, the LTMA requires Regional Land Transport Strategies and Regional Land Transport Programmes.

## 8.2 Connecting New Zealand

Connecting New Zealand is the primary long-term government transport strategy. It was issued by the current Government in 2011 as a current summary of the Governments intentions for the entire transport sector.

Connecting New Zealand is a non-statutory document but establishes the context for developing the GPS on land transport funding. Connecting New Zealand sets out the direction for the transport sector for the 10 year period to 2021. It is based around the Governments three key themes of economic growth and productivity, value for money and road safety. It confirms as a key action, the completion of the current RoNS programme.

The key actions for land transport are:

- investing \$36 billion in land transport over the next decade, including \$19.5 billion in State highways and \$12.5 billion in subsidies for regional and local roads, and public transport;
- completing the first set of RoNS;
- growing public transport patronage with less reliance on subsidies;

- driving greater performance and value for money from the NZTA; and
- continued reduction in emissions in carbon dioxide from land transport over time

### 8.3 Government Policy Statement on Land Transport Funding

The Government Policy Statement (GPS) on Land Transport Funding translates the long-term targets set out in the NZTS into specific short to medium-term impacts. This is to reflect the current Government's priorities for land transport expenditure over a ten year period.

The NZTA is required to give effect to the GPS when evaluating projects and preparing the National Land Transport Programme. The GPS is issued by the government every three years. The current GPS came into force on 1 July 2012 and covers the priorities for land transport expenditure for the three year period to 2014/15. The GPS also provides indicative expenditure figures for 2015/16-2021/22.

The GPS sets the following three areas of focus for transport:

- Economic growth and productivity;
- Value for money; and
- Road safety.

The short to medium term impacts that are expected to be achieved through the allocation of the National Land Transport Fund are:

- Improvements in the provision of infrastructure and services that enhance transport efficiency and lower the cost of transportation through:
  - Improvements in journey time reliability;
  - Easing of severe congestion;
  - More efficient freight supply chains; and
  - Better use of existing transport capacity.
- Better access to markets, employment and areas that contribute to economic growth;
- Reductions in deaths and serious injuries as a result of road crashes;
- More transport choices, particularly for those with limited access to a car;

- A secure and resilient transport network;
- Reductions in adverse environmental effects from land transport; and
- Contributions to positive health outcomes.

The GPS recognises the Roads of National Significance (RoNS) as national road development priorities and as seven of New Zealand's most essential routes that require significant development to reduce congestion, improve safety and support economic growth. The GPS states that: *“Continuing to progress the seven RoNS is a critical part of the economic growth and productivity priority and a significant part of the Government's National Infrastructure Plan and that the RoNS programme will be on-going and an important part of the National Land Transport Programme.”*

## 8.4 National Infrastructure Plan (2011)

The second National Infrastructure Plan was released on Monday 4 July 2011. The Plan outlines the Government's 20 year vision for New Zealand's infrastructure (2030) as: “New Zealand's infrastructure is resilient, coordinated and contributes to economic growth and increased quality of life.” It also outlines a 3 year programme of work to progress this vision.

The NIP sets out the key issues, strategic opportunities and a vision for each of New Zealand's major infrastructure sectors including transport, telecommunications, energy, water and social infrastructure, as at 2011. For transport, the vision is for “a transport sector that supports economic growth by achieving efficient and safe movement of freight and people.”

The overall purpose of this Plan is to improve investment certainty for businesses by increasing confidence in current and future infrastructure provision. A transport chapter is contained within the plan. The chapter assesses the current situation, current work programme and key issues for transport infrastructure. The vision for transport is outlined as “a transport sector that supports economic growth by achieving efficient and safe movement of freight and people”.

The NIP identifies the RoNS as a *“current”* investment priority in the transport sector to assist in supporting New Zealand's economic growth. The NIP is clear that the RoNS will be the major roading investment priority for the next ten years.

## 8.5 National State Highway Strategy (2007)

The National State Highway Strategy (NSHS), published in June 2007, sets out how the NZTA will develop and manage the state highway network as an integral part of a multimodal transport system over the next 30 years. It provides a link between the NZTS, the Land Transport Management Act 2003 (and other legislation) and the NZTA's plans and policies. The Strategy vision and the goals of the strategy are:

- *Ensure state highway corridors make the optimum contribution to an integrated multimodal land transport system.*
- *Provide safe state highway corridors for all users and affected communities.*
- *Ensure state highways enable improved and more reliable access and mobility for people and freight.*
- *Improve the contribution of state highways to economic development.*
- *Improve the contribution of state highways to the environmental and social wellbeing of New Zealand, including energy efficiency and public health.*

The NSHS does not provide for specific projects on the state highway network.

## 8.6 Canterbury Regional Land Transport Strategy (2012–2042)

The Canterbury Regional Land Transport Strategy (RLTS) was adopted and released in February 2012 by the Canterbury Regional Transport Committee on behalf of Environment Canterbury (ECan). It is prepared under the LTMA and sets the strategic direction for land transport within the region over the 30 year period to 2042.

The vision of the RLTS is that *“Canterbury has an accessible, affordable, integrated, safe, resilient and sustainable transport system.”*

The vision is supported by objectives to:

- Ensure a resilient, environmentally sustainable and integrated transport system;
- Increase transport safety for all users;
- Protect and promote public health;
- Assist economic development; and
- Improve levels of accessibility for all.

The RLTS outlines a strategic direction based on a staged transition from high levels of investment in road improvements on strategic roads around Christchurch in the short term, to investment that provides a multi-modal transport system in the medium to long term. This translates into a short term strategy to complete planned strategic infrastructure improvements with an initial expenditure focus on the Christchurch motorway RoNS. It is noted in the RLTS that these will deliver sought outcomes in improved journey time reliability on the strategic transport network and key freight routes.

## 8.7 Canterbury Regional Land Transport Programme

The Canterbury Regional Land Transport Programme (RLTP) was published on 28 June 2012 and sets out a three year programme of activities for the financial years 2012/13, 2013/14 and 2014/15, including a financial forecast of anticipated expenditure for activities for the 10 year period 2012– 2022. The RLTP has been prepared with regard to the GPS 2012 and fits within the strategic context outlined in the RLTS.

The RLTP 2012-22 is the region’s bid for funding support from central government’s National Land Transport Fund over the three years from 1 July 2012.

The RLTP includes the design of CSM2 and MSRFL as approved activities that will not be fully completed prior to the 1 July 2012. It also lists these two projects as regionally significant activities that are expected to commence in the three years following the RLTP i.e. 2015 to 2018.

## 8.8 Draft Christchurch Transport Plan 2012–2042

The Draft Christchurch Transport Plan (DCTP) was released by the CCC in July 2012 for public consultation. It details the transport actions for Christchurch City over the next 30 years. The DCTP seeks improvements to the strategic road and freight network and confirms that new infrastructure is essential, particularly the upgrading road infrastructure, including some long-awaited improvements to key strategic routes. The DCTP notes that these road improvements are reflected in the NZTA’s RoNS programme.

## 8.9 NZTA Environmental Plan (2008)

The NZTA Environmental Plan outlines the NZTA’s environmental policies. These include:

Reference	Provision
Noise Objective N2	Determine reasonable noise requirements when seeking new or altering existing designations including when designating existing local roads by using RMA procedures.
Noise Objective N3	Manage construction and maintenance noise to acceptable levels
Noise Objective N4	Influence activities adjacent to state highways to discourage noise-sensitive activities establishing in areas adversely affected, or likely to be in the future, by state highway traffic noise
Air Quality Objective A2	Ensure new state highway projects do not directly cause national environmental standards for ambient air quality to be exceeded.
Air Quality Objective A3	Contribute to reducing emissions where the state highway network is a significant source of exceedances of national ambient air quality standards.

Reference	Provision
Water Resources Objective W1	Ensure run-off from state highways complies with RMA requirements.
Water Resources Objective W2	Limit the adverse effects of run-off from state highways on sensitive receiving environments
Water Resources Objective W3	Ensure stormwater treatment devices on the network are effective
Water Resources Objective W4	Optimise the value of water management through partnerships with others
Erosion and Sediment Control Objective ES1	Ensure construction and maintenance activities avoid, remedy or mitigate effects of soil erosion, sediment run-off and sediment deposition.
Erosion and Sediment Control Objective ES2	Identify areas susceptible to erosion and sediment deposition and implement erosion and sediment control measures appropriate to each situation with particular emphasis on high-risk areas.
Erosion and Sediment Control Objective ES3	Use bio-engineering and low-impact design practices where practicable.
Social Responsibility Objective SR1	Enhance and contribute to community cohesion
Culture and Heritage Objective H1	Proactively limit the disturbance of significant cultural and heritage features along state highways.
Ecological Resource Objective E1	Promote biodiversity on the state highway network
Ecological Resource Objective E2	No net loss of native vegetation, wetlands, critical habitat or endangered species
Ecological Resource Objective E3	Limit the spread of plant pests
Spill Response and Contamination S1	Design stormwater control and retention devices that can accommodate spills in areas of high environmental risk
Spill Response and Contamination S2	Ensure the removal, placement and disposal of contaminated soils is achieved in accordance with best practices
Resource Efficiency Objective RE1	Manage energy consumption and waste associated with Transit's business in a cost effective and sustainable manner.
Resource Efficiency Objective RE2	Make resource efficiency an integral part of all state highway activities

Reference	Provision
Climate Change Objective C1	Manage increased hazards of climate change impacts on state highway infrastructure
Climate Change Objective C2	Collect and analyse information on greenhouse gas (GHG) emissions and the impact of climate change on the functioning of the state highway to support decision-making.
Climate Change Objective C3	Mitigate activities associated with the construction, operation and maintenance of state highways to effect a net reduction of GHG from transport
Visual Quality Objective VQ1	Incorporate multi-purpose landscaping as an integral part of all new state highway construction projects
Vibration Objective V1	Plan and design new state highways to avoid or reduce adverse vibration effects
Vibration Objective V3	Avoid or reduce, as far as is practicable, the disturbance to communities from vibration during construction and maintenance.

## 8.10 New Zealand Cycling and Walking Strategy – Getting there on Foot by Cycle (2005)

The New Zealand Cycling and Walking Strategy entitled “*Getting There On Foot By Cycle*”, was published in 2005 in response to one of the commitments of the New Zealand Transport Strategy 2002. It sets out a strategy to advance walking and cycling in New Zealand transport. It is a high level strategic document with a vision of “*A New Zealand where people from all sectors of the community walk and cycle for transport and enjoyment*”. This vision is supported by three goals:

- *Community environments and transport systems that support walking and cycling*
- *More people choosing to walk and cycle, more often*
- *Improved safety for pedestrians and cyclists*

There are six key principles in the document which support the goals:



- *Walking and cycling face similar issues, but are different modes of transport with different needs*
- *Providing a transport system that works for pedestrians and cyclists means catering for diversity*
- *Walking and cycling are important for all communities, but critical in urban areas*
- *Increasing the use of walking and cycling requires a comprehensive approach*
- *Safety needs to be integrated with promotion*
- *The needs of current users must be addressed alongside those of new users.*

## 8.11 New Zealand Urban Design Protocol (2005)

The New Zealand Urban Design Protocol provides a platform to make New Zealand towns and cities more successful through quality urban design. The Urban Design Protocol is a voluntary commitment by central and local government, property developers and investors, design professionals, educational institutes and other groups to undertake specific urban design initiatives. The NZTA is a signatory to the Urban Design Protocol.

The Urban Design Protocol identifies seven essential design qualities that together create quality urban design:

- *Context: seeing buildings, places and spaces as part of whole towns and cities*
- *Character: reflecting and enhancing the distinctive character, heritage and identity of our urban environment*
- *Choice: ensuring diversity and choice for people*
- *Connections: enhancing how different networks link together for people*
- *Creativity: encouraging innovative and imaginative solutions*
- *Custodianship: ensuring design is environmentally sustainable, safe and healthy*
- *Collaboration: communicating and sharing knowledge across sectors, professions and with communities.*

## 8.12 Greater Christchurch Urban Development Strategy (Updated, 2010)

The Greater Christchurch Urban Development Strategy (UDS) is a strategy developed under the Local Government Act 2002 (LGA) to manage growth across Greater Christchurch in relation to the social, environmental, cultural and economic wellbeing of the Greater Christchurch community.

The strategy was originally published in 2007, but updated in 2010 to ensure that it was up-to-date and consistent with council strategies and changing legislation and reflected significant developments since 2007. A further review of the strategy in light of the Canterbury earthquakes has been identified to determine which actions are to be prioritised for incorporation within the development of recovery programmes.

As a strategy developed under the LGA, the UDS has a broad purpose and will be implemented through a range of statutory and non-statutory mechanisms. The proposed vision for Greater Christchurch set out by the UDS is:

*'By the year 2041, Greater Christchurch has a vibrant inner city and suburban centres surrounded by thriving rural communities and towns, connected by efficient and sustainable infrastructure. There are a wealth of public spaces ranging from bustling inner city streets to expansive open spaces and parks, which embrace natural systems, landscapes and heritage. Innovative businesses are welcome and can thrive supported by a wide range of attractive facilities and opportunities. Prosperous communities can enjoy a variety of lifestyles in good health and safety, enriched by the diversity of cultures and the beautiful environment of Greater Christchurch.'*

The Strategy provides a broad settlement pattern for Greater Christchurch over 35 years, including:

- Identifying where a variety of future homes, such as central city apartments, town houses and family-sized houses, are best located;
- Providing a living environment that supports healthy communities;
- Ensuring residents have easy access to shopping, health, education and community services;
- Providing a range of transport choices, including public transport, cycling and walking;
- Developing new and expanding existing business centres and employment areas; and
- Ensuring these areas are well connected to wider road and rail networks.

The Strategy encourages the Strategic Partners of Christchurch City Council, Environment Canterbury, Selwyn District Council, Waimakariri District Council, the NZ Transport Agency and Te Runanga o Ngai Tahu (TRONT), together with communities, business, Central Government and non-government agencies, to work collaboratively to manage growth to conserve or enhance precious resources and environments, while allowing growth to build vibrant and prosperous towns and suburbs that help support a growing healthy city.

Priority Action 6 seeks to ensure that transport planning is undertaken in a timely and integrated fashion with land-use planning.

Section 6.21 notes that: *'Transport is the most significant area of infrastructure provision given its large public and private costs, contribution to economic performance of the region, influence on urban form, and other social and environmental effects'*. Transport is identified by the UDS as being fundamental to the quality of life in Greater Christchurch by providing access to education, employment, services and recreational opportunities, as well as the movement of freight. In view of this, it is anticipated by the UDS that: *'Road infrastructure will continue to be very important in the future, albeit there will be a change to better integrated development of corridors catering for all modes of travel and reflecting adjacent land uses'*.

Transport is one of the key aspects underpinning the UDS, and it highlights the importance of integrating land use development with the transport system. Traffic volumes are expected to increase by 40% - 50% by 2021 and the UDS recognises this could have a number of adverse consequences for Greater Christchurch if the transport network is not managed and developed accordingly.

The 'Key Approaches' section of the UDS (Section 6.21) includes a number of goals to secure the Transport Vision. These include:

- The principles of sustainability, integration, safety, responsiveness and targeted investment underpin all activities in the transport system.
- Protect and secure the future strategic transport corridors for the continued efficient operation of road and rail transport.
- Develop and manage key inter and intra-regional corridors to manage the transport network.
- Provide transport infrastructure and services to ensure a multi-modal transport system that enable a range of transport mode choices.
- Develop transport modes based on their ability to meet functional objectives – to meet levels of demand and travel patterns in an affordable and sustainable manner.

The city centre, Lyttelton Port and Christchurch International Airport are noted as key economic hubs for the region with a need to provide efficient transport access to these destinations. Lyttelton Port and Christchurch International Airport are also cited as key import and export hubs for the area, region and the South Island. There is a need to ensure that efficient transport access to, from and between these two facilities is maintained and enhanced through improved road and rail networks. The proposed CSM2 and MSRFL are essential items of transport infrastructure to facilitate this development.

### 8.13 South–West Christchurch Area Plan (2009)

The South-West Christchurch Area Plan (SWAP) was developed by Christchurch City Council in April 2009 to provide a planning framework to manage the effects of projected urban growth upon the environment, infrastructure and communities.

The south-west area of Christchurch City is identified as a major urban growth area, with 12,000 new houses and approximately 200ha of industrial expansion forecast for the area by 2041.

The SWAP establishes the following vision for the area:

*“South-West Christchurch is a unique and prosperous environment, where nature and people interact and thrive”.*

The SWAP sets out goals and objectives to meet this vision and in so doing, integrates land-use planning with key infrastructure projects, such as the major sewer upgrade, strategic roading projects and community facilities.

Improving water quality and the management of flooding is cited as a key issue to be addressed within the SWAP area. Goal 1 seeks to provide a high quality naturalised water environment across the South-West of the city. With respect to the management of flood risk in new development, this is to be achieved by ensuring that stormwater mitigation facilities are established prior to building development within the contributing catchment (Objective 1.2) and that opportunities are identified to maximise soakage to ground opportunities and pervious surfaces in new urban developments, including the road network, to increase groundwater recharge (Objective 1.7).

Transportation is also cited as a key issue. Whilst recognising the requirement to address alternative transport modes to the private vehicle, the key issues section of the document states that *'the roading network needs to be upgraded and extended to provide access into new growth areas, provide for the efficient movement of people, goods and freight, and ensure safety standards are maintained'*.

- Goal 11 seeks to provide a transportation system that gives priority to active and energy-efficient ways of travel and minimises its effects on the environment. Objective 11.1 seeks to: Establish direct connections between business centres, neighbourhoods and major public open spaces;
- Provide a legible and connected road hierarchy that supports the movement of people and goods within and across the area.

## 8.14 Proposed National Policy Statement on Indigenous Biodiversity (under preparation)

The Proposed National Policy Statement on Indigenous Biodiversity (the proposed NPS) was publicly notified on 29 January 2011. Submissions closed on 2 May 2011. The Ministry for the Environment is currently preparing a report and recommendations on the proposed National Policy Statement for the consideration of the Minister for the Environment.

The proposed NPS seeks to promote the maintenance of indigenous biodiversity while recognising the rights and responsibilities of landowners and the interests of Māori

Reference	Provision
NPS IB Objective	<p>To promote the maintenance of indigenous biological diversity by protecting areas of significant indigenous vegetation and significant habitats of indigenous fauna, and to encourage protection and enhancement of biodiversity values more broadly while:</p> <ul style="list-style-type: none"> <li>• supporting best practice of local authorities</li> <li>• recognising the positive contribution of landowners as guardians/kaitiaki of their land</li> <li>• recognising that the economic, social and cultural well-being of people and communities depends on, amongst other things, making reasonable use of land</li> </ul>

Reference	Provision
NPS IB Policy 1	For the purpose of this national policy statement, an area of significant indigenous vegetation or a significant habitat of indigenous fauna is an area or habitat whose protection is important for the maintenance of indigenous biological diversity
NPS IB Policy 2	<p>In considering the effects of any matter, local authorities shall, in addition to any area of significant indigenous vegetation or a significant habitat of indigenous fauna identified in, or by, provisions of any relevant regional policy statement, or regional or district plan, regard the following as significant indigenous vegetation or significant habitat of indigenous fauna:</p> <ul style="list-style-type: none"> <li>a. the naturally uncommon ecosystem types listed in Schedule One</li> <li>b. indigenous vegetation or habitats associated with sand dunes</li> <li>c. indigenous vegetation or habitats associated with wetlands</li> <li>d. land environments, defined by Land Environments of New Zealand at Level IV (2003), that have 20 per cent or less remaining in indigenous vegetation cover</li> <li>e. habitats of threatened and at risk species</li> </ul>
NPS IB Policy 5	<p>In addition to the inclusion in plans of any other provisions that the plan has or is required to have relating to section 6(c) of the Act, local authorities must manage the effects of activities through district and relevant regional plans (or be satisfied that the effects are managed by methods outside of district or regional plans) to ensure 'no net loss' of biodiversity of areas of significant indigenous vegetation and significant habitats of indigenous fauna by:</p> <ul style="list-style-type: none"> <li>a. avoiding adverse effects</li> <li>b. where adverse effects cannot be avoided, ensuring remediation</li> <li>c. where adverse effects cannot be remedied, ensuring mitigation</li> <li>d. where adverse effects cannot be adequately mitigated, ensuring any residual adverse effects that are more than minor, are offset in accordance with the principles set out in Schedule 2.</li> </ul> <p>For the avoidance of doubt, in accordance with the principles of Schedule 2, there are limits to what can be offset because some vegetation or habitat and associated ecosystems, is vulnerable or irreplaceable. In such circumstances off-setting will not be possible and local authorities will need to take full account of residual adverse effects in decision-making processes.</p>

Reference	Provision
NPS IB Policy 6	<p>To promote the maintenance of biodiversity outside of identified areas of significant indigenous vegetation and significant habitats of indigenous fauna, and to support the resilience and viability of populations and species assemblages within identified areas and habitats, decision-makers should:</p> <ol style="list-style-type: none"> <li>a. recognise the contribution that all remaining areas of indigenous vegetation make to the maintenance of indigenous biodiversity and encourage the retention of as many elements as possible</li> <li>b. recognise the full range of potential adverse effects on indigenous biodiversity including, but not limited to, population fragmentation, degradation of non-living components (eg, water and soil), interruption to breeding cycles and migratory pathways, and increased exposure to invasive introduced plant and animal species that pose a threat to indigenous biodiversity.</li> <li>c. encourage the retention of existing vegetation, whether indigenous or not (but not including recognised pest plants), that provides: <ol style="list-style-type: none"> <li>i. habitat for indigenous species</li> <li>ii. seasonal food sources for indigenous species</li> <li>iii. ecological linkage between areas and habitats identified in accordance with Policy 4</li> <li>iv. a buffer to indigenous vegetation for areas and habitats identified in accordance with Policy 4</li> </ol> </li> <li>d. when the retention of existing vegetation and habitat will not achieve sustainable management, encourage measures that mitigate and offset adverse effects on indigenous species during, and subsequent to, removal or modification of that vegetation or habitat through harvest or clearance or other activity that may threaten the survival of affected species populations</li> <li>e. encourage the planting of naturally occurring, locally sourced indigenous species and the creation of habitats for indigenous species as well as plant and animal pest control</li> <li>f. encourage the establishment of additional indigenous riparian vegetation as a means of increasing connectivity and enhancing freshwater habitat for indigenous species</li> <li>g. ensure human-made structures do not adversely impact on indigenous species by interfering with their natural migratory movements</li> <li>h. consider both regulatory incentives (such as bonus development rights in exchange for protection and enhancement of vegetation and habitats) and non-regulatory incentives, (such as technical advice and practical help) to support and encourage landowners to make appropriate land management decisions.</li> </ol>

Reference	Provision
NPS IB Policy 7	<p>To recognise and provide for the role of tangata whenua as kaitiaki, when developing and implementing regional policy statements and regional and district plans local authorities shall provide for:</p> <ol style="list-style-type: none"> <li>a. tangata whenua values and interests to be incorporated in to the management of biodiversity</li> <li>b. consultation with tangata whenua regarding the means of protecting and enhancing areas and habitats identified in accordance with Policy 4 that have particular significance to tangata whenua</li> <li>c. active involvement of tangata whenua in the protection of cultural values associated with indigenous biological diversity</li> <li>d. customary use of indigenous biodiversity according to tikanga.</li> </ol>

## 8.15 Wildlife Act 1953

The Wildlife Act 1953 deals with the protection and control of wild animals and birds and the management of game. Permits are necessary to deal with certain wildlife. Most species of wildlife (including mammals, birds, reptiles and amphibians), native or introduced, are absolutely protected under the Act. No-one may kill or have in their possession any such bird or animal, unless they have a permit.

All native lizard species are protected by the Wildlife Act 1953. Lizards cannot be disturbed, injured or killed without a Wildlife Permit from the Department of Conservation. A wildlife permit will need to be obtained from the Department of Conservation to disturb (capture and relocate) lizards and for the unintentional killing or injury of lizards as a result of the earthworks associated with the Project alignment passing through their habitat.

## 8.16 Selwyn District Council Water Race Bylaw (2008)

The Selwyn District Council Water Race Bylaw (the Bylaw) came into effect in July 2008. The activities governed by the Bylaw include the taking, use, damming and diversion of water. This Bylaw applies throughout the Selwyn District and includes properties that are rated for stockwater outside of the Selwyn District boundary.

The following activities are prohibited without prior approval from the Council:

- Obstructing the flow in a water race (Paragraph 8.7);
- Taking or diverting water from a water race (Paragraph 8.10);
- Interfering with any water gate or apparatus that may cause the supply of water from a water race to be increased or decreased (Paragraph 8.12);

- Widening, deepening or altering the course of any water race (Paragraph 8.14);
- The removal, displacement, alteration, damage or interference with any bank, dam, flume, bridge, gauge, meter, reservoir, pipe or other work used in supplying or distributing water from any water race (Paragraph 8.17);
- Disturbing the ground so as to uncover any culverts belonging to any water race or lengthening and decreasing the length of any culvert (paragraph 8.18).

Agreement from SDC will need to be sought under this Bylaw for the diversion of water races required for the Project.

## 8.17 Freshwater Fisheries Regulations 1983

These regulations address licencing, fish passage, use of electric fishing machines and fish management amongst other matters. This may be relevant to the Project if stranded fish are required to be removed and relocated as a result of diversions and closures of stock water races.