



Appendix 23: Assessment of Relevant Planning Provisions



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Note: The planning documents and provisions of principle relevance to this application are set out in the tables below. Relevant provisions are listed and assessed in black text. Provisions that have been considered but are not relevant in the circumstances of this application are shown in grey text for completeness.



Statutory Provisions Assessment

National Planning Instruments

The National Policy Statement for Freshwater Management 2020 (NPS-FM)

Objectives and Policies

2.1 Objective

- (1) *The objective of this National Policy Statement is to ensure that natural and physical resources are managed in a way that prioritises:*
- (a) *first, the health and well-being of water bodies and freshwater ecosystems*
 - (b) *second, the health needs of people (such as drinking water)*
 - (c) *third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.*

2.2 Policies

- 1: *Freshwater is managed in a way that gives effect to Te Mana o te Wai.*
- 2: *Tangata whenua are actively involved in freshwater management (including decision-making processes), and Māori freshwater values are identified and provided for.*
- 3: *Freshwater is managed in an integrated way that considers the effects of the use and development of land on a whole-of-catchment basis, including the effects on receiving environments.*
- 4: *Freshwater is managed as part of New Zealand's integrated response to climate change.*
- 5: *Freshwater is managed through a National Objectives Framework to ensure that the health and well-being of degraded water bodies and freshwater ecosystems is improved, and the health and well-being of all other water bodies and freshwater ecosystems is maintained and (if communities choose) improved.*
- 6: *There is no further loss of extent of natural inland wetlands, their values are protected, and their restoration is promoted.*
- 7: *The loss of river extent and values is avoided to the extent practicable.*
- 8: *The significant values of outstanding water bodies are protected.*
- 9: *The habitats of indigenous freshwater species are protected.*
- 10: *The habitat of trout and salmon is protected, insofar as this is consistent with Policy 9.*
- 11: *Freshwater is allocated and used efficiently, all existing over-allocation is phased out, and future over-allocation is avoided.*
- 12: *The national target (as set out in Appendix 3) for water quality improvement is achieved.*
- 13: *The condition of water bodies and freshwater ecosystems is systematically monitored over time, and action is taken where freshwater is degraded, and to reverse deteriorating trends.*
- 14: *Information (including monitoring data) about the state of water bodies and freshwater ecosystems, and the challenges to their health and well-being, is regularly reported on and published.*
- 15: *Communities are enabled to provide for their social, economic, and cultural well-being in a way that is consistent with this National Policy Statement.*

Assessment of Provisions

The New Zealand National Policy Statement for Freshwater Management 2020 (NPS-FM) provides direction for local authorities on managing freshwater under the Resource Management Act 1991. It emphasises the concept of Te Mana o te Wai, which prioritizes the health and well-being of water bodies, followed by the essential needs of people, and then other uses.



Its objectives and policies are concerned with:

- **Prioritising Water Health:** Ensuring the health and well-being of water bodies is prioritised.
- **Improving Water Quality:** Improving degraded water bodies and maintaining or improving all others using defined bottom lines.
- **Involving Tangata Whenua:** Involving tangata whenua and communities in setting long-term visions for freshwater management.
- **National Objectives Framework:** Expanding the framework to include values like threatened species and mahinga kai, alongside ecosystem and human health.
- **Avoiding Degradation:** Avoiding further loss or degradation of wetlands and streams, and encouraging their restoration.
- **Monitoring and Reporting:** Monitoring freshwater annually and publishing a synthesis report every five years.

These policies aim to ensure sustainable and equitable management of freshwater resources, balancing ecological health with human needs. Policy 3.24 of the NPS-FM is relevant, requiring the avoidance of any loss of river extent or values. The application includes an aquatic ecology assessment which identifies a single artificial watercourse on site with low ecological value. Originally part of the water race network, this feature has been heavily modified and now functions as an ornamental pond.

The watercourse has no functional role in the development and will be removed. Provided works are isolated and a fish salvage is undertaken by a qualified ecologist, no adverse effects on the broader water race network are expected. To mitigate the loss, a five-metre riparian setback with native planting is proposed along the adjacent Barters Road water race. With this mitigation, ecological effects are expected to be very low.

A *potential* (but unlikely and not confirmed) induced wetland has also been identified by the ecological assessment and a condition of consent proposed to preclude development of this part of the site until the necessary assessment has been undertaken. It is relevant that the government is currently consulting on a proposal to amend the definition of 'natural inland wetlands' to remove 'induced wetlands' so that they are not subject to the controls under this NPS or the NES for Freshwater.

Accounting for the findings in the technical assessments on water quality, engagement with tangata whenua and the assessment of equivalent provisions concerned with freshwater in other statutory planning documents, the proposal is assessed as being consistent with the sole objective of this National Policy Statement and its associated policies.

National Policy Statement for Indigenous Biodiversity 2023 (NPS-IB)

Objectives and Policies

2.1 Objective

(1) *The objective of this National Policy Statement is:*

- (a) *to maintain indigenous biodiversity across Aotearoa New Zealand so that there is at least no overall loss in indigenous biodiversity after the commencement date; and*
- (b) *to achieve this:*
 - (i) *through recognising the mana of tangata whenua as kaitiaki of indigenous biodiversity; and*



- (ii) *by recognising people and communities, including landowners, as stewards of indigenous biodiversity; and*
- (iii) *by protecting and restoring indigenous biodiversity as necessary to achieve the overall maintenance of indigenous biodiversity; and*
- (iv) *while providing for the social, economic, and cultural wellbeing of people and communities now and in the future.*

2.2 Policies

Policy 1: Indigenous biodiversity is managed in a way that gives effect to the decision-making principles and takes into account the principles of the Treaty of Waitangi.

Policy 2: Tangata whenua exercise kaitiakitanga for indigenous biodiversity in their rohe, including through:

- (a) *managing indigenous biodiversity on their land; and*
- (b) *identifying and protecting indigenous species, populations and ecosystems that are taonga; and*
- (c) *actively participating in other decision-making about indigenous biodiversity.*

Policy 3: A precautionary approach is adopted when considering adverse effects on indigenous biodiversity.

Policy 4: Indigenous biodiversity is managed to promote resilience to the effects of climate change.

Policy 5: Indigenous biodiversity is managed in an integrated way, within and across administrative boundaries.

Policy 6: Significant indigenous vegetation and significant habitats of indigenous fauna are identified as SNAs using a consistent approach.

Policy 7: SNAs are protected by avoiding or managing adverse effects from new subdivision, use and development.

Policy 8: The importance of maintaining indigenous biodiversity outside SNAs is recognised and provided for.

Policy 9: Certain established activities are provided for within and outside SNAs.

Policy 10: Activities that contribute to New Zealand's social, economic, cultural, and environmental wellbeing are recognised and provided for as set out in this National Policy Statement.

Policy 11: Geothermal SNAs are protected at a level that reflects their vulnerability, or in accordance with any pre-existing underlying geothermal system classification.

Policy 12: Indigenous biodiversity is managed within plantation forestry while providing for plantation forestry activities.

Policy 13: Restoration of indigenous biodiversity is promoted and provided for.

Policy 14: Increased indigenous vegetation cover is promoted in both urban and nonurban environments.

Policy 15: Areas outside SNAs that support specified highly mobile fauna are identified and managed to maintain their populations across their natural range, and information and awareness of highly mobile fauna is improved.

Policy 16: Regional biodiversity strategies are developed and implemented to maintain and restore indigenous biodiversity at a landscape scale.

Policy 17: There is improved information and regular monitoring of indigenous biodiversity.

Assessment of Provisions

The New Zealand National Policy Statement for Indigenous Biodiversity (NPSIB) aims to protect and restore the country's unique indigenous biodiversity. It provides direction to local authorities on how to identify, maintain, and protect significant natural areas and manage the adverse effects of activities on them.

It's objectives and policies are concerned with:

- **Protecting Indigenous Biodiversity:** Ensuring no further loss of indigenous biodiversity and promoting its restoration.
- **Identifying Significant Natural Areas (SNAs):** Councils must identify and protect areas with significant indigenous biodiversity.



- **Partnership with Tangata Whenua:** Working in partnership with tangata whenua to incorporate mātauranga Māori (Māori knowledge) in biodiversity management.
- **Managing Adverse Effects:** Managing the adverse effects of new activities on indigenous biodiversity.
- **Promoting Restoration:** Encouraging the restoration of indigenous biodiversity and vegetation cover.
- **Monitoring and Reporting:** Councils are required to monitor indigenous biodiversity and report on its state.

These policies aim to halt the decline of indigenous species and ecosystems, ensuring their protection and restoration for future generations.

Whilst the site is highly modified and dominated by exotic pasture grasses, crops and trees and considered to be of low ecological value, the exotic vegetation on site does provide habitat for indigenous fauna, including 'At Risk' lizard as well as the potential for invertebrate and bird species. At Risk skink are present, and therefore the site is considered ecologically significant under the NPS-IB (and CRPS) criteria although only some habitats on the site support these species.

A full range of effects of the proposed development have been considered by the applicant, including disturbance during earthworks and construction, and ongoing effects such as habitat loss and fragmentation. The applicant's ecological advisors acknowledge that avoidance is not always possible due to subdivision design and engineering constraints. However additional mitigation recommendations are proposed, including planted and enhanced corridors through the site to benefit skinks and invertebrates and it is concluded that these mitigations will ensure that the potential effects will be acceptable overall.

Accounting for the findings in the assessments of ecology and biodiversity effects engagement with tangata whenua, and the assessment of equivalent provisions concerned with indigenous biodiversity in other statutory planning documents, the proposal is assessed as being consistent with the sole objective of this National Policy Statement and its associated policies with the mitigations proposed.

The National Policy Statement for Highly Productive Land 2022 (NPS-HPL)

Objectives and Policies

2.1 Objective

Objective: Highly productive land is protected for use in land-based primary production, both now and for future generations.

2.2 Policies

Policy 1: Highly productive land is recognised as a resource with finite characteristics and long-term values for land-based primary production.

Policy 2: The identification and management of highly productive land is undertaken in an integrated way that considers the interactions with freshwater management and urban development.

Policy 3: Highly productive land is mapped and included in regional policy statements and district plans.

Policy 4: The use of highly productive land for land-based primary production is prioritised and supported.

Policy 5: The urban rezoning of highly productive land is avoided, except as provided in this National Policy Statement.

Policy 6: The rezoning and development of highly productive land as rural lifestyle is avoided, except as provided in this National Policy Statement.

Policy 7: The subdivision of highly productive land is avoided, except as provided in this National Policy Statement.

Policy 8: Highly productive land is protected from inappropriate use and development.

Policy 9: Reverse sensitivity effects are managed so as not to constrain land-based primary production activities on highly productive land.



Assessment of Provisions

The New Zealand National Policy Statement for Highly Productive Land 2022 (NPS-HPL) aims to protect highly productive land for use in land-based primary production, ensuring its availability for future generations.

Its objectives and policies are concerned with:

- **Protecting Highly Productive Land:** Recognising and protecting highly productive land as a valuable resource with finite characteristics and protecting it from inappropriate use, subdivision and development.
- **Restricting Urban Rezoning:** Avoiding the rezoning of highly productive land for urban or rural lifestyle purposes, except in the circumstances provided for by the NPS-HPL.
- **Identifying and Mapping:** Councils must identify and map highly productive land in regional policy statements and district plans.
- **Managing Adverse Effects:** Managing the adverse effects of activities on highly productive land to ensure its sustainable use.
- **Supporting Productive Use:** Encouraging the appropriate use of highly productive land for primary production.
- **Partnership with Tangata Whenua:** Involving tangata whenua in the management and decision-making processes regarding highly productive land.

Under the NPS-HPL, urban rezoning is restricted, and the subdivision and inappropriate use of highly productive land is generally to be avoided, except under limited circumstances.

It requires regional councils to identify and map highly productive land (**HPL**) in their Regional Policy Statements (RPS) within three years of the NPS coming into force (i.e. by 17 October 2025). To date, the Canterbury Regional Council (Environment Canterbury) has not finalised this mapping, because the Canterbury Regional Policy Statement (CRPS) review process is on hold. However, it is highly significant that the Regional Council has released *draft* maps of HPL that identifies the subject land as **not** being highly productive¹.

Transitional definition of HPL

Until the CRPS is formally updated to include mapped areas of highly productive land, however, the NPS-HPL requires councils to treat land as highly productive if the land:

- *is zoned general or rural production; and*
- *is classified as Land Use Capability (LUC) classes 1, 2 or 3²;*

Provided the land is not:

- (a) *Identified for future urban development; or*
- (b) *Subject to a council initiated, or an adopted, notified plan change to rezone it from general rural or rural production to urban or rural production.*

¹ [Draft CRPS planning maps](#)

² Note the current government has commenced consultation on a proposal to remove LUC 3 from the NPS-HPL.



The land at Pound Road is zoned Rural Urban Fringe (Ru-UF) under the Christchurch District Plan and is classified as Land Use Capability (LUC) Class 2 land under the LUC land mapping and classification system. It is neither identified for future urban development nor subject to a council initiated or adopted, notified plan change for rezoning. The key outstanding question is whether the land is zoned General Rural or Rural Production. This assessment is complicated by the fact that the Christchurch City Council (CCC) has not yet fully implemented the government's National Planning Standards, which require the use of standardised zone names like General Rural and Rural Production³.

For councils that have not yet fully implemented the National Planning Standards, the NPS-HPL directs that they must determine the "nearest equivalent zone" and apply the HPL policies accordingly. Legal advice provided as Appendix 24 of the AEE concludes that the site not zoned General Rural or Rural Production and that, therefore, **the provisions of the NPS-HPL do not apply to this application**. Notwithstanding this advice, an assessment against the NPS-HPL has been undertaken; to inform an assessment in the event that the Fast-track Panel assesses the land as General Rural or Rural Production zone. That assessment is set out below.

HPL Assessment

The NPS-HPL recognises that there are circumstances where rezoning, subdivision, use and development of HPL is justified. The relevant provisions to inform consideration of those activities are:

Type of Application	Policies	Implementing clauses
Rezoning plan change	1, 2, 4, 9 (for all rezoning) 5 (for urban rezoning)	3.3 – Tangata whenua input 3.5(6) and (7) – transitional definition of HPL 3.6 – Urban rezoning of HPL 3.10 – Exemptions for permanent or long-term constraints
Subdivision consent	1, 2, 4, 6, 7, 9	3.5(6) and (7) – transitional definition of HPL 3.8 – Avoiding subdivision of HPL 3.10 – Exemptions for permanent or long-term constraints
Land use consent	1, 2, 4, 6, 8, 9.	3.5(6) and (7) – transitional definition of HPL 3.9 – Protecting HPL from inappropriate use and development 3.10 – Exemptions for permanent or long-term constraints
Source: Ministry for the Environment (2022) "NPS-HPL Guide to Implementation" page 8.		

³ Essentially a set of nationally consistent zone names and descriptions. CCC must implement the new zone framework by November 2026.



Whilst this application seeks consent for urban activity (subdivision and land use), rather than 'urban rezoning' *per se*, the implementation provisions in the NPS-HPL concerned with rezoning provide relevant guidance to this application (insofar that it proposes to urbanise rural land akin to a rezoning). NPS-HPL implementing clause 3.6 says that territorial authorities may allow urban rezoning of HPL if:

- (a) the urban rezoning is required to provide sufficient development capacity to meet demand for housing or business land to give effect to the National Policy Statement on Urban Development 2020; and*
- (b) there are no other reasonably practicable and feasible options for providing at least sufficient development capacity within the same locality and market while achieving a well-functioning urban environment; and*
- (c) the environmental, social, cultural and economic benefits of rezoning outweigh the long-term environmental, social, cultural and economic costs associated with the loss of highly productive land for land-based primary production, taking into account both tangible and intangible values..*

Regarding these criteria, the Economic (**Appendix 16**) and Industrial Land Market Assessments (**Appendix 17**) conclude that:

- (a) the urban development of the land is required to provide sufficient development capacity to meet demand for business land to give effect to the National Policy Statement on Urban Development 2020; and*
- (b) there are no other reasonably practicable and feasible options for providing at least sufficient development capacity within the same locality and market while achieving a well-functioning urban environment. The two potential alternative options identified comprise small, isolated sites that would not address the identified industrial land shortfall and one is classified as more productive (and less preferable) Land Use Class 1 land. It is noted that there are no alternative options within 'the same locality and market' in existing or notified planning documents; and*
- (c) the environmental, social, cultural and economic benefits of rezoning outweigh the long-term environmental, social, cultural and economic costs associated with the loss of highly productive land for land-based primary production, taking into account both tangible and intangible values (as demonstrated through the assessment of effects, and the economics assessment especially).*

Accounting for the above, the urbanisation of highly productive land proposed in the circumstances of this application is considered to be consistent with that envisaged for urban rezoning, (per clause 3.6 of the National Policy Statement).

In addition, the proposal meets the exception tests for subdivision and land use activities set out in implementing Clause 3.10. Clause 3.10 states that:

Territorial authorities may only allow HPL to be subdivided, used or developed for activities not otherwise enabled under clauses 3.7, 3.8 or 3.9, if satisfied that:

- (a) There are permanent or long-term constraints on the land that mean the use of the highly productive land for land-based primary production is not able to be economically viable for at least 30 years; and*
- (b) The subdivision, use or development;*
 - (i) avoids any significant loss (either individually or cumulatively) of productive capacity of HPL in the district; and*
 - (ii) avoids the fragmentation of large and geographically cohesive areas of HPL; and*



(iii) avoids if possible, or otherwise mitigates, any potential reverse sensitive effects on surrounding land-based primary production from the subdivision, use or development; and

(c) The environmental, social, cultural and economic benefits of the subdivision, use, or development outweigh the long-term environmental, social, cultural and economic costs associated with the loss of HPL for land-based

The assessment of the site's Highly Productive Land and Soils (**Appendix 20**) confirms:

- The site is not HPL under either the transitional definition or as preliminarily identified by the regional council in its draft HPL maps.
- There are multiple long-term constraints on the capacity of the site to support primary production activities, including a lack of water for irrigation; and
- The proposed development has positive benefits on the environment, because discharges of contaminants and potential adverse impacts on groundwater would be minimised by the development proposal.

It is concluded that the proposed development of the site is appropriate and will not compromise the availability or use of highly productive land for land-based primary production, both now and in the future.

The National Policy Statement on Urban Development 2020 (NPS-UD)

Objectives and Policies

2.1 Objectives

- 1: *New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.*
- 2: *Planning decisions improve housing affordability by supporting competitive land and development markets.*
- 3: *Regional policy statements and district plans enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply:*
 - (a) *the area is in or near a centre zone or other area with many employment opportunities*
 - (b) *the area is well-served by existing or planned public transport*
 - (c) *there is high demand for housing or for business land in the area, relative to other areas within the urban environment.*
- 4: *New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations.*
- 5: *Planning decisions relating to urban environments, and FDSs, take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).*
- 6: *Local authority decisions on urban development that affect urban environments are:*
 - (a) *integrated with infrastructure planning and funding decisions; and*
 - (b) *strategic over the medium term and long term; and*
 - (c) *responsive, particularly in relation to proposals that would supply significant development capacity.*
- 7: *Local authorities have robust and frequently updated information about their urban environments and use it to inform planning decisions.*

2.2 Policies

- 1: *Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:*
 - (a) *have or enable a variety of homes that:*



-
- (i) *meet the needs, in terms of type, price, and location, of different households; and*
 - (ii) *enable Māori to express their cultural traditions and norms; and*
 - (b) *have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and*
 - (c) *have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and*
 - (d) *support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and*
 - (e) *support reductions in greenhouse gas emissions; and*
 - (f) *are resilient to the likely current and future effects of climate change.*
- 2: *Tier 1, 2, and 3 local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term.*
- 3: *In relation to tier 1 urban environments, regional policy statements and district plans enable:*
- (a) *in city centre zones, building heights and density of urban form to realise as much development capacity as possible, to maximise benefits of intensification; and*
 - (b) *in metropolitan centre zones, building heights and density of urban form to reflect demand for housing and business use in those locations, and in all cases building heights of at least 6 storeys; and*
 - (c) *building heights of at least 6 storeys within at least a walkable catchment of the following:*
 - (i) *existing and planned rapid transit stops*
 - (ii) *the edge of city centre zones*
 - (iii) *the edge of metropolitan centre zones; and*
 - (d) *within and adjacent to neighbourhood centre zones, local centre zones, and town centre zones (or equivalent), building heights and densities of urban form commensurate with the level of commercial activity and community services.*
- 4: *Regional policy statements and district plans applying to tier 1 urban environments modify the relevant building height or density requirements under Policy 3 only to the extent necessary (as specified in subpart 6) to accommodate a qualifying matter in that area.*
- 5: *Regional policy statements and district plans applying to tier 2 and 3 urban environments enable heights and density of urban form commensurate with the greater of:*
- (a) *the level of accessibility by existing or planned active or public transport to a range of commercial activities and community services; and*
 - (b) *relative demand for housing and business use in that location.*
- (6) *When making planning decisions that affect urban environments, decision-makers have particular regard to the following matters:*
- (a) *the planned urban built form anticipated by those RMA planning documents that have given effect to this National Policy Statement*
 - (b) *that the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes:*
 - (i) *may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types; and*
 - (ii) *are not, of themselves, an adverse effect*
 - (c) *the benefits of urban development that are consistent with well-functioning urban environments (as described in Policy 1)*
 - (d) *any relevant contribution that will be made to meeting the requirements of this National Policy Statement to provide or realise development capacity*
 - (e) *the likely current and future effects of climate change.*
- 7: *Tier 1 and 2 local authorities set housing bottom lines for the short-medium term and the long term in their regional policy statements and district plans.*
- 8: *Local authority decisions affecting urban environments are responsive to plan changes that would add significantly to development capacity and contribute to well-functioning urban environments, even if the development capacity is:*
- (a) *unanticipated by RMA planning documents; or*
 - (b) *out-of-sequence with planned land release.*
-



- 9: *Local authorities, in taking account of the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) in relation to urban environments, must:*
- (a) *involve hapū and iwi in the preparation of RMA planning documents and any FDSs by undertaking effective consultation that is early, meaningful and, as far as practicable, in accordance with tikanga Māori; and*
 - (b) *when preparing RMA planning documents and FDSs, take into account the values and aspirations of hapū and iwi for urban development; and*
 - (c) *provide opportunities in appropriate circumstances for Māori involvement in decision-making on resource consents, designations, heritage orders, and water conservation orders, including in relation to sites of significance to Māori and issues of cultural significance; and*
 - (d) *operate in a way that is consistent with iwi participation legislation.*
- 10: *Tier 1, 2, and 3 local authorities:*
- (a) *that share jurisdiction over urban environments work together when implementing this National Policy Statement; and*
 - (b) *engage with providers of development infrastructure and additional infrastructure to achieve integrated land use and infrastructure planning; and*
 - (c) *engage with the development sector to identify significant opportunities for urban development.*
- 11: *In relation to car parking:*
- (a) *the district plans of tier 1, 2, and 3 territorial authorities do not set minimum car parking rate requirements, other than for accessible car parks; and*
 - (b) *tier 1, 2, and 3 local authorities are strongly encouraged to manage effects associated with the supply and demand of car parking through comprehensive parking management plans.*

Assessment of Provisions

The New Zealand National Policy Statement on Urban Development 2020 (NPS-UD), updated in May 2022, aims to ensure that New Zealand's towns and cities are well-functioning urban environments. It sets out objectives and policies to support urban growth and development, addressing the needs of diverse communities.

Its objectives and policies broadly seek:

- **Well-Functioning Urban Environments:** Ensuring urban areas enable social, economic, and cultural well-being, and provide for health and safety.
- **Housing Affordability:** Improving housing affordability by supporting competitive land and development markets.
- **Removing Barriers to Development:** Reducing overly restrictive barriers to allow growth both upwards and outwards in areas with good access to services, public transport, and infrastructure.
- **Sufficient Development Capacity:** Providing sufficient development capacity to meet the diversity of needs of people and communities for housing and business land.
- **Responsive Planning:** Ensuring planning decisions are responsive to proposals that would supply significant development capacity and support well-functioning urban environments.

The specific objectives and policies of particular relevance to this application:

- Seek a well-functioning urban environment (Objective 1), as defined by Policy 1. This will be achieved as demonstrated by the assessment of effects and otherwise noting that the proposal will provide for a compact urban form, contiguous with the existing urban area of Christchurch, close to large markets for goods and labour. The site is able to be serviced adequately and will allow for both land use and transport efficiencies, noting the site's proximity to strategic transport routes.



- Recognise that urban environments, including their amenity values, develop and change over time (Objective 4). 'Urban environments' as referred to in the NPS-UD include the rural areas and zones within the Greater Christchurch urban environment, including the subject land. The application proposes an extension to the existing urban environment of Christchurch, an outcome anticipated by the NPS-UD through Policy 8 and Clause 3.8.
- Seek that local authority decisions on urban development are: integrated with infrastructure planning and funding decisions; strategic over the medium term and long term; and responsive, particularly in relation to proposals that would supply significant development capacity (Objective 6). The assessment of effects and associated technical reports have demonstrated that the development can be effectively serviced for water-supply, wastewater and stormwater (Appendix 12) and transport infrastructure (Appendix 30), will offer strategic benefits (in terms of industrial land supply and demand in this particular locality and market; and in terms of integration with the existing urban area) without any costs or strategic risks. The proposal will deliver industrial development capacity that is significant in economic terms and in terms of development capacity accounting for the current shortfall in supply for this locality and market.
- That planning decisions must contribute to well-functioning urban environments (Policy 1). Policy 1 defines a well-functioning urban environment as an urban environment that, among other matters less relevant to this application, provides for good accessibility for all people between housing, jobs, community services, natural spaces, and open space; and which 'have or enable a variety of sites that are suitable for different business sectors in terms of location and site size'. The assessment of effects and economic and industrial land market assessments demonstrate that the proposal contributes to a well-functioning Christchurch urban environment. The Urban Design and Landscaping assessment (Appendix 11) similarly describes how the proposal will achieve a quality industrial land subdivision, appropriate to its context.
- Local authorities must at all times, provide at least sufficient development capacity to meet expected demand for business land over the short term, medium term and long term (Policy 2). As described above, the economic and industrial land market assessments have identified a shortfall in development capacity for business land in this particular market and locality which the proposal will help to address.

Policy 8 of the NPS-UD is particularly notable for proposed Plan Changes. That policy states:

Policy 8: *Local authority decisions affecting urban environments are responsive to plan changes that would add significantly to development capacity and contribute to well-functioning urban environments, even if the development capacity is:*

- (a) unanticipated by RMA planning documents; or*
- (b) out-of-sequence with planned land release.*

The proposed development is unanticipated by the Christchurch District Plan, the Canterbury Regional Policy Statement and the Greater Christchurch Spatial Strategy (a Future Development Strategy under the NPS-UD), as described below in the assessment of those planning documents. However, as stated above, the proposal (while not a plan change) will add significantly to development capacity and will contribute to a well-functioning urban environment. In regards development capacity, the contribution will be significant given that the proposal will provide an additional c60ha of strategically located freehold industrial land in a highly demanded part of the city⁴. This is significant in the context of unencumbered freehold industrial land supply and demand in Christchurch generally and more particularly for the logistics sector and businesses seeking to establish with good access to the airport, Port of Lyttelton, inland port and State Highway 1.

Overall, the proposal is assessed as being consistent with the NPS-UD.

⁴ Greater Christchurch Business Land Development Capacity Assessment 2023, page 29.





Canterbury Regional Policy Statement

Chapter 5 - Land-use and Infrastructure

Objectives and Policies

5.2 OBJECTIVES

5.2.1 Location, Design and Function of Development (Entire Region)

Development is located and designed so that it functions in a way that:

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*
2. *enables people and communities, including future generations, to provide for their social, economic and cultural well-being and health and safety; and which:*
 - 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;*
 - b. *provides sufficient housing choice to meet the region's housing needs;*
 - c. *encourages sustainable economic development by enabling business activities in appropriate locations;*
 - d. *minimises energy use and/or improves energy efficiency;*
 - e. *enables rural activities that support the rural environment including primary production;*
 - f. *is compatible with, and will result in the continued safe, efficient and effective use of regionally significant infrastructure;*
 - 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;*
 - h. *facilitates the establishment of papakāinga and marae; and*
 - i. *avoids conflicts between incompatible activities.*

5.2.2 Integration of land-use and regionally significant infrastructure (Wider Region)

In relation to the integration of land use and regionally significant infrastructure:

1. *To recognise the benefits of enabling people and communities to provide for their social, economic and cultural well-being and health and safety and to provide for infrastructure that is regionally significant to the extent that it promotes sustainable management in accordance with the RMA.*
2. *To achieve patterns and sequencing of land-use with regionally significant infrastructure in the wider region so that:*
 - a. *development does not result in adverse effects on the operation, use and development of regionally significant*
 - b. *adverse effects resulting from the development or operation of regionally significant infrastructure are avoided, remedied or mitigated as fully as practicable.*
 - c. *there is increased sustainability, efficiency and liveability.*

5.2.3 Transport network (Wider Region)

A safe, efficient and effective transport system to meet local regional, inter-regional and national needs for transport, which:

1. *supports a consolidated and sustainable urban form;*
2. *avoids, remedies or mitigates the adverse effects of transport use and its provision;*
3. *provides an acceptable level of accessibility; and*
4. *is consistent with the regional roading hierarchy identified in the Regional Land Transport Strategy.*



5.3 POLICIES

5.3.1 Regional growth (Wider Region)

To provide, as the primary focus for meeting the wider region's growth needs, sustainable development patterns that:

1. ensure that any
 - a. urban growth; and
 - b. limited rural residential development occur in a form that concentrates, or is attached to, existing urban areas and promotes a coordinated pattern of development;
2. encourage within urban areas, housing choice, recreation and community facilities, and business opportunities of a character and form that supports urban consolidation;
3. promote energy efficiency in urban forms, transport patterns, site location and subdivision layout;
4. maintain and enhance the sense of identity and character of the region's urban areas; and
5. encourage high quality urban design, including the maintenance and enhancement of amenity values.

5.3.2 Development conditions (Wider Region)

To enable development including regionally significant infrastructure which:

1. ensure that adverse effects are avoided, remedied or mitigated, including where these would compromise or foreclose :
 - a. existing or consented regionally significant infrastructure;
 - b. options for accommodating the consolidated growth and development of existing urban areas;
 - c. the productivity of the region's soil resources, without regard to the need to make appropriate use of soil which is valued for existing or foreseeable future primary production, or through further fragmentation of rural land;
 - d. the protection of sources of water for community supplies;
 - e. significant natural and physical resources;
2. avoid or mitigate:
 - a. natural and other hazards, or land uses that would likely result in increases in the frequency and/or severity of hazards;
 - b. reverse sensitivity effects and conflicts between incompatible activities, including identified mineral extraction areas; and
3. integrate with:
 - a. the efficient and effective provision, maintenance or upgrade of infrastructure; and
 - b. transport networks, connections and modes so as to provide for the sustainable and efficient movement of people, goods and services, and a logical, permeable and safe transport system.

5.3.3 Management of development (Wider Region)

To ensure that substantial developments are designed and built to be of a high-quality, and are robust and resilient:

1. through promoting, where appropriate, a diversity of residential, employment and recreational choices, for individuals and communities associated with the substantial development; and
2. where amenity values, the quality of the environment, and the character of an area are maintained, or appropriately enhanced.

5.3.4 Papakāinga housing and marae (Entire Region)

To recognise that the following activities, when undertaken by tāngata whenua with mana whenua, are appropriate when they occur on their ancestral land in a manner that enhances their on-going relationship and culture and traditions with that land:

1. papakāinga housing;
2. marae; and



3. ancillary activities associated with the above;

And provide for these activities if:

4. adverse effects on the health and safety of people are avoided or mitigated; and
5. as a result of the location, design, landscaping and management of the papakāinga housing and marae:
 - a. adverse effects on the following are avoided, and if avoidance is not practicable, mitigated:
 - i. the important natural character values of coastal environment, wetlands, lakes, rivers and their margins;
 - ii. the values of the outstanding natural features and landscapes;
 - iii. the values of the historic heritage; and
 - iv. the values of areas of significant indigenous vegetation and habitats of indigenous fauna.
 - b. regard has been given to amenity values of the surrounding environment.

5.3.5 Servicing development for potable water, and sewage and stormwater disposal (Wider Region)

Within the wider region, ensure development is appropriately and efficiently served for the collection, treatment, disposal or re-use of sewage and stormwater, and the provision of potable water, by:

1. avoiding development which will not be served in a timely manner to avoid or mitigate adverse effects on the environment and human health; and
2. requiring these services to be designed, built, managed or upgraded to maximise their on-going effectiveness.

5.3.6 Sewerage, stormwater and potable water infrastructure (Wider Region)

Within the wider region:

1. Avoid development which constrains the on-going ability of the existing sewerage, stormwater and potable water supply infrastructure to be developed and used.
2. Enable sewerage, stormwater and potable water infrastructure to be developed and used, provided that, as a result of its location and design:
 - a. the adverse effects on significant natural and physical resources are avoided, or where this is not practicable, mitigated; and
 - b. other adverse effects on the environment are appropriately controlled.
3. Discourage sewerage, stormwater and potable water supply infrastructure which will promote development in locations which do not meet Policy 5.3.1.

5.3.7 Strategic land transport network and arterial roads (Entire Region)

In relation to strategic land transport network and arterial roads, the avoidance of development which:

1. adversely affects the safe efficient and effective functioning of this network and these roads, including the ability of this infrastructure to support freight and passenger transport services; and
2. in relation to the strategic land transport network and arterial roads, to avoid development which forecloses the opportunity for the development of this network and these roads to meet future strategic transport requirements.

5.3.8 Land use and transport integration (Wider Region)

Integrate land use and transport planning in a way:

1. that promotes:
 - a. the use of transport modes which have low adverse effects;
 - b. the safe, efficient and effective use of transport infrastructure, and reduces where appropriate the demand for transport;
2. that avoids or mitigates conflicts with incompatible activities; and
3. where the adverse effects from the development, operation and expansion of the transport system:



- a. *on significant natural and physical resources and cultural values are avoided, or where this is not practicable, remedied or mitigated; and*
- b. *are otherwise appropriately controlled.*

5.3.9 Regionally significant infrastructure (Wider Region)

1. *avoid development which constrains the ability of this infrastructure to be developed and used without time or other operational constraints that may arise from adverse effects relating to reverse sensitivity or safety;*
2. *provide for the continuation of existing infrastructure, including its maintenance and operation, without prejudice to any future decision that may be required for the ongoing operation or expansion of that infrastructure; and*
3. *provide for the expansion of existing infrastructure and development of new infrastructure, while:*
 - a. *recognising the logistical, technical or operational constraints of this infrastructure and any need to locate activities where a natural or physical resource base exists;*
 - b. *avoiding any adverse effects on significant natural and physical resources and cultural values and where this is not practicable, remedying or mitigating them, and appropriately controlling other adverse effects on the environment; and*
 - c. *when determining any proposal within a sensitive environment (including any environment the subject of section 6 of the RMA), requiring that alternative sites, routes, methods and design of all components and associated structures are considered so that the proposal satisfies sections 5(2)(a) – (c) as fully as is practicable.*

5.3.10 Telecommunication infrastructure (Wider Region)

1. *Avoid development which constrains the ability of telecommunication infrastructure in Canterbury to be developed and used.*
2. *Enable telecommunication infrastructure to be developed and used provided that, as a result of its location and design;*
 - a. *the adverse effects on significant natural and physical resources and cultural values are avoided, or where this is not practicable, remedied, mitigated; and*
 - b. *other adverse effects on the environment are appropriately controlled.*

5.3.11 Community-scale irrigation, stockwater and rural drainage infrastructure (Wider Region)

In relation to established and consented community-scale irrigation, stockwater and rural drainage infrastructure:

1. *Avoid development which constrains the ability of this infrastructure in Canterbury to be operated, maintained and upgraded;*
2. *Enable this infrastructure to be operated, maintained and upgraded in Canterbury to more effectively and efficiently transport consented water provided that as a result of its location and design:*
 - a. *The adverse effects on significant natural and physical resources and cultural values are avoided, or where this is not practicable, mitigated; and*
 - b. *other adverse effects on the environment are appropriately managed.*

5.3.12 Rural production (Wider Region)

Maintain and enhance natural and physical resources contributing to Canterbury's overall rural productive economy in areas which are valued for existing or foreseeable future primary production, by:

1. *avoiding development, and/or fragmentation which;*
 - a. *forecloses the ability to make appropriate use of that land for primary production; and/or*
 - b. *results in reverse sensitivity effects that limit or precludes primary production.*
2. *enabling tourism, employment and recreational development in rural areas, provided that it:*
 - a. *is consistent and compatible with rural character, activities, and an open rural environment;*
 - b. *has a direct relationship with or is dependent upon rural activities, rural resources or raw material inputs sourced from within the rural area;*



- c. *is not likely to result in proliferation of employment (including that associated with industrial activities) that is not linked to activities or raw material inputs sourced from within the rural areas; and*
 - d. *is of a scale that would not compromise the primary focus for accommodating growth in consolidate, well designed and more sustainable development patterns.*
- and;
- 3. *ensuring that rural land use intensification does not contributed to significant cumulative adverse effects on water quality and quantity.*

5.3.13 Spread of wilding trees (Wider Region)

Avoid, or minimise as far as practicable, the risk of wilding tree spread, through the location of planting, design of planting, species selection and management, once planting has occurred.

Assessment of Provisions

Objectives 5.2.1 Location, Design and Function of Development and 5.3.7 Strategic land transport network and arterial roads in this chapter are relevant, noting they apply to the entire region (inclusive of Greater Christchurch).

The proposal accords with these provisions insofar that the proposal:

- Achieves consolidated, well-designed and sustainable growth that is established adjacent to, and will effectively integrate with of the western edge of the Christchurch urban area.
- Enables and provides for social, economic and cultural well-being and health and safety, accounting for the assessment of effects, and the economic assessment provided. Based on the findings in the assessment of effects and in terms of the specific matters listed in these objectives, the proposal:
 - 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 in so far as is relevant in this context;
 - encourages sustainable economic development by enabling business activities in appropriate locations including where the Greater Christchurch Business Development Capacity Assessment has determined there is the most demand⁵;
 - minimises energy use and/or improves energy efficiency by promoting a logical extension to the existing urban area, close to economic markets, strategic air and freight connections and labour;
 - will be compatible with, and will result in the continued safe, efficient and effective use of regionally significant infrastructure, subject to an upgrade of the Pound Rd / Waterloo / SH1 intersection where there is a known issue that is forecasted to worsen as a result of both wider development growth and as a result of the proposal. A condition of consent is included to address this, providing NZTA with sufficient time to plan, fund and upgrade the intersection (recognising this intersection is under their control and it is a known/forecasted issue);
 - 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;
 - avoids conflicts between incompatible activities through its location away from residential and other sensitive land uses;

⁵ Ibid.



- As above, a condition of consent seeks to address the forecasted issue with the intersection to SH1 by limiting development until December 2027 (and providing NZTA the time to fund and upgrade the intersection), such that the proposal is able to avoid adverse effects on the safe efficient and effective functioning of the strategic land transport network and arterial roads.

Accordingly, the proposal will be consistent with the relevant provisions in Chapter 5, related to land use and infrastructure.

Chapter 6 - Recovery and Rebuilding of Greater Christchurch

Objectives and Policies

6.2 OBJECTIVES

6.2.1 Recovery framework

Recovery, rebuilding and development are enabled within Greater Christchurch through a land use and infrastructure framework that:

1. *identifies priority areas for urban development within Greater Christchurch;*
2. *identifies Key Activity Centres which provide a focus for high quality, and, where appropriate, mixed-use development that incorporates the principles of good urban design;*
3. *avoids urban development outside of existing urban areas or greenfield priority areas for development, unless expressly provided for in the CRPS;*
4. *protects outstanding natural features and landscapes including those within the Port Hills from inappropriate subdivision, use and development;*
5. *protects and enhances indigenous biodiversity and public space;*
6. *maintains or improves the quantity and quality of water in groundwater aquifers and surface waterbodies, and quality of ambient air;*
7. *maintains the character and amenity of rural areas and settlements;*
8. *protects people from unacceptable risk from natural hazards and the effects of sea-level rise;*
9. *integrates strategic and other infrastructure and services with land use development;*
10. *achieves development that does not adversely affect the efficient operation, use, development, appropriate upgrade, and future planning of strategic infrastructure and freight hubs;*
11. *optimises use of existing infrastructure; and*
12. *provides for development opportunities on Māori Reserves in Greater Christchurch.*

Assessment of Provisions

Chapter 6 applies to Greater Christchurch, an area which is defined as including that part of Christchurch City which includes the subject land.

In regard Objective 6.2.1, the proposal will protect the environmental qualities set out in that objective and provide for a consolidated and integrated urban form that is able to be fully serviced and has the potential to optimise existing infrastructure including roading infrastructure (and associated linkages to the strategic transport network)). However, the development is not located within an identified priority area for urban development within Greater Christchurch or the existing urban area.

Despite the strong direction in Objective 6.2.1(3) to avoid urban development outside of existing urban areas or greenfield priority areas, it is highly relevant that the provisions of the NPS-UD direct councils to be responsive to development proposals that provide significant development capacity and constitute a well-functioning urban



environment, even when not otherwise enabled or anticipated in a plan. Effectively this 'avoid' policy is now limited in its application (in appropriate circumstances) by Policy 8 of the NPS-UD.

The site is not located in a sensitive landscape and mitigations are proposed to ensure the protection of indigenous biodiversity (see **Appendices 7 - Ecological Assessment, 8 - Lizard Management Plan and 9 - Aquatic Ecology Assessment**). Water quality can be maintained through consent conditions, as described in the assessment of effects and associated technical reports. The proposal will have some effect on rural character and amenity, though the landscape and visual assessment (**Appendix 11**) confirms that such effects will be acceptable accounting for the site context (adjacent to a range of non-rural activities and attributes of the proposal). The proposal is well located adjacent to existing transport infrastructure, notably including access to the arterial and strategic road network, and with good linkages to the inland port, Lyttelton Port and Christchurch International airport.

6.2.1a Housing Bottom Lines

For the period 2021-2051, at least sufficient development capacity for housing is enabled for the Greater Christchurch urban environment in accordance with the Housing Bottom Lines set out in Table 6.1.

6.2.2 Urban form and settlement pattern

The urban form and settlement pattern in Greater Christchurch is managed to provide sufficient land for rebuilding and recovery needs and set a foundation for future growth, with an urban form that achieves consolidation and intensification of urban areas, and avoids unplanned expansion of urban areas, by:

1. *aiming to achieve the following targets for intensification as a proportion of overall growth through the period of recovery:*
 - a. *35% averaged over the period between 2013 and 2016*
 - b. *45% averaged over the period between 2016 to 2021*
 - c. *55% averaged over the period between 2022 and 2028;*
2. *providing higher density living environments including mixed use developments and a greater range of housing types, particularly in and around the Central City, in and around Key Activity Centres, and larger neighbourhood centres, and in greenfield priority areas, Future Development Areas and brownfield sites;*
3. *reinforcing the role of the Christchurch central business district within the Greater Christchurch area as identified in the Christchurch Central Recovery Plan;*
4. *providing for the development of greenfield priority areas, and of land within Future Development Areas where the circumstances set out in Policy 6.3.12 are met, on the periphery of Christchurch's urban area, and surrounding towns at a rate and in locations that meet anticipated demand and enables the efficient provision and use of network infrastructure;*
5. *encouraging sustainable and self-sufficient growth of the towns of Rangiora, Kaiapoi, Woodend, Lincoln, Rolleston and Prebbleton and consolidation of the existing settlement of West Melton;*
6. *Managing rural residential development outside of existing urban and priority areas; and*
7. *Providing for development opportunities on Māori Reserves.*

Assessment of Provisions

In regard Objective 6.2.2, the proposal will provide for development on the periphery of Christchurch's urban area where demand exists for industrial land (per the economic assessment provided in **Appendix 16**), and in a location that can be serviced efficiently and is well located in respect of the transport network. The proposal therefore does not necessarily offend this objective, even though it is not currently identified as a greenfield priority area or Future Development area.



6.2.3 Sustainability

Recovery and rebuilding is undertaken in Greater Christchurch that:

1. *provides for quality living environments incorporating good urban design;*
2. *retains identified areas of special amenity and historic heritage value;*
3. *retains values of importance to Tāngata Whenua;*
4. *provides a range of densities and uses; and*
5. *is healthy, environmentally sustainable, functionally efficient, and prosperous.*

Assessment of Provisions

Of relevance to the proposal, the development:

- retains values of importance to Tāngata Whenua, as demonstrated below in the assessment of the IMP;
- provides for a range of (business) uses; and
- supports a healthy, environmentally sustainable, functionally efficient, and prosperous city (as described in more detail in the assessment of effects).

6.2.4 Integration of transport infrastructure and land use

Prioritise the planning of transport infrastructure so that it maximises integration with the priority areas and new settlement patterns and facilitates the movement of people and goods and provision of services in Greater Christchurch, while:

1. *managing network congestion;*
2. *reducing dependency on private motor vehicles;*
3. *reducing emission of contaminants to air and energy use;*
4. *promoting the use of active and public transport modes;*
5. *optimising use of existing capacity within the network; and*
6. *enhancing transport safety.*

Assessment of Provisions

The site is well located relative to the State Highway and arterial road network. The site's proximity to the Airport, inland port, urban Christchurch market and connections to Selwyn and Waimakariri Districts and other parts of the South Island, will assist in minimising travel distances, including for those employees located in Greater Christchurch. The transport assessment provided has confirmed the suitability of the adjoining road network for the vehicle movements anticipated and an integrated transport assessment has been undertaken in support of the proposal.

6.2.5 Key activity and other centres

Support and maintain the existing network of centres below as the focal points for commercial, community and service activities during the recovery period:

1. *The Central City*
2. *Key Activity Centres*
3. *Neighbourhood centres.*

These centres will be high quality, support a diversity of business opportunities including appropriate mixed use development, and incorporate good urban design principles.



6.2.6 Business land development

Identify and provide for Greater Christchurch's land requirements for the recovery and growth of business activities in a manner that supports the settlement pattern brought about by Objective 6.2.2, recognising that:

- 1. The greenfield priority areas for business in Christchurch City provide primarily for the accommodation of new industrial activities;*
- 2. Except where identified for brownfield redevelopment, areas used for existing industrial activities are to be used primarily for that purpose, rather than as a location for new commercial activities;*
- 3. New commercial activities are primarily directed to the Central City, Key Activity Centres, and neighbourhood centres;*
- 4. A range of other business activities are provided for in appropriate locations; and*
- 5. Business development adopts appropriate urban design qualities in order to retain business, attract investment and provide for healthy working environments.*

Assessment of Provisions

As already acknowledged, the proposal will provide for industrial development adjacent to, but not within an existing industrial area and not within a greenfield priority area. The proposal will however provide for existing and anticipated demand, as detailed within the economic assessment provided (**Appendix 16**) and would have the effect of appropriately extending the urban area contiguous with the adjoining industrial zone of Waterloo Business Park.

No commercial uses are to be provided for within the zone, other than those that are provided for in the existing Industrial General Zones, on the basis that they are complementary and do not detract from the principle commercial centres in the city (for example food and beverage activities).

6.3 POLICIES

6.3.1 Development within the Greater Christchurch area

In relation to recovery and rebuilding for Greater Christchurch:

- 1. give effect to the urban form identified in Map A, which identifies the location and extent of urban development that will support recovery, rebuilding and planning for future growth and infrastructure delivery;*
- 2. give effect to the urban form identified in Map A (page 6-27) by identifying the location and extent of the indicated Key Activity Centres;*
- 3. enable development of existing urban areas and greenfield priority areas, including intensification in appropriate locations, where it supports the recovery of Greater Christchurch;*
- 4. ensure new urban activities only occur within existing urban areas or identified greenfield priority areas as shown on Map A, unless they are otherwise expressly provided for in the CRPS;*
- 5. provide for educational facilities in rural areas in limited circumstances where no other practicable options exist within an urban area;*
- 6. provide for commercial film or video production activities in appropriate commercial, industrial and rural zones within the Christchurch District;*
- 7. provide for a metropolitan recreation facility at 466-482 Yaldhurst Road; and*
- 8. avoid development that adversely affects the function and viability of, or public investment in, the Central City and Key Activity Centres.*

Assessment of Provisions

Refer to assessment of objective 6.2.1 and 6.2.2 and of the IMP.

6.3.2 Development form and urban design

Business development, residential development (including rural residential development) and the establishment of public space is to give effect to the principles of good urban design below, and those of the NZ Urban Design Protocol 2005, to the extent appropriate to the context:



1. *Tūrangawaewae – the sense of place and belonging – recognition and incorporation of the identity of the place, the context and the core elements that comprise the Through context and site analysis, the following elements should be used to reflect the appropriateness of the development to its location: landmarks and features, historic heritage, the character and quality of the existing built and natural environment, historic and cultural markers and local stories.*
2. *Integration – recognition of the need for well-integrated places, infrastructure, movement routes and networks, spaces, land uses and the natural and built environment. These elements should be overlaid to provide an appropriate form and pattern of use and development.*
3. *Connectivity – the provision of efficient and safe high quality, barrier free, multimodal connections within a development, to surrounding areas, and to local facilities and services, with emphasis at a local level placed on walking, cycling and public transport as more sustainable forms of*
4. *Safety – recognition and incorporation of Crime Prevention Through Environmental Design (CPTED) principles in the layout and design of developments, networks and spaces to ensure safe, comfortable and attractive places.*
5. *Choice and diversity – ensuring developments provide choice and diversity in their layout, built form, land use housing type and density, to adapt to the changing needs and circumstances of the population.*
6. *Environmentally sustainable design – ensuring that the process of design and development minimises water and resource use, restores ecosystems, safeguards mauri and maximises passive solar gain.*
7. *Creativity and innovation – supporting opportunities for exemplar approaches to infrastructure and urban form to lift the benchmark in the development of new urban areas in the Christchurch region.*

Assessment of Provisions

Refer to assessment of objective 6.2.1 and 6.2.2 and of the IMP.

6.3.3 Development in accordance with outline development plans

Development in greenfield priority areas or Future Development Areas and rural residential development is to occur in accordance with the provisions set out in an outline development plan or other rules for the area. Subdivision must not proceed ahead of the incorporation of an outline development plan in a district plan. Outline development plans and associated rules will:

1. *Be prepared as:*
 - a. *a single plan for the whole of the priority area or Future Development Area; or*
 - b. *where an integrated plan adopted by the territorial authority exists for the whole of the priority area or Future Development Area and the outline development plan is consistent with the integrated plan, part of that integrated plan; or*
 - c. *a single plan for the whole of a rural residential area; and*
2. *Be prepared in accordance with the matters set out in Policy 6.3.2;*
3. *To the extent relevant show proposed land uses including:*
 - a. *Principal through roads, connections with surrounding road networks, relevant infrastructure services and areas for possible future development;*
 - b. *Land required for community facilities or schools;*
 - c. *Parks and other land for recreation;*
 - d. *Land to be used for business activities;*
 - e. *The distribution of different residential densities, in accordance with Policy 6.3.7;*
 - f. *Land required for stormwater treatment, retention and drainage paths;*
 - g. *Land reserved or otherwise set aside from development for environmental, historic heritage, or landscape protection or enhancement;*
 - h. *Land reserved or otherwise set aside from development for any other reason, and the reasons for its protection from development;*
 - i. *Pedestrian walkways, cycleways and public transport routes both within and adjoining the area to be developed;*



4. *Demonstrate how Policy 6.3.7 will be achieved for residential areas within the area that is the subject of the outline development plan, including any staging;*
5. *Identify significant cultural, natural or historic heritage features and values, and show how they are to be protected and/or enhanced;*
6. *Document the infrastructure required, when it will be required and how it will be funded;*
7. *Set out the staging and co-ordination of subdivision and development between landowners;*
8. *Demonstrate how effective provision is made for a range of transport options including public transport options and integration between transport modes, including pedestrian, cycling, public transport, freight, and private motor vehicles;*
9. *Show how other potential adverse effects on and/or from nearby existing or designated strategic infrastructure (including requirements for designations, or planned infrastructure) will be avoided, remedied or appropriately mitigated;*
10. *Show how other potential adverse effects on the environment, including the protection and enhancement of surface and groundwater quality, are to be avoided, remedied or mitigated;*
11. *Show how the adverse effects associated with natural hazards are to be avoided, remedied or mitigated as appropriate and in accordance with Chapter 11 and any relevant guidelines; and*
12. *Include any other information that is relevant to an understanding of the development and its proposed zoning.*

Assessment of Provisions

An outline development plan or other rules do not exist for the area, which is not presently zoned for urban activities. As the proposal is for subdivision and land use (not rezoning), there is no requirement or need for an ODP. Notwithstanding, the specifics of the proposal address and align with the matters outlined in this policy.

6.3.4 Transport effectiveness

Ensure that an efficient and effective transport network that supports business and residential recovery is restored, protected and enhanced so that it maintains and improves movement of people and goods around Greater Christchurch by:

1. *avoiding development that will overload strategic freight routes;*
2. *providing patterns of development that optimise use of existing network capacity and ensuring that, where possible, new building projects support increased uptake of active and public transport, and provide opportunities for modal choice;*
3. *providing opportunities for travel demand management;*
4. *requiring integrated transport assessment for substantial developments; and*
5. *improving road user safety.*

6.3.5 Integration of land use and infrastructure

Recovery of Greater Christchurch is to be assisted by the integration of land use development with infrastructure by:

1. *Identifying priority areas for development and Future Development Areas to enable reliable forward planning for infrastructure development and delivery;*
2. *Ensuring that the nature, timing and sequencing of new development are co-ordinated with the development, funding, implementation and operation of transport and other infrastructure in order to:*
 - a. *optimise the efficient and affordable provision of both the development and the infrastructure;*
 - b. *maintain or enhance the operational effectiveness, viability and safety of existing and planned infrastructure;*
 - c. *protect investment in existing and planned infrastructure;*
 - d. *ensure that new commercial film or video production facilities are connected to reticulated water and wastewater systems; and*
 - e. *ensure new development does not occur until provision for appropriate infrastructure is in place;*
3. *Providing that the efficient and effective functioning of infrastructure, including transport corridors, is maintained, and the ability to maintain and upgrade that infrastructure is retained;*



4. *Only providing for new development that does not affect the efficient operation, use, development, appropriate upgrading and safety of existing strategic infrastructure, including by avoiding noise sensitive activities within the 50dBA Ldn airport noise contour for Christchurch International Airport, unless the activity is within an existing residentially zoned urban area, residential greenfield area identified for Kaiapoi, or residential greenfield priority area identified in Map A (page 6-28) and enabling commercial film or video production activities within the noise contours as a compatible use of this land; and*
5. *Managing the effects of land use activities on infrastructure, including avoiding activities that have the potential to limit the efficient and effective, provision, operation, maintenance or upgrade of strategic infrastructure and freight hubs.*

Assessment of Provisions

Refer to assessment of objective 6.2.4.

6.3.6 Business land

To ensure that provision, recovery and rebuilding of business land in Greater Christchurch maximises business retention, attracts investment, and provides for healthy working environments, business activities are to be provided for in a manner which:

1. *Promotes the utilisation and redevelopment of existing business land, and provides sufficient additional greenfield priority area land for business land through to 2028 as provided for in Map A;*
2. *Recognises demand arising from the relocation of business activities as a result of earthquake damaged land and buildings;*
3. *Reinforces the role of the Central City, as the city's primary commercial centre, and that of the Key Activity Centres;*
4. *Recognises that new commercial activities are primarily to be directed to the Central City, Key Activity Centres and neighbourhood centres where these activities reflect and support the function and role of those centres; or in circumstances where locating out of centre, will not give rise to significant adverse distributional or urban form effects;*
5. *Recognises that new greenfield priority areas for business in Christchurch City are primarily for industrial activities, and that commercial use in these areas is restricted;*
6. *Recognises that existing business zones provide for a range of business activities depending on:*
 - i. *the desired amenity of the business areas and their surrounds; and*
 - ii. *the potential for significant distributional or urban form effects on other centres from new commercial activity.*
7. *Utilises existing infrastructure availability, capacity and quality;*
8. *Ensures reverse sensitivity effects and conflicts between incompatible activities are identified and avoided or mitigated against;*
9. *Ensures close proximity to labour supply, major transport hubs and passenger transport networks;*
10. *Encourages self-sufficiency of employment and business activities within communities across Greater Christchurch;*
11. *Promotes, where appropriate, development of mixed-use opportunities, within Key Activity Centres provided reverse sensitivity issues can be appropriately managed; and*
12. *Incorporates good urban design principles appropriate to the context of the development.*

Assessment of Provisions

Refer to assessment of objective 6.2.6.

6.3.7 Residential location, yield and intensification

In relation to residential development opportunities in Greater Christchurch:

1. *Subject to Policy 5.3.4, Policy 6.3.5, and Policy 6.3.12, residential greenfield development shall occur in accordance with Map A.*
2. *Intensification in urban areas of Greater Christchurch is to be focused around the Central City, Key Activity Centres and neighbourhood centres commensurate with their scale and function, core public transport routes, mixed-use areas, and on suitable brownfield land.*
3. *Intensification developments and development in greenfield priority areas shall achieve at least the following residential net densities averaged over the whole of an ODP area (except where subject to an existing operative ODP with specific density provisions):*



- a. 10 household units per hectare in greenfield areas in Selwyn and Waimakariri District;
- b. 15 household units per hectare in greenfield areas in Christchurch City;
4. Intensification development within Christchurch City to achieve an average of:
 - a. 50 household units per hectare for intensification development within the Central City;
 - b. 30 household units per hectare for intensification development elsewhere.
5. Provision will be made in district plans for comprehensive development across multiple or amalgamated sites.
6. Housing affordability is to be addressed by providing sufficient intensification and greenfield land to meet housing demand, enabling brownfield development and providing for a range of lot sizes, densities and appropriate development controls that support more intensive developments such as mixed use developments, apartments, townhouses and terraced housing.

6.3.8 Regeneration of brownfield land

To encourage and provide for the recovery and regeneration of existing brownfield areas through new comprehensive residential, mixed-use or business developments, provided such activities will ensure the safe and efficient functioning of the transport network and will not have significant adverse distributional or urban form effects on the Central City, Key Activity Centres and neighbourhood centres, or give rise to significant reverse sensitivity effects

6.3.9 Rural residential development

In Greater Christchurch, rural residential development further to areas already zoned in district plans as at 1st January 2013 can only be provided for by territorial authorities in accordance with an adopted rural residential development strategy prepared in accordance with the Local Government Act 2002, subject to the following:

1. In the case of Christchurch City, no further rural residential development is to be provided for within the Christchurch City Plan area;
2. The location must be outside the greenfield priority areas for development, Future Development Areas, and existing urban areas;
3. All subdivision and development must be located so that it can be economically provided with a reticulated sewer and water supply integrated with a publicly owned system, and appropriate stormwater treatment and disposal;
4. Legal and physical access is provided to a sealed road, but not directly to a road defined in the relevant district plan as a Strategic or Arterial Road, or as a State highway under the Government Roding Powers Act 1989;
5. The location and design of any proposed rural residential development shall:
 - a. avoid noise sensitive activities occurring within the 50 dBA Ldn air noise contour surrounding Christchurch International Airport so as not to compromise the future efficient operation of Christchurch International Airport or the health, well-being and amenity of people;
 - b. avoid the groundwater protection zone for Christchurch City's drinking water;
 - c. avoid land between the primary and secondary stop banks south of the Waimakariri River;
 - d. avoid land required to protect the landscape character of the Port Hills;
 - e. not compromise the operational capacity of the Burnham Military Camp, West Melton Military Training Area or Rangiora Airfield;
 - f. support existing or upgraded community infrastructure and provide for good access to emergency services;
 - g. avoid significant reverse sensitivity effects with adjacent rural activities, including quarrying and agricultural research farms, or strategic infrastructure;
 - h. avoid significant natural hazard areas including steep or unstable land;
 - i. avoid significant adverse ecological effects, and support the protection and enhancement of ecological values;
 - j. support the protection and enhancement of ancestral land, water sites, wāhi tapu and wāhi taonga of Ngāi Tahu;
 - k. where adjacent to or in close proximity to an existing urban or rural residential area, be able to be integrated into or consolidated with the existing settlement; and
 - l. avoid adverse effects on existing surface water quality.
6. An outline development plan is prepared which sets out an integrated design for subdivision and land use, and provides for the long-term maintenance of rural residential character.



7. A rural residential development area shall not be regarded as in transition to full urban development.

6.3.10 Māori Reserves

Recognise and provide for the relationship of local Ngāi Tahu with their ancestral lands, waters, wāhi tapu and taonga by enabling Māori Reserves within the Greater Christchurch area to be developed and used for their intended purposes for which they were originally reserved, taking into account the following matters where relevant:

1.
 - a. flooding, inundation and other natural hazards;
 - b. rural amenity and outlook;
 - c. compact urban form;
 - d. range of housing options;
 - e. provision of appropriately sized local retail/commercial centres;
 - f. any outline development plan; and
 - g. the range of lot sizes and densities.

6.3.11 Monitoring and Review

In relation to development in Greater Christchurch:

1. The Canterbury Regional Council, in conjunction with the territorial authorities, shall undertake adequate monitoring to demonstrate in the short, medium and the long term that there is an available supply of residential and business land to meet the Objectives and Policies of this Chapter and the requirements of the National Policy Statement on Urban Development 2020.
2. The Canterbury Regional Council, in conjunction with the territorial authorities, shall undertake monitoring of the supply, uptake and impacts of rural residential land use and development.
3. Prior to initiating a review of this chapter, for the purposes of information the Canterbury Regional Council may request the organisation or agency responsible for the operation of Christchurch International Airport to undertake a remodelling of the air noise contours relating to the airport.
4. The Canterbury Regional Council, following relevant territorial authority input, shall initiate a review of the extent and location of land for development if any of the following situations occur:
 - a. a shortfall in available land is identified by monitoring under Policy 6.3.11; or
 - b. it is identified that altered circumstances have arisen or will arise either in one or more parts of Greater Christchurch, in relation to the expected availability of sub-regional infrastructure, and a reconsideration of the extent, location and timing of land for development is necessary to achieve the objectives and policies of this chapter; or
 - c. Housing and Business Development Capacity Assessments undertaken to meet the requirements of the National Policy Statement on Urban Development 2020 indicate insufficient feasible development capacity to meet demand in the short to medium term.
5. Any change resulting from a review of the extent, and location of land for development, any alteration to the Greenfield Priority Areas, Future Development Areas, or provision of new greenfield priority areas, shall commence only under the following circumstances:
 - a. infrastructure is either in place or able to be economically and efficiently provided to support the urban activity;
 - b. provision is in place or can be made for safe, convenient and sustainable access to community, social and commercial facilities;
 - c. the objective of urban consolidation continues to be achieved;
 - d. urban land use, including industrial and commercial activities, does not increase the risk of contamination of drinking water sources, including the groundwater recharge zone for Christchurch's drinking water;
 - e. urban development does not lie between the primary and secondary stopbanks south of the Waimakariri River which are designed to retain floodwaters in the event of flood breakout;
 - f. the landscape character of the Port Hills is protected;



- g. sufficient rural land is retained to maintain the open space landscape character either between or surrounding the areas of urban activity within Greater Christchurch; and*
- h. the operational capacity of strategic infrastructure is not compromised.*

Assessment of Provisions

The policy above is noted, insofar that it contemplates changes to the currently identified greenfield priority areas for urban development, under particular circumstances. In this case, the assessment of effects has demonstrated that the matters in clause (5)(a)-(h) can be achieved by the proposed development.

6.3.12 Future Development Areas

Enable urban development in the Future Development Areas identified on Map A, in the following circumstances:

- 1. It is demonstrated, through monitoring of housing and business development capacity and sufficiency carried out collaboratively by the Greater Christchurch Partnership or relevant local authorities, that there is a need to provide further feasible development capacity through the zoning of additional land in a district plan to address a shortfall in the sufficiency of feasible residential development capacity to meet the medium term housing bottom lines set out in Table 6.1, Objective 6.2.1a; and*
- 2. The development would promote the efficient use of urban land and support the pattern of settlement and principles for future urban growth set out in Objectives 6.2.1 and 6.2.2 and related policies including by:*
 - a. Providing opportunities for higher density living environments, including appropriate mixed use development, and housing choices that meet the needs of people and communities for a range of dwelling types; and*
 - b. Enabling the efficient provision and use of network infrastructure; and*
- 3. The timing and sequencing of development is appropriately aligned with the provision and protection of infrastructure, in accordance with Objective 6.2.4 and Policies 6.3.4 and 6.3.5; and*
- 4. The development would occur in accordance with an outline development plan and the requirements of Policy 6.3.3; and*
- 5. The circumstances set out in Policy 6.3.11(5) are met; and*
- 6. The effects of natural hazards are avoided or appropriately mitigated in accordance with the objectives and policies set out in Chapter 11.*

Assessment of Provisions

In summary, the proposal has some tension with provisions in Chapter 6 of the Regional Policy Statement that require new business zones to be located within identified greenfield priority areas, however as discussed above, the proposal will not necessarily offend those provisions. As set out above, the NPS-UD which came into force after the CRPS become operative, now contemplates development not strictly in accordance with the CRPS provided certain criteria is met.



Chapter 7 - Freshwater

Objectives and Policies

7.2 OBJECTIVES

7.2.1 Sustainable management of fresh water

The region's fresh water resources are sustainably managed to enable people and communities to provide for their economic and social well-being through abstracting and/or using water for irrigation, hydro-electricity generation and other economic activities, and for recreational and amenity values, and any economic and social activities associated with those values, providing:

- 1. the life-supporting capacity ecosystem processes, and indigenous species and their associated freshwater ecosystems and mauri of the fresh water is safe-guarded;*
- 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*
- 3. any actual or reasonably foreseeable requirements for community and stockwater supplies and customary uses, are provided for.*

7.2.2 Parallel processes for managing fresh water

Abstraction of water and the development of water infrastructure in the region occurs in parallel with:

- 1. improvements in the efficiency with which water is allocated for abstraction, the way it is abstracted and conveyed, and its application or use;*
- 2. the maintenance of water quality where it is of a high standard and the improvement of water quality in catchments where it is degraded; and*
- 3. the restoration or enhancement of degraded fresh water bodies and their surroundings.*

7.2.3 Protection of intrinsic value of waterbodies and their riparian zones

The overall quality of freshwater in the region is maintained or improved, and the life supporting capacity, ecosystem processes and indigenous species and their associated fresh water ecosystems are safeguarded.

7.2.4 Integrated management of fresh water resources

Fresh water 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:

- 1. the Ngāi Tahu ethic of Ki Uta Ki Tai (from the mountains to the sea);*
- 2. the interconnectivity of surface water and groundwater;*
- 3. the effects of land uses and intensification of land uses on demand for water and on water quality;*
- 4. kaitiakitanga and the ethic of stewardship; and*
- 5. any net benefits of using water, and water infrastructure, and the significance of those benefits to the Canterbury region.*

7.3 POLICIES

7.3.1 Adverse effects of activities on the natural character of fresh water

To identify the natural character values of fresh water bodies and their margins in the region and to:

- 1. preserve natural character values where there is a high state of natural character;*
- 2. maintain natural character values where they are modified but highly valued; and*
- 3. improve natural character values where they have been degraded to unacceptable levels;*



unless modification of the natural character values of a fresh water body is provided for as part of an integrated solution to water management in a catchment in accordance with Policy 7.3.9, which addresses remedying and mitigating adverse effects on the environment and its natural character values.

7.3.2 Natural character of braided rivers and lakes

To maintain the natural character of braided rivers, and of natural lakes by:

- 1. subject to clause (3), by prohibiting the damming of each of the main-stem of the Clarence, Waiau, Hurunui, Waimakariri, Rakaia, Rangitata and Waitaki rivers;*
- 2. in respect of every other braided river in the region; by ensuring any damming of a braided river does not reduce the braided character of the the main stem;*
- 3. in respect of every natural lake by limiting any use of the lake for water storage so its level does not exceed or fall below the upper or lower levels of its natural operating range;*
- 4. clauses 1 – 3 do not restrict continued operation, maintenance or upgrading of any water storage scheme, irrigation scheme or hydro-electricity generation scheme for which lawful consent was in effect when this regional policy statement becomes operative, subject to the activity:*
 - a. remaining a similar scale, intensity and character; and*
 - b. not resulting in any additional significant adverse effect on the natural character of the river or lake.*

7.3.3 Enhancing fresh water environments and biodiversity

To promote, and where appropriate require the protection, restoration and improvement of lakes, rivers, wetlands and their riparian zones and associated Ngāi Tahu values, and to:

- 1. identify and protect areas of significant indigenous vegetation and significant habitats, sites of significant cultural value, wetlands, lakes and lagoons/Hapūa, and other outstanding water bodies; and*
- 2. require the maintenance and promote the enhancement of indigenous biodiversity, inland basin ecosystems and riparian zones; and*
- 3. promote, facilitate or undertake pest control.*

7.3.4 Water quantity

In relation to the management of water quantity:

- 1. to manage the abstraction of surface water and groundwater by establishing environmental flow regimes and water allocation regimes which:*
 - a. manage the hydrological connections of surface water, groundwater and the coastal environment;*
 - b. avoid long-term decline in groundwater levels and saltwater intrusion of coastal groundwater resources;*
 - c. protect the flows, freshes and flow variability required to safeguard the life-supporting capacity, mauri, ecosystem processes and indigenous species including their associated ecosystems and protect the natural character values of fresh water bodies in the catchment, including any flows required to transport sediment, to open the river mouth, or to flush coastal lagoons;*
 - d. provide for any existing or reasonably foreseeable needs of surface water or groundwater for individual, marae or community drinking water or stockwater supplies;*
 - e. support the exercise of customary uses, including any flows required to maintain wetlands or water quality for customary uses; and*
 - f. support any flow requirements needed to maintain water quality in the catchment;*
 - g. recreational values (including the patterns and timing of flow variability desired by recreational users) and amenity values; and*
 - h. any actual or reasonably foreseeable demand for abstraction (for uses other than those listed in (d) above), unless Policy 7.3.4(2) applies; and*
- 2. Where the quantum of water allocated for abstraction from a water body is at or exceeds the maximum amount provided for in an environmental flow and water allocation regime:*
 - a. avoid any additional allocation of water for abstraction or any other action which would result in further over-allocation; and*



- b. *set a timeframe for identifying and undertaking actions to effectively phase out over-allocation; and*
- c. *effectively addresses any adverse effects of over-allocation in the interim.*

7.3.5 Water quantity and land uses

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:

1. *controlling the diversion of rainfall run-off over land, 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*
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.*

7.3.6 Fresh water quality

In relation to water quality:

1. *to establish and implement minimum water quality standards for surface water and groundwater resources in the region, which are appropriate for each water body considering:*
 - a. *the values associated with maintaining life supporting capacity, ecosystem processes and indigenous species including their associated ecosystems, and natural character of the water body;*
 - b. *any current and reasonably foreseeable requirement to use the water for individual, marae or community drinking water or stockwater supplies, customary uses or contact recreation;*
 - c. *the cultural significance of the fresh water body and any conditions or restrictions on the discharge of contaminants that may be necessary or appropriate to protect those values; and*
 - d. *any other current or reasonably foreseeable values or uses; and*
2. *to manage activities which may affect water quality (including land uses), singularly or cumulatively, to maintain water quality at or above the minimum standard set for that water body; and*
3. *where water quality is below the minimum water quality standard set for that water body, to avoid any additional allocation of water for abstraction from that water body and any additional discharge of contaminants to that water body, where any further abstraction or discharges, either singularly or cumulatively, may further adversely affect the water quality in that water body:*
 - a. *until the water quality standards for that water body are met; or*
 - b. *unless the activities are undertaken as part of an integrated solution to water management in the catchment in accordance with Policy 7.3.9, which provides for the redress of water quality within that water body within a specified timeframe.*

7.3.7 Water quality and land uses

To avoid, remedy or mitigate adverse effects of changes in land uses on the quality of fresh water (surface or ground) by:

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*
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.*

7.3.8 Efficient allocation and use of fresh water

To improve efficiency in the allocation and use of fresh water by:

1. *ensuring the infrastructure used to reticulate and apply water is highly efficient relative to the nature of the activity, for any new take or use of water;*
2. *ensuring the infrastructure used to reticulate and apply water is increasingly efficient (where not already highly efficient) for existing takes and uses of water, having regard to:*
 - a. *the nature of the activity;*



- b. the benefits and costs of achieving a higher level of efficiency;*
 - c. practicable options to implement any change required; and*
 - d. the physical environment in which the activity takes place.*
- 3. ensuring the quantities of water allocated, as part of a water allocation regime or by grant of water permit, are no more than are necessary for the proposed use for all activities, including urban uses and municipal supplies;*
- 4. recognising the importance of reliability in supply for irrigation;*
- 5. recognising the potential for efficiency in infrastructure through combined uses of water and energy efficient infrastructure; and*
- 6. promoting the integrated management and use of fresh water resources within or across catchments.*

7.3.9 Integrated solutions to fresh water management

To require integrated solutions to the management of fresh water by developing and implementing comprehensive management plans which address the policies of this Statement including addressing all the relevant matters set out in Appendix 2.

7.3.10 Harvest & storage of fresh water

To recognise the potential benefits of harvesting and storing surface water for:

- 1. improving the reliability of irrigation water and therefore efficiency of use;*
- 2. improving the storage potential and generation output of hydro-electricity generation activities;*
- 3. increasing the irrigated land area in Canterbury;*
- 4. providing resilience to the impacts of climate change on the productivity and economy of Canterbury;*
- 5. reducing pressure on surface water bodies, especially foothill and lowland streams, during periods of low flow;*

and facilitate the conversion of resource consents to abstract water under 'run of river' conditions to takes to storage, where this can be done under conditions which maintain or enhance the surface water body.

7.3.11 Existing activities and infrastructure

In relation to existing activities and infrastructure:

- 1. to recognise and provide for the continuation of existing hydro-electricity generation and irrigation schemes, and other activities which involve substantial investment in infrastructure; but*
- 2. require improvements in water use efficiency and reductions in adverse environmental effects of these activities, where appropriate.*

7.3.12 Precautionary approach and allocation without a planning framework

To take a precautionary approach to the allocation of water for abstraction, the damming or diversion of water, or the intensification of land uses or discharge of contaminants, in circumstances where the effects of these activities on fresh water bodies, singularly or cumulatively, are unknown or uncertain.

7.3.13 Resolution of freshwater management issues

To encourage the involvement of people and communities in the management of fresh water, including:

- 1. community stewardship of water resources and programmes to address fresh water issues at a local catchment level;*
- 2. Ngāi Tahu, as tāngata whenua, exercising kaitiakitanga in accordance with tikanga Māori; and*
- 3. providing opportunities for consent holders to take greater stewardship of fresh water resources, within consent conditions.*



Assessment of Provisions

Water quality and the effects of any water use necessary for the development proposed can and will be appropriately managed at the time of detailed design through engineering solutions. These solutions are documented in the technical assessments accompanying the AEE and in the suite of conditions proposed as part of the application.

Chapter 11 - Natural Hazards

Objectives and Policies

11.2 OBJECTIVES

11.2.1 Avoid new subdivision, use and development of land that increases risks associated with natural hazards

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.

11.2.2 Adverse effects from hazard mitigation are avoided or mitigated

Adverse effects on people, property, infrastructure and the environment resulting from methods used to manage natural hazards are avoided or, where avoidance is not possible, mitigated.

11.2.3 Climate change and natural hazards

The effects of climate change, and its influence on sea levels and the frequency and severity of natural hazards, are recognised and provided for.

11.2.4 Effective integration of the management of, and preparedness for, natural hazards

The level of cooperation between agencies and organisations necessary to achieve integrated management of Canterbury's natural hazards, and preparedness for natural hazards is maintained or enhanced.

11.3 POLICIES

11.3.1 Avoidance of inappropriate development in high hazard areas

To avoid new subdivision, use and development (except as provided for in Policy 11.3.4) of land in high hazard areas, unless the subdivision, use or development:

- 1. is not likely to result in loss of life or serious injuries in the event of a natural hazard occurrence; and*
- 2. is not likely to suffer significant damage or loss in the event of a natural hazard occurrence; and*
- 3. is not likely to require new or upgraded hazard mitigation works to mitigate or avoid the natural hazard; and*
- 4. is not likely to exacerbate the effects of the natural hazard; or*
- 5. Outside of greater Christchurch, is proposed to be located in an area zoned or identified in a district plan for urban residential, industrial or commercial use, at the date of notification of the CRPS, in which case the effects of the natural hazard must be mitigated; or*
- 6. Within greater Christchurch, is proposed to be located in an area zoned in a district plan for urban residential, industrial or commercial use, or identified as a "Greenfield Priority Area" on Map A of Chapter 6, both at the date the Land Use Recovery Plan was notified in the Gazette, in which the effect of the natural hazard must be avoided or appropriately mitigated; or*
- 7. Within greater Christchurch, relates to the maintenance and/or upgrading of existing critical or significance infrastructure.*



11.3.2 Avoid development in areas subject to inundation

In areas not subject to Policy 11.3.1 that are subject to inundation by a 0.5% AEP flood event; any new subdivision, use and development (excluding critical infrastructure) shall be avoided unless there is no increased risk to life, and the subdivision, use or development:

1. *is of a type that is not likely to suffer material damage in an inundation event; or*
2. *is ancillary or incidental to the main development; or*
3. *meets all of the following criteria:*
 - a. *new buildings have an appropriate floor level above the 0.5% AEP design flood level; and*
 - b. *hazardous substances will not be inundated during a 0.5% AEP flood event;**provided that a higher standard of management of inundation hazard events may be adopted where local catchment conditions warrant (as determined by a cost/benefit assessment).*

When determining areas subject to inundation, climate change projections including sea level rise are to be taken into account.

11.3.3 Earthquake hazards

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.

11.3.4 Critical infrastructure

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.

11.3.5 General risk management approach

For natural hazards and/or areas not addressed by policies 11.3.1, 11.3.2, and 11.3.3, subdivision, use or development of land shall be avoided if the risk from natural hazards is unacceptable. When determining whether risk is unacceptable, the following matters will be considered:

1. *the likelihood of the natural hazard event; and*
2. *the potential consequence of the natural hazard event for: people and communities, property and infrastructure and the environment, and the emergency response organisations.*

Where there is uncertainty in the likelihood or consequences of a natural hazard event, the local authority shall adopt a precautionary approach.

Formal risk management techniques should be used, such as the Risk Management Standard (AS/NZS ISO 31000:2009) or the Structural Design Action Standard (AS/NZS 1170.0:2002).

11.3.6 Role of natural features

The role of natural topographic (or geographic) and vegetation features which assist in avoiding or mitigating natural hazards should be recognised and the features maintained, protected and restored, where appropriate.

11.3.7 Physical mitigation works

New physical works to mitigate natural hazards will be acceptable only where:

1. *the natural hazard risk cannot reasonably be avoided; and*
2. *any adverse effects of those works on the natural and built environment and on the cultural values of Ngāi Tahu, are avoided, remedied or mitigated.*

Alternatives to physical works, such as the relocation, removal or abandonment of existing structures should be considered.

Where physical mitigation works or structures are developed or maintained by local authorities, impediments to accessing those structures for maintenance purposes will be avoided.



11.3.8 Climate change

When considering natural hazards, and in determining if new subdivision, use or development is appropriate and sustainable in relation to the potential risks from natural hazard events, local authorities shall have particular regard to the effects of climate change.

11.3.9 Integrated management of, and preparedness for, natural hazards

To undertake natural hazard management and preparedness for natural hazard events in a coordinated and integrated manner by ensuring that the lead agencies have particular regard to:

- 1. the investigation and identification of natural hazards;*
- 2. the analysis and mapping of the consequential effects of the natural hazards identified;*
- 3. the effects of climate change and resulting sea level rise;*
- 4. the setting of standards and guidelines for organisations involved in civil defence and emergency management;*
- 5. the development and communication of strategies to promote and build community resilience; and*
- 6. any other matters necessary to ensure the integrated management of natural hazards in the Canterbury region.*

Assessment of Provisions

The subject land is not prone to any significant natural hazard risks, or acute natural hazard risks arising due to the effects of climate change. As demonstrated by the Geotechnical technical report (**Appendix 5**) accompanying the assessment of effects, the proposed subdivision, use and development of land will not increase the risk of natural hazards to people, property and infrastructure or can be mitigated to minimise such risks to acceptable levels.

Chapter 12 - Landscape

Objectives and Policies

12.2 OBJECTIVES

12.2.1 Identification and protection of outstanding natural features and landscapes

Outstanding natural features and landscapes within the Canterbury region are identified and their values are specifically recognised and protected from inappropriate subdivision, use, and development.

12.2.2 Identification and management of other landscapes

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*

12.2.3 Consistency of assessment and management

Ensure consistency of assessment and promote consistency of management of outstanding natural features and landscapes across the Canterbury region.



12.3 POLICIES

12.3.1 Identification of outstanding natural features and landscapes

To identify the outstanding natural features and landscapes for the Canterbury region, while:

1. recognising that the values set out in Appendix 4 indicate the outstanding natural features and landscapes for Canterbury, at a regional scale; and
2. enabling the specific boundaries of outstanding natural features and landscapes, for inclusion in plans, to be determined through detailed assessments which address the assessment matters set out in Policy 12.3.4(1).

12.3.2 Management methods for outstanding natural features and landscapes

To ensure management methods in relation to subdivision, use or development, seek to achieve protection of outstanding natural features and landscapes from inappropriate subdivision, use and development.

12.3.3 Identification and management of other important landscapes

Identifying and managing other important landscapes that are not outstanding natural landscapes, for natural character, historic cultural, historic heritage and amenity purposes.

12.3.4 Consistency of identification and management of outstanding natural features and outstanding natural landscapes

Seek to achieve regional consistency in the identification of outstanding natural features and landscape areas and values by:

1. considering the following assessment matters which address biophysical, sensory and associative values when assessing landscapes in the Canterbury region:
 - a. Natural science values
 - b. Legibility values
 - c. Aesthetic values
 - d. Transient values
 - e. Tāngata whenua values
 - f. Shared and recognised values
 - g. Historic values
2. requiring methods for landscape management to be developed and considered, having regard to the management methods in adjoining districts or regions, and the extent to which these may, in combination, protect outstanding natural features and landscapes.

Assessment of Provisions

These provisions are of limited relevance noting that the site does not feature any outstanding natural landscapes and the natural character, amenity and historic and cultural heritage values of the site are not assessed as being of a level that warrants their identification as 'important'. Regardless, the design of the development and conditions proffered will manage amenity values of the locality to an appropriate standard.



Chapter 15 - Soils

Objectives and Policies

15.2 OBJECTIVES

15.2.1 Maintenance of soil quality

Maintenance and improvement of the quality of Canterbury's soil to safeguard their mauri, their life supporting capacity, their health and their productive capacity

15.2.2 Prevention of soil erosion

Prevention of new significant induced soil erosion, and the reduction of significant existing induced erosion.

15.3 POLICIES

15.3.1 Avoid remedy or mitigate soil degradation

In relation to soil:

1. *to ensure that land-uses and land management practices avoid significant long-term adverse effects on soil quality, and to remedy or mitigate significant soil degradation where it has occurred, or is occurring; and*
2. *to promote land-use practices that maintain and improve soil quality.*

15.3.2 Avoid and remedy significant induced soil erosion

To avoid significant new induced soil erosion resulting from the use of land and as far as practicable remedy or mitigate significant induced soil erosion where it has occurred. Particular focus is to be given to the desirability of maintaining vegetative cover on nonarable land.

Assessment of Provisions

The proposal will result in the loss of access to a rural soil resource, through development for urban industrial purposes. As detailed in the assessment of effects, the land is not highly productive, its productive capacity is compromised by long-term constraints including lack of access to irrigation and nutrient loading controls and its loss will not be significant in absolute or relative terms and is considered acceptable given the need for, and benefits of, urban expansion in this location. Soil erosion will otherwise be minimised through conventional site development controls, that are provided for through volunteered consent conditions.

Chapter 16 - Energy

Objectives and Policies

16.2 OBJECTIVES

16.2.1 Efficient use of energy

Development is located and designed to enable the efficient use of energy, including:

1. *maintaining an urban form that shortens trip distances*
2. *planning for efficient transport, including freight*
3. *encouraging energy-efficient urban design principles*



4. *reduction of energy waste*
5. *avoiding impacts on the ability to operate energy infrastructure efficiently.*

16.2.2 Promote a diverse and secure supply of energy

Reliable and resilient generation and supply of energy for the region, and wider contributions beyond Canterbury, with a particular emphasis on renewable energy, which:

1. *provides for the appropriate use of the region's renewable resources to generate energy;*
2. *reduces dependency on fossil fuels;*
3. *improves the efficient end-use of energy;*
4. *minimises transmission losses;*
5. *is diverse in the location, type and scale of renewable energy development;*
6. *recognises the locational constraints in the development of renewable electricity generation activities; and*
 - a. *avoids any adverse effects on significant natural and physical resources and cultural values or where this is not practicable, remedies or mitigates; and*
 - b. *appropriately controls other adverse effects on the environment.*

16.3 POLICIES

16.3.1 Efficient use of energy

To promote the efficient end-use of energy.

16.3.2 Small and community scale distributed renewable electricity generation

Encourage and provide for the operation maintenance and development of small and community scale distributed renewable electricity generation provided that:

1. *any adverse effects on significant natural and physical resources or cultural values are avoided, or where this is not practicable, remedied or mitigated; and*
2. *other adverse effects on the environment are appropriately controlled.*

16.3.3 Benefits of renewable energy generation facilities

To recognise and provide for the local, regional and national benefits when considering proposed or existing renewable energy generation facilities, having particular regard to the following:

1. *maintaining or increasing electricity generation capacity while avoiding, reducing or displacing greenhouse gas emissions;*
2. *maintaining or increasing the security of supply at local and regional levels, and also wider contributions beyond Canterbury; by diversifying the type and/or location of electricity generation;*
3. *using renewable natural resources rather than finite resources;*
4. *the reversibility of the adverse effects on the environment of some renewable electricity generation facilities;*
5. *avoiding reliance on imported fuels for the purposes of generating electricity; and*
6. *assisting in meeting international climate obligations.*

16.3.4 Reliable and resilient electricity transmission network within Canterbury

To encourage a reliable and resilient national electricity transmission network within Canterbury by:

1. *having particular regard to the local, regional and national benefits when considering operation, maintenance, upgrade or development of the electricity transmission network;*



2. *avoiding subdivision, use and development including urban or semi urban development patterns, which would otherwise limit the ability of the electricity transmission network to be operated, maintained, upgraded and developed;*
3. *enabling the operational, maintenance, upgrade, and development of the electricity transmission network provided that, as a result of route, site and method selection, where;*
 - a. *the adverse effects on significant natural and physical resources or cultural values are avoided, or where this is not practicable, remedied or mitigated; and*
 - b. *other adverse effects on the environment are appropriately controlled.*

16.3.5 Efficient, reliable and resilient electricity generation within Canterbury

To recognise and provide for efficient, reliable and resilient electricity generation within Canterbury by:

1. *avoiding subdivision, use and development which limits the generation capacity from existing or consented electricity generation infrastructure to be used, upgraded or maintained;*
2. *enabling the upgrade of existing, or development of new electricity generation infrastructure, with a particular emphasis on encouraging the operation, maintenance and upgrade of renewable electricity generation activities and associated infrastructure:*
 - a. *having particular regard to the locational, functional, operational or technical constraints that result in renewable electricity generation activities being located or designed in the manner proposed;*
 - b. *provided that, as a result of site, design and method selection:*
 - i. *the adverse effects on significant natural and physical resources or cultural values are avoided, or where this is not practicable remedied, mitigated or offset; and*
 - ii. *other adverse effects on the environment are appropriately controlled.*
3. *providing for activities associated with the investigation, identification and assessment of potential sites and energy sources for renewable electricity generation;*
4. *maintaining the generation output and enabling the maximum electricity supply benefit to be obtained from the existing electricity generation facilities within Canterbury, where this can be achieved without resulting in additional significant adverse effects on the environment which are not fully offset or compensated.*

Assessment of Provisions

The subject site is located in close proximity to the State Highway and arterial road network, enabling good, close access to economic markets and an industrial labour force. This proximity will assist in efficient use of energy in transport of freight (especially) and passenger transport (generally). The technical report prepared by Lumen addressing Greenhouse Gas Emissions (**Appendix 19**) otherwise describes how the location and design of the development will enable the efficient use of energy.

Chapter 17 - Contaminated Land

Objectives and Policies

17.2 OBJECTIVES

17.2.1 Protection from adverse effects of contaminated land

Protection of people and the environment from both on-site and off-site adverse effects of contaminated land.



17.3 POLICIES

17.3.1 Identify potentially contaminated land

To seek to identify all land in the region that was historically, or is presently, being used for an activity that has, or could have, resulted in the contamination of that land, and where appropriate, verify the existence and nature of contamination.

17.3.2 Development of, or discharge from contaminated land

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.*

17.3.3 Contaminants may remain in the land

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.

17.3.4 Integrated management

To promote an integrated approach to the management of contaminated land in the region.

Assessment of Provisions

Modest site contamination has been identified on the site (refer to the DSI in **Appendix 6**), a Remedial Action Plan (RAP) will be implemented and the site remediated to a level acceptable for industrial use. The conditions of consent volunteered will ensure that 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.

Chapter 19 - Waste Minimisation and Management

Objectives and Policies

19.2 OBJECTIVES

19.2.1 Minimise the generation of waste

Adverse effects on the environment are avoided by minimising the generation of waste.

19.2.2 Minimise adverse effects of waste

Adverse effects on the environment caused by residual waste and its management are avoided, remedied or mitigated.



19.3 POLICIES

19.3.1 Waste management hierarchy

To apply the principles of the 5Rs (Reduce, Reuse, Recycle, Recover, Residual waste management) hierarchy to the management of all waste streams.

19.3.2 Reduce waste at the source

Promote a change in behaviour that will result in the reduction of waste at the source.

19.3.3 Integrated management of waste

Promote an integrated approach to waste management in the region.

19.3.4 Establish community waste-transfer facilities

Enable the establishment and use of appropriate community facilities and services such as waste-transfer facilities and recycling centres throughout the region.

Assessment of Provisions

The provisions in Chapter 19 are of limited relevance to the proposal.

Overall Assessment of Canterbury Regional Policy Statement

The proposal has some tension with provisions in Chapter 6 of the Regional Policy Statement that require new business activities to be located within identified greenfield priority areas or the existing urban area, however as discussed above, the proposal will not necessarily offend those provisions because the proposal has the effect of extending the urban area in a well-functioning manner. The remaining provisions are generally concerned with issues and effects of regional significance, and in that respect, such matters will not arise or will be appropriately managed by way of proposed conditions and/or the attributes of the proposal.

Overall, the proposal is considered to be generally consistent with the Regional Policy Statement.



Canterbury Land and Water Regional Plan

Objectives and Policies

Objectives and Policies

Section 2A National Direction

2A.1 Objectives

2A.1 The passage of fish is maintained, or improved, by instream structures, except where it is desirable to prevent the passage of some fish species in order to protect desired fish species, their life stages, or their habitats.

2A.2 Policies

2A.1(1) When considering any application for a discharge the consent authority must have regard to the following matters:

- (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*
- (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.*

2A.1(2) When considering any application for a discharge the consent authority must have regard to the following matters:

- (a) the extent to which the discharge would avoid contamination that will have an adverse effect on the health of people and communities as affected by their contact with freshwater; and*
- (b) the extent to which it is feasible and dependable that any more than minor adverse effect on the health of people and communities as affected by their contact with fresh water resulting from the discharge would be avoided.*

2A.1(3) This policy applies to the following discharges (including a diffuse discharge by any person or animal):

- (a) a new discharge or*
- (b) a change or increase in any discharge – 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.*

2A.1(4) Paragraph 1 of this policy does not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management 2011 took effect on 1 July 2011.

2A.1(5) Paragraph 2 of this policy does not apply to any application first lodged before the National Policy Statement for Freshwater Management 2014 takes effect

2A.2(1) When considering any application the consent authority must have regard to the following matters:

- (a) the extent to which the change would adversely affect safeguarding the life- supporting capacity of fresh water and of any associated ecosystem; and*
- (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.*

2A.2(2) This policy applies to:

- (a) any new activity and*
- (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).

2A.2(3) This policy does not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management 2011 took effect on 1 July 2011.

2A.3 The loss of extent of natural inland wetlands is avoided, their values are protected, and their restoration is promoted, except where:



-
- (a) *the loss of extent or values arises from any of the following:*
- (i) *the customary harvest of food or resources undertaken in accordance with tikanga Māori*
 - (ii) *wetland maintenance, restoration, or biosecurity (as defined in the National Policy Statement for Freshwater Management 2020)*
 - (iii) *scientific research*
 - (iv) *the sustainable harvest of sphagnum moss*
 - (v) *the construction or maintenance of wetland utility structures (as defined in the Resource Management (National Environmental Standards for Freshwater) Regulations 2020)*
 - (vi) *the maintenance or operation of specified infrastructure, or other infrastructure (as defined in the Resource Management (National Environmental Standards for Freshwater) Regulations 2020)*
 - (viii) *natural hazard works (as defined in the Resource Management (National Environmental Standards for Freshwater) Regulations 2020); or*
- (b) *the regional council is satisfied that:*
- (i) *the activity is necessary for the purpose of the construction or upgrade of specified infrastructure; and*
 - (ii) *the specified infrastructure will provide significant national or regional benefits; and*
 - (iii) *there is a functional need for the specified infrastructure in that location; and*
 - (iv) *the effects of the activity are managed through applying the effects management hierarchy; or*
- (c) *the regional council is satisfied that:*
- (i) *the activity is necessary for the purpose of urban development that contributes to a well-functioning urban environment (as defined in the National Policy Statement on Urban Development); and*
 - (ii) *the urban development will provide significant national, regional or district benefits; and*
 - (iii) *the activity occurs on land identified for urban development in operative provisions of a regional or district plan; and*
 - (iv) *the activity does not occur on land that is zoned in a district plan as general rural, rural production, or rural lifestyle; and*
 - (v) *there is either no practicable alternative location for the activity within the area of the development, or every other practicable location in the area of the development would have equal or greater adverse effects on a natural inland wetland; and*
 - (vi) *the effects of the activity will be managed through applying the effects management hierarchy; or*
- (d) *the regional council is satisfied that:*
- (i) *the activity is necessary for the purpose of quarrying activities; and*
 - (ii) *the extraction of the aggregate will provide significant national or regional benefits; and*
 - (iii) *there is a functional need for the activity to be done in that location; and*
 - (iv) *the effects of the activity will be managed through applying the effects management hierarchy; or*
- (e) *the regional council is satisfied that:*
- (i) *the activity is necessary for the purpose of:*
 - (A) *the extraction of minerals (other than coal) and ancillary activities; or*
 - (B) *the extraction of coal and ancillary activities as part of the operation or extension of an existing coal mine; and*
 - (ii) *the extraction of the mineral will provide significant national or regional benefits; and*
 - (iii) *there is a functional need for the activity to be done in that location; and*
 - (iv) *the effects of the activity will be managed through applying the effects management hierarchy; or*
- (f) *the regional council is satisfied that:*
- (i) *the activity is necessary for the purpose of constructing or operating a new or existing landfill or cleanfill area; and*
 - (ii) *the land fill or cleanfill area:*
 - (A) *will provide significant national or regional benefits; or*
-



(B) is required to support urban development as referred to in paragraph (c); or

(C) is required to support the extraction of aggregates as referred to in paragraph (d); or

(D) is required to support the extraction of minerals as referred to in paragraph (e); and

(iii) there is either no practicable alternative location in the region, or every other practicable alternative location in the region would have equal or greater adverse effects on a natural inland wetland; and

(iv) the effects of the activity will be managed through applying the effects management hierarchy.

2A.3A Resource consent for activities set out in Policy 2A.3 subclauses (a)-(f), that would result in the loss of extent or values of a natural inland wetland will not be granted unless:

(a) the council is satisfied that:

(i) the applicant has demonstrated how each step of the effects management hierarchy will be applied to any loss of extent or values of the wetland (including cumulative effects and loss of potential value), particularly (without limitation) in relation to the values of: ecosystem health, indigenous biodiversity, hydrological functioning, Māori freshwater values, and amenity values; and

(ii) if aquatic offsetting or aquatic compensation is applied, the applicant has complied with principles 1 to 6 in Appendix 6 and 7 of the National Policy Statement for Freshwater Management 2020, and has had regard to the remaining principles in Appendix 6 and 7, as appropriate; and

(iii) there are methods or measures that will ensure that the offsetting or compensation will be maintained and managed over time to achieve the conservation outcomes; and

(b) any consent granted is subject to:

(i) conditions that apply the effects management hierarchy; and

(ii) a condition requiring monitoring of the wetland at a scale commensurate with the risk of the loss of extent or values of the wetland; and

(iii) conditions that specify how the requirements in (a)(iii) will be achieved.

2A.4 The loss of river extent and values is avoided, unless the council is satisfied:

(a) that there is a functional need for the activity in that location; and

(b) the effects of the activity are managed by applying the effects management hierarchy.

2A.5 Resource consents for activities set out in Policy 2A.4 subclauses (a)-(b), that would result in the loss of extent or values of a river will not be granted unless:

(a) the council is satisfied that:

(i) the applicant has demonstrated how each step in the effects management hierarchy will be applied to any loss of extent or values of the river (including cumulative effects and loss of potential value), particularly (without limitation) in relation to the values of: ecosystem health, indigenous biodiversity, hydrological functioning, Māori freshwater values, and amenity; and

(ii) if aquatic offsetting or aquatic compensation is applied, the applicant has complied with principles 1 to 6 in Appendix 6 and 7 of the National Policy Statement for Freshwater Management 2020, and has had regard to the remaining principles in Appendix 6 and 7, as appropriate; and

(iii) there are methods or measures that will ensure the offsetting or compensation will be maintained and managed over time to achieve the conservation outcomes; and

(b) any consent granted is subject to:

(i) conditions that apply the effects management hierarchy; and

(ii) conditions that specify how the requirements in (a)(iii) will be achieved

Section 3 Objectives

The Objectives of this Plan must be read in their entirety and considered together. In any particular case some Objectives may be more relevant than others, but in general no single Objective has more importance than any other.

3.1 Land and water are managed as integrated natural resources to recognise and enable Ngāi Tahu culture, traditions, customary uses and relationships with land and water.



- 3.2 *Water management applies the ethic of ki uta ki tai – from the mountains to the sea – and land and water are managed as integrated natural resources recognising the connectivity between surface water and groundwater, and between fresh water, land and the coast.*
- 3.3 *Nationally and regionally significant infrastructure is enabled and is resilient and positively contributes to economic, cultural and social wellbeing through its efficient and effective operation, on-going maintenance, repair, development and upgrading.*
- 3.4 *A regional network of water storage and distribution facilities provides for sustainable, efficient and multiple use of water.*
- 3.5 *Land uses continue to develop and change in response to socio-economic and community demand.*
- 3.6 *Water is recognised as essential to all life and is respected for its intrinsic values.*
- 3.7 *Fresh water is managed prudently as a shared resource with many in-stream and out-of- stream values.*
- 3.8 *The quality and quantity of water in fresh water bodies and their catchments is managed to safeguard the life-supporting capacity of ecosystems and ecosystem processes, including ensuring sufficient flow and quality of water to support the habitat and feeding, breeding, migratory and other behavioural requirements of indigenous species, nesting birds and, where appropriate, trout and salmon.*
- 3.8A *High quality fresh water is available to meet actual and reasonably foreseeable needs for community drinking water supplies.*
- 3.9 *Abstracted water is shown to be necessary and reasonable for its intended use and any water that is abstracted is used efficiently.*
- 3.10 *Water is available for sustainable abstraction or use to support social and economic activities and social and economic benefits are maximised by the efficient storage, distribution and use of the water made available within the allocation limits or management regimes which are set in this Plan.*
- 3.11 *Water is recognised as an enabler of the economic and social wellbeing of the region.*
- 3.12 *When setting and managing within limits, regard is had to community outcomes for water quality and quantity.*
- 3.13 *Groundwater resources remain a sustainable source of high quality water which is available for abstraction while supporting base flows or levels in surface water bodies, springs and wetlands and avoiding salt-water intrusion.*
- 3.14 *High naturalness waterbodies and hāpua and their margins are maintained in a healthy state or are improved where degraded.*
- 3.15 *Those parts of lakes and rivers that are valued by the community for recreation are suitable for contact recreation.*
- 3.16 *Freshwater bodies and their catchments are maintained in a healthy state, including through hydrological and geomorphic processes such as flushing and opening hāpua and river mouths, flushing algal and weed growth, and transporting sediment.*
- 3.17 *The significant indigenous biodiversity values of rivers, wetlands and hāpua are protected.*
- 3.18 *Wetlands that contribute to cultural and community values, biodiversity, water quality, mahinga kai, water cleansing and flood mitigation are maintained.*
- 3.19 *Natural character values of freshwater bodies, including braided rivers and their margins, wetlands, hāpua and coastal lagoons, are protected.*
- 3.20 *Gravel in riverbeds is extracted to maintain floodway capacity and to provide resources for building and construction and maintenance, while maintaining the natural character of braided rivers and not adversely affecting water quality, ecosystems or their habitats, access to or the quality of mahinga kai or causing or exacerbating erosion.*
- 3.21 *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 or the removal of vegetation or natural defences against water does not exacerbate the risk of flooding or erosion of land or damage to structures.*
- 3.22 *The effectiveness of both man-made natural hazard protection infrastructure, and wetlands and hāpua as natural water retention areas, is maintained to reduce the risk of and effects from natural hazards, including those arising from seismic activity and climate change.*
- 3.23 *Soils are healthy and productive, and human-induced erosion and contamination are minimised.*
- 3.24 *All activities operate at good environmental practice or better to optimise efficient resource use and protect the region's fresh water resources from quality and quantity degradation.*

Section 4 Policies

Strategic Policies

- 4.1 *Lakes, rivers, wetlands and aquifers will meet the fresh water outcomes set in Sections 6 to 15 within the specified timeframes. If outcomes have not been established for a catchment, then each type of lake, river or aquifer should meet the outcomes set out in Table 1 by 2030.*



- 4.2 *The management of lakes, rivers, wetlands and aquifers will take account of the fresh water outcomes, water quantity limits and the individual and cumulative effects of land uses, discharges and abstractions will meet the water quality limits set in Sections 6 to 15 or Schedule 8 and the individual and cumulative effects of abstractions will meet the water quantity limits in Sections 6 to 15.*
- 4.3 *Surface water bodies are managed so that:*
- (a) *toxin producing cyanobacteria do not render rivers or lakes unsuitable for recreation or human and animal drinking-water;*
 - (b) *fish are not rendered unsuitable for human consumption by contaminants;*
 - (c) *the natural colour of the water in a river is not altered;*
 - (d) *the natural frequency of hāpua, coastal lakes, lagoons and river openings is not altered;*
 - (e) *the passage for migratory fish species is maintained unless restrictions are required to protect populations of native fish;*
 - (f) *reaches of rivers are not induced to run dry, thereby maintaining the natural continuity of river flow from source to sea,*
 - (g) *variability of flow, including floods and freshes, is maintained to avoid prolonged “flat-lining” of rivers; to facilitate fish passage; and to mobilise bed material; and*
 - (h) *the exercise of customary uses and values is supported.*
- 4.4 *Groundwater is managed so that:*
- (a) *groundwater abstractions do not cause a continuing long-term decline in mean annual groundwater levels or artesian pressures;*
 - (b) *the individual and cumulative rate, duration and volume of water pumped from bores is controlled so as to prevent seawater contamination;*
 - (c) *the rate and duration of individual abstractions is controlled to ensure that individually or cumulatively, localised pressure reversal does not result in the downward movement of contaminants;*
 - (d) *in any location where an overall upwards pressure gradient exists, 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;*
 - (e) *overall water quality in aquifers does not decline; and*
 - (f) *the exercise of customary uses and values is supported.*
- 4.5 *Water is managed through the setting of limits to safeguard the life-supporting capacity of ecosystems, support customary uses, and provide for community drinking-water supplies and stock water, 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.*
- 4.6 *In high naturalness water bodies listed in Sections 6 to 15, the damming, diverting or taking of water is limited to that for individual or community stock or drinking-water and water for the operation and maintenance of existing infrastructure.*
- 4.7 *Resource consents for new or existing activities will not be granted if the granting would cause a water quality or quantity limit set in Sections 6 to 15 to be breached, or further over allocation (water quality and/or water quantity) to occur, or in the absence of any water quality standards in Sections 6 to 15 the limits set in Schedule 8 to be breached. Replacement consents, or new consents for existing activities may be granted to:*
- (a) *allow the continuation of existing activities at the same or lesser rate or scale, provided the consent contains conditions that contribute to the phasing out of the over allocation (water quality and/or water quantity) within a specified timeframe; or*
 - (b) *exceed the allocation limit (water quality and/or water quantity) to a minor extent and in the short-term if that exceedance is part of a proposal to phase out the over- allocation within a specified timeframe included in Sections 6 to 15 of this Plan.*
- 4.8 *The harvest and storage of water for new irrigation or new hydro-electricity generation schemes contribute to or do not frustrate the attainment of the regional concept for water harvest, storage and distribution set out in Schedule 16 or a water quantity limit set in Sections 6 to 15.*

Assessment

For brevity, the key objectives and strategic policies of the operative Land and Water Regional Plan have been listed above, noting they signal the key outcomes sought by this statutory Plan and its associated policies and methods (rules).



Broadly, the objectives of the Canterbury Land and Water Regional Plan (LWRP) collectively seek to manage land and water as integrated natural resources (e.g. Objective 3.1), manage the quality and quantity of freshwater to safeguard the life-supporting capacity of ecosystems and ecosystem processes (e.g. Objective 3.8), maintain freshwater bodies and their catchments in a healthy state (e.g. Objective 3.16), protect the natural character of waterbodies (e.g. Objective 3.19), and maintain healthy and productive soils (e.g. Objective 3.23).

Supporting policies include Policies 4.3 and 4.4 that address the management of surface and groundwater respectively. Policies 4.12-4.14B address discharges of contaminants to land and water, seeking that the effects of any discharge are minimised (Policy 4.13), and that discharges do not exceed the natural capacity of soil to treat or remove contaminants and not exceed available water storage capacity of soil (Policy 4.14). Policies 4.15-4.17 address stormwater (and community wastewater systems), and Policies 4.15 and 4.16A addresses urban areas and reticulated systems and. Policy 4.17 seeks that stormwater run-off volumes and peak flows are managed so they do not cause or exacerbate the risk of inundation, erosion or damage to property or infrastructure downstream or risks to human safety. Policies 4.18 and 4.19 address effects of earthworks on surface and groundwater, seeking to ensure discharges are avoided or minimised.

The relevant rules and resource consent requirements under this Plan have been identified and assessed in the AEE with supporting technical assessments that consider potential effects on land and (particularly) water resources. Based on that assessment (which concludes that any effects on these resources will be avoided, or managed to acceptable levels) the proposal is found to be consistent with the provisions in the operative Land and Water Regional Plan.

Canterbury Air Regional Plan

Assessment

The objectives and policies of the Canterbury Air Regional Plan broadly seek, in relation to industrial and trade activities and large scale fuel burning devices, identifying best practicable options to minimise the effects of discharges, manage and in some situations avoid discharges of PM10, manage discharges of odour and dust from solid or liquid waste, and addressing localised effects of discharges including relative to sensitive receptors.

It is anticipated that any future discharges associated with individual developments will either fall to be permitted under the Rules of the Air Regional Plan, or will be assessed in an integrated manner through the resource consent process, with Environment Canterbury as the administering body. At such time as detailed development plans for development are advanced, various options for the design and management of discharges will be available (if required) to ensure any adverse effects are minimised.



Christchurch District Plan

3.3 General: Objectives

Objectives and Policies

3.3.1 Objective -Enabling recovery and facilitating the future enhancement of the district

- a. *The expedited recovery and future enhancement of Christchurch as a dynamic, prosperous and internationally competitive city, in a manner that:*
- i. *Meets the community's immediate and longer term needs for housing, economic development, community facilities, infrastructure, transport, and social and cultural wellbeing; and*
 - ii. *Fosters investment certainty; and*
 - iii. *Sustains the important qualities and values of the natural environment.*

Assessment of Provisions

The proposal supports this primary strategic objective in the District Plan, insofar that it's enablement would:

- Meet the community's immediate and longer term needs for economic development (industrial land) as detailed in the economic assessment, without otherwise diminishing community wellbeing;
- Foster investment certainty (for the applicant and those businesses seeking industrial land in this locality and market); and
- Sustain the important qualities and values of the natural environment, noting there are no qualities or values of particularly high significance presently on the site.

3.3.3 Objective -Ngāi Tahu mana whenua

- a. *A strong and enduring relationship between the Council and Ngāi Tahu mana whenua in the recovery and future development of Ōtautahi (Christchurch City) and the greater Christchurch district, so that:*
- i. *Ngāi Tahu mana whenua are able to actively participate in decision-making; and*
 - ii. *Ngāi Tahu mana whenua's aspirations to actively participate in the revitalisation of Ōtautahi are recognised; and*
 - iii. *Ngāi Tahu mana whenua's culture and identity are incorporated into, and reflected in, the recovery and development of Ōtautahi; and*
 - iv. *Ngāi Tahu mana whenua's historic and contemporary connections, and cultural and spiritual values, associated with the land, water and other taonga of the district are recognised and provided for; and*
 - v. *Ngāi Tahu mana whenua can retain, and where appropriate enhance, access to sites of cultural significance.*
 - vi. *Ngāi Tahu mana whenua are able to exercise kaitiakitanga.*

Assessment of Provisions

The proposal supports this objective, as demonstrated in the assessment of the proposal against the IMP.



3.3.5 Objective -Business and economic prosperity

- a. *The critical importance of business and economic prosperity to Christchurch's recovery and to community wellbeing and resilience is recognised and a range of opportunities provided for business activities to establish and prosper.*

Assessment of Provisions

This objective is directly relevant to, and supportive of the proposal, noting the findings in the economic assessment that additional land is required to meet the needs for business activities in this locality and market.

3.3.6 Objective- Natural hazards

- a. *New subdivision, use and development (other than new critical infrastructure or strategic infrastructure to which paragraph b. applies):*
- i. *is to be avoided in areas where the risks from natural hazards to people, property and infrastructure are assessed as being unacceptable; and*
 - ii. *in all other areas, is undertaken in a manner that ensures the risks of natural hazards to people, property and infrastructure are appropriately mitigated.*
- b. *New critical infrastructure or strategic infrastructure may be located in areas where the risks of natural hazards to people, property and infrastructure are otherwise assessed as being unacceptable, but only where:*
- i. *there is no reasonable alternative; and*
 - ii. *the strategic infrastructure or critical infrastructure has been designed to maintain, as far as practicable, its integrity and form during natural hazard events; and*
 - iii. *the natural hazard risks to people, property and infrastructure are appropriately mitigated.*
- c. *There is increased public awareness of the range and scale of natural hazard events that can affect Christchurch District.*
- d. *The repair of earthquake damaged land is facilitated as part of the recovery.*

Assessment of Provisions

The proposal is consistent with this objective, and clause (a) in particular, insofar that natural hazard risks will be avoided or mitigated to appropriate and acceptable standards.

3.3.7 Objective -Urban growth, form and design

- a. *A well- integrated pattern of development and infrastructure, a consolidated urban form, and a high quality urban environment that:*
- i. *Is attractive to residents, business and visitors; and*
 - ii. *Has its areas of special character and amenity value identified and their specifically recognised values appropriately managed; and*
 - iii. *Provides for urban activities only:*
 - A. *within the existing urban areas unless they are otherwise expressly provided for in the CRPS; and*
 - B. *on greenfield land on the periphery of Christchurch's urban area identified in accordance with the Greenfield Priority Areas in the Canterbury Regional Policy Statement Chapter 6, Map A; and*
 - iv. *Increases the housing development opportunities in the urban area to meet the intensification targets specified in the Canterbury Regional Policy Statement, Chapter 6, Objective 6.2.2 (1); particularly:*
 - A. *in and around the Central City, Key Activity Centres (as identified in the Canterbury Regional Policy Statement), larger neighbourhood centres, and nodes of core public transport routes; and*
 - B. *in those parts of Residential Greenfield Priority Areas identified in Canterbury Regional Policy Statement Chapter 6, Map A; and*
 - C. *in suitable brownfield areas; and*
 - v. *Maintains and enhances the Central City, Key Activity Centres and Neighbourhood Centres as community focal points; and*



- vi. *Identifies opportunities for, and supports, the redevelopment of brownfield sites for residential, business or mixed use activities; and*
- vii. *Promotes the re-use and re-development of buildings and land; and*
- viii. *Improves overall accessibility and connectivity for people, transport (including opportunities for walking, cycling and public transport) and services; and*
- ix. *Promotes the safe, efficient and effective provision and use of infrastructure, including the optimisation of the use of existing infrastructure; and*
- x. *Co-ordinates the nature, timing and sequencing of new development with the funding, implementation and operation of necessary transport and other infrastructure.*

Assessment of Provisions

Whilst the subject site entails urban industrial development of a Rural zoned site and is not contemplated by the Plan's pattern of development (and therefore conflicts with clause (a)(iii) of the policy), it nonetheless delivers a 'well- integrated pattern of development and infrastructure, a consolidated urban form, and a high quality urban environment' given its adjacency and connectivity to the urban area, transport network and ability to be serviced with infrastructure. As demonstrated in the assessment of effects and technical reports, the proposal otherwise accords with the matters listed in clauses (a)(i)-(ii) and (iii)-(x) of the objective.

3.3.9 Objective -Natural and cultural environment

- a. *A natural and cultural environment where:*
 - i. *People have access to a high quality network of public open space and recreation opportunities, including areas of natural character and natural landscape; and*
 - ii. *Important natural resources are identified and their specifically recognised values are appropriately managed, including:*
 - A. *outstanding natural features and landscapes, including the Waimakariri River, Lake Ellesmere/Te Waihora, and parts of the Port Hills/Nga Kohatu Whakarakaraka o Tamatea Pokai Whenua and Banks Peninsula/Te Pātaka o Rakaihautu; and*
 - B. *the natural character of the coastal environment, wetlands, lakes and rivers, springs/puna, lagoons/hapua and their margins; and*
 - C. *indigenous ecosystems, particularly those supporting significant indigenous vegetation and significant habitats supporting indigenous fauna, and/or supporting Ngāi Tahu mana whenua cultural and spiritual values; and*
 - D. *the mauri and life-supporting capacity of ecosystems and resources; and*
 - iii. *Objects, structures, places, water/wai, landscapes and areas that are historically important, or of cultural or spiritual importance to Ngāi Tahu mana whenua, are identified and appropriately managed.*

Assessment of Provisions

There are no natural or cultural values of particular or identified significant for the site. As such, this objective is most relevant in regards water/wai values, which are recognised as being of cultural or spiritual importance to Ngāi Tahu mana whenua. As addressed above in regards other statutory planning provisions, such values have been identified, assessed and appropriately managed.

3.3.10 Objective -Commercial and industrial activities

- a. *The recovery and stimulation of commercial and industrial activities in a way that expedites recovery and long-term economic and employment growth through:*
 - i. *Enabling rebuilding of existing business areas, revitalising of centres, and provision in greenfield areas; and*
 - ii. *Ensuring sufficient and suitable land development capacity.*
- b. *The critical importance of centres for people and the economy is recognised in a framework that primarily directs commercial activity into centres, consistent with their respective roles; and any commercial activities proposing to locate outside these centres will not give rise to significant adverse distributional or urban form effects.*



Assessment of Provisions

For the reasons expressed in the assessment of economic costs and benefits, the proposal is consistent with this objective.

3.3.12 Objective -Infrastructure

- a. *The social, economic, environmental and cultural benefits of infrastructure, including strategic infrastructure, are recognised and provided for, and its safe, efficient and effective development, upgrade, maintenance and operation is enabled; and*
- b. *Strategic infrastructure, including its role and function, is protected from incompatible development and activities by avoiding adverse effects from them, including reverse sensitivity effects. This includes:*
 - i. *avoiding noise sensitive activities within the Lyttelton Port Influences Overlay area; and*
 - ii. *managing activities to avoid adverse effects on the National Grid, including by identifying a buffer corridor within which buildings, excavations sensitive activities will generally not be provided for; and*
 - iii. *avoiding new noise sensitive activities within the 50dB Ldn Air Noise Contour and the 50dB Ldn Engine Testing Contour for Christchurch International Airport, except:*
 - A. *within an existing residentially zoned urban area; or*
 - B. *within a Residential Greenfield Priority Area identified in the Canterbury Regional Policy Statement Chapter 6, Map A; or*
 - C. *for permitted activities within the Specific Purpose (Golf Resort) Zone of the District Plan, or activities authorised by a resource consent granted on or before 6 December 2013; and*
 - D. *for permitted, controlled, restricted discretionary and discretionary activities within the Specific Purpose (Tertiary Education) Zone at the University of Canterbury; and*
 - iv. *managing the risk of birdstrike to aircraft using Christchurch International Airport; and*
 - v. *managing activities to avoid adverse effects on the identified 66kV and 33kV electricity distribution lines and the Heathcote to Lyttelton 11kV electricity distribution line, including by identifying a buffer corridor within which buildings, excavations and sensitive activities will generally not be provided for; and*
- c. *The adverse effects of infrastructure on the surrounding environment are managed, having regard to the economic benefits and technical and operational needs of infrastructure.*

Assessment of Provisions

For the reasons expressed in the assessment of effects there is the ability for the avoidance of effects on the strategic road network as set out in the assessment and recommendations of the Integrated Transport Assessment (**Appendix 10**). The proposed condition of consent which would delay the issuing of titles until December 2027 (and thus delaying the development and occupation of the site and associated traffic generation) as a means to enable NZTA and Council to fund and upgrade the Pound Rd / Waterloo Rd / SH1 intersection prior to the development being constructed and generating traffic.

3.3.14 Objective -Incompatible activities

- a. *The location of activities is controlled, primarily by zoning, to minimise conflicts between incompatible activities; and*
- b. *Conflicts between incompatible activities are avoided where there may be significant adverse effects on the health, safety and amenity of people and communities.*

Assessment of Provisions

Given that the proposal will entail an expansion of the existing urban area/activities and will not result in any incompatibility between activities and the proposal will accord with this objective. The surrounding environment includes activities like quarrying and motorsport that may be incompatible with more sensitive activities like housing;



however the proposed activity is compatible with these activities, enabling an appropriate urban use of land in this location.

3.3.16 Objective -A productive and diverse rural environment

- a. *A range of opportunities is enabled in the rural environment, primarily for rural productive activities, and also for other activities which use the rural resource efficiently and contribute positively to the economy.*
- b. *The contribution of rural land to maintaining the values of the natural and cultural environment, including Ngāi Tahu values, is recognised.*

Assessment of Provisions

The proposal will clearly remove the productive potential of the land for rural activity, but for the reasons expressed in the assessment of effects (including the technical assessment on Highly Productive Land and Soils (**Appendix 20**), that loss will be insignificant in relative and absolute terms and acceptable, nor would it otherwise constrain the operations of existing rural productive activities.

3.3.17 Objective -Wai (Water) features and values, and Te Tai o Mahaanui

- a. *The critical importance of wai (water) to life in the District, including surface freshwater, groundwater, and Te Tai o Mahaanui (water in the coastal environment) is recognised and provided for by:*
 - i. *taking an integrated approach to managing land use activities that could adversely affect wāi (water), based on the principle of 'Ki Uta Ki Tai' (from the mountains to the sea);*
 - ii. *ensuring that the life supporting and intrinsic natural and cultural values and characteristics associated with water bodies and coastal waters, their catchments and the connections between them are maintained, or improved where they have been degraded;*
 - iii. *ensuring subdivision, land use and development of land is managed to safeguard the District's potable wai (water) supplies, waipuna (springs), and water bodies and coastal waters and their margins; particularly Ōtākaro (Avon River), Ihutai (Avon-Heathcote Estuary), Whakaraupō (Lyttelton Harbour), Whakaroa (Akaroa Harbour) and Te Tai o Mahaanui;*
 - iv. *ensuring that Ngāi Tahu values and cultural interests in wai (water) as a taonga are recognised and protected.*

Assessment of Provisions

As described above and in the assessment of effects, wai features and values have been recognised and provided for in a manner consistent with this objective.

4.2 Hazardous Substances and Contaminated Land: Contaminated Land

Objectives and Policies

4.2.2 Objectives and Policies

4.2.2.1 Objective - Contaminated land - managing effects

- a. *Land containing elevated levels of contaminants is managed to protect human health and the environment, which includes significant natural and Ngāi Tahu cultural values from the adverse effects of subdivision, development and use of contaminated land and natural hazards, including from site investigations, earthworks and soil disturbance, and to enable the land to be used in the future.*

4.2.2.1.1 Policy - Best practice approach

- a. *Require any proposal to subdivide, use or develop contaminated land or potentially contaminated land to apply a best practice approach to investigate the risks, and either remediate the contamination or manage activities on contaminated land to protect people and the environment.*



4.2.2.1.2 Policy - Remediation

- a. *Remediation of contaminated land should not pose a more significant risk to human health or the environment than if remediation had not occurred.*

4.2.2.1.3 Policy - Future use

- a. *Use or development of contaminated land that has been remediated or has an existing management plan in place, must not damage or destroy any containment works, unless comparable or better containment is provided.*

Assessment of Provisions

The proposal will accord with the provisions in sub-chapter 4.2. Site contamination has been identified on the site, of a standard typical of a rural site. A Remedial Action Plan has been prepared as part of the application and the site will be remediated in accordance with this to a standard acceptable for industrial use. The conditions of consent volunteered will ensure that 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.

6.1 General Rules and Procedures: Noise

Objectives and Policies

6.1.2 Objectives and Policies

6.1.2.1 Objective - Adverse noise effects

- a. *Adverse noise effects on the amenity values and health of people and communities are managed to levels consistent with the anticipated outcomes for the receiving environment.*

6.1.2.1.1 Policy - Managing noise effects

- a. *Manage adverse noise effects by:*
 - i. *limitations on the sound level, location and duration of noisy activities;*
 - ii. *requiring sound insulation for sensitive activities or limiting their location relative to activities with elevated noise levels.*

6.1.2.1.2 Policy - Noise during night hours

- a. *Achieve lower noise levels during night hours to protect sleep, and the amenity values of residential and other sensitive environments, so far as is practicable.*

6.1.2.1.3 Policy - Entertainment and hospitality activities in precinct areas and key locations in the Central City

- a. *Enable entertainment and hospitality activities, and temporary events including those at identified facilities (refer to Rule 6.1.6.2.3 Temporary activities), that contribute to Christchurch's economic, social, and cultural well-being to occur in the Central City Entertainment and Hospitality Precincts while ensuring the adverse noise effects of activities on the surrounding community and environment are managed to levels consistent with the anticipated outcomes for the receiving environment.*
- b.
 - i. *Enable the Canterbury Multi-Use Arena (CMUA) to attract and host a wide range of sporting events, concerts and other entertainment events and activities, so that it can act as a catalyst for regeneration, make a significant contribution to the vibrancy of the Central City, and promote the sporting and cultural identity of Christchurch.*



- ii. *Ensure that noise from the CMUA is managed to levels, durations and frequencies which, in combination with insulation requirements and a Noise Management Plan, mitigate adverse effects on the amenity values of neighbouring inner city residential areas.*

6.1.2.1.4 Policy - Activities in key locations outside the Central City

- a. *Enable land use activities at identified facilities (Refer to Rule 6.1.6.2.3 Temporary activities) outside the Central City that contribute to Christchurch's economic, social, and cultural wellbeing while ensuring the adverse noise effects of activities on the surrounding community and environment are managed to levels consistent with the anticipated outcomes for the receiving environment.*

6.1.2.1.5 Policy - Airport noise

- a. *Require the management of aircraft operations and engine testing at Christchurch International Airport, so that:*
 - i. *noise generated is limited to levels that minimise sleep disturbance and adverse effects on the amenity values of residential and other sensitive environments so far as is practicable;*
 - ii. *where practicable, adverse noise effects are reduced over time.*
- b. *Mitigate adverse noise effects from the operations of the Christchurch International Airport on sensitive activities, by:*
 - i. *prohibiting new sensitive activities within the Air Noise Boundary and within the 65 dB Ldn engine testing contour; and*
 - ii. *requiring noise mitigation for new sensitive activities within the 55 dB Ldn air noise contour and within the 55 dB Ldn engine testing contour; and*
 - iii. *requiring Christchurch International Airport Limited (CIAL) to offer appropriate acoustic treatment in respect of residential units existing as at 6 March 2017 within the 65 dB Ldn Annual Airport Noise Contour, and within the 60 dB Ldn engine testing contour.*

Assessment of Provisions

For the reasons expressed in the assessment of effects and in the acoustic assessment (**Appendix 4**), the proposal is likely to generate noise levels that are acceptable in the context of the receiving environment.

6.3 General Rules and Procedures: Outdoor lighting

Objectives and Policies

6.3.2 Objectives and Policies

6.3.2.1 Objective -- Artificial outdoor lighting and glare

- a. *Artificial outdoor lighting enables night-time work, rural productive activities, recreation activities, sport, entertainment activities, transportation and public health and safety while:*
 - i. *managing adverse effects on residential, commercial, open space and rural amenity values; areas of natural, historic or cultural significance and the night sky; and*
 - ii. *avoiding interference with the safe operation of transport and infrastructure.*

6.3.2.1.1 Policy -- Enabling night-time activity while managing the adverse effects of artificial outdoor lighting

- a. *Recognise and provide for artificial outdoor lighting for night-time activities and safety while managing its scale, timing, duration, design and direction in a way that:*
 - i. *avoids, remedies or mitigates adverse effects on the rest or relaxation of residents; or any areas of natural, historic or cultural significance;*
 - ii. *does not interfere with the safe operation of the transport network or aircraft;*
 - iii. *minimises unnecessary light spill into the night sky.*



Assessment of Provisions

Any future lighting associated with the proposed activity will be appropriately managed to avoid adverse effects on rural amenity values in the receiving environment in a manner consistent with these provisions.

6.8 General Rules and Procedures: Signs

Objectives and Policies

6.8.2 Objectives and Policies

6.8.2.1 Objective - Signage

- a. *Signage collectively contributes to Christchurch's vitality and recovery by:*
 - i. *supporting the needs of business, infrastructure and community activities;*
 - ii. *maintaining public safety; and*
 - iii. *enhancing the visual amenity values and character of the surrounding area, building or structures.*

6.8.2.1.1 Policy - Enabling signage in appropriate locations

- a. *Enable signage:*
 - i. *as an integral component of commercial and industrial environments, strategic infrastructure and community activities throughout the Christchurch District; and*
 - ii. *that is necessary for public health and safety and to provide direction to the public.*

6.8.2.1.2 Policy - Controlling signage in sensitive locations

- a. *Ensure the character and amenity values of residential, open space and rural zones are protected from adverse visual and amenity effects from large areas or numbers of signs, or off-site signs within these zones.*

6.8.2.1.3 Policy - Managing the potential effects of signage

- a. *In considering Policies 6.8.2.1.1 and 6.8.2.1.2, ensure that the size, number, height, location, design, appearance and standard of maintenance of signs:*
 - i. *do not detract from, and where possible contribute to, the character and visual amenity of the surrounding area and public realm;*
 - ii. *integrate within the façade of the building, do not detract from the integrity of the building design, and maintain the building as the primary visual element;*
 - iii. *are in proportion to the scale of buildings and the size of the site; and*
 - iv. *enhance the Central City.*

6.8.2.1.4 Policy - Transport safety

- a. *Ensure that signs do not cause obstruction and/or distraction for motorists and pedestrians and other road users.*

6.8.2.1.5 Policy - Temporary signage and signage managed by other agencies

- a. *Enable temporary signage subject to meeting basic activity and built form standards.*
- b. *Enable signage required or controlled through other legislation or government agencies.*



6.8.2.1.6 Policy - Managing off-site signage

- a. *Limit off-site signs in the sensitive zones specified in Policy 6.8.2.1.2 and to enable such signage where it:*
 - i. *is compatible with the surrounding environment and is located within a commercial or industrial context;*
 - ii. *is appropriately maintained;*
 - iii. *will not cause or contribute to visual clutter and other cumulative adverse effects; and*
 - iv. *is consistent with the outcomes sought in Policy 6.8.2.1.3.*

Assessment of Provisions

Conditions of consent are proposed to control and manage signage in accordance with what is anticipated by the industrial general provisions, such that its effects are avoided or managed in accordance with these provisions.

7 Transport

Objectives and Policies

7.2 Objectives and Policies

7.2.1 Objective - Integrated transport system for Christchurch District

- a. *An integrated transport system for Christchurch District:*
 - i. *that is safe and efficient for all transport modes;*
 - ii. *that is responsive to the current recovery needs, future needs, and enables economic development, in particular an accessible Central City able to accommodate projected population growth;*
 - iii. *that supports safe, healthy and liveable communities by maximising integration with land use;*
 - iv. *that reduces dependency on private motor vehicles and promotes the use of public and active transport;*
 - v. *that is managed using the one network approach.*

7.2.1.1 Policy - Establishment of a road classification system

- a. *Identify a road network that connects people and places and recognises different access and movement functions for all people and transport modes, whilst:*
 - i. *supporting the safe and efficient operation of the transport network;*
 - ii. *providing for public places in accordance with the function of the road to enable community activities including opportunities for people to interact and spend time;*
 - iii. *providing space for utility services;*
 - iv. *reflecting neighbourhood identity and amenity values;*
 - v. *recognising cross-boundary connections with adjoining districts; and*
 - vi. *providing for the efficient and effective functioning of the strategic transport network, including for freight.*
- b. *Recognise the Central City in the road classification system by establishing a people-focused and slow vehicle inner zone which provides safe and effective access and movement for all forms of transport.*

7.2.1.2 Policy - High trip generating activities

- a. *Manage the adverse effects of high trip generating activities, except for permitted activities within the Central City, on the transport system by assessing their location and design with regard to the extent that they:*



-
- i. *are permitted¹ by the zone in which they are located;*
 - ii. *are located in urban areas and generate additional vehicle trips beyond what is already established or consented, unless the already established or consented vehicle trips are specifically included in rule thresholds;*
 - iii. *are accessible by a range of transport modes and encourage public and active transport use;*
 - iv. *do not compromise the safe, efficient and effective use of the transport system;*
 - v. *provide patterns of development that optimise use of the existing transport system;*
 - vi. *maximise positive transport effects;*
 - vii. *avoid significant adverse transport effects of activities where they are not permitted by the zone in which they are located;*
 - viii. *mitigate other adverse transport effects, such as effects on communities, and the amenity values of the surrounding environment, including through travel demand management measures;*
 - ix. *provide for the transport needs of people whose mobility is restricted; and*
 - x. *integrate and coordinate with the transport system, including proposed transport infrastructure and service improvements.*
-

7.2.1.3 Policy - Vehicle access and manoeuvring

- a. *Provide vehicle access and manoeuvring, including for emergency service vehicles, compatible with the road classification, which ensures safety, and the efficiency of the transport system.*
-

7.2.1.4 Policy - Requirements for car parking and loading

- a. *Outside the Central City:*
 - i. *Require mobility parking spaces and loading spaces which provide for the expected needs of an activity in a way that manages adverse effects.*
 - b. *Within the Central City:*
 - i. *Enable activities to provide car parking spaces and loading spaces, whilst minimising any adverse effects on the efficiency and safety of the transportation networks, including public transport, to the extent practicable.*
 - ii. *Manage the development of commercial car parking buildings and parking lots within the Central City so that they:*
 - A. *support the recovery of the Central City;*
 - B. *are easily accessible for businesses within the Central City;*
 - C. *minimise any adverse effects on the efficiency and safety of the transportation networks of all users, to the extent practicable;*
 - D. *protect the amenity values of the Central City;*
 - E. *reduce the need for activities to provide their own on-site parking;*
 - F. *do not significantly adversely affect the demand for public transport to, from or within the Central City.*
 - iii. *Allow for temporarily vacant sites to be used for car parking areas within the Central City until 30 April 2018.*
-

7.2.1.5 Policy - Design of car parking areas and loading areas

- a. *Require that car parking areas and loading areas are designed to:*
 - i. *operate safely and efficiently for all transport modes and users;*
 - ii. *function and be formed in a way that is compatible with the character and amenity values of the surrounding environment; and*
 - iii. *be accessible for people whose mobility is restricted.*
-

7.2.1.6 Policy - Promote public transport and active transport

- a. *Promote public and active transport by:*
-



- i. ensuring new, and upgrades to existing, road corridors provide sufficient space and facilities to promote safe walking, cycling and public transport, in accordance with the road classification where they contribute to the delivery of an integrated transport system;
- ii. ensuring activities provide an adequate amount of safe, secure, and convenient cycle parking and, outside the Central City, associated end of trip facilities;
- iii. encouraging the use of travel demand management options that help facilitate the use of public transport, cycling, walking and options to minimise the need to travel; and
- iv. requiring new Town Centres to provide opportunities for a public transport interchange.
- v. encouraging the formation of new Central City lanes and upgrading of existing lanes in the Central City, where appropriate, to provide for walking and cycling linkages and public spaces.
- vi. developing a core pedestrian area within the Central City which is compact, convenient and safe, with a wider comprehensive network of pedestrians and cycle linkages that are appropriately sized, direct, legible, prioritized, safe, have high amenity, ensure access for the mobility impaired and are free from encroachment.

7.2.1.7 Policy - Rail level crossings

- a. Improve or maintain safety at road/rail level crossings by:
 - i. requiring safe visibility at uncontrolled level crossings;
 - ii. managing vehicle accesses close to level crossings; and
 - iii. managing the creation of new level crossings.

7.2.1.8 Policy - Effects from transport infrastructure

- a. Avoid or mitigate adverse effects and promote positive effects from new transport infrastructure and changes to existing transport infrastructure on the environment, including:
 - i. air and water quality;
 - ii. connectivity of communities;
 - iii. noise, vibration and glare;
 - iv. amenity and effects on the built environment;
 - v. well-being and safety of users.

7.2.1.9 Policy - Pedestrian Access

Advice note:

1. Policy 7.2.1.9 also achieves Objectives 7.2.2 and 14.2.4

- a. In Policy 3 areas, pedestrian access is designed to meet the access requirements of residents and their visitors, including persons with a disability or with limited mobility and emergency services.

7.2.2 Objective - Adverse effects from the transport system

- a. Enable Christchurch District's transport system to provide for the transportation needs of people and freight whilst managing adverse effects from the transport system.

7.2.2.1 Policy - Effects from the strategic transport network

- a. To manage any adverse effects from the ongoing use, repair, and development of the strategic transport network, whilst recognising the national and regional scale and economic importance of this network, and the role of the strategic transport network in the recovery of Christchurch.



7.2.2.2 Policy - Activities within the Transport Zone

- a. *Enable activities for transport purposes and ancillary activities within the Transport Zone that seek to provide, maintain or improve:*
 - i. *the safety, amenity values, efficiency and functionality of the Transport Zone, in particular the strategic transport network; and*
 - ii. *structures, facilities, services and installations of the transport network.*
- b. *Enable non-transport related activities which contribute to public amenity values and/or provide a public place for community activities, including opportunities for people to interact and spend time whilst not having an adverse effect on:*
 - i. *the safety, amenity, efficiency and functionality of the transport function of the Zone; and*
 - ii. *the potential for the full width of the Transport Zone to be utilised for transport use in the future.*
- c. *Outside the Central City, where land in the Transport Zone is not immediately required for transport purposes, enable non-transport related activities that:*
 - i. *will not give rise to reverse sensitivity effects that would undermine transport activities in the zone;*
 - ii. *do not prevent land designated for transport purposes reverting to a transport use when required;*
 - iii. *do not undermine the future transport use of the land designated for transport purposes; and*
 - iv. *are consistent with the activities provided for in the adjoining zones.*
- d. *Ensure the development of the Central City South Frame Pedestrian Precinct as shown on the planning maps provides, in particular, for safe and convenient pedestrian and cycle access through the South Frame.*

7.2.2.3 Policy - Effect on adjacent land uses to the Transport Zone

- a. *Manage the adverse effect(s) of an activity within the Transport Zone so that the effects of the activity are consistent with the amenity values and activity of adjacent land uses, whilst providing for the transport network, in particular the strategic transport network to function efficiently and safely.*
- b. *To ensure adjacent land uses are designed, located and maintained in such a way as to avoid reverse sensitivity effects on the strategic transport network.*

Assessment of Provisions

Based on the conclusions in the Integrated Transport Assessment (**Appendix 10**), the proposal will accord with these provisions. In particular, the development will be provided with good accessibility to the transportation network in a safe and efficient manner. Transport infrastructure will be provided to a suitable standard that meets the needs of people and freight, and which is effectively integrated with the existing local and strategic transport network. Whilst it is recognised that the development will add to existing capacity and congestion effects associated with the Pound Rd / Waterloo Rd / SH1 intersection, a condition of consent is included as part of the application which would delay the issuing of Titles (and thus development that has the potential to generate traffic) until December 2027. This condition will provide sufficient time for NZTA and Council to fund and upgrade the intersection, thus avoiding the potential adverse safety effects that have been modelled to otherwise occur.



8 Subdivision, Development and Earthworks

Objectives and Policies

8.2 Objectives and Policies

8.2.1 Objectives and Policies - Chapter 8 Subdivision, Development and Earthworks

8.2.2 Objective - Design and amenity and the Meadowlands Exemplar Overlay

- a. *An integrated pattern of development and urban form through subdivision and comprehensive development that:*
 - i. *provides allotments for the anticipated or existing land uses for the zone;*
 - ii. *consolidates development for urban activities;*
 - iii. *improves people's connectivity and accessibility to employment, transport, services and community facilities;*
 - iv. *improves energy efficiency and provides for renewable energy and use;*
 - v. *and enables the recovery of the district.*
- b. *A comprehensively planned development in the Meadowlands Exemplar Overlay in the Residential New Neighbourhood (North Halswell) Zone that is environmentally and socially sustainable over the long term.*

8.2.2.1 Policy - Recovery activities

- a. *Ensure that subdivision processes enable recovery initiatives including by facilitating:*
 - i. *subdivision of greenfield and intensification areas;*
 - ii. *the issue of fee simple title where the following permitted or approved initiatives occur:*
 - A. *conversion of a residential unit into two residential units;*
 - B. *conversion of a family flat into a residential unit;*
 - C. *replacement of a residential unit with two residential units;*
 - D. *comprehensive development using the Enhanced development mechanism;*
 - E. *or comprehensive development using the Community housing redevelopment mechanism.*
 - iii. *conversion of the type of tenure from a cross lease or unit title to fee simple;*
 - iv. *and subdivision of a cross lease or unit title site arising from the updating of a flat plan or unit plan;*
- b. *Recognise that quarrying and other interim activities may be a suitable part of preparing identified greenfield priority areas for urban development, provided that their adverse effects can be adequately mitigated and they do not compromise use of the land for future urban development.*

8.2.2.2 Policy - Design and amenity / Tohungatanga

- a. *Ensure that subdivision:*
 - i. *incorporates the distinctive characteristics of the place's context and setting;*
 - ii. *promotes the health and wellbeing of residents and communities;*
 - iii. *and provides an opportunity to recognise Ngāi Tahu culture, history and identity associated with specific places, and affirms connections between mana whenua and place, particularly with sites of Ngāi Tahu cultural significance identified in Appendix 9.5.6.*

8.2.2.3 Policy - Allotments

- a. *Ensure that the layouts, sizes and dimensions of allotments created by subdivision are appropriate for the anticipated or existing land uses.*
- b. *In residential subdivisions (outside the Central City), provide for a variety of allotment sizes to cater for different housing types and affordability.*



8.2.2.4 Policy - Identity

- a. *Create or extend neighbourhoods which respond to their context and have a distinct identity and sense of place, by ensuring that subdivision, where relevant:*
 - i. *incorporates and responds to existing site features (including trees, natural drainage systems, buildings), cultural elements and values and amenity values (including by taking advantage of views and outlooks);*
 - ii. *incorporates public spaces that provide opportunities for formal and informal social interaction;*
 - iii. *has a pattern of development that responds to the existing urban context;*
 - iv. *is designed with a focus on the use of open space, commercial centres, community facilities, and the use of views;*
 - v. *outside the Central City, in addition to iv., is designed with a focus on density, roads, land form, stormwater facilities and, in the Residential New Neighbourhood Zone, development requirements in an outline development plan, as key structuring elements; and*
 - vi. *incorporates and responds to Rangatiratanga – the expression of te reo kawa, tikanga, history, identity and the cultural symbols of Ngāi Tahu.*
-

8.2.2.5 Policy - Sustainable design

- a. *Enable resource efficiency, use of renewable energy, and community safety and development, by:*
 - i. *ensuring that the blocks and allotments maximise solar gain, including through orientation and dimension;*
 - ii. *providing a development pattern that supports walking, cycling and public transport; and*
 - iii. *ensuring visibility and interaction between private and public spaces, and providing well-lit public spaces.*
-

8.2.2.6 Policy - Integration and connectivity

- a. *Ensure effective integration within and between developments and existing areas, including in relation to public open space networks, infrastructure, and movement networks.*
 - b. *Ensure that the boundaries between new and existing developments are, where appropriate, managed to avoid or mitigate adverse effects.*
 - c. *Outside the Central City, avoid significant adverse effects and remedy or mitigate other adverse effects on existing businesses, rural activities or infrastructure.*
-

8.2.2.7 Policy - Open space

- a. *Ensure, where appropriate, the provision and development of public open space networks which:*
 - i. *are accessible and safe and provide for various forms of recreation, including active recreation, for the health and wellbeing of communities;*
 - ii. *outside the Central City, are within 400m of new residential allotments in greenfield and brownfield areas;*
 - iii. *recognise the landscape and natural features in the wider area and link or connect to other green or open space, community facilities, commercial centres, areas of higher density residential development, landforms and roads;*
 - iv. *recognise and protect values associated with significant natural features and significant landscapes, and protect or enhance ecological function and biodiversity;*
 - v. *reinforce and uphold the Garden City landscape character of urban Christchurch City and the heritage landscapes and plantings of Banks Peninsula townships and settlements;*
 - vi. *provide access to heritage places and natural and cultural landscapes including the coastline, lakes and waterways and wetlands;*
 - vii. *and strengthen the relationship that Ngāi Tahu and the community have with the land and water, including by protecting or enhancing natural features, customary access, mahinga kai and sites of Ngāi Tahu cultural significance identified in Schedule 9.5.6.1, and by recognising other sites of Ngāi Tahu cultural significance identified in Appendix 9.5.6 where practicable.*
-



8.2.2.8 Policy - Urban density

- a. *Subdivision in the Residential Medium Density Zone must enable development which achieves a net density of at least 30 households per hectare.*
 - b. *In the Residential New Neighbourhood Zone residential development areas:*
 - i. *a minimum net density of 15 households per hectare shall be achieved when averaged across the whole of the residential development area within the relevant outline development plan, except:*
 - A. *in the Residential New Neighbourhood (Prestons) Zone a minimum net density between 13 and 15 households per hectare shall be achieved; and*
 - B. *in areas shown on an outline development plan as being subject to development constraints;*
 - ii. *any subdivision, use and development which results in a residential net density lower than the required density shall demonstrate, through the use of legal mechanisms as appropriate, that the residential net density required across residential development areas of the outline development plan can still be achieved; and*
 - iii. *except as provided for in (ii) above, where an application is made for subdivision that would not achieve the required residential density, Council will regard all owners of greenfield (undeveloped) land within the outline development plan area as affected parties.*
 - c. *In the Residential New Neighbourhood Zone, encourage higher density housing to be located to support, and have ready access to, commercial centres, community facilities, public transport and open space, and to support well-connected walkable communities.*
 - d. *Subdivision in the Residential Central City Zone must enable development which achieves a net density of at least 50 households per hectare.*
-

8.2.2.9 Policy - Outline development plans

- a. *An outline development plan (as relevant) must demonstrate that:*
 - i. *land uses will be distributed in a way that is consistent with Policy 8.2.2.8;*
 - ii. *land for community uses will be provided in locations convenient to the community and of an adequate size to serve the intended population;*
 - iii. *adequate infrastructure capacity will be available to service the intended population and/or business activities;*
 - iv. *infrastructure and transport connections will be integrated effectively with networks in neighbouring areas, and with strategic infrastructure;*
 - v. *infrastructure and transport connections through the outline development plan area will support co-ordinated development between different landowners;*
 - vi. *natural hazards will be managed in an integrated way across the area;*
 - vii. *and significant natural and cultural heritage features, sites of Ngāi Tahu cultural significance identified in Schedule 9.5.6.1, and the quality of surface water and groundwater, will be protected;*

and where required to give effect to the Canterbury Regional Policy Statement Policy 6.3.3, include the necessary information set out in that policy.
 - b. *Information in outline development plans:*
 - i. *should be presented in the form of one or two plans that show a distribution of land uses, infrastructure and transport networks and connections, areas set aside from development and other land use features; and*
 - ii. *may include an accompanying narrative that:*
 - A. *is concise and addresses matters in Policy 8.2.2.9(a) and any matters required to give effect to the Canterbury Regional Policy Statement Policy 6.3.3 that cannot be shown on the plans;*
 - B. *describes the context and provides guidance on the outcomes sought;*
 - C. *specifies development requirements that must be achieved to be considered as being in accordance with the outline development plan;*
 - D. *and states any staging requirements that give consideration to the provision, funding, implementation and operation of new and upgraded infrastructure and will guide infrastructure planning processes of the Council and other network providers.*
-



- c. *Subdivision, use and development shall be in accordance with the development requirements in the relevant outline development plan, or otherwise achieve similar or better outcomes.*
- d. *Any quarrying or other interim activity shall not compromise the timely implementation of, or outcomes sought by, the outline development plan.*

8.2.2.10 Policy - Comprehensive Residential Development

- a. *In the Residential New Neighbourhood Zone, encourage comprehensive residential developments that are in accordance with the relevant outline development plan as a means of achieving co-ordinated, sustainable and efficient development outcomes.*

8.2.2.11 Policy - Access to waterways / Mana whakahaere

- a. *Provide for appropriate public access and customary access to and along the margins of rivers, lakes, waterways and the coastline, including through esplanade reserves and strips, except in respect of Lyttelton Port of Christchurch where such provision is inappropriate due to the necessity to ensure public safety and the security of adjoining cargo and adjoining activities.*

8.2.2.12 Policy - Meadowlands Exemplar Overlay comprehensive development

- a. *Ensure that the Meadowlands Exemplar development is comprehensively planned and designed through development of, and giving effect to, an overarching vision that:*
 - i. *responds positively to the local context of each area;*
 - ii. *produces short and long-term positive environmental, social, and mana whenua outcomes;*
 - iii. *fully integrates subdivision layout with potential land use;*
 - iv. *integrates residential development with the supporting range of local community facilities and services that support residents' daily needs;*
 - v. *achieves an efficient and effective staging of the provision and use of infrastructure, stormwater management networks, parks, and open space networks that is integrated with land use development;*
 - vi. *provides good access to facilities and services by a range of transport modes through the provision of integrated movement networks of roads, public transport, cycle, and pedestrian routes;*
 - vii. *shows infrastructure and movement routes that are fully integrated with existing adjacent communities and enables connectivity with other undeveloped areas;*
 - viii. *avoids or adequately mitigates risks from natural hazards and geotechnical characteristics of the land;*
 - ix. *remediates contaminated land;*
 - x. *utilises opportunities to enhance tangata whenua values, particularly indigenous biodiversity and mahinga kai;*
 - xi. *recognises Ngāi Tahu cultural and traditional associations with the Otautahi landscape;*
 - xii. *and avoids interim land use and development compromising the integrity and viability of infrastructure provision and community development.*

Assessment of Provisions

With reference to the objective and policies above, the proposed subdivision design:

- i. provides allotments for the anticipated land uses for the Industrial General zone, being the zoning upon which the development is based (rather than the existing Rural Urban Fringe zone);
- ii. consolidates development for urban activities, accounting for the subdivision's design and relationship to the existing roading network and urban area;
- iii. improves people's connectivity and accessibility to employment, transport, services and community facilities by way of its integration with the existing local and strategic transport network;



- iv. improves energy efficiency and provides for renewable energy and use, for the reasons set out in the assessment of greenhouse gas emissions (**Appendix 19**);
- v. and enables the recovery of the district, by way of enabling and providing industrial development capacity in a manner that help meet demands for business land in the highly demanded locality and market of western Christchurch.

8.2.3 Objective - Infrastructure and transport

- a. Subdivision design and development promotes efficient provision and use of infrastructure and transport networks.
- b. A legible, well connected, highly walkable, and comprehensive movement network for all transport modes is provided.
- c. Outside the Central City, land is set aside for services which can also be used for other activities, such as pedestrian or cycle ways.

8.2.3.1 Policy - Identification of infrastructure constraints

- a. Areas subject to infrastructure capacity constraints will be identified by the Council to assist public understanding and decision-making regarding network capacity available to service subdivision and subsequent land use.

8.2.3.2 Policy - Availability, provision and design of, and connections to, infrastructure

- a. Manage the subdivision of land to ensure development resulting from the creation of additional allotments:
 - i. does not occur in areas where infrastructure is not performing, serviceable or functional; and
 - ii. will be appropriately connected to and adequately serviced by infrastructure, including through any required upgrade to existing infrastructure.
- b. Ensure that new network infrastructure provided in relation to, or as part of, subdivision development is constructed, designed and located so that it is resilient to disruption from significant seismic or other natural events including by ensuring that, as far as practicable, damage from such events is minimised.
- c. Ensure that, as part of subdivision, there is adequate provision, with sufficient capacity, to service the scale and nature of anticipated land uses resulting from the subdivision, for:
 - i. wastewater disposal, including lawful trade waste disposal for anticipated industrial development, consistent with maintaining public health and minimising adverse effects on the environment;
 - ii. water supply, including water of a potable standard for human consumption, and water for fire fighting purposes;
 - iii. telecommunication services including connection to a telecommunication system, with new lines being generally underground in new urban areas; and
 - iv. electric power supply, with new lines being generally underground in new urban areas - including, if necessary, ensuring the provision of new or additional or the upgrading of existing infrastructure in a manner that is appropriate for the amenities of the area.
- d. Where wastewater disposal is to a reticulated system, ensure all new allotments are provided with a means of connection to the system.
- e. Where a reticulated wastewater system is not available, ensure appropriate onsite or standalone communal treatment systems are installed.
- f. Promote use of appropriate on-site measures to manage the effects of trade wastes and reduce peak flows and loading on wastewater systems.

8.2.3.3 Policy - Transport and access

- a. Ensure the provision and development of comprehensive movement networks for all transport modes that:
 - i. are legible, well connected, highly walkable, safe and efficient; and
 - ii. enable access by people of all ages and physical abilities to public open space facilities, public transport, suburban centres, and community facilities and to move between neighbourhoods and the wider urban area.
- b. Ensure movement networks enable:
 - i. vehicle parking, which in the Central City should be in accordance with the road classification;



- ii. *access to properties, including for fire appliances;*
 - iii. *street landscaping, including street trees;*
 - iv. *safety and visibility;*
 - v. *ease of navigation;*
 - vi. *surface water management, in relation to movement networks; and*
 - vii. *utility services.*
- c. *Ensure that, where road or property access to an existing road is created, the existing road is of an appropriate standard.*

8.2.3.4 Policy - Stormwater disposal

- a. *District wide:*
- i. *Avoid any increase in sediment and contaminants entering water bodies as a result of stormwater disposal.*
 - ii. *Ensure that stormwater is disposed of in a manner which maintains or enhances the quality of surface water and groundwater.*
 - iii. *Ensure that any necessary stormwater control and disposal systems and the upgrading of existing infrastructure are sufficient for the amount and rate of anticipated runoff.*
 - iv. *Ensure that stormwater is disposed of in a manner which is consistent with maintaining public health.*
- b. *Outside the Central City:*
- i. *Encourage stormwater treatment and disposal through low-impact or water-sensitive designs that imitate natural processes to manage and mitigate the adverse effects of stormwater discharges.*
 - ii. *Ensure stormwater is disposed of in stormwater management areas so as to avoid inundation within the subdivision or on adjoining land.*
 - iii. *Where feasible, utilise stormwater management areas for multiple uses and ensure they have a high quality interface with residential activities or commercial activities.*
 - iv. *Incorporate and plant indigenous vegetation that is appropriate to the specific site.*
 - v. *Ensure that realignment of any watercourse occurs in a manner that improves stormwater drainage and enhances ecological, mahinga kai and landscape values.*
 - vi. *Ensure that stormwater management measures do not increase the potential for birdstrike to aircraft in proximity to the airport.*
 - vii. *Encourage on-site rain-water collection for non-potable use.*
 - viii. *Ensure there is sufficient capacity to meet the required level of service in the infrastructure design standard or if sufficient capacity is not available, ensure that the effects of development are mitigated on-site.*

8.2.3.5 Policy - Adverse effects on infrastructure

- a. *Ensure that the requirements of infrastructure, including their ongoing operation, development and maintenance, are recognised in subdivision design, including any potential for adverse effects (including reverse sensitivity effects) from subdivision.*
- b. *Ensure that the operation, development and maintenance of the Lyttelton Port is not compromised by subdivision, including in relation to reverse sensitivity effects.*

Assessment of Provisions

For the reasons expressed in the transport, servicing and greenhouse gas emissions assessments, the proposed subdivision design will promote efficient provision and use of infrastructure and transport networks, support a well-connected and comprehensive movement network for all transport modes; and make provision for services which can also be used for other activities, such as pedestrians, cyclists and connections to public transport. Accordingly, the proposal is consistent with the provisions above.



8.2.4 Objective - Earthworks

- a. *Earthworks facilitate subdivision, use and development, the provision of utilities, hazard mitigation and the recovery of the district.*

8.2.4.1 Policy - Water quality

- a. *Ensure earthworks do not result in erosion, inundation or siltation, and do not have an adverse effect on surface water or groundwater quality.*

8.2.4.2 Policy - Repair of earthquake damaged land

- a. *Facilitate recovery by enabling property owners to make repairs to earthquake damaged land for residential purposes, where the repairs will have acceptable adverse effects on people, property and the natural environment.*
- b. *Recognise the need for the repair of other earthquake damaged land as part of recovery.*

8.2.4.3 Policy - Benefits of earthworks

- a. *Recognise that earthworks are necessary for subdivision, use and development, the provision of utilities, hazard mitigation and the recovery of the district.*

8.2.4.4 Policy - Amenity

- a. *Ensure, once completed, earthworks do not result in any significant shading, visual impact, loss of privacy or other significant detractor from the amenity values enjoyed by those living or working in the locality.*

8.2.5 Objective - Earthworks health and safety

- a. *People and property are protected during, and subsequent to, earthworks.*

8.2.5.1 Policy - Land stability

- a. *Avoid earthworks that will create a significant risk to people and property through subsidence, rockfall, cliff collapse, erosion, inundation, siltation or overland flows.*

8.2.5.2 Policy - Nuisance

- a. *Subject to Policy 8.2.4.3, ensure that earthworks avoid more than minor adverse effects on the health and safety of people and their property, and do not generate continuous or persistent noise, vibration, dust or odour nuisance.*

8.2.5.3 Policy - Vehicle movement

- a. *Subject to Policy 8.2.4.3, ensure that the transportation to and from a site of earth, construction or filling material is safe and minimises adverse transport network and local amenity value effects.*

8.2.5.4 Policy - Earthworks design

- a. *Ensure that earthworks over identified thresholds are designed to enable the anticipated land use.*

8.2.5.5 Policy - Management of contaminated land

- a. *Enable earthworks where necessary to appropriately manage land contamination.*



Assessment of Provisions

In regards objectives 8.2.4 and 8.2.5 and their related policies, the earthworks associated with the subdivision and development of the project will maintain water quality, amenity, and health and safety in the manner sought by these provisions.

13.10 Specific Purpose (Ruapuna Motorsport) Zone: Objectives and Policies

13.10.2.1 Objective - Motorsport

- a. *Ruapuna Motorsport Park continues to operate as a facility of regional importance servicing motorsport, as well as training and recreation activities, whilst ensuring the adverse noise effects of activities at the Park and on the surround community and environment are effectively managed to not increase and, if practicable, are reduced.*

13.10.2.1.1 Policy - Motorsport

- a. *To ensure that motorsport activities operate in a manner which do not result in an unreasonable level of noise being received by activities which are sensitive to noise; and*
- b. *To manage noise sensitive activities where they would be affected by noise from motorsport activities.*

Assessment of Provisions

The proposal would provide for non-noise sensitive activities that are compatible with the neighbouring Ruapuna Motorsport Park, noting its regional importance.

16.2 Industrial: Objective and Policies

Objectives and Policies

16.2.1 Objective - Recovery and growth

- a. *The recovery and economic growth of the district's industry is supported and strengthened in existing and new greenfield industrial zones.*

16.2.1.1 Policy - Sufficient land supply

- a. *Maintain a sufficient supply of industrial zoned land to meet short, medium and long term supply needs of industrial activities, having regard to the requirements of different industries, and to avoid the need for industrial activities to locate in non-industrial zones.*

16.2.1.2 Policy - Enable the development of industrial areas to support recovery

- a. *Encourage the redevelopment of existing industrial zones for industrial activities, particularly in areas that have lost industry and associated employment opportunities due to the earthquakes.*

16.2.1.3 Policy - Range of industrial zones

- a. *Recognise and provide for industrial zones with different functions that cater for a range of industrial and other compatible activities depending on their needs and effects as follows:*
 - i. *Industrial General Zone*



- A. *Recognise and provide for industrial and other compatible activities that can operate in close proximity to more sensitive zones due to the nature and limited effects of activities including noise, odour, and traffic, providing a buffer between residential areas and the Industrial Heavy Zone.*
- ii. *Industrial Heavy Zone*
 - A. *Recognise and provide for a full range of industrial and other compatible activities that generate potentially significant effects, including relatively high levels of noise, odour, heavy traffic movements, and the presence of significant amounts of hazardous substances, necessitating separation from more sensitive activities.*
- iii. *Industrial Park Zone*
 - A. *Recognise and provide for industrial activities in the high technology sector and other industries in a high amenity environment dominated by open space and landscaping, and that generate higher volumes of traffic than other industries while having negligible effects in terms of noise, odour or the use and storage of hazardous substances.*

16.2.1.4 Policy - Activities in industrial zones

- a. *Maintain and support the function of industrial zones while, subject to Clauses (b) and (c), providing for limited non-industrial activities that:*
 - i. *are ancillary in scale (subject to Clause (d)) and on the same site as a permitted or consented activity;*
 - ii. *are not appropriate in more sensitive environments due to their potential noise, odour or other environmental effects;*
 - iii. *incorporate characteristics that are compatible with the industrial zone and do not cause an undue constraint on other permitted activities within the zone;*
 - iv. *comprise yard based supplier or trade suppliers in the Industrial General Zone;*
 - v. *provide emergency service facilities and/or community corrections facilities;*
 - vi. *support the needs of workers and businesses in the zone including food and beverage outlets, commercial services, gymnasiums, and the care of children;*
 - vii. *meet the convenience needs of residents, workers and businesses in the Industrial General Zone (Waterloo Park) in a Local Centre;*
 - viii. *are rural activities associated with the irrigation of food processing wastewater in the identified area of the Industrial Heavy Zone (South West Hornby) (Appendix 16.8.8) that is integral to the ongoing operation of an established industrial activity.;*
 - ix. *are recreation facilities in the industrial General Zone that:*
 - A. *provide for active indoor recreation activities that due to scale are not appropriately located in the Central City or a commercial centre; and*
 - B. *are located near a commercial centre to support that centre; and*
 - C. *do not give rise to reverse sensitivity effects on industrial activities, and do not undermine the ability of industrial activities to continue to operate or establish in the zone.*
- b. *Avoid any activity in industrial zones with the potential to hinder or constrain the establishment or ongoing operation or development of industrial activities and strategic infrastructure, or with the potential to be exposed to unacceptable risk. This includes but is not limited to avoiding:*
 - i. *sensitive activities located within the 50 dB Ldn Air Noise Contour, the Lyttelton Port Influences Overlay Area, the Woolston Risk Management Area and in proximity to the National Grid;*
 - ii. *non-sensitive discretionary or non-complying activities specified by Rule 16.4.1.4 D1, Rule 16.5.1.4, and Rule 16.5.1.5 NC1 in the Woolston Risk Management Area unless the proposed activity in its location meets risk acceptability criteria appropriate to the applicable land use.*
- c. *Avoid the use of industrial zones for non-industrial activities that could adversely affect the strategic role of the Central City, District Centres and Neighbourhood Centres as focal points for commercial activities, community activities, residential activities, and other activities.*
- d. *Provide for ancillary activities, recognising their role in supporting industry, while being incidental in scale and function to a principal activity on the same site, and not inconsistent with Clauses b. and c..*

16.2.1.5 Policy - Office development

- a. *Avoid office development in industrial areas other than where it is:*



- i. ancillary to a permitted or consented activity on the same site (subject to Policy 16.2.1.4 (d));
- ii. a secondary component to a high technology industrial activity located in the Industrial Park Zone that supports the function of the zone for primarily industrial activities.

16.2.1.6 Policy - Regionally significant infrastructure - Inland Port

- a. Enable regionally significant inland port infrastructure to operate and develop efficiently and safely through provisions that enable port activities while avoiding the potential for reverse sensitivity effects associated with sensitive land uses.

Assessment of Provisions

The proposal supports Objective 16.2.1 insofar that this seeks *'The recovery and economic growth of the district's industry is supported and strengthened in ...new greenfield industrial zones'*.

Further, accounting for the economic assessment, the proposal is supported by policy 16.2.1.1 which seeks to *'Maintain a sufficient supply of industrial zoned land to meet short, medium and long term supply needs of industrial activities, having regard to the requirements of different industries, and to avoid the need for industrial activities to locate in non-industrial zones'*. As detailed in the economic assessment (and supported by the findings of the industrial market demand assessment), there is currently insufficient zoned land to meet the requirements of industry in this location.

The proposal otherwise aligns with policies 16.2.1.3 and 16.2.1.4 insofar that the proposed development, buildings and activities are consistent with that envisaged for the Industrial General zone.

16.2.3 Objective - Effects of industrial activities

- a. Adverse effects of industrial activities and development on the environment are managed to support the anticipated outcome for the zone while recognising that sites adjoining an industrial zone will not have the same level of amenity anticipated by the Plan as other areas with the same zoning.
- b. The cultural values of Ngāi Tahu/ mana whenua are recognised, protected and enhanced through the use of indigenous species in landscaping and tree planting, a multi-value approach to stormwater management in greenfield areas, low impact urban design, and the protection and enhancement of wāhi tapu and wāhi taonga including waipuna.

16.2.3.1 Policy - Development in greenfield areas

- a. Manage effects at the interface between greenfield areas and arterial roads, rural and residential areas with setbacks and landscaping.
- b. Manage the development of greenfield areas in a manner aligned with the delivery of infrastructure, including upgrades to networks, to avoid adverse effects on networks serving these areas.
- c. Development shall recognise and support Ngāi Tahu cultural values through low impact urban design, the protection of sites of Ngāi Tahu cultural significance identified in Schedule 9.5.6.1, and recognition of other sites of Ngāi Tahu cultural significance identified in Appendix 9.5.6 including waterways, springs, wetlands and sites of indigenous vegetation where practicable.
- d. Enable the ongoing use of land in the Industrial Heavy Zone (South West Hornby), (identified on Appendix 16.8.8) for rural activities and the associated irrigation of food processing wastewater at South West Hornby as an integral component of the adjoining industrial activity.

16.2.3.2 Policy - Managing effects on the environment

- a. The effects of development and activities in industrial zones, including reverse sensitivity effects on existing industrial activities as well as, visual, traffic, noise, glare and other effects, are managed through the location of uses, controls on bulk and form, landscaping and screening, particularly at the interface with arterial roads fulfilling a gateway function, and rural and residential areas, while recognising the functional needs of the activity.
- b. Effects of industrial activities are managed in a way that the level of residential amenity (including health, safety, and privacy of residents) adjoining an industrial zone is not adversely affected while recognising that it may be of a lower level than other residential areas.
- c. Development and activities are managed to avoid adverse effects on strategic infrastructure within or in proximity to industrial zones.



- d. *The quantity of wastewater discharged in areas over unconfined or semi-confined aquifers is restricted to minimise any risk of contamination.*
- e. *The cultural values of Ngāi Tahu/mana whenua are recognised and supported through the protection of wāhi tapu and wāhi taonga, including waipuna, from the adverse effects of development, through the use of low impact urban design, use of indigenous species appropriate to the local environment, and stormwater management.*
- f. *Development in the Industrial Park Zone is designed and laid out to promote a safe environment and reflects principles of Crime Prevention through Environmental Design (CPTED).*

16.2.3.3 Policy - Managing stormwater

- a. *Ensure that stormwater is managed in a way that:*
 - i. *mitigates the adverse effects of flooding; and*
 - ii. *improves water quality in a manner which is consistent with maintaining environmental and public health.*
- b. *Encourage methods that achieve:*
 - i. *a multi-value approach, using swales, wetlands, infiltration and retention basins, having regard to the location and environmental constraints; and*
 - ii. *integration with the wider network, reflecting a catchment based approach.*

Assessment of Provisions

Objective 16.2.3 and its policies are concerned with the effects of industrial activities and based on the assessment of effects and technical reports, the proposal is consistent with these provisions. In particular:

- the adverse effects of the proposed industrial activities and development will be effectively managed, in a manner that is consistent with the Industrial General zoning and which is cognisant of surrounding sites and land uses; and
- the cultural values of Ngāi Tahu/ mana whenua have been recognised, protected and enhanced by way of indigenous landscaping provision; stormwater management, and low impact urban design, and the avoidance of wāhi tapu and wāhi taonga including waipuna.

17.2 Rural: Objectives and Policies

Objectives and Policies

17.2.1 Objectives

17.2.1.1 Objective - The rural environment

- a. *Subdivision, use and development of rural land that:*
 - i. *supports, maintains and, where appropriate, enhances the function, character and amenity values of the rural environment and, in particular, the potential contribution of rural productive activities to the economy and wellbeing of the Christchurch District;*
 - ii. *avoids significant, and remedies or mitigates other reverse sensitivity effects on rural productive activities and natural hazard mitigation works;*
 - iii. *maintains a contrast to the urban environment; and*
 - iv. *maintains and enhances the distinctive character and amenity values of Banks Peninsula and the Port Hills, including indigenous biodiversity, Ngāi Tahu cultural values, open space, natural features and landscapes, and coastal environment values.*



17.2.2 Policies

17.2.2.1 Policy - Range of activities on rural land

- a. *Provide for the economic development potential of rural land by enabling a range of activities that:*
 - i. *have a direct relationship with, or are dependent on, the rural resource, rural productive activity or sea-based aquaculture;*
 - ii. *have a functional, technical or operational necessity for a rural location; or*
 - iii. *recognise the historic and contemporary relationship of Ngāi Tahu with land and water resources;*
 - iv. *provide for commercial film or video production activities and facilities on the rural flat land close to the main Christchurch urban area; and*
 - v. *represent an efficient use of natural resources.*

17.2.2.2 Policy - Effects of activities utilising the rural resource

- a. *Ensure that activities utilising the rural resource avoid significant adverse effects on areas of important natural resources and avoid, remedy or mitigate other adverse effects on rural character and amenity values.*

17.2.2.3 Policy - Contributing elements to rural character and amenity values

- a. *Recognise that rural character and amenity values vary across the Christchurch District resulting from the combination of natural and physical resources present, including the location and extent of established and permitted activities.*
- b. *Recognise that the elements that characterise an area as rural, from which desired amenity is derived, include the predominance of:*
 - i. *a landscape dominated by openness and vegetation;*
 - ii. *significant visual separation between residential buildings on neighbouring properties;*
 - iii. *where appropriate, buildings integrated into a predominantly natural setting; and*
 - iv. *natural character elements of waterways, water bodies, indigenous vegetation and natural landforms, including the coastal environment where relevant.*
- c. *Recognise that rural productive activities in rural areas can produce noise, odour, dust and traffic consistent with a rural working environment, including farming, plantation forestry and quarrying activities, that may be noticeable to residents and visitors in rural areas.*

17.2.2.4 Policy - Function of rural areas

- a. *Ensure the nature, scale and intensity of subdivision, use and development recognise the different natural and physical resources, character and amenity values, conservation values and Ngāi Tahu values of rural land in the Christchurch District, including:*
 - i. *the rural productive activities, recreation activities, rural tourism activities and conservation activities on Banks Peninsula and their integrated management with maintaining and enhancing landscape, coastal and indigenous biodiversity values;*
 - ii. *the rural productive activities and recreation activities in the rural flat land area surrounding the main Christchurch urban area;*
 - iii. *the flood management and groundwater recharge functions adjoining the Waimakariri River;*
 - iv. *the open character and natural appearance of the rural Port Hills which maintain distinct urban/rural boundaries*
 - v. *the re-use of the site of the former Templeton Hospital;*
 - vi. *the historic and contemporary cultural landscapes, sites of Ngāi Tahu cultural significance and the use of land and water resources for mahinga kai; and*
 - vii. *the conservation activities undertaken within the Peacock Springs Conservation Area.*

17.2.2.5 Policy - Establishment of industrial and commercial activities

- a. *Avoid the establishment of industrial and commercial activities that are not dependent on or directly related to the rural resource unless they:*



- i. have a strategic or operational need to locate on rural land; or*
- ii. provide significant benefits through utilisation of existing physical infrastructure; and*
- iii. avoid significant, and remedy or mitigate other, reverse sensitivity effects on rural productive activities;*
- iv. will not result in a proliferation of associated activities that are not reliant on the rural resource; and*
- v. will not have significant adverse effects on rural character and amenity values of the local environment or will not cause adverse effects that cannot be avoided, remedied or mitigated.*

17.2.2.6 Policy - Community activities and community facilities

- a. Enable community activities and community facilities to establish and support their redevelopment and expansion where they provide for social, cultural or community needs, avoid significant adverse effects on the surrounding rural character and amenity values, and where they will not affect the consolidated urban form.*

17.2.2.7 Policy - Density and distribution of residential units

- a. Ensure a density and distribution of residential units that:*
 - i. maintains and enhances the working function of the rural environment;*
 - ii. supports a consolidated urban form, including that of small settlements;*
 - iii. maintains the predominance of larger sites and abundant open space;*
 - iv. supports amalgamation of multiple small sites;*
 - v. avoids creating new sites less than 4ha;*
 - vi. avoids the expectation of land use change of rural land to urban activities or for rural residential development;*
 - vii. avoids reverse sensitivity effects on strategic infrastructure and rural productive activities; and*
 - viii. retains a low density of built form with a high degree of openness appropriate to the surrounding environment.*

17.2.2.8 Policy - Rural Banks Peninsula

- a. Ensure that subdivision, use and development in the Rural Banks Peninsula Zone recognises, maintains and, where practicable, enhances the quality of the rural working environment by:*
 - i. restricting the scale, location and reflectivity of buildings to maintain a low density of built form that is not visually dominant and does not detract from views of cultural landscapes identified in the District Plan, sites of Ngāi Tahu cultural significance, or natural landforms and features;*
 - ii. encouraging the protection, maintenance and enhancement of indigenous biodiversity, natural features and landscapes, historic heritage, coastal environment values, and open space; and*
 - iii. encouraging public walking and cycling access connections where appropriate.*

17.2.2.9 Policy - Plantation forestry

- a. Ensure new plantation forestry is located and managed to:*
 - i. avoid fire risk to nearby residential activities and urban areas;*
 - ii. maintain the natural landforms and features, coastal environment values, open rural character and high visual amenity of Banks Peninsula and the Port Hills facing the Christchurch main urban area ;*
 - iii. not obscure views from the Summit Road;*
 - iv. maintain the views to cultural landscapes identified in the District Plan on Banks Peninsula;*
 - v. avoid adverse effects on areas of significant indigenous vegetation and significant habitats of indigenous fauna and promote enhancement, restoration and retention of indigenous biodiversity;*
 - vi. avoid wilding tree spread on Banks Peninsula and promote land management that contains or eradicates wilding trees.*



17.2.2.10 Policy - Separation of incompatible activities

- a. *Ensure the design and location of new habitable buildings achieve adequate separation distances or adopt other on-site mitigation methods, including acoustic insulation, to mitigate potential reverse sensitivity effects with lawfully established rural productive activities;*
- b. *Ensure adequate separation distances between new plantation forestry, intensive farming and quarrying activity and incompatible activities are maintained.*
- c. *Protect strategic infrastructure by avoiding adverse effects, including reverse sensitivity effects, from incompatible activities on rural land by:*
 - i. *avoiding noise sensitive activities and managing the density of residential units within the 50dB Ldn Air Noise Contour and the 50dB Ldn Engine Testing Contour to take into account the impacts of the operation of Christchurch International Airport;*
 - ii. *avoiding buildings, structures, new quarrying activity, and sensitive activities on rural land that may compromise the National Grid within an identified buffer corridor; and*
 - iii. *avoiding vegetation that may result in shading of and buildings in close proximity to the strategic transport network.*
 - iv. *avoiding new quarrying activity that would have adverse effects on established Radio New Zealand infrastructure*

17.2.2.11 Policy - Catchment management approach for rural land

- a. *Encourage integrated subdivision and development on rural land at a catchment level that implements the principles of 'ki uta ki tai', maintains or enhances water quality, maximises the degree of openness and protects productive potential and enables biodiversity enhancement or recreation opportunities while avoiding, remedying or mitigating adverse effects on the rural environment.*

17.2.2.12 Policy - Location and management of quarrying activity and aggregates-processing activity

- a. *Enable access to, and processing of, locally sourced aggregate resources to provide for the recovery, development, ongoing maintenance and growth needs of the district by:*
 - i. *providing for the continuation of quarrying activity in the Rural Quarry Zone; and*
 - ii. *providing for new quarrying activity in rural zones other than the Rural Quarry Zone only where the activity:*
 - A. *avoids areas of outstanding or significant landscape, ecological, cultural or historic heritage value;*
 - B. *avoids or mitigates effects on activities sensitive to quarrying activities, including residential activities and education activities;*
 - C. *internalises adverse environmental effects as far as practicable using industry best practice and management plans, including monitoring and self-reporting;*
 - D. *manages noise, vibration, access and lighting to maintain local rural amenity values;*
 - E. *avoids or mitigates any effects on surface water bodies and their margins; and*
 - F. *ensures the siting and scale of buildings and visual screening maintains local rural amenity values and character.*
 - iii. *providing for new quarrying activity in the Rural Quarry Templeton Zone only if all of the following are satisfied prior to 31 December 2021:*
 - A. *the recreation reserve status applying to the zone is uplifted and placed upon the land within the Open Space Community Parks Zone (Templeton); and*
 - B. *any resource consent(s) to clear or fell indigenous vegetation, as required to undertake the quarrying activity within the zone, is/are granted; and*
 - C. *the quarrying activity occurs in conjunction with development of an international standard golf course in the Open Space Community Parks Zone (Templeton).*
 - iv. *providing for aggregates-processing activity in the Rural Quarry Zone where the activity:*
 - A. *makes efficient use of established, large-scale processing infrastructure and facilities; and*
 - B. *does not result in additional or more intensive adverse effects (beyond those associated with quarrying activity) for residents in adjoining zones, including from lighting, noise and traffic generation.*



17.2.2.13 Policy - Quarry site rehabilitation

- a. *Ensure sites of quarrying activities, and sites of aggregates-processing activities, are rehabilitated to enable subsequent use of the land for another permitted or consented activity; and*
- b. *Require proposals for new quarrying activities, aggregates-processing activities and changes of use on existing quarry sites to demonstrate through a quarry site rehabilitation plan the objectives, methodology and timescales for achieving site rehabilitation and appropriate end use; and*
- c. *Ensure the final rehabilitated landform is appropriate having particular regard to:*
 - i. *the intended end use;*
 - ii. *the location, gradient and depth of excavation;*
 - iii. *the availability of clean fill material, including top soil, and consequent timeframes for rehabilitation;*
 - iv. *the surrounding landform and drainage pattern;*
 - v. *the ability to establish complete vegetation cover;*
 - vi. *the outcomes of any consultation undertaken with mana whenua; and*
 - vii. *any adverse effects associated with rehabilitation.*

Assessment of Provisions

The proposal is generally contrary to the objectives and policies for Rural zones in Chapter 17, insofar that these contemplate subdivision, use and development of rural land that:

- supports, maintains or enhances the function, character and amenity values of the rural environment and, in particular, the potential contribution of rural productive activities to the economy and wellbeing of the Christchurch District;
- maintains a contrast to the urban environment; and
- avoids the establishment of industrial activities that are not dependent on or directly related to the rural resource.

Such conflict is to be expected, given that the proposal entails urban development of the nature envisaged by the Industrial General zone on land that is presently zoned for rural purposes.

Overall Assessment of Provisions

In summary, the proposal is clearly contrary to those provisions that are specific to the District's Rural zones, including those in Chapter 17. As described above in regard to the Chapter 17 provisions, that conflict is to be expected, given that the proposal entails urban development of the nature envisaged by the Industrial General zone on land that is presently zoned for rural purposes.

That conflict aside, the proposal is assessed as being:

- Consistent with the strategic objectives in Chapter 3 which include a primary objective to:
 - Meet the community's needs for economic development (industrial land), without diminishing wellbeing; and
 - Foster investment certainty (for the applicant and those businesses seeking industrial land in this locality and market).



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- Consistent with those objectives and policies throughout the District Plan that are concerned with the avoidance or management of effects on the environment; and
 - Consistent with the objectives and policies in Chapter 16 for Industrial zones, including:
 - Objective 16.2.1 which seeks *'The recovery and economic growth of the district's industry is supported and strengthened in ...new greenfield industrial zones'*.
 - Policy 16.2.1.1 which seeks to *'Maintain a sufficient supply of industrial zoned land to meet short, medium and long term supply needs of industrial activities, having regard to the requirements of different industries...'*
 - Policies 16.2.1.3 and 16.2.1.4 insofar that these specify what is envisaged for the Industrial General zone.
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Non-Statutory Provisions Assessment

Canterbury Iwi Management Plans

Mahaanui Iwi Management Plan 2013

Objectives and Policies

Part 5 Regional Issues and Policy

5.1 KAITIAKITANGA

Ngā Paetae Objectives

- (1) *Te Tiriti o Waitangi is recognised as the foundation of the relationship between Ngāi Tahu and local government.*
- (2) *Papatipu Rūnanga are able to fulfill their role and responsibility as kaitiaki within management and decision making processes.*
- (3) *Mahaanui Kurataiao Ltd is a well performing and innovative resource management consultancy working on behalf of Papatipu Rūnanga to protect and enhance Ngāi Tahu values.*
- (4) *The Mahaanui IMP 2013 is embraced and implemented as a manawhenua planning document for the six Papatipu Rūnanga across Ngā Pākihi Whakatekateka o Waitaha and Te Pātaka o Rākaihautū.*
- (5) *The capacity of Papatipu Rūnanga to participate in natural resource management policy and planning processes is increased.*
- (6) *Ngāi Tahu is able to lead the way and set an example on the landscape with regard to best practice and sustainable cultural, environmental, economic, and social outcomes.*

RECOGNITION OF MANAWHENUA

- K1.1 Ngāi Tahu are the tāngata whenua who hold manawhenua across Ngā Pākihi Whakatekateka o Waitaha and Te Pātaka o Rākaihautū.*
- K1.2 Te Rūnanga o Ngāi Tahu is the tribal authority representing the collective of Ngāi Tahu whānui as per the Te Rūnanga o Ngāi Tahu Act 1996 and Ngāi Tahu Claims Settlement Act 1998.*
- K1.3 Papatipu Rūnanga are the regional collective bodies representing the tāngata whenua who hold manawhenua, and are responsible for protecting hapū and tribal interests in their respective takiwā.*
- K1.4 For resource management issues in particular catchments or geographical areas set out in Part 6 of this IMP, engagement must occur with the appropriate Papatipu Rūnanga, as per the takiwā boundaries set out in:*
- (a) the Te Rūnanga o Ngāi Tahu (Declaration of Membership Act) Order 2001.*
- K1.5 There are a number of areas of within Ngā Pākihi Whakatekateka o Waitaha and Te Pātaka o Rākaihautū whereby one or more Papatipu Rūnanga hold an interest and have kaitiaki rights, and these areas require engagement with multiple rūnanga for resource management purposes.*
- K1.6 The northern and southern limits of the takiwā covered by the Mahaanui IMP are areas of shared interest with neighboring Papatipu Rūnanga. The Hurunui River is an area of shared interest with Te Rūnanga o Kaikōura, and the Rakaia and Hakatere rivers are areas of shared interest with Te Rūnanga o Arowhenua.*
- K1.7 Mahaanui Kurataiao Ltd is the Manawhenua Environmental Consultancy owned by Ngāi Tūāhuriri Rūnanga, Te Hapū o Ngāti Wheke (Rāpaki), Ōnuku Rūnanga, Koukourārata Rūnanga, Wairewa Rūnanga and Te Taumutu Rūnanga, and is mandated to engage in resource and environmental management processes on behalf of the six Papatipu Rūnanga.*

TE TIRITI O WAITANGI

- K2.1 Te Tiriti o Waitangi is an agreement between Ngāi Tahu and the Crown, but Treaty obligations lie with local government as well as central government agencies.*
- K2.2 The articles of Te Tiriti o Waitangi should be given effect to in accordance with the significance of the treaty to Māori as the founding document of the nation.*



K2.3 In giving effect to Te Tiriti, government agencies and local authorities must recognise and provide for kaitiakitanga and rangatiratanga. As the tāngata whenua who hold manawhenua, Ngāi Tahu interests in resource management extend beyond stakeholder or community interests.

K2.4 The articles and principles of the Te Tiriti are the underlying mutual obligations and responsibilities that the Treaty places on both Ngāi Tahu and government agencies and local authorities, and reflect the intention of the Treaty as a whole.

EFFECTIVE RECOGNITION OF KAITIAKITANGA

K3.1 Local authorities should ensure that they have the institutional capability to appropriately recognise and provide for the principle of kaitiakitanga.

K3.2 Elected or appointed members (councillors or commissioners) and senior management must provide leadership and support for their staff regarding engagement with Ngāi Tahu.

K3.3 To require that local authorities engage with Papatipu Rūnanga in the spirit of Te Tiriti o Waitangi and the purpose and principles of the RMA. This includes, but is not limited to:

- (a) Establishment of robust processes to facilitate engagement with Ngāi Tahu, at operational and political levels;*
- (b) Increased kaitiaki control, partnership or influence over taonga (i.e. species or places) of value to Ngāi Tahu culture and identity, including joint or co-management, or the transfer of powers, duties and/or functions to Ngāi Tahu;*
- (c) Implementation of Iwi Management Plans, in territorial and regional planning processes;*
- (d) Involvement of Ngāi Tahu in the 'front end' of the planning process for plan and policy statement development and review;*
- (e) Appointment of Ngāi Tahu commissioners on hearings panels and planning committees;*
- (f) Ensuring that resource consent applications identify and assess effects on Ngāi Tahu cultural values;*
- (g) Recognition that tāngata whenua interests are greater than that of an affected party;*
- (h) Recognition of Ngāi Tahu developed planning tools as mainstream techniques for monitoring and assessing the state of the environment (e.g. State of Takiwā Monitoring; COMAR).*

K3.4 To require that Mahaanui IMP 2013 is recognised and implemented as a collective and mandated manawhenua planning document.

COLLABORATION

K4.1 To enhance the exercise of kaitiakitanga through establishing relationships and recognising collaborative opportunities with external agencies (e.g. local government, Historic Places Trust, Crown Research Institutes) and the wider community, including but not limited to:

- (a) Collaborative management opportunities for areas of particular cultural significance; and*
- (b) Research partnerships.*

LEADING THE WAY

K5.1 To consistently and effectively set an example of best practice on the landscape in all that we do, at the Papatipu Rūnanga and at the tribal level, culturally and commercially.

K5.2 To support Ngāi Tahu Holdings Group to set the highest possible standard of best practice in their commercial ventures, consistent with Ngāi Tahu values of:

- (a) Rangatiratanga - upholding the mana of Ngāi Tahu at all times and in all that they do.*
- (b) Manaakitanga - creating an environment of respect: to customers, to staff, iwi members and all others.*
- (c) Whanaungatanga - maintaining important relationships within the organisation, the iwi and the community.*
- (d) Kaitiakitanga - actively protect the people, environment, knowledge, culture, language and resources important to Ngāi Tahu for future generations.*
- (e) Tohungatanga - pursue knowledge and ideas that will strengthen and grow Ngāi Tahu and our community.*
- (f) Manutioriori/Kaikokiri - encourage imaginative and creative leaders that must continually break new ground.⁴*



K5.3 To require that Ngāi Tahu Holdings Group engage with Papatipu Rūnanga when planning and developing commercial ventures such as residential property developments, rural developments or regional water infrastructure projects, to ensure that these ventures recognise and provide for the rights and interests of manawhenua, and to give effect to the values set out in K5.2 (a) to (f).

CAPACITY BUILDING

K6.1 To continue to build the capacity and capability of Papatipu Rūnanga to engage with local government, contribute to decision making and realise kaitiakitanga objectives and aspirations.

K6.2 To work with Te Rūnanga o Ngāi Tahu to address Papatipu Rūnanga capacity and resourcing issues by:

- (a) Identifying training opportunities on RMA 1991 issues; and*
- (b) Advocating for regular Ngā Rūnanga hui, wānanga, and hīkoi on natural resources;*

K6.3 To work with regional, district and city councils to develop appropriate methods and processes to assist tāngata whenua to build capacity to contribute to decision making, consistent with local government obligations under the Local Government Act 2002. This includes:

- (a) The provision of meaningful opportunities to contribute to decision making processes;*
- (b) The provision of training opportunities on RMA 1991 issues; and*
- (c) Ensuring that tāngata whenua contributions to planning processes are appropriately resourced.*

5.2 RANGINUI

Ngā Paetae Objectives

- (1) To protect the mauri of air from adverse effects related to the discharge of contaminants to air.*
- (2) Ngāi Tahu are involved in regional decision making on air quality issues.*

DISCHARGE TO AIR

R1.1 To protect the mauri of air from adverse effects associated with discharge to air activities.

R1.2 To require that the regional council recognise and provide for the relationship of Ngāi Tahu with air, and the specific cultural considerations for air quality, including the effects of discharge to air activities on sites and resources of significance to tāngata whenua and the protection of cultural amenity values (see Issue R2 below).

R1.3 To ensure that regional policy enables tāngata whenua to identify particular sites and places of cultural significance as sensitive environments, to protect such sites from the cultural and environmental effects of the discharge activity.

R1.4 To support the use of indigenous plantings and restoration projects as a means to offset and mitigate industrial, agricultural and residential discharges to air.

CULTURAL AMENITY VALUES

R2.1 To support the use of light suppression or limitation measures to protect celestial darkness values in some areas.

R2.2 To require that the regional council recognise and provide for the relationship of Ngāi Tahu with air, and the specific cultural considerations regarding air quality, including the protection of cultural amenity values.

R2.3 To require that local authorities recognise that some discharge to air activities may have particular adverse effects on Ngāi Tahu cultural values, including marae and wāhi tapu.

CLIMATE CHANGE

R3.1 To work with Te Rūnanga o Ngāi Tahu to contribute the local views of Papatipu Rūnanga to regional and national climate change policies and processes.

R3.2 To support and contribute to the development of tribal policy concerning climate change.

R3.3 To require that local authorities recognise and provide for the potential effects of climate change on resources and values of importance to Ngāi Tahu, for example:



- (a) *Effects of sea level rise on coastal marae and coastal wāhi tapu, including urupā;*
- (b) *Increased salination of rivers and hāpua, affecting mahinga kai resources and customary use;*
- (c) *Warming of oceans and effects on marine ecosystems, including those on the sea floor;*
- (d) *Changes to the amount of rainfall, and effects on aquifer recharge;*
- (e) *Lake management regimes, including the opening of Te Waihora and Te Roto o Wairewa to the sea;*
- (f) *Changes to the habitats of indigenous flora and fauna, including taonga species.*

R3.4 To support the reduction of emissions as a response to climate change, including but not limited to:

- (a) *Urban planning to reduce transport emissions;*
- (b) *Use of solar water heating and similar measures to reduce energy use;*
- (c) *Improved farming practices to reduce emissions.*

R3.5 Climate change legislation associated with forests and carbon credits should promote, encourage and reward the protection and restoration of indigenous forest.

R3.6 Restoration planning for wetlands and lagoons must take into account the potential for future sea level rise associated with climate change.

AIRWAVE RIGHTS

R4.1 To recognise and uphold the Waitangi Tribunal findings that:

- (a) *The electromagnetic spectrum is a taonga and neither of the Treaty partners can have monopoly rights to this resource;*
- (b) *The spectrum is a resource that cannot be possessed by one person or one group, only used by them;*
- (c) *The available right is a right of access, shared with all members of the human race;*
- (d) *Tribal rangatiratanga gives Māori a greater right of access to radio frequencies than the general public, and especially when it is being used for the protection of the taonga of the language and the culture; and*
- (e) *Māori must be involved in decisions on appropriate allocations of radio frequencies.*

ELECTROMAGNETIC RADIATION

R5.1 To highlight the potential risk to the health of our people and communities as a result of electromagnetic radiation sourced from overhead transmission lines and cell phone towers (and other) and to recognise this risk when considering the placement of these.

R5.2 To require a precautionary approach to electromagnetic radiation regarding its possible effects on human health. This means that unknown effects do not mean no effects; and that protecting human health and taking preventative action before certainty of harm is proven must be the basis of decision making.

5.3 WAI MĀORI

Ngā Paetae Objectives

- (1) *Water management effectively provides for the taonga status of water, the Treaty partner status of Ngāi Tahu, the importance of water to cultural well-being, and the specific rights and interests of tāngata whenua in water.*
- (2) *Water quality and quantity in groundwater and surface water resources in the takiwā enables customary use mō tātou, ā, mō kā uri ā muri ake nei.*
- (3) *Water and land are managed as interrelated resources embracing the practice of Ki Uta Ki Tai, which recognises the connection between land, groundwater, surface water and coastal waters.*
- (4) *Mauri and mahinga kai are recognised as key cultural and environmental indicators of the cultural health of waterways and the relationship of Ngāi Tahu to water.*
- (5) *Land and water use in the takiwā respects catchment boundaries, and the limits of our land and freshwater resources.*
- (6) *Wetlands and waipuna are recognised and protected as wāhi taonga, and there is an overall net gain of wetlands in the takiwā as wetlands are restored.*



- (7) *All waterways have healthy, functioning riparian zones and are protected from inappropriate activities, including stock access.*
- (8) *The practice of using water as a receiving environment for the discharge of contaminants is discontinued, and all existing direct discharges of contaminants to water are eliminated.*
- (9) *Water quality is such that future generations will not have to drink treated water.*

TĀNGATA WHENUA RIGHTS AND INTERESTS IN FRESHWATER

- WM1.1 *Ngāi Tahu, as tāngata whenua, have specific rights and interests in how freshwater resources should be managed and utilised in the takiwā.*
- WM1.2 *Te Tiriti o Waitangi is the basis for the relationship between Ngāi Tahu and local authorities (and water governance bodies) with regard to freshwater management and governance in the takiwā.*
- WM1.3 *Papatipu Rūnanga may have their own policy positions on the commercial use and ownership of water, from that of Te Rūnanga o Ngāi Tahu as the iwi authority, and from other Papatipu Rūnanga.*
- WM1.4 *To require that local authorities and water governance bodies recognise that:*
- (a) *The relationship of tāngata whenua to freshwater is longstanding;*
 - (b) *The relationship of tāngata whenua to freshwater is fundamental to Ngāi Tahu culture and cultural well-being;*
 - (c) *Tāngata whenua rights and responsibilities associated with freshwater are intergenerational;*
 - (d) *Tāngata whenua interests in freshwater resources in the region are cultural, customary and economic in nature.*
- WM1.5 *To support the development of a Te Rūnanga o Ngāi Tahu Freshwater Strategy Statement, to further protect, enhance, utilise and develop freshwater resources within the Ngāi Tahu rohe for the benefit and achievement of Ngāi Tahu whānui cultural, environmental, social and economic aspirations and outcomes.*

CHANGING THE WAY WATER IS VALUED

- WM2.1 *To consistently and effectively advocate for a change in perception and treatment of freshwater resources: from public utility and unlimited resource to wāhi taonga.*
- WM2.2 *To require that water is recognised as essential to all life and is respected for its taonga value ahead of all other values.*
- WM2.3 *To require that decision making is based on intergenerational interests and outcomes, mō tātou, ā, mō kā uri ā muri ake nei.*
- WM2.4 *To continue to assert that the responsibility to protect and enhance mauri is collective, and is held by all those who benefit from the use of water; and that the right to take and use water is premised on the responsibility to safeguard and enhance the mauri of that the water.*

PRIORITIES FOR USE

- WM3.1 *To advocate for the following order of priority for freshwater resource use, consistent with the Te Rūnanga o Ngāi Tahu Freshwater Policy Statement (1999):*
- (1) *That the mauri of fresh water resources (ground and surface) is protected and sustained in order to:*
 - (a) *Protect instream values and uses (including indigenous flora and fauna);*
 - (b) *Meet the basic health and safety needs of humans, specifically the provision of an untreated and reliable supply of drinking water to marae and other communities; and*
 - (c) *Ensure the continuation of customary instream values and uses.*
 - (2) *That water is equitably allocated for the sustainable production of food, including stock water, and the generation of energy; and*
 - (3) *That water is equitably allocated for other abstractive uses (e.g. development aspirations).*

MANAGEMENT OF WATER

- WM4.1 *To require that water governance and management structures, plans, policies and processes are culturally relevant and deliver clear and reliable cultural and environmental outcomes. This means:*



- (a) *Ngāi Tahu involvement in ongoing management of freshwater resources reflects the spirit of Te Tiriti o Waitangi and the principle of kaitiakitanga (as per Policies WM1.1 to WM1.4);*
- (b) *Policies and rules on taking, use, damming, diversion and discharge of water are designed to protect the relationship of Ngāi Tahu values with freshwater as a matter of national importance;*
- (c) *Integrated catchment and sub-catchment management plans are developed and implemented, recognising and providing for:*
 - (i) *Mauri and customary use as first order priorities;*
 - (ii) *Kaitiakitanga;*
 - (iii) *The principle of Ki Uta Ki Tai;*
 - (iv) *The relationship between groundwater and surface water;*
 - (v) *The relationship between water quality and water quantity;*
 - (vi) *The effects of land use on water quality and quantity;*
 - (vii) *Assimilative capacity of catchments, and associated limits;*
 - (viii) *Cumulative effects.*
- (d) *Recognition and use of Ngāi Tahu monitoring and assessment tools to compile base line information and assess the state of freshwater resources, including but not limited to:*
 - (i) *Cultural Opportunity Mapping, Analysis, and Response (COMAR) projects;*
 - (ii) *Cultural Health Index;*
 - (iii) *State of the Takiwā monitoring.*
- (e) *Recognition and use of customary management tools for protecting freshwater values of importance to Ngāi Tahu, including but not limited to:*
 - (i) *Rāhui;*
 - (ii) *Freshwater mātaihai.*
- (f) *An appropriate and effective regulatory framework (e.g. rules) to control the effects of land use on water quality and quantity, alongside incentives and opportunities to improve existing practices.*
- (g) *Recognising and providing for nohoanga, and Fenton reserves and entitlements.*

STATUTORY ACKNOWLEDGEMENTS

WM5.1 *To advocate for local authorities to recognise the mana and intent of Statutory Acknowledgements (SAs) beyond the expiry of the Ngāi Tahu Claims Settlement (Resource Management Consent Notification) Regulations 1999. This means:*

- (a) *The existence and location of the SAs will continue to be shown on district and regional plans and policy statements;*
- (b) *Councils will continue to provide Ngāi Tahu with summaries of resource consent applications for activities relating to or impacting on SA areas (reflecting the information needs set out in this IMP);*
- (c) *Councils will continue to have regard to SAs in forming an opinion on affected party status;*
- (d) *Ngāi Tahu will continue to use SAs in submissions to consent authorities, the Environment Court and the Historic Places Trust, as evidence of the relationship of the iwi with a particular area.*

WM5.2 *To work with Te Rūnanga o Ngāi Tahu to:*

- (a) *Extend the expiry date of the Statutory Acknowledgement provisions; and*
- (b) *Advocate for increasing weighting and statutory recognition of IMP in the RMA 1991, so as to reduce the need for provisions such as Statutory Acknowledgements.*

WATER QUALITY

WM6.1 *To require that the improvement of water quality in the takiwā is recognised as a matter of regional and immediate importance.*



WM6.2 To require that water quality in the takiwā is of a standard that protects and provides for the relationship of Ngāi Tahu to freshwater. This means that:

- (a) The protection of the eco-cultural system (see Box - Eco-cultural systems) is the priority, and land or resource use, or land use change, cannot impact on that system; and
- (b) Marae and communities have access to safe, reliable, and untreated drinking water; and
- (c) Ngāi Tahu and the wider community can engage with waterways for cultural and social well-being; and
- (d) Ngāi Tahu and the wider community can participate in mahinga kai/food gathering activities without risks to human health.

WM6.3 To require that clear and effective targets are established for restoring water quality in the takiwā, with immediate attention to:

- (a) Lowland and coastal streams; and
- (b) Groundwater.

WM6.4 To support the development of national standards for mahinga kai, including freshwater food gathering.

WM6.5 To require that water quality standards in the takiwā are set based on “where we want to be” rather than “this is the point that we can pollute to”. This means restoring waterways and working toward a higher standard of water quality, rather than establishing lower standards that reflect existing degraded conditions.

Addressing the source of the problem

WM6.6 Where there are water quality issues, we need to address the source of the problem, and not just dig deeper wells or find new ways to treat water.

Relationship between water quality and water quantity

WM6.7 To ensure that the relationship between water quality and quantity is recognised and provided for in all processes and policy aimed at protecting and restoring water quality. There must be sufficient water to protect water quality.

Discharges

WM6.8 To continue to oppose the discharge of contaminants to water, and to land where contaminants may enter water.

WM6.9 To require that local authorities work to eliminate existing discharges of contaminants to waterways, wetlands and springs in the takiwā, including treated sewage, stormwater and industrial waste, as a matter of priority.

WM6.10 To require that the regional council classify the following discharge activities as prohibited due to significant effects on water quality:

- (a) Activities that may result in the discharge of sewage (treated or untreated), stormwater, industrial waste, animal effluent or other contaminants to water, or onto land where contaminants may enter water; and
- (b) Stock access to waterways and waterbodies (including drains and stock races), regardless of the size of the waterway and type of stock.

WM6.11 Consented discharge to land activities must be subject to appropriate consent conditions to protect ground and surface water, including but not limited to:

- (a) Application rates that avoid over saturation and nutrient loading;
- (b) Set backs or buffers from waterways, wetlands and springs;
- (c) Use of native plant species to absorb and filter contaminants; including riparian and wetland establishment and the use of planted swales;
- (d) Monitoring requirements to enable assessment of the effects of the activity.

Catchment nutrient budgets and limits

WM6.12 To address the decline in water quality in the takiwā by requiring, supporting and contributing to:



- (a) *The development of catchment nutrient budgets (using the best available modelling software) as a tool to manage the cumulative effects of land use on water quality and create rules and incentives to improve on land and water management;*
- (b) *The setting of effective limits for nitrogen, phosphorus, sediment and Escherichia coli in waterways and groundwater;*
- (c) *The setting of effective discharge limits for nutrients and sediment on site, whether 'at the farm gate', on an industrial site, or within a residential property development, as a tool to improve on on site management of nutrients and contaminants.*

WM6.13 *To require that catchment nutrient budgets and limits protect eco-cultural systems and values as a matter of priority.*

WM6.14 *Contaminant and nutrient limit and target setting must be based on the best available information and modeling, and draw from both western science and mātauranga Māori*

Incentives and controls

WM6.15 *To support an effective and strong regulatory and non-regulatory framework to address the effects of rural and urban land use to protect water quality. This framework to include:*

- (a) *Incentives to do things right;*
- (b) *Controls (i.e. rules) on land use, including prohibiting those activities that will have significant effects on water quality;*
- (c) *Compliance monitoring, including a role for tāngata whenua in auditing and as enforcement officers; and*
- (d) *Effective and enforceable penalties for noncompliance, including revoking resource consents and enforced environmental remediation.*

Controls on land use activities to protect water quality

WM6.16 *To require, in the first instance, that all potential contaminants that may enter water (e.g. nutrients, sediments and chemicals) are managed on site and at source rather than discharged off site. This applies to both rural and urban activities.*

WM6.17 *To require the development of stringent and enforceable controls on the following activities given the risk to water quality:*

- (a) *Intensive rural land use (see Issue WM.7);*
- (b) *Subdivision and development adjacent to waterways;*
- (c) *Discharge to land activities associated with industry;*
- (d) *Activities in the bed and margins of waterways, including gravel extraction;*
- (e) *Upper catchment activities such as forestry and vegetation clearance.*

WM6.18 *To oppose the use of global consents for activities that pose a significant threat to water quality, and where the location of the activity is critical for assessing effects.*

Environmental infrastructure

WM6.19 *To promote the restoration of wetlands and riparian areas as part of maintaining and improving water quality, due to the natural pollution abatement (treatment) functions of these taonga.*

WM6.20 *To require that the regional council prohibit any further drainage, destruction or modification of remnant wetlands or existing native riparian vegetation, particularly given the function of these taonga in mitigating the effects of land use on water quality.*

Measuring and monitoring our progress

WM6.21 *To promote the monitoring of water quality and cultural health at hāpua, coastal lakes and river mouth environments, to monitor the health of catchments and assess progress towards water quality objectives and standards (see Section 5.6, Issue TAN3).*

Costs and benefits

WM6.22 *To require that local authorities afford appropriate weight to tāngata whenua values when assessing the costs and benefits of activities that may have adverse effects on water quality.*

WM6.23 *To ensure that economic costs do not take precedence over the cultural, environmental and intergenerational costs of poor water quality.*



EFFECTS OF INTENSIVE RURAL LAND USE ON FRESHWATER RESOURCES

Matching land use with land capability and water availability

- WM7.1 To require that rural land and water planning, management and use recognises and provides for:
- (a) Catchment boundaries and water availability;
 - (b) Water quality and quantity thresholds and limits;
 - (c) Land capability, including soil type and topography;
 - (d) The protection of eco-cultural systems and resources; and
 - (e) The capacity of a catchment to assimilate land use effects.
- WM7.2 To require a precautionary approach to the land use conversion and intensification in the takiwā that recognises and provides for:
- (a) Existing and future effects of diffuse source pollution on surface and groundwater resources from land use;
 - (b) The cumulative effects of land use on the health of soil and water resources; and
 - (c) The cultural and environmental costs of land conversion and intensification, in addition to economic return per hectare.
- WM7.3 To work with local authorities to develop land use and water quality assessment tools to evaluate the suitability of particular areas for certain activities (e.g. dairy), including but not limited to:
- (a) The use of zoning as a method to enable land use that matches local conditions (e.g. soil, climate, water availability, assimilative capacity), as opposed to best economic return per hectare (i.e. when you add enough water and nutrients) and that protect waterways from particular land use activities that are likely to threaten water quality

Resource consents for irrigated and other forms of intensive land use

- WM7.4 All new land conversions for irrigated and other forms of intensive land use (e.g. dairy and cropping) should require resource consent, and be assessed on the following matters:
- (a) Appropriateness of the activity to the environment based on:
 - (i) Soil type and topography;
 - (ii) Proximity to surface water (waterways, wetlands, waipuna, lakes and drains);
 - (iii) Depth to groundwater, and nature of the aquifer (confined or unconfined); and
 - (iv) Water quantity required and limits of available water supply.
 - (b) Actual and potential effects on the environment and associated Ngāi Tahu values, including the relationship of Ngāi Tahu to land, water and sites; and
 - (c) Cumulative effects of existing irrigated and other forms of intensive land use in the catchment.
- WM7.5 To require that resource consents granted for irrigated and other forms of intensive land use are subject to the following conditions of consent:
- (a) The development, implementation and monitoring of farm management plans that cover such matters as effluent, irrigation, soil and environmental infrastructure management, stocking rates, and associated reporting requirements and monitoring provisions; and
 - (b) Provision to protect and enhance cultural and environmental values, including indigenous biodiversity (e.g. the establishment of shelter belts using native species).
- WM7.6 To require that land use and water abstraction consents associated with intensive rural land use are assessed and evaluated together as joint consents.

Catchment nutrient management

- WM7.7 The development of catchment nutrient budgets as a tool to manage the cumulative effects of land use on water quality and create rules and incentives to improve on land and water management.
- WM7.8 To oppose the trading of nutrient limits. Limits must be attached to land and location.
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WM7.9 To support the concept of creating 'headroom', through improved nutrient management, to enable land use change or intensification, but only when:

- (a) Water quality load limits reflect the need to improve water quality and general cultural health of the catchment, particularly lower catchments, and not just maintain the existing state;
- (b) Improving water quality and the cultural health of rivers is given priority over enabling development; and
- (c) Headroom is not created using nutrient trading.

Internalisation of environmental costs

WM7.10 To promote on-farm measures that maximise water use efficiencies and reduce nutrient loss, and that enable landowners undertaking intensive rural farming activities to be responsible for the cultural and environmental costs of their activities, including but not limited to:

- (a) The treatment of effluent before disposal;
- (b) On-farm nutrient management;
- (c) Appropriate stocking rates, that avoid soil loss and nutrient leaching;
- (d) Soil and foliage testing to optimise and minimise fertiliser use;
- (e) Best practice irrigation management;
- (f) The protection, construction or restoration of environmental infrastructure such as wetlands and riparian margins; and
- (g) Fencing off surface waterways.

WM7.11 To require effective and enforceable penalties for non-compliance, including revoking resource consents and enforced environmental remediation.

Incentives

WM7.12 To recognise and support those land users and managers that are demonstrating sustainable land use and protecting and enhancing the environment and cultural values.

WM7.13 To support the use of incentives to encourage landowners to practice stewardship of freshwater resources. Incentives can be a more powerful tool than regulatory measures such as fines or rules.

Cumulative effects

WM7.14 To require that the effects of land use activities on water quality and quantity are assessed with due regard to the cumulative effects of all land use in the catchment and as well as of individual consents.

WATER QUANTITY

Flow and water allocation regimes

WM8.1 Environmental flow and allocation limits must be set on all waterways, including tributaries.

WM8.2 Environmental flow and water allocation regimes must recognise and provide for Ngāi Tahu values and interests, and therefore deliver cultural and environmental outcomes. This means flows and limits recognise and provide for:

- (a) Mauri and mahinga kai as first order priorities, over abstractive use: 'how much water does the river need to be healthy' rather than 'what is the lowest possible flow that the river can sustain';
- (b) Flow and limits that restore what a river should be, as opposed maintaining the existing degraded condition or value (particularly lowland streams);
- (c) Flows and limits reflect seasonal flows and flow variability, including floods and freshes;
- (d) Continuous and reliable flow of water through the river Ki Uta Ki Tai, from the headwaters to the estuarine and coastal environments, noting that in some waterways this may include both surface and underground flow;
- (e) There is sufficient water to sustain the wetlands and waipuna associated with waterways;
- (f) River mouth and hāpua dynamics and ecological processes are protected, including duration and frequency of openings;



- (g) *The interconnectedness of groundwater and surface water is recognised and provided for, and certainty of supply for groundwater recharge is ensured;*
- (h) *Sufficient water depth and flow for indigenous fish passage, recognising that species such as tuna require a specific ecological flows (floods and freshes) to trigger and enable safe and successful passage;*
- (i) *The quality and quantity of water on tribal properties and NTCSA 1998 sites is enhanced;*
- (j) *Flows are consistent with protecting and enhancing mahinga kai and indigenous biodiversity values;*
- (k) *Shingle movement does not lead to unnatural or exacerbated aggradation and erosion; and*
- (l) *Weed and periphyton growth and algal blooms are avoided.*

WM8.3 *To require the use of a range of tools and initiatives to achieve Policy WM8.2, including but not limited to:*

- (a) *The mātauranga held by whānau and hapū about waterways and the flows required to sustain specific cultural values is recognised equally alongside mainstream methods;*
- (b) *Cultural monitoring tools, such as COMAR to identify flow and water quality that would enable the protection of tāngata whenua values (see Issue WM4);*
- (c) *Stock water not be exempt from flow and allocation plans (see Box – Stockwater Issues);*
- (d) *Water permits are attached to land not to consent holders (See Issue WM11);*
- (e) *Mandatory water metering on all water takes, as a condition of consent;*
- (f) *Continuous recording of flow at appropriate locations;*
- (g) *Requiring efficient use of water as a condition of consent;*
- (h) *User levies on abstractions to fund resource studies and realise protection and restoration measures; and*
- (i) *Common consent expiry dates within catchments.*

WM8.4 *To require that specific values important to local waterways and catchments as identified in Part 6 of this IMP (Catchment Policy) are recognised and provided for when establishing flow and allocation limits.*

Ngāi Tahu restoration initiatives

WM8.5 *To ensure that environmental flow and water allocation regimes are consistent with supporting and furthering Ngāi Tahu initiatives to restore waterways and their mahinga kai values.*

Aquifers

WM8.6 *To require that aquifers are recognised and protected as wāhi taonga. This means:*

- (a) *The protection of groundwater quality and quantity, including shallow aquifers;*
- (b) *The protection of aquifer recharge;*
- (c) *Ensuring a higher rate of recharge than abstraction, over the long term;*
- (d) *Continuing to improve our understandings of the groundwater resource, and the relationship between groundwater and surface water.*

Over-allocated catchments

WM8.7 *To require the implementation of an immediate solution to addressing the over-allocation of water in particular catchments, based on a staged approach designed to enable an improved understanding of the local environment and natural resource requirements:*

- (1) *Firstly:*
 - (i) *Do not grant any new abstraction or water permit, and place a moratorium on all new land conversions requiring water;*
 - (ii) *Do not allow the trading of existing permits;*
 - (iii) *Review all existing consents for actual use, using metering;*
 - (iv) *Require the cancellation of consents of not being given effect to, and the surrender of unused allocations (i.e. no transfers of unused water).*



(2) Secondly:

- (i) Assess the state of the resource (groundwater, waterway);
- (ii) Monitor how the resource responds to these measures;
- (iii) Adapt management plans and practices accordingly, acknowledging the principle of matching land use with natural resource limits and availability. If the resource is still degraded, then address issue through a community process, including assessing whether land use (water demand) needs to change.

WM8.8 To address allocation issues in those catchments that are currently identified as nearing overallocation (e.g. at 80%) as a matter of priority.

Controls on land use to protect water quantity

WM8.9 To require controls on specific land use activities that are associated with high water demand, through policies and rules in district and regional plans, to protect surface water flows and groundwater recharge, particularly in water sensitive catchments where the demand for water can be inconsistent with water availability.

WM8.10 To support a requirement for water permit applicants to demonstrate the need for the quantity of the proposed water take, including providing information on crop type, productive area, acreage, proposed water use per hectare, estimated water losses, and efficiency measures. This information will guide the assessment of the appropriateness of the proposed water take and land use with regard to the effects on soil and water resources.

Efficiencies

WM8.11 To support activities and strategies to improve the efficiency of water use in urban and rural situations, including:

- (a) Water efficiency technology in residential, commercial, industrial and urban environments:
 - (i) rainwater storage tanks;
 - (ii) greywater reuse;
 - (iii) reduced or low flow devices (e.g. low flush toilets and efficient showerheads); and
 - (iv) water efficient appliances.
- (b) Water efficiency technology on the farm:
 - (i) metering of use;
 - (ii) soil moisture monitoring;
 - (iii) efficient irrigation technology;
 - (iv) wise irrigation practices, such as irrigating at night; and
 - (v) collecting and storing rainwater for on farm use.

WM8.12 To ensure that water use efficiency criteria is to apply to all users of water - new and existing permit holders.

WM8.13 To require that any water saved through efficiency gains is returned to the river to restore river health as a first priority, rather than made available for re-allocation.

Resource consents to take and use water

WM8.14 To advocate for a maximum of a 15 year duration on water permits, and consent terms to reflect the:

- (a) Level of existing knowledge about the resource;
- (b) Risk to the resource;
- (c) Nature of the activity supported by the take and use of water, and justification for amount applied for; and
- (d) Need for common expiry dates in the catchment.

WM8.15 To oppose the granting of water permits to take and use water from waterways where there is insufficient information about flows, including flow volume and variability (e.g. small tributaries).



WM8.16 To advocate for monitoring, reporting and effective and enforceable penalties for non-compliance, including revoking resource consents and enforced environmental remediation.

REGIONAL WATER INFRASTRUCTURE

- WM9.1 To advocate for a takiwā-wide robust evaluation and assessment of the land uses that our freshwater resources are supporting, including the assimilative capacity of the land and the long-term cumulative effects of land use, prior to looking for ways to provide more water.
- WM9.2 To promote co-operative and constructive relationships between the irrigation and energy sectors and Ngāi Tahu, over and above RMA 1991 consultation, to facilitate consideration of effects of regional water infrastructure options on tāngata whenua values and interests.
- WM9.3 To support in principle the storage of water through local and regional infrastructure development, provided that:
- (a) Land use or land use change enabled by the provision of water is managed to avoid compromising cultural and environmental values, including water quality.
 - (b) The location of storage does not compromise places or sites with outstanding cultural characteristics and values;
 - (c) Storage will relieve pressure on groundwater resources;
 - (d) Water is harvested on the receding flows of floods and freshes;
 - (e) The role of floods and freshes in channel formation and the maintenance of river processes and health is not compromised; and
 - (f) There is a robust and critical assessment of effects on Ngāi Tahu values (see Policies WM9.4 and WM9.5).
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Evaluating cultural effects and benefits

- WM9.4 To critically evaluate the cultural implications of any damming, on-farm storage, community water enhancement schemes, or water storage proposal that may have adverse effects on resources and values of importance to tāngata whenua, with particular regard to:
- (a) How the proposal aligns with Ngāi Tahu priorities for water use, as per Policy WM3.1;
 - (b) Consistency with Ngāi Tahu initiatives to restore waterways and their mahinga kai values;
 - (c) The nature and extent of transfer and mixing of waters between and within catchments;
 - (d) The effects of increased water availability and subsequent land use change on surface and groundwater;
 - (e) Measures to avoid non-point source pollution;
 - (f) The effects on cultural landscapes sites, features and values;
 - (g) The effects on coastal ecosystems and processes, including hāpua;
 - (h) The potential for loss of mahinga kai resources and opportunities (e.g. disruption of fish passage);
 - (i) Interruption of continuity of flow Ki Uta Ki Tai; and
 - (j) The cultural imperative to leave the natural environment, including waterways, in a better state for future generations than its current or inherited state.
- WM9.5 To critically evaluate the potential for damming, diversion or water storage proposal to have positive effects on Ngāi Tahu values, with particular regard to:
- (a) Objectives to re-establish and restore indigenous biodiversity on the landscape, including biodiversity/habitat corridors;
 - (b) Alleviating pressure on groundwater resources and opportunities for groundwater consents to be surrendered as a condition of the provision of new water infrastructure; and
 - (c) Increased controls and consistency for land use activities benefiting from water infrastructure, including:
 - (i) Imposition of environmental levies (user levies) as a condition of water supply, to encourage efficiency and provide funds for research and monitoring, and protection and enhancement initiatives; and
 - (ii) Requirement for farm management plans as a condition of water supply, to minimise the effects of land use on the farm site and wider environment.
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WM9.6 To ensure that the effects of any proposed regional water infrastructure scheme are assessed with reference to the objectives for ecological and cultural health of waterways in the takiwā (i.e. what should be there), rather than the existing degraded state of the resource. The existing degraded condition of a waterbody cannot be used as a basis for allowing further adverse effects to occur.

WM9.7 To require that any proposed regional water infrastructure scheme includes provisions for a contingency fund, to be used for remediation and to remedy unanticipated effects on the environment (e.g. dam failure) and unforeseen cumulative effects on water quality.

UNNATURAL MIXING OF WATER

WM10.1 In principle, the unnatural mixing of water from different sources between or within catchments is culturally inappropriate.

WM10.2 Water infrastructure proposals that will result in the unnatural mixing of waters will be assessed by Papatipu Rūnanga on a case by case basis, allowing for consideration of:

- (a) The varying perspectives of different hapū to the unnatural mixing of waters in their takiwā;
- (b) The current state of water quality, water quantity, indigenous biodiversity and other cultural values within particular waterways; and
- (c) Different mixing scenarios, including provisions to avoid or mitigate cultural issues and/or provide cultural benefit.

WM10.3 The cultural acceptability of proposals that will result in the unnatural mixing of waters will be assessed using the following framework:

- (a) The unnatural mixing of water is likely to be culturally unacceptable where it involves:
 - (i) direct mixing between glacial, rain or spring fed waters,
 - (ii) direct mixing of waters used for different purposes;
 - (iii) direct mixing of water between different catchments; or
 - (iv) direct mixing of water from different aquifers.
- (b) The unnatural mixing of waters may be acceptable where it involves:
 - (i) Waters that already mix naturally within the same catchment;
 - (ii) Waters that are of same type (e.g. rainfed to rainfed); or
 - (iii) Waters that are filtered through natural processes, such as natural or constructed wetlands and riparian margins.

TRANSFER OF WATER PERMITS

WM11.1 To require that water permits are connected to the property they were allocated to, and herefore to a specific waterway or aquifer, and not to a permit holder; and that when land is sold the new owner must re-apply for consent to take water if there is a proposed change to land use.

WM11.2 To oppose the transfer of water permits in catchments that are over-allocated.

WM11.3 To oppose the transfer of unused allocations associated with a water permit to another use or user different from that which it was originally allocated/permitted for. Unused water must remain in the river and a new permit should be required for any new land use.

ACTIVITIES IN THE BEDS AND MARGINS OF RIVERS AND LAKES

Cultural use

WM12.1 To require that local authorities recognise Ngāi Tahu cultural use as an activity that occurs in beds of rivers and lakes and their riparian zones, and provide for this as a permitted activity (including any structures that may be required to enable cultural use).

Riparian areas

WM12.2 To require the protection and restoration of native riparian vegetation along waterways and lakes in the takiwā as a matter of priority, and to ensure that this can occur as a permitted activity.



Access

WM12.3 To require that local authorities recognise and provide for the following cultural matters associated with access and use of the beds and margins of rivers and lakes:

- (a) The need to protect sites of cultural significance to tāngata whenua when considering public access; and*
 - (b) The need to protect and maintain Ngāi Tahu access to sites associated with wāhi tapu, wāhi taonga, mahinga kai and other cultural resources, including Fenton reserves, Fenton Entitlements and Nohoanga.*
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Use and enhancement of river margins in the built/ urban environment

WM12.4 All waterways in the urban and built environment must have indigenous vegetated healthy, functioning riparian margins.

WM12.5 To require that all waterways in the urban and built environment have buffers or set back areas from residential, commercial or other urban activity that are:

- (a) At least 10 metres, and up to 30 metres; and*
- (b) Up to 50 metres where there is the space, such as towards river mouths and in greenfield areas.*

WM12.6 In the urban environment, it is accepted that waterways may have existing exotic vegetation along margins (e.g. exotic specimen trees in waterside reserves). However the objective is still to promote native riparian vegetation, as taonga valued for flood control, the maintenance of water quality, mahinga kai and cultural well-being.

WM12.7 To require all esplanade reserves and esplanade strips established on subdivisions to incorporate native riparian planting.

Riverworks

WM12.8 To require that all river works activity, including vegetation clearance and silt removal, are undertaken in a manner that protects the bed and margins of the waterway from disturbance, and that mahinga kai values are not compromised as a result of the activity.

WM12.9 To require that any river works activity that results in the loss or damage of riparian vegetation includes measures to replace or restore vegetation, with appropriate indigenous species.

WM12.10 To require the appropriate disposal of spoil (silt or weed), with a preference for the use of spoil as compost.

WM12.11 To oppose the use of global consents for earthworks activities in the beds and margins of waterways.

WM12.12 To require that any plantings associated with flood protection works is undertaken using indigenous species.

Structures in the beds and margins of waterways

WM12.13 To require that any structure, essential or otherwise, in the bed or margin of a waterway (e.g. floodgate) supports and enables passage for migratory indigenous fish species and does not compromise any associated kōhanga.

Rural activities along and in the beds and margins of rivers

WM12.14 To protect the beds and margins of foothill, lowland, and coastal waterways from effects associated with rural land use by requiring a 20 metre buffer or set back area from the waterway, or whatever distance is appropriate to ensure:

- (a) Capture of run-off and protection of water quality;*
- (b) Protection of eco-cultural attributes such as mahinga kai; and*
- (c) Prevention of stock access to waterways.*

WM12.15 Recognising that a 5 metre well-planted buffer along a healthy stream may be as effective as a 20 metre buffer along a degraded waterway, the appropriate size of buffers or set back areas along waterways as per Policy WM12.14 should be based on an assessment of:

- (a) The nature of the adjacent land use and therefore risk to waterway health;*
 - (b) The existing state of cultural health of the waterway; and*
 - (c) The existing pressures on the waterway.*
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WM12.16 To advocate for buffer zones on braided river margins that are least the width of the river itself, as a buffer against land use and development.

WM12.17 To oppose the use of river and lake beds and their margins for farming activities, including the conversion to pasture, grazing of stock and growing of winter feed crops.

Gravel extraction

WM12.18 To support sustainable gravel extraction as part of floodplain and river management in the takiwā provided that:

- (a) It is undertaken in areas where there is no surface or groundwater flow, while recognising the need to ensure that there are still gravels available to be transported downstream in floods;
- (b) Methods are used to avoid or minimise sedimentation; and
- (c) The location of extractions sites does not compromise wāhi tapu, wāhi taonga or mahinga kai values.

WM12.19 To limit the duration of resource consents for gravel extraction to 10 years, and to maintain the ability to require consent durations of 2-5 years on some waterways.

WM12.20 To require that gravel extraction activities maintain the natural character of the waterway, including but not limited to returning the site of extraction to its original shape and character following gravel extraction.

WM12.21 To require that gravel extraction consent applications assess actual and potential effects on cultural values including but not limited to effects on:

- (a) Mahinga kai, including bird nesting sites, native fish habitat, nohoanga and fishing easements;
- (b) Wāhi tapu, wāhi taonga and other sites of cultural significance;
- (c) The natural character of the river;
- (d) Hāpua and river mouth environments;
- (e) Potential for positive effects on cultural values through improvements to river environments (e.g. willow removal).

WM12.20 To recognise the ability of gravel extraction to address issues associated with the unnatural aggradation of gravel in the lower reaches of some waterways, but to advocate for solutions that identify and address the source of the aggradation (e.g. low flows and upper catchment erosion).

WETLANDS, WAIPUNA AND RIPARIAN MARGINS

WM13.1 To recognise and protect all wetlands, waipuna and riparian areas as wāhi taonga that provide important cultural and environment benefits, including but not limited to:

- (a) Mahinga kai habitat;
- (b) The provision of resources for cultural use;
- (c) Cultural well-being;
- (d) The maintenance and improvement of water quality; and
- (e) Natural flood protection.

WM13.2 To protect, restore and enhance remaining wetlands, waipuna and riparian areas by:

- (a) Maintaining accurate maps of existing wetlands, waipuna and riparian margins;
- (b) Requiring that the drainage of existing wetlands or waipuna or the destruction or modification of existing native riparian areas be a prohibited activity;
- (c) Requiring the use of appropriate fencing, buffers and set back areas to protect wetlands, waipuna and riparian areas from intensive land use, including stock access and irrigation;
- (d) Supporting initiatives to restore wetlands, waipuna and riparian areas; and
- (e) Continuing to educate the wider community and landowners of the taonga value of these ecosystems.

WM13.3 To support the establishment, enhancement and restoration of wetlands, riparian areas and waipuna as a measure to avoid, remedy or mitigate any actual or potential adverse effects of land use and development activities on cultural and environmental values.



Wetlands

WM13.4 To advocate for resource management plans, policies and rules that lead to a net gain in wetlands throughout the takiwā as well as no loss of remaining natural wetlands.

WM13.5 To advocate, where appropriate, for the creation of wetland areas to assist with the management of onsite/site sourced stormwater and other wastewater, to utilise the natural capacity of these ecosystems to filter contaminants. These wetlands must be constructed wetlands; natural wetlands are not be used to treat or dispose of wastewater. However, they may be adjacent to natural wetlands, to mitigate the impacts on natural systems.

WM13.6 The cultural value of wetlands must be included in any regional or local assessments of wetland significance.

Riparian margins

WM13.7 To recognise the protection, establishment and enhancement of riparian areas along waterways and lakes as a matter of regional importance, and a priority for Ngāi Tahu.

Waipuna

WM13.8 To require that waipuna are recognised as wāhi taonga in district and regional plans. This means:

- (a) Explicit recognition of the value of waipuna to tāngata whenua;
 - (b) Effective policies, rules and methods to protect waipuna from abstraction, stock access, drainage and run-off, including prohibiting any direct discharges and requiring riparian margins to buffer adjacent land use; and
 - (c) Explicit objectives to restore degraded waipuna.
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DRAIN MANAGEMENT

WM14.1 To require that drains are managed as natural waterways and are subject to the same policies, objectives, rules and methods that protect Ngāi Tahu values associated with freshwater, including:

- (a) Inclusion of drains within catchment management plans and farm management plans;
- (b) Riparian margins are protected and planted;
- (c) Stock access is prohibited;
- (d) Maintenance methods are appropriate to maintaining riparian edges and fish passage; and
- (e) Drain cleaning requires a resource consent.

WM14.2 To require and uphold agreements with local authorities to ensure that the timing and techniques of drain management are designed to avoid adverse effects on mahinga kai and water quality, including:

- (a) Identifying drains that are or can be used for mahinga kai;
 - (b) Returning any fish that are removed from drains during the cleaning process to the waterway;
 - (c) Riparian planting along drains to provide habitat and shade for mahinga kai and bank stability while reducing the frequency and costs of maintenance by reducing aquatic plant growth;
 - (d) Ensuring drain management/cleaning does not breach the confining layers;
 - (e) Use of low impact cleaning methods such as mechanical 'finger buckets', as opposed to chemical methods such as spraying, to minimise effects on aquatic life;
 - (f) Notification to tāngata whenua of any chemical spraying of drains used for mahinga kai or connected to waterways used as mahinga kai; and
 - (g) Involvement of tāngata whenua in drain maintenance activities where there is a need to return native fish back to the drain (e.g. tuna, kekewai and kanakana).
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INVASIVE WEEDS IN RIVERBEDS AND MARGINS

WM15.1 To oppose the planting of willows and poplars along waterways, for erosion control or otherwise.



WM15.2 To promote the adoption of a long term objective in the region to phase out existing willows and poplars in river margins, and re-establish native species.

WM15.2 To promote healthy riparian margins along waterways, vegetated with native species, as a means to protect waterway health and prevent the establishment of weedy species in riverbeds and margins.

WM15.3 Where river rating districts are established to contribute to the costs of clearing and maintaining willows along rivers for flood protection, such schemes should also provide for the planting of riparian margins with native species that further the flood protection goals and enhance cultural and environmental values.

WM15.4 To require that environmental flow regimes recognise and provide for the role of the flood flows in preventing the establishment of willow and other weeds in river beds.

WM15.5 To support the use of regional catchment management plans to promote the use of suitable native plants and trees as riparian margins instead of willow, so that these species are progressively returned to our landscape.

WM15.6 To work with relevant agencies to eliminate woody weeds such as broom and gorse that are invading braided rivers.

COASTAL MARINE AREA

See General Policy Section 5.6 Issue TAN2 Coastal Water Quality, and Issue TAN3 Coastal wetlands, estuaries and hāpua.

5.4 PAPATŪĀNUKU

Ngā Paetae Objectives

- (1) The mauri of land and soil resources is protected *mō tātou, ā, mō kā uri ā muri ake nei*.
- (2) The ancestral and contemporary relationship between Ngāi Tahu and the land is recognised and provided for in land use planning and decision making.
- (3) Land use planning and management in the takiwā reflects the principle of *Ki Uta Ki Tai*.
- (4) Rural and urban land use occurs in a manner that is consistent with land capability, the assimilative capacity of catchments and the limits and availability of water resources.
- (5) Inappropriate land use practices that have a significant and unacceptable effect on water quality and quantity are discontinued.
- (6) Ngāi Tahu has a prominent and influential role in urban planning and development.
- (7) Subdivision and development activities implement low impact, innovative and sustainable solutions to water, stormwater, waste and energy issues.
- (8) Ngāi Tahu cultural heritage values, including *wāhi tapu* and other sites of significance, are protected from damage, modification or destruction as a result of land use.

PAPATŪĀNUKU

P1.1 To approach land management in the takiwā based on the following basic principles:

- (a) *Ki Uta Ki Tai*;
- (b) *Mō tātou, ā, mō kā uri ā muri ake nei*; and
- (c) The need for land use to recognise and provide for natural resource capacity, capability, availability, and limits, the assimilative capacity of catchments.

As a means to:

- (a) Protect eco-cultural systems (see Section 5.3 Issue WM6 for an explanation);
- (b) Promote catchment based management and a holistic approach to managing resources;
- (c) Identify and resolve issues of significance to *tāngata whenua*, including recognising the relationship between land use and water quality and water quantity;
- (d) Provide a sound cultural and ecological basis for assessments of effects of particular activities; and
- (e) Recognise and provide for the relationship between healthy land, air and water and cultural well-being.



INTENSIVE RURAL LAND USE

P2.1 Rural land use must prioritise the protection of resources and environmental health for future generations. Economic gain must not have priority over the maintenance of the mauri of Papatūānuku, the provider of all things of nature and the world.

P2.2 The adverse effects of intensive rural land use on water, soil and biodiversity resources in the takiwā must be addressed as a matter of priority

URBAN AND TOWNSHIP PLANNING

P3.1 To require that local government recognise and provide for the particular interest of Ngāi Tahu Papatipu Rūnanga in urban and township planning.

P3.2 To ensure early, appropriate and effective involvement of Papatipu Rūnanga in the development and implementation of urban and township development plans and strategies, including but not limited to:

- (a) Urban development strategies;*
- (b) Plan changes and Outline Development Plans;*
- (c) Area plans;*
- (d) Urban planning guides, including landscape plans, design guides and sustainable building guides;*
- (e) Integrated catchment management plans (ICMP) for stormwater management;*
- (f) Infrastructure and community facilities plans, including cemetery reserves;*
- (g) Open space and reserves planning.*

P3.3 To require that the urban development plans and strategies as per Policy P3.2 give effect to the Mahaanui IMP and recognise and provide for the relationship of Ngāi Tahu and their culture and traditions with ancestral land, water and sites by:

- (a) Recognising Te Tiriti o Waitangi as the basis for the relationship between Ngāi Tahu and local government;*
 - (b) Recognising and providing for sites and places of importance to tāngata whenua;*
 - (c) Recognising and providing for specific values associated with places, and threats to those values;*
 - (d) Ensuring outcomes reflect Ngāi Tahu values and desired outcomes;*
 - (e) Supporting and providing for traditional marae based communities to maintain their relationship with ancestral land.*
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SUBDIVISION AND DEVELOPMENT

Processes

P4.1 To work with local authorities to ensure a consistent approach to the identification and consideration of Ngāi Tahu interests in subdivision and development activities, including:

- (a) Encouraging developers to engage with Papatipu Rūnanga in the early stages of development planning to identify potential cultural issues; including the preparation of Cultural Impact Assessment reports;*
- (b) Ensuring engagement with Papatipu Rūnanga at the Plan Change stage, where plan changes are required to enable subdivision;*
- (c) Requiring that resource consent applications assess actual and potential effects on tāngata whenua values and associations;*
- (d) Ensuring that effects on tāngata whenua values are avoided, remedied or mitigated using culturally appropriate methods;*
- (e) Ensuring that subdivision consents are applied for and evaluated alongside associated land use and discharge consents;*
- (f) Requiring that 'add ons' to existing subdivisions are assessed against the policies in this section.*

P4.2 To support the use of the following methods to facilitate engagement with Papatipu Rūnanga where a subdivision, land use or development activity may have actual or potential adverse effects on cultural values and interests:

- (a) Site visit and consultative hui;*
 - (b) Cultural Impact Assessment (CIA) reports; and*
-



(c) *Tāngata Whenua Advisory Groups.*

Basic principles and design guidelines

P4.3 To base tāngata whenua assessments and advice for subdivision and residential land development proposals on a series of principles and guidelines associated with key issues of importance concerning such activities, as per Ngāi Tahu subdivision and development guidelines (see next page).

Ngāi Tahu Property and residential land developments

P4.4 To encourage and support Ngāi Tahu Property Ltd, as the tribal property development company, to set the highest possible standard of best practice for residential land developments in the takiwā, consistent with Ngāi Tahu values.

P4.5 To require that Ngāi Tahu Property Ltd engage with Papatipu Rūnanga when planning and developing commercial ventures such as residential property developments, to achieve Policy P4.4.

PAPAKĀINGA

P5.1 To recognise that there are a number of issues and barriers associated with the use and development of ancestral and Māori reserve land for the purposes for which it was set aside, and that these may vary between different hapū/Papatipu Rūnanga.

P5.2 To require that local and central government recognise that the following activities, when undertaken by tāngata whenua, are appropriate when they occur on their ancestral land in a manner that supports and enhances their ongoing relationship and culture and traditions with that land: (a) Papakāinga; (b) Marae; and (c) Ancillary activities associated with the above.

P5.3 To require that the city and district plans recognise and provide for papakāinga and marae, and activities associated with these through establishing explicit objectives, policies and implementation methods, including: (a) Objectives that specifically identify the importance of papakāinga development to the relationship of Ngāi Tahu and their culture and traditions to ancestral land; and (b) Zoning and housing density policies and rules that are specific to enabling papakāinga and mixed use development; and that avoid unduly limiting the establishment of papakāinga developments through obligations to avoid, remedy or mitigate adverse effects on the environment.

P5.4 To require that the district plans and land titles clearly recognise the original paper roads that provided access to Māori land.

STORMWATER

P6.1 To require on-site solutions to stormwater management in all new urban, commercial, industrial and rural developments (zero stormwater discharge off site) based on a multi tiered approach to stormwater management:

- (a) Education - engaging greater general public awareness of stormwater and its interaction with the natural environment, encouraging them to take steps to protect their local environment and perhaps re-use stormwater where appropriate;*
- (b) Reducing volume entering system - implementing measures that reduce the volume of stormwater requiring treatment (e.g. rainwater collection tanks);*
- (c) Reduce contaminants and sediments entering system - maximising opportunities to reduce contaminants entering stormwater e.g. oil collection pits in carparks, education of residents, treat the water, methods to improve quality; and*
- (d) Discharge to land based methods, including swales, stormwater basins, retention basins, and constructed wetpools and wetlands (environmental infrastructure), using appropriate native plant species, recognising the ability of particular species to absorb water and filter waste.*

P6.2 To oppose the use of existing natural waterways and wetlands, and drains, for the treatment and discharge of stormwater in both urban and rural environments.

P6.3 Stormwater should not enter the wastewater reticulation system in existing urban environments.

P6.4 To require that the incremental and cumulative effects of stormwater discharge are recognised and provided for in local authority planning and assessments.

P6.5 To encourage the design of stormwater management systems in urban and semi urban environments to provide for multiple uses: for example, stormwater management infrastructure as part of an open space network that provides for recreation, habitat and customary use values.

P6.5 To support integrated catchment management plans (ICMP) as a tool to manage stormwater and the effects of land use change and development on the environment and tāngata whenua values, when these plans are consistent with Policies P6.1 to P6.4.



P6.6 To oppose the use of global consents for stormwater discharges.

WASTE MANAGEMENT

P7.1 To require that local authorities recognise that there are particular cultural (tikanga) issues associate with the disposal and management of waste, in particular:

- (a) The use of water as a receiving environment for waste (i.e. dilution to pollution); and*
- (b) Maintaining a separation between waste and food.*

P7.2 To actively work with local government to ensure that waste management practices protect cultural values such as mahinga kai and wāhi tapu and are consistent with Ngāi Tahu tikanga.

P7.3 To require waste minimisation as a basic principle of, and approach to, waste management. This means reducing the volume of waste entering the system through measures such as:

- (a) Education about wise water use;*
- (b) Composting and recycling programmes;*
- (c) Incentives for existing and new homes, business, developments and council services to adopt greywater recycling and install low water use appliances;*
- (d) On site solutions to stormwater that avoid stormwater entering the wastewater system.*

P7.4 To continue to oppose the use of waterways and the ocean as a receiving environment for waste.

P7.5 To require alternatives to using water as a medium for waste treatment and discharge, including but not limited to:

- (a) Using waste to generate electricity;*
- (b) Treated effluent to forestry;*
- (c) Treated effluent to non food crop.*

P7.6 To require higher treatment levels for wastewater: 'we should not have to rely on mixing and dilution of wastewater to mitigate effects'.

P7.7 To work towards achieving zero waste at our marae, through the reduction of waste produced, and the use of composting and recycling programs.

P7.8 To oppose the use of global consents for activities associated with management and discharge of wastewater

DISCHARGE TO LAND

P8.1 To require that discharge to land activities in the takiwā:

- (a) Are appropriate to the soil type and slope, and the assimilative capacity of the land on which the discharge activity occurs;*
- (b) Avoid over-saturation and therefore the contamination of soil, and/or run off and leaching; and*
- (c) Are accompanied by regular testing and monitoring of one or all of the following: soil, foliage, groundwater and surface water in the area.*

P8.2 In the event that that accumulation of contaminants in the soil is such that the mauri of the soil resource is compromised, then the discharge activity must change or cease as a matter of priority

SOIL CONSERVATION

P9.1 To sustain and safeguard the life supporting capacity of soils, mō tātou, ā, mō kā uri ā muri ake nei.

P9.2 To require the appropriate valuation of soil resources as taonga and as natural capital, providing essential ecosystem services.

P9.3 To protect the land from induced soil erosion as a result of unsustainable land use and development.

P9.4 To support the following methods and measures to maintain or improve soil organic matter and soil nutrient balance, and prevent soil erosion and soil contamination:

- (a) Matching land use with land capability (i.e. soil type; slope, elevation);*
 - (b) Organic farming and growing methods;*
-



- (c) *Regular soil and foliage testing on farms, to manage fertiliser and effluent application levels and rates;*
- (d) *Stock management that avoids overgrazing and retires sensitive areas;*
- (e) *Restoration and enhancement of riparian areas, to reduce erosion and therefore sedimentation of waterways;*
- (f) *Restoration of indigenous vegetation, including the use of indigenous tree plantations as erosion control and indigenous species in shelter belts; and*
- (g) *Avoiding leaving large areas of land/soil bare during earthworks and construction activities.*

CONTAMINATED LAND

- P10.1 The management of contaminated land must recognise and provide for specific cultural issues, including:*
- (a) *The location of contaminated sites;*
 - (b) *The nature of the contamination;*
 - (c) *The potential for leaching and run-off;*
 - (d) *Proposed land use changes; and*
 - (e) *Proposed remediation or mitigation work.*
- P10.2 To require appropriate and meaningful information sharing between management agencies and tāngata whenua on issues associated with contaminated sites.*
- P10.3 To require investigation and monitoring of closed landfill sites to determine:*
- (a) *Whether the site is a contaminated site; and*
 - (b) *The level of environmental risk to groundwater and soil from leaching of contaminants.*
- P10.4 To require that remedial work is undertaken at closed landfill sites where leaching of contaminants is occurring, to prevent contamination of groundwater, waterways, and coastal waters.*

EARTHWORKS

- P11.1 To assess proposals for earthworks with particular regard to:*
- (a) *Potential effects on wāhi tapu and wāhi taonga, known and unknown;*
 - (b) *Potential effects on waterways, wetlands and waipuna;*
 - (c) *Potential effects on indigenous biodiversity;*
 - (d) *Potential effects on natural landforms and features, including ridge lines;*
 - (e) *Proposed erosion and sediment control measures; and*
 - (f) *Rehabilitation and remediation plans following earthworks.*

Risk of damage of modification to sites of significance

- P11.2 To require that tāngata whenua are able to identify particular areas whereby earthworks activities are classified a restricted discretionary activity, with Ngāi Tahu values as a matter of discretion.*
- P11.3 To use the methods identified in Section 5.8 Policy CL4.6 (Wāhi tapu me wāhi taonga) where an earthworks activity is identified by tāngata whenua as having actual or potential adverse effects on known or unknown sites of significance.*
- P11.4 To advocate that councils and consent applicants recognise the statutory role of the Historic Places Trust and their legal obligations under the Historic Places Act 1993 where there is any potential to damage, modify or destroy an archaeological site.*
- P11.5 To require that the Historic Places Trust (HPT) and local authorities recognise and provide for the ability of tāngata whenua to identify wāhi taonga and wāhi tapu that must be protected from development, and thereby ensure that an Authority to damage, destroy or modify a site is not granted.*
- P11.6 To avoid damage or modification to wāhi tapu or other sites of significance as opposed to remedy or mitigate.*



Indigenous vegetation

- P11.7 To require that indigenous vegetation that is removed or damaged as a result of earthworks activity is replaced.
- P11.8 To require the planting of indigenous vegetation as an appropriate mitigation measure for adverse impacts that may be associated with earthworks activity.

Erosion and sediment control

- P11.9 To require stringent and enforceable controls on land use and earthworks activities as part of the resource consent process, to protect waterways and waterbodies from sedimentation, including but not limited to:
- (a) The use of buffer zones;
 - (b) Minimising the extent of land cleared and left bare at any given time; and
 - (c) Capture of run-off, and sediment control.

VEGETATION BURNING AND CLEARANCE

- P12.1 To promote land use and land use management that avoids undue soil disturbance and vegetation clearance.
- P12.2 To oppose vegetation clearance in the following areas:
- (a) Areas identified as high risk for soil erosion;
 - (b) Areas identified as significant for protection of indigenous biodiversity; and
 - (c) Areas identified as culturally significant.
- P12.3 To require that clearing of riparian vegetation along waterways, wetlands, lakes or waipuna is prohibited in the takiwā.
- P12.4 To oppose the designation of kānuka, mānuka and pātōtara as 'scrub', and therefore the clearance of these culturally and ecologically significant species.
- P12.5 To require the use of appropriately sized and generous buffers to protect waterways from the vegetation clearance activities.
- P12.6 To assess consent applications for vegetation burning or clearance with reference to the following criteria:
- (a) Location of the activity:
 - What is the general sensitivity of the site to the proposed activity?
 - What is the slope of the land? Is the site at risk of erosion?
 - What is the proximity to remnant native bush or restoration sites?
 - What waterways, wetlands or waipuna exist on the site?
 - What is the value of the site as a habitat?
 - What are the dominant species on the site, and what is the percentage of indigenous vs. non indigenous species?
 - Are there specific cultural values or cultural landscape features in the area that may be affected?
 - (b) Land use:
 - What is the land use that the clearance is enabling, is it existing or new?
 - How well does the proposed activity 'fit' with the existing landscape?
 - Is the proposed land use sustainable?
 - (c) Avoiding and mitigating adverse effects:
 - What provisions are in place to address sediment and erosion control, and the protection of waterways?

MINING AND QUARRYING

- P13.1 To oppose any mining activity in riverbeds and the coastal marine area that is not associated with gravel extraction.
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P13.2 To assess mining and quarrying proposals with reference to:

- (a) Location of the activity*
 - What is the general sensitivity of the site to the proposed activity?*
 - How well does the proposed activity 'fit' with the existing landscape?*
 - Is there significant indigenous biodiversity on the site, including remnant native bush?*
 - What waterways, wetlands or waipuna exist on the site?*
 - Are there sites of significance on or near the site? What is the risk of accidental discoveries?*
 - What is the wider cultural landscape context within which the site is located?*
- (b) Type of mining/quarrying*
 - What resource is being extracted, what will it be used for, and is it sustainable?*
- (c) Avoiding and mitigating adverse effects*
 - What provisions are in place to address sediment and erosion control?*
 - What provisions are in place for stormwater management?*
 - What provisions are in place for waterway protection?*
 - How will the site be restored once closed?*

P13.3 To require all applications for mining and quarrying activities to include:

- (a) Quarry management plans for earthworks, erosion and sediment control, waterway protection, on site stormwater treatment and disposal and provisions for visual screening/ barriers that include indigenous vegetation; and*
- (b) Site rehabilitation plans that include restoration of the site using indigenous species.*

COMMERCIAL FORESTRY

P14.1 To promote the establishment of native forestry operations in the takiwā alongside other commercial operations.

P14.2 To assess proposals for commercial forestry and activities associated with the replanting of existing plantations with particular regard to:

- (a) Species – what species will be planted and what is the level of risk of wilding establishment and spread?*
- (b) Scale of planting – to what extent will the activity dominate the landscape?*
- (c) Location and visibility – to what extent will the activity encroach (physical and visual) on sites and landscape features of importance to tāngata whenua?*
- (d) Cumulative impacts – what forestry activities already exist in the area?*
- (e) Availability of water – how will the activity affect the availability of water in the catchment?*
- (f) Waterways – what are the potential effects on the beds and margins of waterways during planting and harvesting activity?*
- (g) Mahinga kai – will the activity compromise mahinga kai species or habitat, including fish passage?*
- (h) Existing vegetation cover – will the activity involve the clearance of native vegetation?*
- (i) Wilding tree control – what provisions are proposed to control wilding trees?*
- (j) Sediment and erosion control – what provisions are in place to control erosion (post harvest) and avoid sedimentation of waterways?*
- (k) Future land use – what are the post harvest land use and remediation plans?*

Protection mechanisms

P14.3 To require that commercial forestry activities do not occur in areas identified by tāngata whenua as sensitive for cultural or ecological reasons, including:

- (a) Significant cultural landscapes, natural landscapes and coastal natural character areas;*
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- (b) *Margins of high country lakes;*
- (c) *Along waterways in coastal areas;*
- (d) *Naturally dry and water sensitive catchments (to protect flows); and*
- (e) *Areas that are high risk for soil erosion.*

P14.4 Where existing commercial plantations are located in areas identified as significant cultural landscapes, natural landscapes or coastal natural character areas, or in water sensitive catchments:

- (a) *Harvesting should be followed with planting of native species.*

P14.5 To oppose the granting of global consents for activities associated with commercial forestry.

P14.6 To use the following mechanisms to protect values of importance to tāngata whenua on commercial forest lands during both planting and harvesting stages:

- (a) *Tāngata whenua advice and input to planting plans (resourced by the forestry company);*
- (b) *Buffers and set back areas of at least 20 metres from any site of significance identified by tāngata whenua, including wetlands, waterways, waipuna, lakes, or remnant indigenous forest area (e.g. gullies), and these must be recognised during planting and harvesting;*
- (c) *Buffers of at least 20 metres around the outer perimeter of forestry blocks, planted with native species, to provide a refuge for bird and insect species at harvest time, erosion and sedimentation control post harvest, and control the spread of wilding trees (see Issue P15, Policy P15.2);*
- (d) *Access protocols to enable Ngāi Tahu whānui to gain access to commercial forest lands for access to cultural materials and sites;*
- (e) *Ensure that forestry companies are aware that there may be both known (i.e. registered) and unknown (i.e. not discovered) sites of significance, and that these are protected by the Historic Places Act;*
- (f) *Requirement that forestry companies have GPS references for all known sites and that these are marked on operational plans;*
- (g) *Accidental Discovery Protocol, archaeological assessment and cultural monitoring;*
- (h) *Education of contractors and operational staff on how to identify accidental discoveries; and*
- (i) *Stream-side management plans that address the potential effects of machinery and earthworks on the beds and margins of waterbodies with machinery and earthworks.*

WILDING TREES

P15.1 To prioritise the eradication of wilding trees from those areas with recent invasions (i.e. tackle the ones that have yet to become large scale invasions).

P15.2 To require effective district and regional policy to prevent the establishment and control the spread of wilding trees, including:

- (a) *Prohibiting the planting of high risk species in plantations, shelter belts or amenity plantings;*
- (b) *Requiring buffers or margins of low risk species (less spread prone conifers or native tree species) around all forestry blocks; and*
- (c) *Requiring control of wilding seedlings, including keeping property boundaries clean.*

P15.3 To support regional risk assessment mapping as a tool to:

- (a) *Identify current and potential seed sources of wilding trees;*
- (b) *Assess spread risk, based on seed sources, existing vegetation cover and land management; and*
- (c) *Set priorities for control operations and monitoring.*

P15.4 For those areas already highly infested:

- (a) *Focus on defining the area and controlling further spread;*
- (b) *Address elimination; and*
- (c) *Consider whether the area of wilding trees could be used as a nursery crop and underplant with natives (e.g. restore a beech forest).*

P15.5 Ngāi Tahu must have the ability to identify and recommend areas of high cultural and historic value, alongside areas of high environmental value identified by Environment Canterbury for wilding tree control.



P15.6 Economics must not have precedence over the environmental costs of wilding trees (e.g. Douglas Fir may be immensely economically beneficial, but it is becoming a wilding/invasive tree in its own right).

TRANSPORT

Consultation

P16.1 To require that engagement with Papatipu Rūnanga occurs at the early planning stages (i.e. designation stage) of major transport proposals. This may or may not include:

- (a) Cultural impact assessment (CIA) reports; and*
- (b) Archaeological assessments.*

P16.2 Where a transport proposal may affect Māori land:

- (a) Papatipu Rūnanga to be notified; and*
- (b) Consultation must occur with the owners of that land.*

Assessments of effects

P16.3 To assess the potential risk of transport related proposals (at any stage) on tāngata whenua values on the basis of the following:

- (a) Purpose of the proposal - how consistent is the purpose of the proposal with the objectives set out in this IMP (e.g. stormwater, indigenous biodiversity)?*
- (b) Sites of significance - proximity to sites of cultural significance, including marae, wāhi tapu, silent files and archaeological sites;*
- (c) Protection of waterways - what measures are proposed to avoid the modification of waterways, the discharge of contaminants and sediment to water?*
- (d) Indigenous biodiversity - what are the potential effects on existing indigenous biodiversity and what are the opportunities to enhance indigenous biodiversity values?*

Protection of tāngata whenua values

P16.4 To require that the development and construction of transport infrastructure avoid the following sites and areas of cultural significance:

- (a) Sites identified by tāngata whenua as wāhi tapu;*
- (b) Some sites identified by tāngata whenua as wāhi taonga; and*
- (c) Māori land, unless agreed to by owners.*

P16.5 To support the development of tribal Heritage Risk Model or Heritage Alert Layers to protect wāhi tapu, wāhi taonga and archaeological sites located within the State Highway Network in Canterbury.

P16.6 To continue to recognise the Accidental Discovery Protocol (2003) for the Transit New Zealand Canterbury region, agreed to by Te Rūnanga o Ngāi Tahu, the Historic Places Trust, and Transit New Zealand.

P16.7 To support improved transport network infrastructure and services to support the development aspirations of Ngāi Tahu communities, such as those at Tuahiwi and Rāpaki.

P16.8 To support sustainable transport measures in urban design and development, including public transport, pedestrian walkways, and cycle ways.

ENERGY

P17.1 Ngāi Tahu must have a strategic and influential role in decisions about energy extraction and generation in the region, as a Treaty partner with specific rights and interests in resources used for energy generation, particularly water.

P17.2 To continue to engage with the energy sector and build constructive and enduring relationships.

P17.3 To require that the energy sector engage with Ngāi Tahu at the concept development stage, rather than at the resource consent stage and to support the use of Cultural Impact Assessment (CIA) reports to assess potential and actual effects of proposals on Ngāi Tahu values.



P17.4 To require that local authorities develop and implement effective policies requiring the use of renewable energy and energy saving measures in residential, commercial, industrial and other developments.

P17.5 To support in principle the use of wind and solar energy generation in the region (see Section 5.7, Issue TAW1).

FRACKING

P18.1 To oppose any application for mineral exploration or extraction in the takiwā that uses fracking as a method to fracture rock for gas release.

OVERSEAS INVESTMENT AND PURCHASE OF LAND

P19.1 In the context of the Overseas Investment Commission, Papatipu Rūnanga support the retention of New Zealand land in New Zealand ownership.

P19.2 To require that the Overseas Investment Commission formally recognise and provide for Ngāi Tahu interests for all overseas investment applications, in particular:

- (a) Ngāi Tahu historical, cultural, traditional and spiritual relationship with the land;*
- (b) The protection of particular values associated with the land; and*
- (c) Ngāi Tahu access to sites and places of cultural importance.*

P19.3 To support the following methods to enable the Overseas Investment Commission to recognise and provide for Ngāi Tahu values:

- (a) Early engagement with Te Rūnanga o Ngāi Tahu and Papatipu Rūnanga;*
- (b) Preparation of Cultural Value Reports (as used for Tenure Review Process) to identify values, risk and desired outcomes;*
- (c) Placing cultural information on LIMs, PIMs and titles; and*
- (d) Consent conditions for the conservation (including maintenance and restoration) of cultural and historical heritage and provisions for access.*

P19.4 When land purchased by overseas investors under the Overseas Investment Act is returned to the market for re-sale, there should be requirements that the land can only be sold to New Zealanders.

TENURE REVIEW

P20.1 Ngāi Tahu, as a Treaty partner, must be a decision maker in the tenure review process, including the identification and classification of land that is retained and/or acquired in Crown ownership as a result of this process.

P20.2 To work closely with Te Rūnanga o Ngāi Tahu to ensure that the rights and interests of tāngata whenua in high country regions are recognised and provided for in tenure review processes.

P20.3 To require the use of Tāngata Whenua (Cultural) Value Reports as part of the tenure review process, to identify cultural values associated with a given area, and mechanisms to protect such values.

5.5 TĀNE MAHUTA

Ngā Paetae Objectives

- (1) Regional policy, planning and decision making in the takiwā reflects the particular interest of Ngāi Tahu in indigenous biodiversity protection, and the importance of mahinga kai to Ngāi Tahu culture and traditions.*
- (2) The customary right of Ngāi Tahu to engage in mahinga kai activity is recognised, protected and enhanced, as guaranteed by Article 2 of Te Tiriti o Waitangi, and the NTCSA 1998.*
- (3) The presence of indigenous biodiversity on the Canterbury landscape is enhanced, both in rural and urban environments.*
- (4) The taonga value of indigenous ecosystems as natural capital and provider of essential ecosystem services is increasingly valued in the community.*
- (5) Customary use, and therefore mahinga kai, is given effect to as a first order priority for freshwater management in the takiwā.*
- (6) Traditional and contemporary mahinga kai sites and species are protected and restored.*



- (7) Existing areas of indigenous vegetation are protected, and degraded areas are restored.
- (8) The establishment and spread of invasive pest and weed species is progressively and effectively controlled.
- (9) The protection and enhancement of indigenous biodiversity and mahinga kai occurs through a shared, coordinated effort between tāngata whenua, local authorities, conservation groups and communities.

MAHINGA KAI

- TM1.1 Ngāi Tahu whānui, both current and future generations, must be able to access, use and protect mahinga kai resources, as guaranteed by Te Tiriti o Waitangi.
- TM1.2 To advocate that the protection and restoration of traditional and contemporary mahinga kai sites and species is recognised and provided for as a matter of national importance under the RMA 1991.
- TM1.3 To progressively enhance and restore mahinga kai resources and sites and the customary use traditions associated with such resources, by:
 - (a) Integrating mahinga kai objectives and policy into regional planning and conservation management documents;
 - (b) Continuing to develop Ngāi Tahu led restoration projects;
 - (c) Creating Mahinga Kai Cultural Parks (see Box - Mahinga Kai Cultural Parks);
 - (d) Organising wānanga, to teach our tamariki about our mahinga kai traditions; and
 - (e) Investigating mahinga kai opportunities for existing protected areas, proposed restoration projects and open place/reserve settings.

Ki Uta Ki Tai

- TM1.4 To promote the principle of Ki Uta Ki Tai as a culturally appropriate approach to mahinga kai enhancement, restoration and management, in particular:
 - (a) Management of whole ecosystems and landscapes, in addition to single species; and
 - (b) The establishment, protection and enhancement of biodiversity corridors to connect species and habitats.

Freshwater management

- TM1.5 To require that freshwater management recognises and provides for mahinga kai, by:
 - (a) Customary use as a first order priority;
 - (b) Restoring mahinga kai values that were historically associated with waterways, rather than seeking to maintain the existing (degraded) mahinga kai value of a waterway; and
 - (c) Protecting indigenous fish recruitment and escapement by ensuring that waterways flow Ki Uta Ki Tai and there is sufficient flow to maintain an open river mouth.

Mahinga kai habitat

- TM1.6 To continue to advocate for the protection of indigenous fish species over and above the protection of habitat for salmon and trout. The protection of significant habitats of indigenous fauna is a matter of national importance (RMA s.6).

Remnant areas

- TM1.7 To require that district and regional plans include policy and rules to protect, enhance and extend existing remnant wetlands, waipuna, riparian margins and native forest remnants in the takiwā given the importance of these ecosystems as mahinga kai habitat.
- TM1.8 To require that landowners and commercial land users protect remnant areas of indigenous biodiversity.



INDIGENOUS BIODIVERSITY

Ngāi Tahu interests in biodiversity

- TM2.1 To require that local authorities and central government actively recognise and provide for the relationship of Ngāi Tahu with indigenous biodiversity and ecosystems, and interests in biodiversity protection, management and restoration, including but not limited to:
- (a) Importance of indigenous biodiversity to tāngata whenua, particularly with regard to mahinga kai, taonga species, customary use and valuable ecosystem services;
 - (b) Recognition that special features of indigenous biodiversity (specific areas or species) have significant cultural heritage value for Ngāi Tahu;
 - (c) Connection between the protection and restoration of indigenous biodiversity and cultural well-being;
 - (d) Role of mātauranga Ngāi Tahu in biodiversity management;
 - (e) Role of Ngāi Tahu led projects to restoring indigenous biodiversity (e.g. Mahinga Kai Enhancement Fund; Kaupapa Kēreru).
- TM2.2 To recognise Te Tiriti o Waitangi as the basis for the relationship between central and local government and tāngata whenua with regard to managing indigenous biodiversity, as per the duty of active protection of Māori interests and the principle of partnership.
- TM2.3 To continue to work in partnership with the Department of Conservation, local authorities and the community to protect, enhance and restore indigenous biodiversity.
-

Significance

- TM2.4 To require that criteria for assessing the significance of ecosystems and areas of indigenous biodiversity recognise and provide for ecosystems, species and areas that are significant for cultural reasons.
-

Protection of remnant and restored areas

- TM2.5 To require that city, district and regional plans include specific policy and rules to protect, enhance and extend existing remnant and restored areas of indigenous biodiversity in the takiwā.
- TM2.6 To showcase existing remnant and restored areas as examples of how future management can improve the cultural health of the takiwā.
- TM2.7 To continue to support those groups and landowners that are working to maintain, restore and enhance the indigenous biodiversity, and to advocate for projects of interest and importance to Ngāi Tahu.
-

Integrating indigenous biodiversity into the landscape

- TM2.8 To require the integration of robust biodiversity objectives in urban, rural land use and planning, including but not limited to:
- (a) Indigenous species in shelter belts on farms;
 - (b) Use of indigenous plantings as buffers around activities such as silage pits, effluent ponds, oxidation ponds, and industrial sites;
 - (c) Use of indigenous species as street trees in residential developments, and in parks and reserves and other open space; and
 - (d) Establishment of planted indigenous riparian margins along waterways.
-

Biodiversity corridors

- TM2.9 To advocate for the establishment of biodiversity corridors in the region, Ki Uta Ki Tai, as means of connecting areas and sites of high indigenous biodiversity value.
-

Ecosystem services

- TM2.10 To require that indigenous biodiversity is recognised and provided for as the natural capital of Papatūānuku, providing essential and invaluable ecosystem services.
-



TM2.11 To work with the wider community to increase community understandings of indigenous biodiversity and the ecosystem services it provides.

RESTORATION OF INDIGENOUS BIODIVERSITY

TM3.1 To approach the restoration of indigenous biodiversity in the takiwā based on the following principles:

- (a) Restoration of indigenous biodiversity is about restoring original and natural landscapes, and therefore the mauri of the land; and
- (b) Restoration of indigenous biodiversity is about restoring the relationship of Ngāi Tahu to important places and resources; including planning for customary use.

TM3.2 To advocate for an approach to restoration based on 'working with the land rather than against it', including but not limited to:

- (a) Establishment of long term, intergenerational vision and objectives (50 and 100 years ahead); and
- (b) Use of natural succession and staged re-planting rather than spraying and burning (e.g. natural succession of indigenous species into areas of gorse and broom; staged underplanting of natives into wetland and lagoon areas full of willow).

TM3.3 To promote the value of Ngāi Tahu knowledge, tools and tikanga in restoration planning and projects, in particular:

- (a) The establishment of long term, achievable restoration goals (tāngata whenua are not going anywhere!);
- (b) Provision of information on the flora and fauna present in pre-European times, based on oral tradition and historical maps; and
- (c) Use of tools such as State of the Takiwā to provide assessments of current and desired states of cultural health of an area and cultural assessments of restoration requirements and risks.

TM3.4 To incorporate, where appropriate, mahinga kai objectives into restoration project planning and objectives.

TM3.5 To require that seeds and plants for restoration projects are appropriate to the area, and as much as possible locally sourced.

TM3.6 To support local and regional restoration groups and efforts, including but not limited to:

- (a) Living Streams (community based stream enhancement, Environment Canterbury); and
 - (b) Te Ara Kāhāriki Greenway Canterbury (development of an indigenous wildlife corridor across the Ngā Pākihi Whakatekateka o Waitaha).
-

WEED AND PEST CONTROL

TM4.1 To require that the interest and relationship of Ngāi Tahu with indigenous biodiversity and mahinga kai is recognised and provided for in pest management strategies, by:

- (a) Ensuring tāngata whenua involvement in setting priorities and designing operations.

TM4.2 To address weed and pest control strategies and operations based on the following principles, consistent with the protection of Ngāi Tahu values:

- (a) Articulation of clear strategies of eradication, as opposed to control or management;
- (b) Use of a range of tools and methods, rather than reliance on a 'silver bullet';
- (c) Working across agencies to align and coordinate efforts to maximise success;
- (d) Minimise the use of hazardous substances, and give preference to natural solutions (trapping possums; establishment of riparian margins for shading aquatic weed);
- (e) Use of timing and techniques that avoid or reduce the impact of operations on mahinga kai and other cultural values;
- (f) Cultural, environmental and community costs must be considered equally alongside economic cost when designing pest control operations; and
- (g) Where the effects or risk associated with a specific method of pest control are unknown or unclear then the precautionary principle is the best approach. This means that an unknown effect does not mean no effect, and that protecting public health before certainty of effect is proven must be the basis of decision making.

TM4.3 To require that local authorities address the effects of invasive weeds, land and aquatic, on natural areas, indigenous biodiversity and mahinga kai by:



- (a) *Developing lists of what species to avoid in residential gardens due to their potential to spread off site, including but not limited to buddleja and lupin;*
- (b) *Developing lists of noxious weeds/plant pests; and*
- (c) *Regular monitoring of parks and open space, and waterways for invasions of plant pests.*

TM4.4 *To require that council weed control programmes avoid effects on mahinga kai species or areas of cultural significance by:*

- (a) *Avoiding certain areas, as identified by tāngata whenua;*
- (b) *Use of alternative methods in particular locations, as requested by tāngata whenua; and*
- (c) *Aligning the timing of operations with tāngata whenua advice.*

TM4.5 *To support private landowners and conservation groups that are undertaking weed and pest control programmes.*

PEST CONTROL USING 1080

TM5.1 *Papatipu Rūnanga will assess proposals for the use of 1080 as pest control on a case by case basis, allowing for:*

- (a) *Different perspectives between hapū in the takiwā; and*
- (b) *Different local scenarios, including timing, location and method of use, and provisions to avoid or mitigate cultural issues.*

TM5.2 *To require early consultation, with good quality, culturally relevant information for any proposal to use 1080 in the takiwā.*

TM5.3 *Papatipu Rūnanga will use the following framework to assess the degree of cultural acceptability or unacceptability of 1080 use:*

- (a) *The use of 1080 for pest control is likely be opposed where:*
 - (i) *It involves aerial application in areas where access is not a significant issue;*
 - (ii) *There are culturally significant sites, including mahinga kai sites and resources;*
 - (iii) *There is a cultural risk to water, as identified by tāngata whenua, including small and ephemeral streams or degraded waterways;*
 - (iv) *There is no clear plan for monitoring non target impacts and success rates; and*
 - (v) *Iwi/hapū have not been involved in setting priorities or designing operations.*
- (b) *The use of 1080 may be supported where tāngata whenua can determine that:*
 - (i) *The timing and design of operations reflect local conditions;*
 - (ii) *The toxin will be used alongside other methods such as trapping and hunting, to maximise success;*
 - (iii) *The potential non target impacts are clearly identified, including those identified by tāngata whenua;*
 - (iv) *Tāngata whenua are involved in setting priorities and designing operations, including monitoring operations; and*
 - (v) *There is a tangible and significant environmental or cultural benefit.*

Alternatives

TM5.4 *To continue to advocate for research and investigation into alternatives to the use of 1080.*

COMMERCIAL USE OF INDIGENOUS FLORA AND FAUNA

TM6.1 *The protection of taonga species (see Box - What are Taonga species?) and mātauranga Ngāi Tahu from inappropriate commercial use and development is critical to the protection of Ngāi Tahu culture and identity.*

TM6.2 *The Crown has a duty under the Te Tiriti o Waitangi to provide active protection of the kaitiaki relationship of tāngata whenua with indigenous flora and fauna, and mātauranga Ngāi Tahu.*

TM6.3 *To support the Waitangi Tribunal's findings on the WAI 262 claim (2011) that:*

- (a) *Reforms to current laws and policies controlling research into, commercial use of and intellectual property in taonga species and traditional knowledge are required so that the interests of kaitiaki can be fairly and transparently provided for.*

TM6.4 *Researchers and bioprospectors cannot use mātauranga Ngāi Tahu without consent of Ngāi Tahu.*



TM6.5 The use of taonga species or mātauranga for commercial gain must include benefits to iwi.

TM6.6 To recognise the role of the Te Rūnanga o Ngāi Tahu Hazardous Substance and New Organism (HSNO) Committee to provide guidance from a Ngāi Tahu perspective on matters involving genetic modification, bioprospecting and new organisms.

TM6.7 To recognise the Te Rūnanga o Ngāi Tahu Hazardous Substances and New Organisms Policy Statement 2008 as a resource for cultural risk assessment and decision making on genetic modification and new organisms.

5.6 TANGAROA

Ngā Paetae Objectives

- (1) There is a diversity and abundance of mahinga kai in coastal areas, the resources are fit for cultural use, and tāngata whenua have unhindered access to them.
- (2) The role of tāngata whenua as kaitiaki of the coastal environment and sea is recognised and provided for in coastal and marine management.
- (3) Discharges to the coastal marine area and the sea are eliminated, and the land practices that contribute to diffuse (non-point source) pollution of the coast and sea are discontinued or altered.
- (4) Traditional and contemporary mahinga kai sites and species within the coastal environment, and access to those sites and species, are protected and enhanced.
- (5) Mahinga kai have unhindered access between rivers, coastal wetlands, hāpua and the sea.
- (6) The wāhi taonga status of coastal wetlands, hāpua and estuaries is recognised and provided for.
- (7) The marine environment is protected by way of tikanga-based management of fisheries.
- (8) Coastal cultural landscapes and seascapes are protected from inappropriate use and development.

STATUTORY ACKNOWLEDGEMENTS

TAN1.1 To require that local government recognise the mana and intent of the Te Tai o Mahaanui and Te Tai o Marokura Coastal Statutory Acknowledgements beyond the expiry of the Ngāi Tahu Claims Settlement (Resource Management Consent Notification) Regulations 1999. This means:

- (a) The existence and location of the SAs will continue to be shown on district and regional plans and policy statements;
- (b) Councils will continue to provide Ngāi Tahu with summaries of resource consent applications for activities relating to or impacting on SA areas (reflecting the information needs identified in this IMP);
- (c) Councils will continue to have regard to SAs in forming an opinion on affected party status;
- (d) Ngāi Tahu will continue to use SAs in submissions to consent authorities, the Environment Court and the Historic Places Trust, as evidence of the relationship of the iwi with a particular area.

TAN1.2 To work with Te Rūnanga o Ngāi Tahu to:

- (a) Extend the expiry date of the Statutory Acknowledgement provisions;
- (b) Advocate for increasing weighting and statutory recognition of IMP in the RMA 1991, so as to reduce the need for provisions such as Statutory Acknowledgements.

COASTAL WATER QUALITY

Standards

TAN2.1 To require that coastal water quality is consistent with protecting and enhancing customary fisheries, and with enabling tāngata whenua to exercise customary rights to safely harvest kaimoana.

Discharges to coastal waters

TAN2.2 To require the elimination of all direct wastewater, industrial, stormwater and agricultural discharges into the coastal waters as a matter of priority in the takiwā.



TAN2.3 To oppose the granting of any new consents enabling the direct discharge of contaminants to coastal water, or where contaminants may enter coastal waters.

TAN2.4 To ensure that economic costs are not allowed to not take precedence over the cultural, environmental and intergenerational costs of discharging contaminants to the sea.

TAN2.5 To continue to work with the regional council to identify ways whereby the quality of water in the coastal environment can be improved by changing land management practices, with particular attention to:

- (a) Nutrient, sediment and contaminant run off from farm land and forestry;
- (b) Animal effluent from stock access to coastal waterways;
- (c) Seepage from septic tanks in coastal regions.

TAN2.6 To require that the regional council take responsibility for the impacts of catchment land use on the lakes Wairewa and Te Waihora, and therefore the impact on coastal water quality as a result of the opening of these lakes and the resultant discharge of contaminated water to the sea.

TAN2.7 To require stringent controls restricting the ability of boats to discharge sewage, bilge water and rubbish in our coastal waters and harbours.

Ki Uta Ki Tai

TAN2.8 To require that coastal water quality is addressed according to the principle of Ki Uta Ki Tai. This means:

- (a) A catchment based approach to coastal water quality issues, recognising and providing for impacts of catchment land and water use on coastal water quality

COASTAL WETLANDS, ESTUARIES AND HĀPUA

TAN3.1 To require that coastal wetlands, estuaries and hāpua are recognised and protected as an integral part of the coastal environment, and for their wāhi taonga value as mahinga kai, or food baskets, of Ngāi Tahu.

TAN3.2 To require that local authorities recognise and address the effects of catchment land use on the cultural health of coastal wetlands, estuaries and hāpua, particularly with regard to sedimentation, nutrification and loss of water.

TAN3.3 Environmental flow and water allocation regimes must protect the cultural and ecological value of coastal wetlands, estuaries and hāpua. This means:

- (a) Sufficient flow to protect mahinga kai habitat and indigenous biodiversity and maintain sea water freshwater balance;
- (b) Water quality to protect mahinga kai habitat and indigenous biodiversity;
- (c) Sufficient flow to maintain, or restore, natural openings from river to sea;
- (d) Sufficient flow to avoid sedimentation;
- (e) Continuous and reliable flow to ensure mahinga kai have unhindered access to the sea.

Hāpua as indicators

TAN3.4 To promote the monitoring of cultural health and water quality at hāpua to monitor catchment health and assess progress towards water quality objectives and standards.

TOOLS TO PROTECT CUSTOMARY FISHERIES AND THE MARINE ENVIRONMENT

TAN4.1 The most appropriate tools to protect and enhance the coastal and marine environment are tikangabased customary fisheries management tools, supported by mātauranga Māori and western science, including:

- (a) Taiāpure;
 - (b) Mātaitai;
 - (c) Rāhui; and
 - (d) Tāngata tiaki/kaitiaki.
-



TAN4.2 To oppose the establishment of marine reserves in areas of significance to customary fishing, wāhi tapu, or where it could inhibit the development of mātaihai or taiāpure.

TAN4.3 To support the continued development and use of the Marine Cultural Health Index as a tāngata whenua values-based monitoring scheme for estuaries and coastal environment that is part of the Te Rūnanga o Ngāi Tahu's State of the Takiwā Programme.

TAN4.4 To continue to investigate and implement kaimoana reseeding projects in the takiwā where traditional stocks are degraded.

TAN4.5 To continue to develop and establish sound research partnerships with the regional council, Crown Research Institutes, government departments, universities and other organisations to address issues of importance to tāngata whenua regarding the management of the coastal and marine environment

FORESHORE AND SEABED

TAN5.1 To oppose the Marine and Coastal Area (Takutai Moana) Act 2010 based on:

- (a) The unjust and unprincipled tests for establishing customary marine title and customary rights; and
- (b) The lack of recognition for tāngata whenua rights and interests in relation to the foreshore and seabed (i.e. "no ownership" regime).

TAN5.2 To continue to contribute to Ngāi Tahu whānui efforts to have customary rights and interests to the foreshore and seabed recognised and provided for in a fair and just way.

TAN5.3 Any replacement model for addressing ownership of the foreshore and seabed must:

- (a) Recognise and provide for the expression of mana of whānau/hapū/iwi over the foreshore and seabed; and
- (b) Enable Ngāi Tahu Whānui to express their customary rights and interests over particular sites and areas within the Ngāi Tahu Takiwā.

This means that:

- (a) Tests and processes for establishing customary title and customary rights must be fair and just, and be able to encompass the rights and interests of all iwi with respect to the areas of the foreshore and seabed of greatest importance to them;
- (b) Ownership must be consistent with the Treaty partnership (no Crown ownership, no public ownership);
- (c) The Crown should not be able to extinguish customary rights by actions that are inconsistent with the Treaty of Waitangi;
- (d) Customary rights should not have to be proven by whānau/hapū/iwi;
- (e) Ngāi Tahu must be able access the benefits of any model or regime in a fair and principled way; and
- (f) The right to development must be provided for.

COASTAL AND MARINE CULTURAL HERITAGE

TAN6.1 To require that local government and the Crown recognise and provide for the ability of tāngata whenua to identify particular coastal marine areas as significant cultural landscapes or seascapes.

TAN6.2 To require that coastal marine areas identified by tāngata whenua as significant cultural landscapes or seascapes are protected from inappropriate coastal land use, subdivision and development.

TAN6.3 To require that marine cultural heritage is recognised and provided for as a RMA s.6 (e) matter in regional coastal environment planning, to protect the relationship between tāngata whenua and the coastal and marine environment.

TAN6.4 To require that Ngāi Tahu cultural and historic heritage sites are protected from:

- (a) Inappropriate coastal land use, subdivision and development;
- (b) Inappropriate structures and activities in the coastal marine area;
- (c) Inappropriate activities in the marine environment, including discharges; and
- (d) Coastal erosion.



COASTAL LAND USE AND DEVELOPMENT

Ngāi Tahu values and interests

TAN7.1 To require that local authorities recognise and provide for the particular interest of Ngāi Tahu in coastal land development activities, including but not limited to:

- (a) The protection of coastal headlands and skylines;
- (b) The protection of coastal indigenous biodiversity, including remnant forest and endemic species;
- (c) The protection of mahinga kai values;
- (d) The protection of wāhi tapu and wāhi taonga;
- (e) The protection of views of significant natural features and landmarks;
- (f) Access to coastal areas for customary use;
- (g) Ngāi Tahu aspirations for coastal areas, including the establishment of mataitai and taiāpure;
- (h) The potential for sedimentation and contamination of coastal waters; and
- (i) The increased pressure on existing water resources and community infrastructure.

TAN7.2 To require that local authorities recognise those coastal areas identified by tāngata whenua as Ngāi Tahu cultural landscapes of particular importance, and protect such landscapes from inappropriate coastal land use and development.

TAN7.3 To require a precautionary approach towards proposed activities whose effects on the coastal environment are uncertain, unknown or poorly understood.

General principles

TAN7.4 As a general rule, Papatipu Rūnanga will use the following principles as a guide for assessing coastal land development:

- (a) Protect Ngāi Tahu cultural landscapes and cultural landscape values, and cultural and physical connections between these;
 - (b) Protect Ngāi Tahu access to wāhi tapu, wāhi taonga and mahinga kai;
 - (c) Protect those areas that are largely unmodified with a high degree of natural character;
 - (d) Retain the rural environment by maintaining small-scale land use and open space patterns;
 - (e) Concentrate new buildings in existing clusters and settlements (areas of existing modification) - areas able to absorb change;
 - (f) Protect natural landforms and features such as peaks and ridge lines;
 - (g) Recognise the effects of land use on coastal water quality, particularly where catchments are geographically 'short and steep', and there is little distance between land use and coastal water; and
 - (h) Maintain the high natural character values of the coastal environment.
-

Incremental development

TAN7.5 To require that local authorities recognise and provide the cumulative impacts of land use change on the natural and cultural landscape values of coastal areas, including:

- (a) Effects of incremental development; and
 - (b) Ensuring that existing modification of the landscape is not used to justify further change where it is inappropriate to allow further coastal development.
-

Ownership of the foreshore

TAN7.6 To oppose private ownership of the foreshore as a result of coastal subdivision activities.



ACCESS TO COASTAL ENVIRONMENTS

- TAN8.1 Customary access to the coastal environment is a customary right, not a privilege, and must be recognised and provided for independently from general public access.
- TAN8.2 To require that access restrictions designed to protect the coastal environment, including restrictions to vehicle access, do not unnecessarily or unfairly restrict tāngata whenua access to mahinga kai sites and resources, or other sites of cultural significance.
- TAN8.3 To require that general public access does not compromise Ngāi Tahu values associated with the coastal environment.
- TAN8.4 To oppose coastal land use and development that results in the further loss of customary access to the coastal marine area, including any activity that will result in the private ownership of the foreshore.
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OFFSHORE EXPLORATION AND MINING

- TAN9.1 To require that the Crown and petroleum companies engage in early, and in good faith consultation with Papatipu Rūnanga for any proposed exploration permit blocks or mining permit applications.
- TAN9.2 To work with Te Rūnanga o Ngāi Tahu to ensure that Ngāi Tahu values and interests are recognised and provided for in the exploration block tendering and mining permit application process.
- TAN9.3 To use Section 15(3) of the Crown Minerals Act 1991 (CMA) and the Minerals Programme for Petroleum (2005) provisions to protect areas of historical and cultural significance from inclusion in an offshore exploration permit block or minerals programme.
- TAN9.4 To assess exploration and mining permit applications with particular attention to:
- (a) Does the company have an engagement strategy in place for engagement with indigenous peoples? and;
 - (b) Potential effects on:
 - (i) Marine cultural heritage, including traditional fishing grounds;
 - (ii) Areas which are significant to whānau, hapū and iwi for various reasons, including places to gather food, settlements, wāhi tapu sites, meeting places and burial grounds;
 - (iii) Habitat for marine mammals;
 - (iv) Productivity of area; and
 - (v) Health of fish stocks.
-

AQUACULTURE

Allocation and use of coastal space

- TAN10.1 To require that Ngāi Tahu have an explicit and influential role in decision-making regarding the allocation and use of coastal space for aquaculture, recognising:
- (a) Ngāi Tahu interests in the coastal marine area through a whakapapa relationship with Tangaroa, and through the tikanga of “mana whenua, mana moana”;
 - (b) Ngāi Tahu customary rights in respect of the foreshore and seabed and associated waterways;
 - (c) The coastal marine area as the domain of Tangaroa, and a taonga guaranteed to the iwi by virtue of Article 2 of the Treaty of Waitangi;
 - (d) Ngāi Tahu customary fishing rights and interests guaranteed under, or pursuant to, the Treaty that have historically been recognised by the Waitangi Tribunal and the ordinary courts; and
 - (e) Ngāi Tahu entitlements to coastal space, as per the NTCSA 1998 and Māori Commercial Aquaculture Settlement Act 2004.
- TAN10.2 To require that the regional council recognise and give effect to the particular interest and customary rights of Ngāi Tahu in the coastal marine area by:
- (a) Ensuring that Ngāi Tahu is involved in the decision making process for the establishment of Aquaculture Areas; and
 - (b) Providing opportunities for Ngāi Tahu to identify exclusion areas for aquaculture.
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Ngāi Tahu Seafood

TAN10.3 To require that Ngāi Tahu Holdings Group (Ngāi Tahu Seafood) engage with Papatipu Rūnanga when considering marine farming ventures.

Customary, non-commercial aquaculture

TAN10.4 To require that current and future regional aquaculture policy recognises and provides for the ability of Papatipu Rūnanga to develop aquaculture for customary, non-commercial purposes (i.e. to support, grow and supplement existing/depleted mahinga kai)

Assessing aquaculture proposals

TAN10.5 To assess proposals for aquaculture or marine farms on a case by case basis with reference to:

- (a) Location and size, species to be farmed;*
 - (b) Consistency with Papatipu Rūnanga aspirations for the site/area;*
 - (c) Effects on natural character, seascape and marine cultural heritage values;*
 - (d) Visual impact from land and water;*
 - (e) Effects on customary fishery resources;*
 - (f) Monitoring provisions;*
 - (g) Cumulative and long term effects;*
 - (h) Impact on local biodiversity (introducing species from outside the area);*
 - (i) Impacts on off-site species.*
-

BEACHED MARINE MAMMALS

TAN11.1 The cultural, spiritual, historic and traditional association of Ngāi Tahu Whānui with marine mammals, and the rights to exercise rangatiratanga and kaitiakitanga over marine mammals is guaranteed by Te Tiriti o Waitangi.

TAN11.2 The relationship between Ngāi Tahu and the Department of Conservation for the recovery, disposal, storage and distribution of beached marine mammals shall be guided by the principles of partnership, recognising:

- (a) The relationship of Ngāi Tahu to marine mammals, as per Policy TAN11.1; and*
- (b) The Department of Conservation's statutory responsibility for marine mammals under the Marine Mammals Protection Act 1978 and the Conservation Act 1987.*

TAN11.3 To require that engagement between Papatipu Rūnanga and other agencies regarding beached marine mammals occurs as per the processes set out in the Draft Te Rūnanga o Ngāi Tahu Marine Mammal Protocol (2004), and the Interim Guidelines for the Initial Notification and Contact between the Department of Conservation and Ngāi Tahu over Beached Marine Mammals (2004).

TAN11.4 To require that Papatipu Rūnanga are involved in the determination of burial sites for beached whales that do not survive, and that burial locations are retained as taonga and therefore protected from inappropriate use and development.

FREEDOM CAMPING

TAN12.1 To work with local authorities, the Department of Conservation and the wider community to identify areas where freedom camping is prohibited or restricted.

TAN12.2 To support the use of incentives and information as tools to encourage campers to camp in designated, serviced sites as opposed to freedom camping.

5.7 TĀWHIRIMĀTEA

Ngā Paetae Objectives

- (1) The realm of Tāwhirimātea is recognised for the potential to provide an alternative source of energy for the takiwā.*
-



WIND FARMS

TAW1.1 To assess and evaluate the cultural implications of any wind farm proposal in the takiwā with particular regard to:

- (a) Location:*
 - (i) Proximity and visibility in relation to culturally significant sites, places, features, and landforms; and*
 - (ii) Relationship of site to wider Ngāi Tahu cultural landscape.*
- (b) Nature, extent and significance of cultural landscape values in the area, including:*
 - (i) Historic and contemporary mahinga kai associations;*
 - (ii) Tribally significant landforms;*
 - (iii) Indigenous flora and fauna, including plants and insects;*
 - (iv) Wāhi tapu and wāhi taonga, including archaeological sites;*
 - (v) Waterways, wetlands, waipuna; and*
 - (vi) Natural character (i.e. degree of existing modification of site).*
- (c) Size of the wind farm (i.e. would a smaller wind farm have less impact?);*
- (d) Ability of the wind farm to reduce pressure on water resources through providing alternative source of energy;*
- (e) Opportunities to enhance cultural landscape values (e.g. enhancement of indigenous biodiversity); and*
- (f) Robust assessment of alternatives.*

TAW1.2 To promote co-operative and constructive relationships between the energy sector and Ngāi Tahu, over and above RMA 1991 consultation, to facilitate consideration of effects of wind farms on tāngata whenua values and interests.

TAW1.3 To require the protection of key cultural landscape values, as identified by tāngata whenua, from activities associated with the development and operation of wind farms.

TAW1.4 To require, where a proposal has the potential for significant effects on tāngata whenua values, one or more of the following, at the discretion of the Papatipu Rūnanga:

- (a) Cultural Impact Assessment (CIA), as part of the Assessment of Environmental Effects;*
- (b) Site visit;*
- (c) Archaeological assessment, by a person nominated by the Papatipu Rūnanga;*
- (d) Provision of accurate graphic representations of proposals to enable tāngata whenua to clearly visualise; projects on the landscape; and*
- (e) Cultural monitoring during earthworks.*

TAW1.5 To require that consultation with tāngata whenua and assessments of actual and potential effects on cultural values occur as part of feasibility assessments, alongside other technical impact assessment reports (e.g. landscape, ecology).

5.8 NGĀ TŪTOHU WHENUA

Ngā Paetae Objectives

- (1) Cultural landscapes are recognised and provided for as a planning tool to protect wāhi tapu and wāhi taonga, the multiple values associated with these sites and places (traditional and contemporary), and the relationship of tāngata whenua to them.*
- (2) The Ngāi Tahu cultural heritage mapping project is completed and used to effectively protect and manage wāhi tapu and wāhi taonga in a manner consistent with tikanga Ngāi Tahu.*
- (3) Wāhi tapu and wāhi taonga are protected from inappropriate use, subdivision and development.*
- (4) Ngāi Tahu whānui have access to sites of cultural significance in the takiwā.*
- (5) Good working relationships are maintained with those agencies involved in the protection of Ngāi Tahu cultural and historic heritage, including the New Zealand Historic Places Trust Pouhere Taonga (NZHPT).*



RECOGNISING CULTURAL LANDSCAPES

Recognising cultural landscapes

- CL1.1 To require that local and central government recognise and provide for the ability of tāngata whenua to identify particular landscapes as significant cultural landscapes, reflecting:
- (a) Concentration, distribution and nature of wāhi tapu and wāhi taonga;
 - (b) Setting within which sites occur and significance of that setting;
 - (c) Significance with regard to association and relationship to place; and
 - (d) Degree of risk/threat.
- CL1.2 To require that local and central government give effect to cultural landscapes in policy, planning and decision making processes as a tool to:
- (a) Enable holistic assessment of effects on cultural values;
 - (b) Recognise the relationship of Ngāi Tahu to particular areas and sites; and
 - (c) Provide a wider context for cultural heritage management and the protection of individual sites.
- CL1.3 To work with local authorities to increase awareness and knowledge of the use of cultural landscapes as a tāngata whenua planning tool.
- CL1.4 To require that oral tradition and history is considered equally alongside documented evidence when determining the cultural landscape values associated with a particular area or site.
- CL1.5 To require that NTCSA 1998 provisions are recognised and provided for as cultural landscape indicators, including Statutory Acknowledgments, Nohoanga, Tōpuni and Dual Place Names provisions.
- CL1.6 To require that known Māori archaeological sites and silent files are recognised and provided for as cultural landscape indicators.
-

Protecting and restoring cultural landscapes

- CL1.7 To use the following methods to protect and restore cultural landscapes of particular importance:
- (a) Purchasing particular areas (tribal or Papatipu Rūnanga ownership);
 - (b) Designation as Māori reserve;
 - (c) Registration with Historic Places Trust as wāhi tapu or wāhi tapu area;
 - (d) Co-management arrangements or transfer of ownership;
 - (e) Development of restoration plans to restore the mauri of particular places;
 - (f) Covenants (e.g. heritage, open space, protective, etc);
 - (g) Heritage orders;
 - (h) Zoning in district plans to protect places from development;
 - (i) Designation as Mahinga Kai Cultural Park;
 - (j) Designation as Historic Reserve or local purpose reserve, under the Reserves Act 1977.
- CL1.8 To identify opportunities to enhance cultural landscapes, including but not limited to:
- (a) Restoration/enhancement of indigenous biodiversity;
 - (b) Enhancing views and connections to landscape features;
 - (c) Appropriate and mandated historical interpretation;
 - (d) Setting aside appropriate areas of open space within developments;
 - (e) Use of traditional materials, design elements and artwork.
- CL1.9 To enhance Ngāi Tahu cultural landscape values in the takiwā by:
-



- (a) Protection and restoration of places of cultural value to Ngāi Tahu, including those associated with mahinga kai;
- (b) Restoration and enhancement of indigenous biodiversity on the landscape, rural and urban;
- (c) Providing for cultural traditions (both traditional and contemporary) associated with particular places, including mahinga kai and recreational use (e.g. waka ama);
- (d) Incorporating Ngāi Tahu heritage values into landscape and urban design, through the use traditional place names, interpretation, artwork and public structures.

NGĀI TAHU CULTURAL HERITAGE MAPPING

- CL2.1 To recognise and provide for the Ngāi Tahu Cultural Heritage Mapping Project as an authoritative source of information on wāhi tapu, wāhi taonga, mahinga kai and other cultural landscape features in the takiwā covered by this IMP.
- CL2.2 To work with Te Rūnanga o Ngāi Tahu on the Ngāi Tahu Cultural Heritage Mapping Project to:
- (a) Ensure that Papatipu Rūnanga maintain control and ownership of information used in the project;
 - (b) Develop access policies regarding who can access and use different types of information; and
 - (c) Investigate the use of Heritage Alert Layers and Heritage Risk Models as mechanisms to integrate information from the Ngāi Tahu Cultural Mapping Project into central and local government planning processes.

WĀHI TAPU ME WĀHI TAONGA

- CL3.1 All taonga within the takiwā of Ngāi Tahu, accidental discovery or otherwise, belong to the Papatipu Rūnanga/ Te Rūnanga o Ngāi Tahu.

Information on wāhi tapu and wāhi taonga

- CL3.2 The Ngāi Tahu Cultural Heritage Mapping Project is an authoritative source of information on wāhi tapu, wāhi taonga, mahinga kai and other cultural landscape features in the takiwā covered by this IMP (as per Policy CL2.1 and CL2.2).
- CL3.3 To ensure that local and central government recognise that:
- (a) Existing schedules and maps of cultural sites are not comprehensive nor exhaustive;
 - (b) Many sites and information about sites are held by whānau; and
 - (c) Protecting wāhi tapu and wāhi taonga requires effective working relationships with Papatipu Rūnanga.
- CL3.4 To require that oral tradition and history is considered equally alongside documented evidence when determining the nature, extent or significance of wāhi tapu or wāhi taonga values associated with a particular area or site.
- CL3.5 To require that existing registered NZAA sites are recognised and provided for as indicator sites only, reflecting a larger network of Ngāi Tahu cultural heritage values. Any development of area adjacent to a NZAA site must be considered and monitored for potential effects on unknown additional sites (see Appendix 2).

Protecting wāhi tapu and wāhi taonga

- CL3.6 Ngāi Tahu have the right to identify any site as a wāhi tapu or wāhi taonga, and have the discretion as to how these sites are protected, including the right to identify sites that must be protected from development. It is anticipated that the NZHPT will support Papatipu Rūnanga in this process, as part of the Trust's kaupapa to support the management and kaitiakitanga by whānau, hapū and iwi of their heritage places.
- CL3.7 To require appropriate policies and rules in territorial and regional plans to protect sites of cultural significance from inappropriate land use and development, including but not limited to:
- (a) Explicit recognition of the relationship of tāngata whenua to wāhi tapu and wāhi taonga;
 - (b) Processes for engagement with Papatipu Rūnanga with regard to wāhi tapu and wāhi taonga;
 - (c) Recognition of cultural landscapes as a planning tool to identify and assess sites (see Issue CL1);
 - (d) Recognition of silent files (see Issue CL4); and
 - (e) Recognition that wāhi tapu and wāhi taonga values may extend beyond the physical boundaries of individual sites;



(f) *Setting aside land from development.*

CL3.8 *To require, where a proposal is assessed by tāngata whenua as having the potential to affect wāhi tapu or wāhi taonga, one or more of the following:*

(a) *Low risk to sites:*

(i) *Accidental discovery protocol (ADP) - See Appendix 3.*

(b) *High risk to sites:*

(i) *Cultural Impact Assessment (CIA);*

(ii) *Site visit;*

(iii) *Archaeological assessment, by a person nominated by the Papatipu Rūnanga;*

(iv) *Cultural monitoring to oversee excavation activity, record sites or information that may be revealed, and direct tikanga for handling cultural materials;*

(v) *Inductions for contractors undertaking earthworks;*

(vi) *Accidental discovery protocol agreements (ADP); and/or*

(vii) *Archaeological Authority from the New Zealand Historic Places Trust.*

CL3.9 *To support a range of methods to protect sites identified as wāhi tapu and wāhi taonga, including but not limited to:*

(a) *Registration with Historic Places Trust as wāhi tapu or wāhi tapu area;*

(b) *Covenants (e.g. heritage, open space);*

(c) *Heritage orders;*

(d) *Designation as Historic Reserve or local purpose reserve, under the Reserves Act 1977;*

(e) *Tribally developed 'hot zones', Heritage Risk Models or Heritage Alert Layers to protect wāhi tapu, wāhi taonga and archaeological sites; and*

(f) *Methods to protect and restore cultural landscapes, as per Policy CL1.7.*

Archaeological assessments

CL3.10 *When an archaeological assessment is required or archaeology is undertaken at a site or area where wāhi tapu and wāhi taonga values exist or may exist:*

(a) *The consultant archaeologist should be determined by the Papatipu Rūnanga;*

(b) *The Papatipu Rūnanga will advise whether a cultural monitor is required;*

(c) *Cultural monitors are responsible to the Papatipu Rūnanga, and not the archaeologist;*

(d) *The Papatipu Rūnanga may have specific tikanga requirements with regard to the recording, handling, storage, care and final placement of taonga.*

Archaeological authorities

CL3.11 *Any application for an Archaeological Authority to damage, destroy or modify a wāhi tapu or wāhi taonga site must involve engagement with Papatipu Rūnanga.*

CL3.12 *Papatipu Rūnanga have the right to identify wāhi taonga and wāhi tapu that must be protected from development, and therefore ensure that an Authority to damage, destroy or modify a site is not granted.*

CL3.13 *Where an Archaeological Authority is granted, Papatipu Rūnanga must be involved in the establishment of conditions on the authority, including*

(a) *Cultural monitoring provisions;*

(b) *Induction training for contractors undertaking earthworks; and*

(c) *Tikanga issues surrounding accidental discoveries.*



Relationships

CL3.14 To continue to develop and maintain effective working relationships with:

- (a) Those agencies involved in the protection of cultural and historic resources, including local government, NZHTP and the Department of Conservation, to enable a coordinated and collaborative approach to cultural heritage management; and
- (b) Private landowners, with regard to the protection of and access to wāhi tapu and wāhi taonga on private land.

Assessing existing information and mechanisms

CL3.15 To undertake an internal Papatipu Rūnanga initiated assessment of existing sites of significance to Ngāi Tahu identified in District Plans to determine:

- (a) Existing knowledge of identified sites;
- (b) Ongoing relevance and/or importance of identified sites;
- (c) Need for additional site designations; and
- (d) Whether existing District Plan mechanisms are achieving its purpose.

SILENT FILES

CL4.1 Silent files remain an appropriate mechanism for protecting sites of significance, but are not limited to those identified on planning maps in this IMP or otherwise.

CL4.2 There are many wāhi tapu that are not identified as silent files, and this must be recognised and provided for in central, territorial and regional planning processes.

CL4.3 To ensure the location of silent files in district and regional planning maps is consistent with the schedule of maps included in Appendix 6 of this IMP.

CL4.4 The Silent File designation means that:

- (a) There must be a high level of engagement with Papatipu Rūnanga to assess whether the location, type and scale of proposed activities may adversely effect the values associated with the Silent File area;
- (b) The Papatipu Rūnanga shall have a high level of influence over decisions to grant or decline consents. Only tāngata whenua can determine whether a development will affect silent file value; and
- (c) The Papatipu Rūnanga shall not be required to justify the nature and extent of cultural effects, or why an activity may be inconsistent with values in a Silent File area. Tāngata whenua must be able to “say no” without revealing the location or status of a site.

CL4.5 A high level of engagement, as per Policy CL4.4(a), means provisions for some or all of the following:

- (a) Early consultation with Papatipu Rūnanga as an information requirement for resource consent applications;
- (b) Affected party status;
- (c) Cultural Impact Assessment (CIA);
- (d) Cultural monitoring; and
- (e) Archaeological assessment (see Policy CL3.8)

Assessment of silent file mechanism

CL4.2 To undertake an internal Papatipu Rūnanga assessment of existing silent files, to evaluate:

- (a) Existing knowledge of site;
 - (b) Ongoing relevance/importance of site;
 - (c) Need for additional silent file designations;
 - (d) Whether the silent file mechanism is achieving its purpose;
 - (e) Whether there are alternative tools available.
-



ACCESS

- CL5.1 *Ngāi Tahu whānui must have unrestricted access to wāhi tapu, wāhi taonga and other places of cultural importance on Crown land.*
- CL5.2 *To increase the ability of Ngāi Tahu whānui to access wāhi tapu and wāhi taonga on private land by any of the following means:*
- (a) Engaging landowners to develop access arrangements;*
 - (b) Engaging landowners to develop management plans to protect sites;*
 - (c) Purchasing land outright;*
 - (d) Opposing development that may 'lock places away'*
 - (e) Registering sites or places with the NZHPT;*
 - (f) Caveats on land titles;*
 - (g) Creation of reserves;*
 - (h) Use of covenants.*
- CL5.3 *To require that local government recognise and provide for the importance of paper roads to ensuring tāngata whenua access to wāhi tapu and wāhi taonga, by:*
- (a) Identifying all paper roads on council maps; and*
 - (b) Developing explicit policy and rules to protect and enforce the right of tāngata whenua to use paper roads.*

INGOA WĀHI

- CL6.1 *To require the recognition and use of dual place names in the region, as per the NTCSA, in regional and district plans, policy statements and nonstatutory planning documents.*
- CL6.2 *To encourage the use of Ngāi Tahu place names in addition to those amended under the NTCSA.*
- CL6.3 *To use the Ngāi Tahu Cultural Heritage Mapping Project as one method to retain and transfer knowledge of names and places, and the stories that go with these names and places.*
- CL6.4 *To recognise the need to build the capacity of Papatipu Rūnanga to make applications to the New Zealand Geographic Board to have traditional ingoa wāhi recognised on the landscape, through name changes and dual place name provisions.*
- CL6.5 *To continue to work with the Department of Conservation to provide Ngāi Tahu names for public conservation lands.*
- CL6.6 *To ensure that the use of ingoa wāhi on the landscape (e.g. in subdivisions, naming of buildings) occurs in consultation with, and is approved by, Papatipu Rūnanga (see Issue CL7).*

NGĀI TAHU TIKANGA TŪTURU

- CL7.1 *To encourage the use and representation of Māori culture (e.g. tikanga, kawa, markers, symbols, names, design) in public open space and the built environment, including but not limited to:*
- (a) Pouwhenua and wāharoa; and*
 - (b) Naming of features, roads, reserves, or buildings.*
- CL7.2 *To require that the use and representation of Māori culture as per Policy CL7.1 above involves, and is endorsed by, Ngāi Tahu as the tāngata whenua who hold manawhenua across Ngā Pākihi Whakatekateka o Waitaha and Te Pātaka o Rākaihautū.*

Cultural Interpretation

- CL7.3 *To support the use of interpretation as a tool to recognise and provide for the relationship of Ngāi Tahu to particular places, and to incorporate Ngāi Tahu culture and values into landscape design.*
- CL7.4 *The interpretation of Ngāi Tahu values and history is best provided by Ngāi Tahu, and Papatipu Rūnanga and Te Rūnanga o Ngāi Tahu should be commissioned and resourced to provide this service.*
- CL7.5 *To require that any interpretation or information relating to Ngāi Tahu history, values, traditions or place names is agreed to and approved by Papatipu Rūnanga.*
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MAUNGA

- CL8.1 To protect the views of ancestral maunga, from marae and other culturally important sites such as ancestral pā and mahinga kai sites.
- CL8.2 To prohibit the erection of buildings or structures on our ancestral maunga.
- CL8.3 To actively encourage the use of ingoa wāhi associated with maunga.
- CL8.4 To require that the use of any cultural information or interpretative material relating to Ngāi Tahu associations with maunga is agreed to and approved by Papatipu Rūnanga.

Assessment of Provisions

The Mahaanui Iwi Management Plan (IMP) is the relevant iwi planning document that applies to this proposal.

The purpose of the IMP is to:

- Express kaitiakitanga, by effectively and proactively applying Ngāi Tahu values and policies to natural resource and environmental management; and
- Protect taonga and the relationship of tāngata whenua to these, by ensuring that the management of land and water resources achieves meaningful cultural and environmental outcomes.

Section 5.1 Kaitiakitanga sets out objectives including that 'Papatipu Rūnanga are able to fulfil their role and responsibility as kaitiaki within management and decision-making processes' (Objective 2), and 'Ngāi Tahu is able to lead the way and set an example on the landscape with regard to best practice and sustainable cultural, environmental, economic, and social outcomes' (Objective 6). The proposal is consistent with these objectives, noting engagement with Whitiōra (representing Ngāi Tūāhuriri Rūnanga) has assisted to inform the identification of relevant Ngāi Tahu values and issues of relevance to the application, recognising feedback received on further detail as to management of stormwater, riparian planting and protection of indigenous biodiversity (at risk skink).

Further, those provisions concerned with Te Tiriti o Waitangi and the recognition and provision for the principle of kaitiakitanga, are provided for in the provisions and procedural requirements set out in the Fast Track Approvals Act 2024, including relevant considerations and requirements for consultation. The relevant district and regional planning documents recognise and provide for the Mahaanui IMP 2013 as a collective and mandated manawhenua planning document, and this assessment has also considered the relevant provisions in the Mahaanui IMP 2013.

Section 5.2 Rānginui (air) has the objective of protecting the mauri of air from adverse effect relating to the discharge of contaminants to air (Objective 1). The activity provided for under this resource consent will discharge minimal contaminants to air. All building and site development work will be undertaken in accordance with a Dust Management Plan, prepared under the Regional Air Plan, ensuring potential adverse dust effects are managed.

Section 5.4 Papatūānuku (land) objectives are concerned with the protection and maintenance of the mauri of the land acknowledging that Papatūānuku can only sustain people economically, socially and culturally, when land use and development is managed within the capability of the land. Objectives and policies in this section relate largely with managing the land from 'inappropriate land use' and the 'protection of sites of significance'. These are matters that are addressed by the district and regional planning documents (assessed above) and it is concluded that the proposal will not have adverse effects on the environment, including on sites of Ngāi Tahu significance, and is an 'appropriate land use' that is consistent with these objectives.

Objective 4 of this section seeks that urban land use is consistent with land capability, the assimilative capacity of catchments and the limits and availability of water resources. Noting the conclusions of the Soil Productivity



Assessment (**Appendix 20**), the proposed land use change recognises that the land is not capable of sustaining productive rural uses, being an isolated land parcel without access to irrigation.

Ngā tūtohu whenua, or cultural landscape objectives are also concerned with 'inappropriate land use' and 'managing effects' in the context of Ngāi Tahu cultural heritage. For the same reasons outlined in respect of the Papatuanuku (land) objectives, the proposal will achieve consistency with these objectives.

In regard to those provisions, it is noted that the site is currently zoned Rural Urban Fringe under the Christchurch District Plan and is not within any identified overlays for sites of Ngāi Tahu cultural significance (Wāhi Tapu/Wāhi Taonga; Mahaanui Iwi Management Plan Silent Files and Kaitōrete Spit; Ngā Tūranga Tūpuna; and Ngā Wai). Assessments of the site have otherwise confirmed that site does not contain any springs or (confirmed) wetland features, nor are there any such features likely within 100m of the site. It is recognised the Barbers Road drain is not classified as a natural surface waterbody, notwithstanding protection of the waterbody is still proposed including throughout the development and once the development is operating (erosion and sediment control and a 5m indigenous landscaping strip).

Regarding indigenous biodiversity, the site has been surveyed and at-risk skins have been identified on the site. A Lizard Management Plan (LMP) has been prepared to manage the salvage of lizards throughout the site development works, with a proposed release site on Templeton Golf Course to the immediate north of the site. The release site is to be planted with appropriate indigenous species suitable for lizards, as depicted in the LMP.

Section 5.3 Wai Māori (water) objectives are also concerned with 'inappropriate land use' and 'managing effects'. Again, a conclusion of consistency is reached on the basis that the development is not 'inappropriate' (as demonstrated in the assessment of effects and supporting technical reports) and will be subject to conditions and mitigation measures (including sediment and erosion control and waterway enhancement) to avoid adverse effects on water quality.

The proposed discharge of water to ground (from roofs) will be generally consistent with the Wai Māori objectives, policies and development guidelines of the Mahaanui IMP and it is considered that the potential effects of the stormwater discharges on cultural values will be acceptable accounting for the attributes of the proposal and the receiving environment.

Section 5.5 Tāne Mahuta concerns indigenous biodiversity and mahinga kai. The objectives and policies seek enhancement of indigenous biodiversity (Objective 3), that existing areas of indigenous vegetation are protected and degraded areas are restored (Objective 7), remnant wetlands, waipuna and riparian margins are protected and enhanced (Policy TM1.7) and biodiversity is integrated into urban land use and planning (TM2.8). The proposal has undertaken extensive investigations to understand the ecological values of the site and proposes various enhancements and mitigations to ensure indigenous biodiversity values are protected, including through habitat restoration of an existing artificial waterway (drain).

On the basis of the above, the proposal is considered to be generally consistent with the Mahaanui Iwi Management Plan.

More specifically, the following relevant points are noted with regards to attributes of the site and proposal that are particularly relevant to Ngāi Tahu cultural values, as expressed in the IMP:

1. Ecologists and waterways experts have confirmed that site does not contain any natural surface water features, and whilst there is potential for a wetland feature, a condition of consent precludes development of that part of the site until such time as a site visit has determined whether this is wetland habitat or not.
2. Works within the existing artificial water race along the development frontage of Barbers Road have been kept to a minimum, with the works limited to the installation of a culvert to facilitate the site access point. A 5m indigenous planted buffer is proposed along the full length of the drain, which will result in a significant improvement along this margin. Whilst an internal part of the drain is proposed to be infilled as part of the



works, as per the findings of the aquatic ecologist, this drain has very low ecological value. Notwithstanding an ecologist recommended 'fish management plan' will be in place for the duration of the works.

3. The application limits industrial activities to 'dry uses' and will prevent manufacturing and activities with large water and trade waste requirements (and associated risks to water quality and associated cultural values).
4. Three-waters infrastructure will be established and operated in a manner that will appropriately manage or avoid effects on water quality. Specifically:
 - a. Water reticulation to be provided from CCC Northwest Water Zone via a new water reticulation network and vested to CCC as public infrastructure, including installation of a water supply tank and pumps within the development to provide buffering during base demand and fire fighting supply.
 - b. Wastewater reticulation to be serviced by the CCC wastewater network via a new low-pressure sewer (LPS) reticulation network.
 - c. Stormwater runoff generated from proposed roads and hardstand surfaces will be collected in sumps and conveyed via a reticulated network for treatment and attenuation to one of two first flush infiltration basin/ soak pit systems sized to meet the requirements of the Christchurch City Council (CCC) Wetlands, Waterways and Drainage (WWDG). The reticulation network and stormwater management devices will be vested to Christchurch City Council (CCC) who will be responsible for ongoing maintenance and ownership.
 - d. The lots will have individual private stormwater systems to provide treatment and disposal from roofed areas to ground via infiltration devices. Run-off from roofed areas on will be collected and be disposed to ground with no treatment by onsite soak pit(s) sized to accommodate the critical design event (2% AEP).
5. Development works and earthworks will not be significant or atypical (for development of this scale and nature) and will be managed through conventional methods to avoid adverse effects on air or water quality. Specifically:
 - a. A Detailed Site Investigation (DSI) for contamination has been undertaken on the site. The contamination found on site is considered overall minor and consistent with a rural site of this nature. The contamination will be remediated in accordance with industry standards in accordance with the Remediation Action Plan prior to earthworks commencing onsite.
 - b. Development and associated earthworks are proposed to be undertaken as part of the various stages of the development. Earthworks have generally been confined to the roading corridors and construction of infrastructure to limit the area of earthworks and amount of exposed area open at any one time. The natural fall of the site from north to south will be generally maintained to ensure secondary flow is conveyed to the stormwater facilities located on Lots 200 and 201.
 - c. The maximum anticipated earthwork cut depths are approximately 3.5m for the roadways and proposed stormwater basins, with an additional 2.0m cut to the stormwater infrastructure such as soakpits, resulting in maximum 5.5m depth of cut. Therefore, groundwater at a depth of 15-16 metres below ground level is not expected to be encountered during the earthworks or civil works associated with the development.
 - d. Erosion and sediment controls are to be installed in accordance with Environment Canterbury (ECan, 2023) Erosion and Sediment Control Toolbox for Canterbury prior to the commencement of any earthworks on the site and maintained for the full duration of the works. The controls to be installed are: Stabilised Site Entrances, Cleanwater Diversion Bunds/Channels, Dirty Water Diversion Bund, Super Silt Fences and Sediment retention areas and soakage devices.



6. All proposed planting will be native (consistent with the provisions in the IMP seeking restoration, enhancement and provision of indigenous planting).

Lastly, the finding of consistency with the IMP is reinforced when the proposal is evaluated in terms of the Ngāi Tahu subdivision and development guidelines which guide the implementation of the IMP. Such an evaluation is provided in **Appendix 21**.

Te Rūnanga o Ngāi Tahu - Freshwater Policy

Objectives and Policies

6.0 Ngāi Tahu's Freshwater Policy Statement

6.1 Wāhi Tapu

To afford total protection to waters that are of particular spiritual significance to Ngāi Tahu.

1. Identify sites for immediate protection because of their significance as wāhi tapu.
2. Agree with resource management agencies objectives, policies and methods that protect the sites identified by Papatipu Rūnanga.

6.2 Mauri

Restore, maintain and protect the mauri of freshwater resources.

1. Identify freshwater resources where:
 - mauri is unaffected by modification and human activity so that these waterbodies can be afforded total protection; and
 - mauri is adversely affected, and the activities that cause such effects.
2. Accord priority to ensuring the availability of sufficient quantities of water of appropriate water quality to restore, maintain and protect the mauri of a waterbody, in particular priority is to be accorded when developing water allocation regimes.
3. Adopt catchment management planning as one of the means of achieving integrated management.
4. Protect the opportunities for Ngāi Tahu's uses of freshwater resources in the future.

6.3 Mahinga Kai

To maintain vital, healthy mahinga kai populations and habitats capable of sustaining harvesting activity.

1. Protect critical mahinga kai habitats and identified representative areas.
2. Restore and enhance the mahinga kai values of lakes, rivers, streams, wetlands, estuaries and riparian margins.
3. Ensure that activities in the upper catchments have no adverse effect on mahinga kai resources in the lower catchments.
4. Restore access to freshwater resources for cultural activities, including the harvest of mahinga kai.

6.4 Kaitiakitanga

To promote collaborative management initiatives that enable the active participation of Ngāi Tahu in freshwater management.

To encourage agencies to:

1. Ensure Ngāi Tahu has access to information about the status of resources and the activities of resource users so that it is able to anticipate the effects of activities on customary values and uses.
2. Assist with the development of Ngāi Tahu's capacity to conduct formal cultural impact assessments and require such assessments as part of an assessment of environmental effects.
3. Facilitate effective Ngāi Tahu participation in:



- *Policy formulation;*
 - *Decision making;*
 - *Operational management activities; and*
 - *Monitoring activities.*
4. *Improve the integration of western science and traditional local knowledge in order to develop a better understanding Of all water use planning related matters.*
 5. *Increase the ability of Papatipu Rūnanga to understand and participate in all aspects Of research and to influence the setting of research priorities.*

Assessment of Provisions

The Policy describes in general terms, the association of Ngāi Tahu with freshwater water resources, Ngāi Tahu participation in the management of freshwater resources and the environmental outcomes sought by the iwi.

The provisions above are consistent with the provisions in the IMP, albeit with a more specific focus on freshwater resources. For the avoidance of repetition, the reader is referred to the technical assessments concerned with freshwater resources and the assessment of the IMP above. Similarly, it is concluded that the proposal is generally consistent with the Te Rūnanga o Ngāi Tahu - Freshwater Policy.

Canterbury Regional Land Transport Strategy 2012-2042 (RLTS)

Assessment

The Canterbury Regional Land Transport Strategy (RLTS) establishes the strategic direction for land transport within the Canterbury region over a 30-year period. The RLTS identifies the region's transport needs, the roles of land transport modes along with the planning, engineering, education, encouragement and enforcement methods that will be applied in the achievement of objectives.

The proposed development accords with this Strategy, insofar that the safety and efficiency of the transport network in the vicinity of the site will not be compromised by the proposal, the development site provides for accessibility by a variety of modes (including potential public transport services) and the site has good connectivity to the local and strategic transport network.