

**Under the**

Fast-track Approvals Act 2024

**In the matter**

of the application by Carter Group Limited in relation to the Ryans Road Industrial Development

---

**MEMORANDUM OF COUNSEL FOR CANTERBURY REGIONAL COUNCIL  
RESPONDING TO MINUTE 8 OF THE EXPERT PANEL**

**4 February 2026**

---

---

**SIMPSON  
GRIERSON**

**Sarah Scott / Jade Magrath**

T: [REDACTED]

[REDACTED]  
[REDACTED]  
PO Box 874 Christchurch

**May it please the Panel:**

## **1. INTRODUCTION**

**1.1** This memorandum is provided on behalf of Canterbury Regional Council (**CRC**) in response to the Expert Panel’s (**Panel**) Minute 8 (**Minute**) regarding the Ryans Road Industrial Development application (**Application**) under the Fast-track Approvals Act 2024 (**FTAA**). The Panel has directed CRC to file a memorandum by Wednesday 4 February 2026:

- (a) confirming the extent to which the new National Policy Statement for Infrastructure 2025 (**NPS-I**) raises additional matters for assessment of resource consent approvals sought under the FTAA;
- (b) undertaking a brief assessment of the impact of such matters on the Application and the Panel's evaluation task; and
- (c) commenting on any of the other new or amended national direction instruments approved by the Governor General on 15 December 2025, if it wishes to do so.

**1.2** This memorandum addresses each of the above matters in turn.

## **2. NATIONAL POLICY STATEMENT FOR INFRASTRUCTURE**

### **Relevance of the NPS-I to resource consent approvals sought under the FTAA**

**2.1** The NPS-I provides national direction to support the development, operation, maintenance and upgrade of infrastructure, and applies to “all infrastructure activities and infrastructure supporting activities”.<sup>1</sup>

**2.2** From 15 January 2026 the NPS-I must be given effect to by decision makers on resource consent applications under the Resource Management Act 1991 (**RMA**) affecting the operation, maintenance, renewal and upgrade of existing infrastructure and the development of new infrastructure. By virtue of Schedule 5,

---

<sup>1</sup> NPS-I clause 1.3.

clause 17 of the FTAA the NPS-I will also apply to relevant decisions made under the FTAA in relation to approvals relating to the RMA.

**2.3** NPS-I Policies 1 to 9 apply to all “decision-makers” under the RMA so will inform the assessment of any resource consent approvals sought under the FTAA for, or affecting, infrastructure or infrastructure supporting activities (as defined in the NPS-I), to the extent that they are relevant to the decision at hand.

**2.4** NPS-I Policies 10 and 11 only concern decisions on “planning instruments”, so they are not relevant to decisions about resource consent approvals under the FTAA.

### **Relevance of the NPS-I to this Application**

**2.5** This Application is for 126 freehold industrial lots. While the industrial activity sought is not subject to the NPS-I, the application also contains infrastructure activities,<sup>2</sup> namely internal roads and three-waters utilities.

**2.6** The Application site also adjoins the boundary of the Christchurch Airport.<sup>3</sup>

**2.7** Policies 1-4, 6-7 and 9 of the NPS-I will be, at least conceptually, relevant to the Panel’s consideration of the components of the proposal that involve the provision of three waters and roading infrastructure. We note however that these are not the primary components of the proposal, and the Panel will still need to consider the effects of the Application as a whole. In doing so it may be difficult to separate,

---

<sup>2</sup> Under the NPS-I (clause 1.4.1):

**Infrastructure activities** mean the construction, operation, maintenance, upgrade and removal of infrastructure and all ancillary infrastructure activities, unless otherwise specified, and include all physical components and assets associated with the infrastructure activity.

**Infrastructure** includes all infrastructure as defined by the RMA and additional infrastructure as defined in this National Policy Statement. The RMA definition of infrastructure (RMA section 2(1)) relevantly includes:

- facilities for the generation of electricity, lines used or intended to be used to convey electricity, and support structures for lines used or intended to be used to convey electricity, excluding facilities, lines, and support structures if a person—(i) uses them in connection with the generation of electricity for the person’s use; and (ii) does not use them to generate any electricity for supply to any other person;
- a water supply distribution system, including a system for irrigation;
- a drainage or sewerage system;
- structures for transport on land by cycleways, rail, roads, walkways, or any other means.

**Additional infrastructure** relevantly includes a stormwater network.

<sup>3</sup> The RMA definition of infrastructure includes aerodromes as defined in section 5 of the Civil Aviation Act.

for example, the built form of the industrial activity from the built form of the internal roads.

**2.8** We have summarised the relevant Policies below. These require decision-makers to:

- (a) recognise the benefits of infrastructure (Policy 1) and that infrastructure may have an operational or functional need to locate in particular environments (Policy 2) and generally provide for and enable infrastructure (Policy 4).
- (b) have regard to the extent to which the infrastructure has been identified within a strategic planning document, spatial plan, or master plan, while recognising that not all infrastructure can be spatially identified in advance (Policy 3). In this case, the proposed three waters and roading infrastructure has not been identified in a strategic, spatial, or master plan, although Policy 3 is clear that this is not itself an impediment to consent being granted for the proposed infrastructure.
- (c) recognise and provide for Māori interests in relation to infrastructure and infrastructure supporting activities, including (relevantly) by taking into account the outcome of any engagement with tangata whenua on any relevant resource consent (Policy 6). The comments received on the Application from Te Ngāi Tūāhuriri Rūnanga and Te Taumutu Rūnanga should be taken into account in accordance with Policy 6.
- (d) assess and manage the effects of proposed infrastructure activities and new infrastructure in the manner prescribed by Policies 7 and 9.

**2.9** Of note, Policy 9(2) states that where new infrastructure activities are proposed to locate in or are likely to have adverse effects on environments and values provided for in section 6 of the RMA, the provisions of that Policy must be read alongside other relevant national direction, regional policy statements and regional and district plans. In other words, the NPS-I does not create a hierarchy between it and

any other national direction. Relevant to this Application, that includes the National Policy Statement for Freshwater Management 2020 (**NPS-FM**) and the National Policy Statement for Indigenous Biodiversity 2023 (**NPS-IB**).

- 2.10** The comments from Christchurch International Airport Limited and the Airways Corporation of New Zealand raise concerns about the Application’s potential to affect the safe and efficient operation of the Airport. Although Policies 10-11 of the NPS-I direct decision-makers on “planning instruments” to manage the interface between existing and planned infrastructure, and between infrastructure and other activities, as set out above they do not apply to decisions on a resource consent application.

### **3. OTHER NEW OR AMENDED NATIONAL DIRECTION INSTRUMENTS**

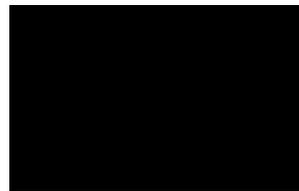
#### **National Policy Statement for Highly Productive Land Amendment 2025**

- 3.1** The National Policy Statement for Highly Productive Land (**NPS-HPL**) is relevant to the Panel’s consideration of this Application. Several changes have been made to the NPS-HPL, including that the restrictions on LUC 3 land, especially for urban rezoning, mining, and quarrying activities, have been significantly relaxed, and the deadline for regional councils to map highly productive land in their regions has been extended to 31 December 2027. However, the changes are not considered to affect the Panel’s assessment of this Application, which involves the proposed use and development of LUC 2 land.
- 3.2** As noted in CRC’s comments on the Application, the Canterbury Regional Policy Statement has not yet been updated with highly productive land mapping. The NPS-HPL is not considered relevant for regional consenting purposes because its provisions focus on restricting urban and rural lifestyle zoning, subdivisions and land use on HPL, which ordinarily fall within the purview of the City Council.

## **National Policy Statement for Natural Hazards 2025**

- 3.3** The control of the use of land for the purpose of the avoidance or mitigation of natural hazards is a regional council function under the RMA. This new national policy statement provides a framework for assessing natural hazard risk associated with subdivision, use or development. However, as the Application site is not subject to any identified natural hazard risk, CRC does not consider that this national policy statement is relevant to the Application.

**Date:** 4 February 2026



---

S J Scott / J J Magrath  
Counsel for Canterbury Regional Council