Proposed Canterbury Land and Water Regional Plan hearing

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Sections 32 and 67

Planning Hierarchy and alignment with RPS and NEPT

Carry over consents or permitted activity status

Passive consents

Incongruous non-complying activity status

Nature of Transpower’s assets

Or entering ground or surface water

Contaminant being remobilised, transported off site,

"Potentially contaminated land" trigger vs risks of

Legal Submissions
Nature of Assets

- Regionally and nationally significant
- Existing/longstanding
- Essentially passive
- Very limited environmental risk
Examples of Infrastructure
Treatment in pLWRP of HAIL sites

- The assumptions/triggers for consents
- Discrepancy between existing and proposed plans and activities
  - Permitted versus non-complying
  - Carry over consents or permitted activity status
- Results in:
  - Regular need for non-complying consents
  - Wider potential effect on the National Grid
Stormwater

Trigger not necessarily related to effects on—
Disconnection between cause and effect as use of HAII
(for some previously permitted activities)

Proposed regime requires non-complying consents
Sites

Need to deal effectively/efficiently with non-reticulated

Stormwater / Wastewater
Earthworks and excavations

- Inappropriate and impractical permitted activity conditions
- Necessary maintenance activities caught by non-complying rule
- Acceptable relief proposed in Officers' report
5.92 (Water for Construction and Maintenance)

Discharges

5.76 and 5.77 (Other Minor Contaminant)

5.72 (Stormwater)

5.69 (Industrial and Trade Wastes)

5.55 (Land Drainage Water)

5.7 and 5.9 (On-site Wastewater)

Permitted activity rules that contain the exception:

- the site, or of mitigation provided on the site.
- the level of risk of contaminants being remobilised off potentially contaminated land: takes no account of
Relief requested

- After the permitted activity exception for “potentially contaminated land”, add the following:

  , unless:

  (a) **The source of potential contamination is from a necessary component of regionally significant infrastructure, and**

  (b) **Good practice guidelines are followed to mitigate the risk of any hazardous substance entering land or water, and**

  (c) **The good practice guidelines are made available to the CRC for review.**

- Provides more appropriate relief to give effect to the NPSET and RPS than R5.7 in the Officers’ Report
burning activities, amended policies 4.9.1(p) and 4.18:
whilst carrying out gravel extraction or vegetation
- To acknowledge the protection of infrastructure
drinking water supplies, or on surface water:
boundary on people’s health and safety, on human or stock
to ensure there are no adverse effects beyond the site
land, including existing and closed landfills, shall be managed;
Any discharges of hazardous substances from contaminated

Particular Policy 17.3.3, amended policy 4.23:
- To provide greater consistency with the RPS, in

Relief Requested - Policies
Relief requested - Policies

- To acknowledge the protection of infrastructure whilst carrying out gravel extraction or vegetation burning activities, amend Policies 4.91(b) and 4.18:

  Amend Policy 4.91(b):

  *the activity is undertaken in ways which do not induce erosion, adversely affect significant regional infrastructure, water quality, ...*

  Add the following to the effects to be avoided under Policy 4.18:

  *d. Adverse effects on regionally significant infrastructure.*
an activity that does not comply with the conditions
been reduced, and restricted discretionary status for
regard ing excavation and deposition over aquifers has
- R5.155 on Rule 5.155 where the number of rules
- discretionary activity, rather than non-complying
dischARGE of stormwater requires consent for a
meet the conditions of the rule(s) regarding the
- R5.73 on Rule 5.73 Inspector as an activity that does not
recommended to be deleted
reference the "Septic Tank Suitability - Area A"
- R5.7 on Rule 5.7, Inspector as Condition 5, which

Report
A ppropriate relief recommended in Offices