

**IN THE HIGH COURT OF NEW ZEALAND
CHRISTCHURCH REGISTRY**

CIV-2016-409-001031

UNDER the Environment Canterbury (Temporary Commissioners
and Improved Water Management) Act 2010

IN THE MATTER of an appeal under section 66 of the Act in relation to the
proposed Canterbury Air Regional Plan

BETWEEN **CANTERBURY AGGREGATE PRODUCERS GROUP**
Appellant

AND **CANTERBURY REGIONAL COUNCIL**
Respondent

**ORDER AMENDING THE PROPOSED CANTERBURY AIR REGIONAL PLAN
BY CONSENT
9 June 2017**

**WYNN WILLIAMS
LAWYERS
CHRISTCHURCH**

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Before the Honourable Justice Gendall on 9 June 2017

- 1 After reading the Joint Memorandum of Counsel dated 2 June 2017, this Court orders by consent that the Respondent amends the proposed Canterbury Air Regional Plan as set out in Appendix 1 to this Order.
- 2 There is no order as to costs.

Date: 15th June 2017

Signature:  D. McMillan



(Registrar/Deputy Registrar)

Appendix 1 – Amendments to the proposed Canterbury Air Regional Plan

~~Single strike through~~ – proposed deletion to decision version of the pCARP.

Single underline – proposed additions to decision version of the pCARP.

Sensitive activity

~~means an activity undertaken at a place or in an area where a person or persons are present and have a reasonable expectation that their enjoyment of the amenity values of that place or area will not be materially impaired by the effects of a discharge of odour, dust or smoke; and may include places where people gather for recreation, education, worship, culture or similar purposes, or where they reside, including outdoor living areas.~~

means an activity undertaken in:

- (a) the area within 20m of the façade of an occupied dwelling; or
- (b) a residential area or zone as defined in a district plan; or
- (c) a public amenity area, including those parts of any building and associated outdoor areas normally available for use by the general public, excluding any areas used for services or access areas; or
- (d) a place, outside of the Coastal Marine Area, of public assembly for recreation, education, worship, culture or deliberation purposes.

Public amenity area

means those areas to which the public have right of access under any statute, regulation, law or by-law, and are limited to:

- (a) Crown and Local Authority properties, reserves, gardens, and parks;
- (b) Sports grounds;
- (c) Forest and bush areas;
- (d) Pedestrian walkways, malls and precincts;
- (e) Beaches, beach reserves, and adjacent foreshore areas;

but shall exclude roadways.

Note: an area where the public is provided access at the discretion of a landowner and/or occupier is not a public amenity area.

