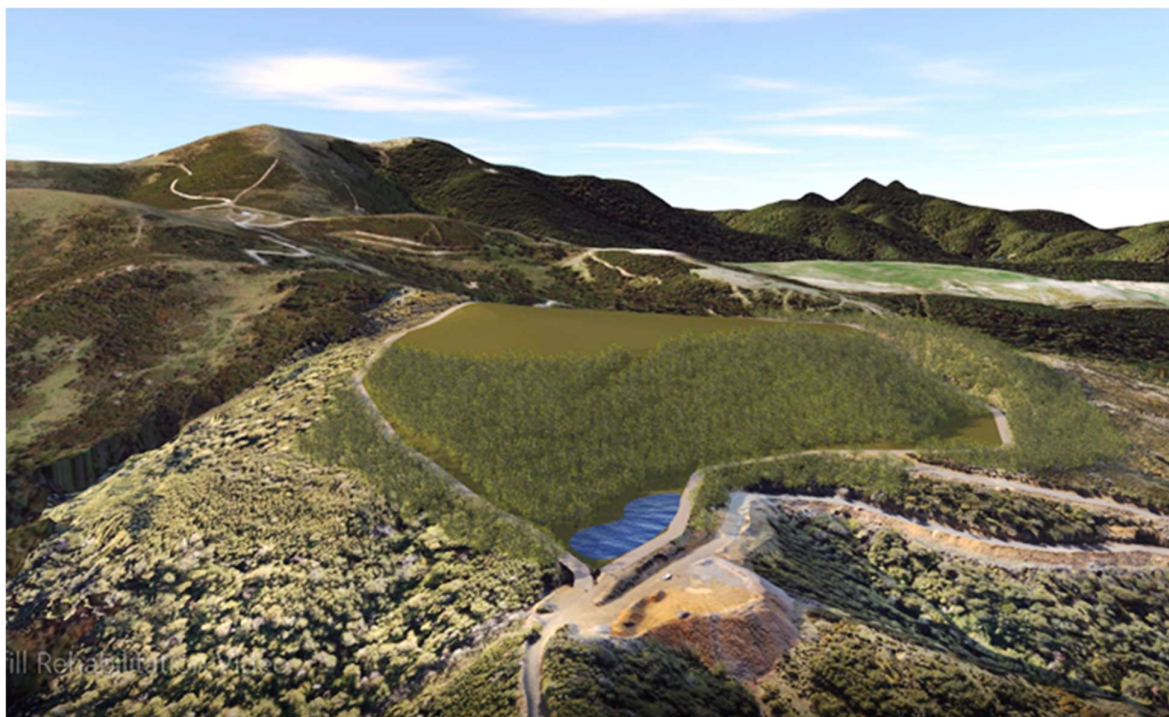


Woodstock Landfill

Rules Assessment Summary



INDIGENOUS REGENERATION *through* INNOVATIVE LANDFILL PRACTICE

Land and Water Regional Plan Rules Assessment - Summary

Woodstock Quarries Landfill

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| Land and Water Regional Plan/PC 7 and Waimakariri River Regional Plan/PC2 | |
| Land use (s9) | |
| <p>LWRP</p> <p>5.175 The use of land to excavate material is a permitted activity, provided the following conditions are met:</p> <ol style="list-style-type: none"> Over the Coastal Confined Gravel Aquifer System, as shown on the Planning Maps: <ol style="list-style-type: none"> there is more than 1 m of undisturbed material between the deepest part of the excavation and Aquifer 1; and if more than 100 m³ of material is excavated, the excavation does not occur within 50 m of any surface waterbody; or Over an unconfined or semi-confined aquifer: <ol style="list-style-type: none"> the volume of material excavated is less than 100 m³; or the volume of material excavated is more than 100 m³ and: <ol style="list-style-type: none"> there is more than 1 m of undisturbed material between the deepest part of the excavation and the seasonal high water table level; and the excavation does not occur within 50 m of any surface waterbody. | <p>Does not comply</p> |
| <p>LWRP</p> <p>5.176 The use of land to excavate material that does not comply with one or more of the conditions of Rule 5.175 is a restricted discretionary activity.</p> <p><i>The exercise of discretion is restricted to the following matters:</i></p> <ol style="list-style-type: none"> The actual and potential adverse environmental effects on the quality of water in aquifers, rivers, lakes, wetlands; and Any need for remediation or long-term treatment of the excavation; and The protection of the confining layer and maintaining levels and groundwater pressures in any confined aquifer, including any alternative methods or locations for the excavation; and The management of any exposed groundwater, and | <p>Restricted discretionary</p> |

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| 5. Any adverse effects on Ngāi Tahu values or on sites of significance to Ngāi Tahu, including wāhi tapu and wāhi taonga. | |
| <p>LWRP</p> <p>5.177 The use of land for the deposition of more than 50 m³ of material in any consecutive 12 month period onto land which is excavated to a depth in excess of 5 m below the natural land surface and is located over an unconfined or semi-confined aquifer, where the seasonal high water table is less than 5 m below the deepest point in the excavation is a controlled activity, provided the following conditions are met:</p> <ol style="list-style-type: none"> 1. The material is only cleanfill; and 2. The volume of vegetative matter in any cubic metre of material deposited does not exceed 3%; and 3. The material is not deposited into groundwater placed in the land at least 1 m above the highest groundwater level at the site; and 4. Any cured asphalt deposited is placed in the land at least 1 m above the highest groundwater level expected at the site. The material is not concrete slurry, coal tar or hydro-excavated waste; and 5. The material is not deposited onto or into land that is listed as an archaeological site; and 6. A management plan has been prepared in accordance with Section 8.1 and Appendix B of “A Guide to the Management of Cleanfills”, Ministry for the Environment, January 2002; and 7. A site rehabilitation plan has been prepared for the site and is submitted with the application for resource consent. <p>The CRC reserves control over the following matters:</p> <ol style="list-style-type: none"> 1. The potential for adverse effects on the quality of water in aquifers, rivers, lakes, wetlands and mitigation measures; and 2. The content and adequacy of the management plan prepared in accordance with Section 8.1 and Appendix B of “A Guide to the Management of Cleanfills”, Ministry for the Environment, January 2002; and 3. The content and adequacy of the site rehabilitation plan to address any adverse effects after the deposition of material is completed. | <p>Does not comply</p> |
| <p>LWRP</p> <p>5.178 The use of land for the deposition of more than 50 m³ of material in any consecutive 12 month period onto land which is excavated to a depth in excess of 5 m below the natural land surface and is located over an unconfined or semi-confined aquifer, where the seasonal high water table highest groundwater level is less than 5 m below the deepest point in the excavation, and the associated discharge of contaminants onto or into land where it may enter water, that does not comply with the conditions of Rule 5.177 is a restricted discretionary activity.</p> <p>The CRC will restrict its discretion to the following matters:</p> <ol style="list-style-type: none"> 1. The potential for adverse effects on the quality of water in aquifers, rivers, lakes, wetlands and mitigation measures; and 2. The proportion of any material other than cleanfill and its potential to cause contamination; and 3. The content and adequacy of the management plan prepared in accordance with Section 8.1 and Appendix B of “A Guide to the Management of Cleanfills”, Ministry for the Environment, January 2002.; and 4. Methods for reinstatement of the site following completion of the activity 5. The content and adequacy of the site rehabilitation plan if submitted with the application for resource consent; and 6. Any adverse effects on Ngāi Tahu values or on sites of significance to Ngāi Tahu, including wāhi tapu and wāhi taonga. | <p>Restricted discretionary</p> |
| <p>5.89 The discharge of municipal solid waste or hazardous waste into or onto land, or into or onto land in circumstances where a contaminant may</p> | <p>Discretionary</p> |

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| enter water and is not categorised as a prohibited activity is a discretionary activity. | |
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| Water permit (s14) | |
| <p>LWRP</p> <p>5.6 Any activity that—</p> <ul style="list-style-type: none"> (a) would contravene sections 13(1), 14(2), s14(3) or s15(1) of the RMA; and (b) is not a recovery activity; and (c) is not classified by this Plan as any other of the classes of activity listed in section 87A of the RMA <p>— is a discretionary activity.</p> <p>Section 14 RMA Restrictions relating to water</p> <p>(2) No person may take, use, dam, or divert any of the following, unless the taking, using, damming, or diverting is allowed by subsection (3):</p> <ul style="list-style-type: none"> (a) water other than open coastal water; or (b) heat or energy from water other than open coastal water; or (c) heat or energy from the material surrounding geothermal water. | <p>Contravenes RMA s14(2)</p> <p>Discretionary activity</p> |
| <p>WRRP</p> <p>Rule 5.1 Discretionary Activity for which the Canterbury Regional Council has restricted its discretion.</p> <p>Within the area of the Waimakariri River Catchment “below Woodstock” defined in Figure 4 and Map 1, the taking of water from:</p> <ul style="list-style-type: none"> (i) any surface waters of the Waimakariri River or its tributaries; or (ii) hydraulically connected groundwater¹⁹; <p>is a discretionary activity for which the Canterbury Regional Council has restricted its discretion.</p> <p>This rule does not apply to:</p> <ul style="list-style-type: none"> (a) the taking of water specified as a permitted activity in the Canterbury Natural Resources Regional Plan; or (b) abstractions from hydraulically connected groundwater where it can be established, using the "Jenkins" method or other scientifically accepted hydrological calculations that the surface water depletion resulting from a 30 day pumping period will not exceed 5 litres per second. <p>¹⁹ Hydraulically connected groundwater is groundwater that is laterally connected to a river, with a stream depletion factor less than 100 days calculated using the method published by Jenkins, C T (1977) Computation of rate and volume of stream depletion by wells, in Techniques of Water Resources Investigation of the United States Geological Survey, Chapter D1, Book 4, 3rd Printing. (Note that the taking of groundwater which is not defined as hydraulically connected, and therefore is not affected by the rule, may still need to be authorised by another regional plan or by a resource consent.)</p> | <p>Site not below Woodstock</p> |

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| <p>Rule 5.3 Non-complying Activities</p> <p>(1) Within the area of the Waimakariri River Catchment “above Woodstock” defined in Figure 4 and Map 1:</p> <ul style="list-style-type: none"> (a) the taking of water from the Waimakariri River or its tributaries, including lakes, or from hydraulically connected groundwater; (b) the “use” of any water in tributaries, including lakes and wetlands, of the Waimakariri River; (c) the diversion of water from, or the discharge of water into, the Waimakariri River or its tributaries, including lakes and wetlands; <p>is a non-complying activity.</p> <p>(2) Within the area of the Waimakariri River Catchment “below Woodstock” defined in Figure 4 and Map 1, the taking or diverting of surface water or hydraulically connected groundwater that does not meet the standards and terms for Rule 5.1, and is not listed as a discretionary activity or a prohibited activity, is a non-complying activity.</p> <p>This rule does not apply to taking, uses, diversions or discharges which are specified as permitted activities in the Canterbury Natural Resources Regional Plan;</p> | <p>Site is ‘above Woodstock’.</p> <p>Water may be discharged from the stormwater management pond to the tributary to the west (Woodstock Stream). May not comply.</p> <p>Non-complying</p> |
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| Discharge permit (s15) | |
| Drainage water | |
| <p>5.75 The discharge of drainage water from a drainage system into an artificial watercourse, constructed wetland or into or onto land is a permitted activity, provided the following conditions are met:</p> <ul style="list-style-type: none"> 1. The discharge into an artificial watercourse or constructed wetland, beyond the Mixing Zone as defined in Schedule 5, does not: <ul style="list-style-type: none"> (a) produce conspicuous oil or grease films, scums or foams, or floatable or suspended materials; and (b) produce any conspicuous change in the colour or visual clarity; and 2. The discharge does not: <ul style="list-style-type: none"> (a) occur within a Community Drinking-water Protection Zone as set out in Schedule 1; and (b) contain any hazardous substance; and (c) originate from or enter contaminated or potentially contaminated land. | <p>No discharge to an artificial watercourse, or within a community drinking water protection zone. While stormwater discharges will be separate from leachate, the discharge will originate from the area covered by the landfill and therefore will be contaminated land.</p> <p>Does not comply</p> |

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| <p>5.76 The discharge of drainage water from a drainage system into an artificial watercourse, constructed wetland or into or onto land that does not meet one or more of the conditions of Rule 5.75 is a discretionary activity.</p> | <p>Discretionary</p> |
| <p>Stormwater</p> | |
| <p>LWRP</p> <p>5.95 The discharge of stormwater, other than into or from a reticulated stormwater system, into a river, lake, wetland or artificial watercourse or onto or into land in circumstances where a contaminant may enter a river, lake, wetland, or artificial watercourse is a permitted activity, provided the following conditions are met:</p> <ol style="list-style-type: none"> 1. The discharge is not from, into or onto contaminated or potentially contaminated land; and 2. The discharge is not into: <ol style="list-style-type: none"> (a) a water race, as defined in Section 5 of the Local Government Act 2002; and (b) a wetland, unless the wetland is part of a lawfully established stormwater or wastewater treatment system; and (c) a waterbody that is Natural State, unless the discharge was lawfully established before 1 November 2013; and 3. The discharge does not result in an increase in the flow in the receiving waterbody at the point of discharge of more than 1% of a flood event with an Annual Exceedance Probability of 20% (one in five year event); and 4. The discharge meets the water quality standards in Schedule 5 after reasonable mixing with the receiving waters, in accordance with Schedule 5; and 5. The concentration of total suspended solids in the discharge shall not exceed: <ol style="list-style-type: none"> (a) 50 g/m3, where the discharge is to any spring-fed river, Banks Peninsula river, or to a lake except when the background total suspended solids in the waterbody is greater than 50 g/m3 in which case the Schedule 5 visual clarity standards shall apply; or (b) 100 g/m3 where the discharge is to any other river or to an artificial watercourse except when the background total suspended solids in the waterbody is greater than 100 g/m3 in which case the Schedule 5 visual clarity standards shall apply; and 6. The discharge to water is not within a Community Drinking-water Protection Zone as set out in Schedule 1; and 7. The discharge does not occur where there is an available reticulated stormwater system. | <p>Land will be contaminated when landfill operating</p> <p>Does not comply</p> |
| <p>5.96 The discharge of stormwater, other than into or from a reticulated stormwater system, onto or into land where contaminants may enter groundwater is a permitted activity, provided the following conditions are met:</p> <ol style="list-style-type: none"> 1. The discharge is not from, into or onto contaminated or potentially contaminated land; and 2. The discharge: <ol style="list-style-type: none"> (a) does not cause stormwater from up to and including a 24 hour duration 10% Annual Exceedance Probability rainfall event to enter any other property; and (b) does not result in the ponding of stormwater on the ground for more than 48 hours, unless the pond is part of the stormwater treatment system; and | <p>Land will be contaminated when landfill operating</p> <p>Does not comply</p> |

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| <p>(c) is located at least 1 m above the seasonal high water table that can be reasonably inferred for the site at the time the discharge system is constructed; and</p> <p>(d) is only from land used for residential, educational or rural activities; and</p> <p>(e) does not occur where there is an available reticulated stormwater system, except where incidental to a discharge to that system; and</p> <p>(f) is not from a system that collects and discharges stormwater from more than five sites.</p> | |
| <p>5.97 The discharge of stormwater, other than from a reticulated stormwater system, into a river, lake, wetland or artificial watercourse or onto or into land in circumstances where a contaminant may enter water that does not meet one or more of the conditions of Rule 5.95 or Rule 5.96; and the discharge of stormwater or construction-phase stormwater into a reticulated stormwater system that does not meet the condition of Rule 5.93A; is a discretionary activity except that within the boundaries of Christchurch City it is a noncomplying activity.</p> | <p>Discretionary</p> |
| <p>WRRP</p> <p>Rule 6.1 Discretionary Activity</p> <p>The discharge of contaminants into surface water bodies in the Waimakariri River Catchment, excluding the Styx River Catchment, or onto or into land within 20 metres of surface water bodies, or onto or into land in circumstances which may result in that contaminant (or any other contaminant emanating as a result of natural processes from that contaminant) entering surface water bodies, is a discretionary activity.</p> <p>This rule does not apply to discharges which are specified as permitted activities in the Canterbury Natural Resources Regional Plan.</p> <p>Standards and Terms</p> <p>The activity shall comply with the following standards and terms.</p> <p>The water quality standards set out below shall be observed. The standards listed for each class apply after reasonable mixing of any contaminant with the receiving water and disregard the effect of any natural perturbations that may affect the water body.</p> <p>The water quality standards shall be the sum total of all substances in the water body, whether they are contaminants from discharges or are existing in the background state.</p> | <p>Discharge from stormwater management pond may enter tributary to the west (Woodstock Stream).</p> <p>Discretionary activity</p> |
| <p>WRRP</p> <p>Rule 6.2 Non-Complying Activity</p> <p>The discharge of contaminants into surface water bodies in the Waimakariri River Catchment, excluding the Styx River catchment, or onto or into land within 20 metres of surface water bodies, or onto or into land in circumstances which may result in that contaminant (or any other contaminant emanating as a result of natural processes from that contaminant) entering surface water bodies, that does not comply with the water quality standards and terms set by Rule 6.1, is a Non-Complying activity.</p> | <p>Discharge from stormwater management pond may enter tributary to the west (Woodstock Stream) and may not comply with water quality standards set by Rule 6.1.</p> |

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| | Non-complying |
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| <p>LWRP</p> <p>5.98 Any discharge of water or contaminants onto or into land in circumstances where a contaminant may enter groundwater that is not classified by any of the above rules, is a permitted activity, provided the following conditions are met:</p> <ol style="list-style-type: none"> 1. The volume of the discharge does not exceed 10 m³ per day and the application rate does not exceed 10 mm per day; and 2. The discharge is not directly into groundwater; and 3. The discharge does not result in any overflow or runoff into any surface water body or onto neighbouring site; and 4. The discharge does not, in groundwater, render fresh water unsuitable or unpalatable for consumption by animals or humans; and 5. The discharge does not contain any hazardous substance, hazardous waste or added radioactive isotope; and 6. The discharge does not occur when the soil moisture exceeds field capacity; and 7. The discharge is not from or into contaminated or potentially contaminated land; and 8. The discharge is not within <ol style="list-style-type: none"> (a) 50 m of a bore used for water abstraction; or (b) within a Community Drinking-water Protection Zone as set out in Schedule 1; and 9. Where the discharge is from the use of live ammunition associated with military training under the Defence Act 1990, conditions 1 to 8 do not apply. | NA – Rule 5.97 applies |
| <p>5.99 Any discharge of water or contaminants into surface water or onto or into land in circumstances where it may enter surface water that is not classified by any of the above rules, is a permitted activity, provided the following conditions are met:</p> <ol style="list-style-type: none"> 1. The discharge is not from or into contaminated or potentially contaminated land; and 2. The discharge is not into a Natural State water body; and 3. The discharge meets the water quality standards in Schedule 5 after reasonable mixing with the receiving waters, in accordance with Schedule 5; and 4. The concentration of total suspended solids in the discharge shall not exceed: <ol style="list-style-type: none"> (a) 50 g/m³, where the discharge is to any Spring-fed river, Banks Peninsula river, or to a lake; or (b) 100 g/m³ where the discharge is to any other river or to an artificial watercourse; and 5. The discharge does not result in more than a 20% change in the rate of flow of the receiving surface water body; and 6. The discharge does not contain any hazardous substance, hazardous waste or added radioactive isotope. | NA -Rule 5.97 applies |
| <p>5.100 Any discharge that is not permitted by either Rule 5.98 or 5.99 and is not classified by any other rule in this Plan is a discretionary activity.</p> | NA |
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| <p>5.6 Any activity that—</p> <p>(a) would contravene sections 13(1), 14(2), s14(3) or s15(1) of the RMA; and</p> <p>(b) is not a recovery activity; and</p> <p>(c) is not classified by this Plan as any other of the classes of activity listed in section 87A</p> <p>of the RMA</p> <p>— is a discretionary activity.</p> <p>RMA 15 Discharge of contaminants into environment (1) No person may discharge any— (a) contaminant or water into water; or (b) contaminant onto or into land in circumstances which may result in that contaminant (or any other contaminant emanating as a result of natural processes from that contaminant) entering water; or (c) contaminant from any industrial or trade premises into air; or (d) contaminant from any industrial or trade premises onto or into land— unless the discharge is expressly allowed by a national environmental standard or other regulations, a rule in a regional plan as well as a rule in a proposed regional plan for the same region (if there is one), or a resource consent.</p> | <p>Leachate will contain contaminants.</p> <p>Discretionary activity</p> |
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| <p>Canterbury Air Regional Plan</p> | |
| <p>Discharge permit to air (s15)</p> | |
| <p>Activities not otherwise provided for</p> <p>7.63 The discharge of contaminants into air:</p> <ol style="list-style-type: none"> 1. that does not comply with one or more of the conditions of Rules 7.47 to 7.62, excluding condition 1 of Rules 7.47, 7.48, 7.49, 7.50 7.51, 7.55, 7.59 and 7.62; or 2. that is from an industrial or trade premise and is not managed by Rules 7.47 -7.62; and is not a prohibited activity, is a discretionary activity. | <p>Industrial activity not managed by 7.47 – 7.62</p> <p>Discretionary activity</p> |

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| <p>Other activities</p> <p>54 Non-complying activities</p> <p>The following activities are non-complying activities if they do not have another status under this subpart:</p> <ul style="list-style-type: none"> (a) vegetation clearance within, or within a 10 m setback from, a natural wetland; (b) earthworks within, or within a 10 m setback from, a natural wetland; (c) the taking, use, damming, diversion, or discharge of water within, or within a 100 m setback from, a natural wetland. | Permitted |
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| Relevant Definitions | | |
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| Cleanfill | Cleanfill means material that, when buried, will have no adverse effects on people or the environment. Cleanfill material includes virgin natural materials such as clay, soil and rock, and other inert materials such as concrete or brick that are free of: <ul style="list-style-type: none"> 1. combustible, putrescible, degradable or leachable components; 2. Hazardous substances; 3. products or materials derived from hazardous waste treatment, hazardous waste stabilisation, or hazardous waste disposal practices; 4. materials that may present a risk to human or animal health, such as medical and veterinary waste, asbestos, or radioactive substances; or 5. liquid waste | Does not apply |
| Contaminant | Contaminant Includes any substance (including gases, odorous compounds, liquids, solids, and microorganisms) or energy (excluding noise) or heat, that either by itself or in combination with the same, similar, or other substances, energy, or heat– (a) when discharged into water, changes or is likely to change the physical, chemical, or biological condition of water; or (b) when discharged onto or into land or into air, changes or is likely to change the physical, chemical, or biological condition of the land or air onto or into which it is discharged | Applies |
| Schedule 4 Hazardous Substances | <p>Part A – Hazardous Substances</p> <p>Hazardous substance means, unless expressly provided otherwise by regulations, any substance defined in the Hazardous Substances (Minimum Degrees of Hazard) Regulations 2001 —</p> | Some waste to be disposed of will be hazardous as defined. |

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| | <p>(a) with one or more of the following intrinsic properties:</p> <ul style="list-style-type: none"> (i) explosiveness: (ii) flammability: (iii) a capacity to oxidise: (iv) corrosiveness: (v) toxicity (including chronic toxicity): (vi) ecotoxicity, with or without bioaccumulation; or <p>(b) which on contact with air or water (other than air or water where the temperature or pressure has been artificially increased or decreased) generates a substance with any one or more of the properties specified in paragraph (a) of this definition; and</p> <p>(c) is environmentally persistent or will bio-accumulate to a level that has acute or chronic toxic effects on humans or other non-target species.</p> | |
| Municipal solid waste | Municipal solid waste means any non-hazardous, solid waste from a combination of domestic, commercial and industrial sources. It includes putrescible waste, garden waste, uncontaminated biosolids and clinical and related waste (including contaminated waste sterilised to a standard acceptable to the Department of Health). | Does not apply |
| Solid waste | Solid waste means primarily solid contaminants for which disposal by discharge into the environment is intended, or which disposal by discharge into the environment would be necessary if other processes such as re-use, recycling or recovering cannot be applied. | Applies |