

Memo

Date	2/03/2016
To	CH2M Beca and Christchurch City Council
CC	
From	Adele Dawson and Maire Dysart

Comments on consentability section of draft report “Akaroa Wastewater-Concept Design Report for Alternatives to Harbour Outfall”

Environment Canterbury has been asked by CH2M Beca and Christchurch City Council to provide some comments on the Consenting Requirements and Risks section of the draft report titled “Akaroa Wastewater-Concept Design Report for Alternatives to Harbour Outfall”.

The comments below are based only on the information provided and are on a without prejudice basis and cannot be relied on as pre-application advice. The headings used in Section 7 have been used to structure the comments.

Resource Consents- District and Regional Plan Requirements

I agree with the regional plans listed as relevant to the different alternative options. I note that only part of Akaroa Harbour is an ASNV but the entire harbour is identified in Schedule 5.13 (areas to be maintained in present state). I agree and with the assessment of the water quality classes.

Plan Change 4 would also need to be considered as part of the LWRP assessment.

Regional Plans

I agree that the discharge of treated wastewater to ground would be a discretionary activity under Rule 5.84 of the LWRP. I note that this rule also includes a land use component so two consents (land use and discharge permit) would be necessary for the alternative options.

I disagree with the assessment of Rule 5.156. This rule applies to damming in the bed or a river. The conditions of Rule 5.154 must be met to be a permitted activity; otherwise the activity is discretionary under Rule 5.155. Under PC4 some changes are proposed which could mean that if the damming does not meet the permitted activity rule, it would be discretionary under Rule 5.6.

Under the NRRP-air quality chapter, Rules AQL63, AQL66 are relevant. It is unlikely either rule could be met for the alternative options (discharge onto land or storage) therefore a consent would likely be required under Rule AQL69.

Under the pCARP (assuming any discharge is not offensive or objectionable beyond the boundary of the property), I consider that the discharge into air would likely be restricted discretionary under Rule 7.28. Rules 7.53 and 7.56 are the relevant permitted activity rules.

For the construction of pipeline/outfall structure in the CMA, I would say the disturbance, excavation and deposition in the CMA is permitted as the disturbance would be associated with works subject to a resource consent triggering Rules 8.2-8.5. This would also apply to any discharges of sediment that occur where that sediment is already present in the CMA.

I agree the discharge of treated wastewater into the CMA would likely be a discretionary activity under Rule 7.2.

For the placement of a structure in the CMA, I consider that this would likely be a non-complying activity under Rule 8.4 as the structure would be located within an area listed in Schedule 5.13.

The occupation of the CMA would likely be a discretionary activity under Rule 8.23.

I am unsure if the consentability assessment is limited to the “developed” phase of the proposal or whether it does cover “construction” activities as well. There is no assessment of the consents that could be needed to construct the different alternative options. Based on the description of the options, I consider the following rules would need to be considered:

- NRRP-Air quality
 - AQL38
 - AQL57
- pCARP
 - 7.29
 - 7.30
- LWRP (the PC4 changes will also need to be checked)
 - Rule 5.73 (planting of trees in flow sensitive catchments-see section 10 for list of flow sensitive catchments in Banks Peninsula)
 - Rule 5.95, 5.96, 5.97 (stormwater)
 - Rule 5.119, 5.120 (dewatering)
 - Rules 5.135, 5.136, 5.139, 5.140, 5.141, 5.143, 5.144 (structures)
 - Rules 5.167, 5.168, 5.169 (vegetation clearance and earthworks in riparian margins)
 - Rules 5.170 and 5.171 (Works in high soil erosion risk areas-Takamatua Peninsula is identified as a high soil erosion risk area)
 - Rule 5.175, 5.176 and 5.177 (earthworks)

Preliminary Assessment of Actual and Potential Effects on the Environment

As cautioned in the report, the assessment can only be based on the available high level, concept information. Apart from assessing the effects of any activities that require consents

under the rules noted above, I consider the potential effects identified are relevant and that no potential effects have been left out.