

## Notice territorial authority's requirement for designation

[Section 168A](#), Resource Management Act 1991

Selwyn District Council gives notice of a requirement to add a new designation.

### 1. The site to which the requirement applies is as follows:

**Name:** *Malvern (W) Hartleys Rd Res*

**Address:** *Hartleys Road*

**Legal Description:** *Lot 2 DP 74116*

**Area:** *401.13 m<sup>2</sup>*

### 2. The nature of the proposed public work (or project or work) is:

(a) *Description of the type of the designation is to be included:*

**Water Reservoir**

(b) *Description of the Scope of work:*

a. *Purpose –*

- i. To protect and allow for future operation, maintenance and upgrades associated with the water reservoir;
- ii. To provide additional water services for communities in the Selwyn District; and
- iii. To provide for the integrated and long-term management of water in the Selwyn District.

b. *Scope of Work – i.e.*

- i. The scope of work is to provide land and associated infrastructure and facilities for the provision of water services across the Selwyn District.
- ii. The work provided for includes the operation, maintenance and upgrade of the water reservoir.

c. *Scale – i.e.*

- i. All work will be conducted within the area identified on the attached map.
- ii. No immediate increase in scale or intensity of activity on this site for water services is anticipated. However, the area may be developed to increase the capacity of the water reservoir in the future if it is required to meet demand.

### 3. The nature of the proposed conditions that would apply are:

- (a) The maximum height of any building or structure shall be 8m from existing ground level.
- (b) All buildings shall be setback not less than 1m from the boundary of any site used for residential activities.
- (c) Outdoor sound from the maximum operation of the site shall not exceed whichever is the least restrictive of:

- a. LAeq (15min) 35dB when measured at any point 20 metres from the site boundary in accordance with NZS 6801:2008 Acoustics Environmental Noise and assessed in accordance with NZS 6801:2008 Acoustics Environmental Noise; or
- b. The District Plan noise standard for the underlying zone.

The noise limits shall not apply to:

- Construction sound which shall be assessed in accordance and comply with NZS 6801:2008 Acoustics Environmental Noise.
- The use of an electricity generator for emergency use or testing.

**4. The effects that the public work (*or project or work*) will have on the environment, and the ways in which any adverse effects will be mitigated, are:**

- a. The proposed designation is located within a private lot and will be visible in the immediate surroundings. The site is located within a rural area which is not highly modified.
- b. The site and scale of the designation (and associated buildings and structures) is of a scale consistent with the site and surrounding area. Any buildings and structures do not dominate the environment or detract from any views.
- c. Utility structures and activities of this type are a necessary and appropriate activity within the District. The proposed site is currently developed and the site and its current development forms part of the existing environment. Conditions controlling future building height and location have been offered and form part of the designation. This ensures that the development that can occur on the site associated with the designation will result in a landscape and visual amenity that is consistent with and compatible with the site and the surrounding environment.
- d. Any future activities on the site will be subject to controls on construction noise to ensure that effects are appropriate to the environment and do not detract from surrounding residential activities in an inappropriate manner.
- e. Overall any adverse effects on the environment in terms of character, visual amenity and amenity values are appropriate for the site and the surrounding environment and are not considered to be more than minor.
- f. With respect to noise – it is considered that the noise generated by the facility will not result in adverse effects that are inappropriate for this location. The proposed designation includes conditions that address noise. There is the ability during a power outage for an electricity generator to be used on the site. This is necessary to ensure that the essential utility services provided are able to continue. This is essential to ensure the health, safety and wellbeing of the community served by this utility site. The use of any generator will be infrequent and the potential for the use of a generator for emergency purposes, or for testing, will not result in noise effects that are more than minor. It is considered that the noise conditions proposed are

appropriate and will provide for any adverse effects of noise to be no more than minor.

- g. The proposed site as a utility site does not involve significant vehicle movements. The site is currently developed meaning that the vehicles accessing the site are now at a level of monitoring and maintenance of the site. Should any repairs, or upgrading of the site need to occur then traffic movements would be limited in duration to the extent of the works and would be consistent with any other construction project that could occur in the area. Any effects of traffic are considered to be no more than minor.
- a. There are significant benefits in the activity existing and being able to continue. The facility is an integral part of the delivery of infrastructure and services to the community. This facility is an important part of the network infrastructure and is necessary to provide for the health, safety, and wellbeing of the community. The facility is essential to the efficient delivery of asset management functions and services and has a number of positive effects on the environment and the community.
- b. In conclusion the designation will facilitate the provision of essential community infrastructure in a manner that does not result in adverse effects on the environment that are inappropriate.

## 5. Statutory Considerations

*In all likelihood this section will be identified that no alternative, sites, routes and methods* The Canterbury Regional Policy Statement has provisions relating to critical, nationally significant and regionally significant infrastructure.

Critical infrastructure is defined as:

*Infrastructure necessary to provide services which, if interrupted, would have a serious effect on the communities within the Region or a wider population, and which would require immediate reinstatement. This includes any structures that support, protect or form part of critical infrastructure.*

*Critical infrastructure includes:*

1. *regionally significant airports*
2. *regionally significant ports*
3. *gas storage and distribution facilities*
4. *electricity substations, networks, and distribution installations, including the electricity distribution network*
5. *supply and treatment of water for public supply*
6. *stormwater and sewage disposal systems*
7. *telecommunications installations and networks*
8. *strategic road and rail networks (as defined in the Regional Land Transport Strategy)*
9. *petroleum storage and supply facilities*
10. *public healthcare institutions including hospitals and medical centres*
11. *fire stations, police stations, ambulance stations, emergency coordination facilities.*

*Regionally significant infrastructure is:*

1. *Strategic land transport network and arterial roads*
2. *Timaru Airport*
3. *Port of Timaru*
4. *Commercial maritime facilities at Kaikōura*
5. *Telecommunication facilities*
6. *National, regional and local renewable electricity generation activities of any scale*
7. *The electricity transmission network*
8. *Sewage collection, treatment and disposal networks*
9. *Community land drainage infrastructure*
10. *Community potable water systems*
11. *Established community-scale irrigation and stockwater infrastructure*
12. *Transport hubs*
13. *Bulk fuel supply infrastructure including terminals, wharf lines and pipelines.*
14. *Electricity distribution network*
15. *Infrastructure defined as 'strategic infrastructure' in this regional policy statement.*  
*Note: For the avoidance of doubt, this infrastructure is also referred to as 'infrastructure that is regionally significant'.*

The activity subject to the designation is both critical and regionally significant infrastructure.

The most relevant provisions are:

***Objective 5.2.1 Location, design and function of development (Entire Region)***

*Development is located and designed so that it functions in a way that:*

1. *achieves consolidated, well designed and sustainable growth in and around existing urban areas as the primary focus for accommodating the region's growth; and*
2. *enables people and communities, including future generations, to provide for their social, economic and cultural well-being and health and safety; and which:*
  - a. *maintains, and where appropriate, enhances the overall quality of the natural environment of the Canterbury region, including its coastal environment, outstanding natural features and landscapes, and natural values;*
  - b. *provides sufficient housing choice to meet the region's housing needs;*
  - c. *encourages sustainable economic development by enabling business activities in appropriate locations;*
  - d. *minimises energy use and/or improves energy efficiency;*
  - e. *enables rural activities that support the rural environment including primary production;*
  - f. *is compatible with, and will result in the continued safe, efficient and effective use of regionally significant infrastructure;*
  - g. *avoids adverse effects on significant natural and physical resources including regionally significant infrastructure, and where avoidance is impracticable, remedies or mitigates those effects on those resources and infrastructure;*
  - h. *facilitates the establishment of papakāinga and marae; and*
  - i. *avoids conflicts between incompatible activities.*

***Objective 5.2.2 Integration of land-use and regionally significant infrastructure (Wider Region)***

*In relation to the integration of land use and regionally significant infrastructure:*

1. *To recognise the benefits of enabling people and communities to provide for their social, economic and cultural well-being and health and safety and to provide for infrastructure that is regionally significant to the extent that it promotes sustainable management in accordance with the RMA.*
2. *To achieve patterns and sequencing of land-use with regionally significant infrastructure in the wider region so that:*
  - a. *development does not result in adverse effects on the operation, use and development of regionally significant*
  - b. *adverse effects resulting from the development or operation of regionally significant infrastructure are avoided, remedied or mitigated as fully as practicable.*
  - c. *there is increased sustainability, efficiency and liveability.*

***Policy 5.3.2 Development conditions (Wider Region)***

*To enable development including regionally significant infrastructure which:*

1. *ensure that adverse effects are avoided, remedied or mitigated, including where these would compromise or foreclose :*
  - a. *existing or consented regionally significant infrastructure;*
  - b. *options for accommodating the consolidated growth and development of existing urban areas;*
  - c. *the productivity of the region's soil resources, without regard to the need to make appropriate use of soil which is valued for existing or foreseeable future primary production, or through further fragmentation of rural land;*
  - d. *the protection of sources of water for community supplies;*
  - e. *significant natural and physical resources;*
2. *avoid or mitigate:*
  - a. *natural and other hazards, or land uses that would likely result in increases in the frequency and/or severity of hazards;*
  - b. *reverse sensitivity effects and conflicts between incompatible activities, including identified mineral extraction areas;*
3. *and integrate with:*
  - a. *the efficient and effective provision, maintenance or upgrade of infrastructure; and*
  - b. *transport networks, connections and modes so as to provide for the sustainable and efficient movement of people, goods and services, and a logical, permeable and safe transport system.*

***Policy 5.3.5 Servicing development for potable water, and sewage and stormwater disposal (Wider Region)***

*Within the wider region, ensure development is appropriately and efficiently served for the collection, treatment, disposal or re-use of sewage and stormwater, and the provision of potable water, by:*

1. *avoiding development which will not be served in a timely manner to avoid or mitigate adverse effects on the environment and human health; and*
2. *requiring these services to be designed, built, managed or upgraded to maximise their on-going effectiveness.*

**Policy 5.3.6 Sewerage, stormwater and potable water infrastructure (Wider Region)**

*Within the wider region:*

1. *Avoid development which constrains the on-going ability of the existing sewerage, stormwater and potable water supply infrastructure to be developed and used.*
2. *Enable sewerage, stormwater and potable water infrastructure to be developed and used, provided that, as a result of its location and design:*
  - a. *the adverse effects on significant natural and physical resources are avoided, or where this is not practicable, mitigated; and*
  - b. *other adverse effects on the environment are appropriately controlled.*
3. *Discourage sewerage, stormwater and potable water supply infrastructure which will promote development in locations which do not meet [Policy 5.3.1](#).*

**Policy 5.3.9 Regionally significant infrastructure (Wider Region)**

*In relation to regionally significant infrastructure (including transport hubs):*

1. *avoid development which constrains the ability of this infrastructure to be developed and used without time or other operational constraints that may arise from adverse effects relating to reverse sensitivity or safety;*
2. *provide for the continuation of existing infrastructure, including its maintenance and operation, without prejudice to any future decision that may be required for the ongoing operation or expansion of that infrastructure; and*
3. *provide for the expansion of existing infrastructure and development of new infrastructure, while:*
  - a. *recognising the logistical, technical or operational constraints of this infrastructure and any need to locate activities where a natural or physical resource base exists;*
  - b. *avoiding any adverse effects on significant natural and physical resources and cultural values and where this is not practicable, remedying or mitigating them, and appropriately controlling other adverse effects on the environment; and*
  - c. *when determining any proposal within a sensitive environment (including any environment the subject of section 6 of the RMA), requiring that alternative sites, routes, methods and design of all components and associated structures are considered so that the proposal satisfies sections 5(2)(a) – (c) as fully as is practicable.*

**Policy 6.3.5 Integration of land use and infrastructure**

*Recovery of Greater Christchurch is to be assisted by the integration of land use development with infrastructure by:*

1. *Identifying priority areas for development to enable reliable forward planning for infrastructure development and delivery;*
2. *Ensuring that the nature, timing and sequencing of new development are co-ordinated with the development, funding, implementation and operation of transport and other infrastructure in order to:*
  - a. *optimise the efficient and affordable provision of both the development and the infrastructure;*
  - b. *maintain or enhance the operational effectiveness, viability and safety of existing and planned infrastructure;*
  - c. *protect investment in existing and planned infrastructure; and*
  - d. *ensure new development does not occur until provision for appropriate infrastructure is in place;*
3. *Providing that the efficient and effective functioning of infrastructure, including transport corridors, is maintained, and the ability to maintain and upgrade that infrastructure is retained;*

4. *Only providing for new development that does not affect the efficient operation, use, development, appropriate upgrading and safety of existing strategic infrastructure, including by avoiding noise sensitive activities within the 50dBA Ldn airport noise contour for Christchurch International Airport, unless the activity is within an existing residentially zoned urban area, residential greenfield area identified for Kaiapoi, or residential greenfield priority area identified in [Map A](#) (page 6-28); and*
5. *Managing the effects of land use activities on infrastructure, including avoiding activities that have the potential to limit the efficient and effective, provision, operation, maintenance or upgrade of strategic infrastructure and freight hubs.*

## **Selwyn District Plan**

### *Objective B2.2.1*

*Access to utilities to enable people and communities to carry out their activities.*

### *Objective B2.2.2*

*Efficient use of utilities is promoted.*

### *Objective B2.2.3*

*The provision of utilities where any adverse effects on the receiving environment and on people's health, safety and wellbeing is managed having regard to the scale, appearance, location and operational requirements of the facilities.*

### *Policy B2.2.1*

*Require that the need to supply utilities and the feasibility of undertaking, is identified at the time a plan change request is made to rezone land for residential or business development.*

### *Policy B2.2.2*

*Ensure activities have access to the utilities they require at the boundary prior to any new allotment being sold; or prior to any new activity taking place on an existing allotment.*

### *Policy B2.2.3*

*Encourage the "market" to determine the efficient use of utilities.*

### *Policy B2.2.4*

*Ensure provision is made for the ongoing maintenance and repair of utilities which do not vest in the Council, and that the users of these utilities are informed of any responsibility they have for ongoing maintenance or repair.*

### *Policy B2.2.5*

*Avoid potential 'reverse sensitivity' effects of activities on the efficient development, use and maintenance of utilities.*

### *Policy B2.2.6*

*Ensure the effects of utilities are compatible with the amenity values and environmental characteristics of the zone in which they locate, also having regard to operational, functional and economic constraints.*

The proposed designation is necessary to provide critical and regionally significant infrastructure to the communities within the Selwyn District. The designation will ensure the long term protection of the infrastructure resources and will ensure that in the short and long term the activity can continue to function efficiently and effectively.



The location of the infrastructure on the site is necessary to service the community. The Selwyn District Council already holds interest in the land subject to the proposed designation and the site is developed and will continue to be managed in a manner that is appropriate for the site and the surrounding environment. The development of the site is necessary to enable the functioning of the infrastructure to meet the needs of the community. As addressed in the effects assessment the designation will not have inappropriate effects on the surrounding environment.

The objectives of the designation are entirely consistent with the objectives and policies of the Canterbury Regional Policy Statement and the Operative Selwyn District Plan.

**6. Alternative sites, routes and methods that have been considered to the following extent:**

The requiring authority has an existing interest in the land required for the designation. The works being designated are existing and have been operating for some time. The works provided for by the designation will not result in any significant adverse effects on the environment. It is therefore not necessary to consider alternatives.

**7. The public work (or project or work) and designation (or alteration) are reasonably necessary for achieving the objectives of the requiring authority because:**

The purpose of the designation is to be able to provide drinking water to the community. The proposed works consist of water reservoirs. This work is necessary to be able to provide for the health and wellbeing of the community.

The Selwyn District Council Long-Term Plan 2018-2028 sets out the key community outcomes and significant activity. The Infrastructure Strategy 2018-2048 sets out in detail the key infrastructure issues the Council anticipates over the next 30 years and the proposed priorities for its infrastructure programme.

The 5 waters services includes community water supplies, land drainage, stormwater urban, water races (rural and urban) and community wastewater schemes. The Long-Term Plan identifies that:

The availability of clean safe to drink water and the safe disposal of wastewater are fundamental to the health and welfare of the Selwyn community. The 5 Waters service provides clean safe and reliable drinking water for households and removal of wastewater and rain water in a way that protects the health of the population and natural environment. The 5 Waters service also provides river water for livestock and drains certain land so that it is usable. These services are provided through 78 separately rated water based schemes within the District. The 5 Waters assets are valued at \$602 million with water supplies valued at \$149 million, wastewater schemes \$242 million, stormwater \$57 million, land drainage \$43 million and water races \$111 million.

Selwyn District Council's goal for the 5 Waters activities is: *'To provide water services that meet all relevant standards and are at a service level the public can afford and have*



*confidence in, now and into the future*'. The 5 waters activity contributes to the following community outcomes: ·

- A clean environment; ·
- A district with a rural identity; ·
- A healthy community; ·
- A safe place in which to live, work and play; ·
- An educated community; ·
- A prosperous community; and ·
- A community which values its culture and heritage

The Long-Term Plan addresses the important role the activity provided for by this designation has in meeting the social, economic and environmental outcomes for the Selwyn District Community.

The Infrastructure Strategy 2018-2048 addresses the services needed to build a vibrant and sustainable communities in the District. The role of infrastructure planning and provision in achieving this is identified. The strategy identifies the key assets and the approach to future maintenance, upgrade and improvement of the significant infrastructure needed to provide for the District Communities. The infrastructure strategy provides a sound and comprehensive basis for future infrastructure planning within the District. The designation sought for this site is an important part of managing these important district assets.

With respect to the designation approach it is determined that it is more appropriate to pursue a designation as:

- designations allow more flexibility for local authorities to develop long term projects (consistent with the long term plan) with the capability of modifying the activities and facilities to suit changing community needs.
- a designation allows the land needed for the works to be identified in the District Plan, clearly indicating the intended use of the land.
- The Selwyn District Council already retains the necessary interests in this land to undertake the activity relevant to the propose of the designation
- The designation will provide ongoing protection for the designated purpose and restrain other land uses or developments that could hinder the works.

The designation is reasonably necessary to achieve the objectives of the requiring authority.

**8. The following resource consents are needed for the proposed activity and have (or have not) been applied for**

n/a

**9. The following consultation (or No consultation) has been undertaken with parties that are likely to be affected:**

No specific consultation has been undertaken in relation to this proposed designation. The use of the site for the designated purpose by the Selwyn District Council is existing. On this

basis no consultation has been identified as necessary in addition to the notification that will occur as part of the District Plan.

- 10. The Selwyn District Council attaches the following information required to be included in this notice by the district plan, regional plan, or any regulations made under the Resource Management Act 1991.**

Attachment 1: Map

A handwritten signature in black ink, appearing to read 'N. J. G. and -', is written over a faint, illegible background.

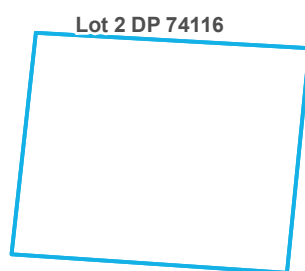
**Signature of person giving notice**  
(or person authorised to sign  
on behalf of person giving notice)

**Date** 14/04/2020

# Resource Management Act 1991

## Selwyn District Council

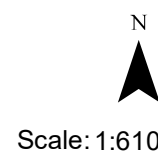
Requirement of Selwyn District Council Under Clause 4 of the First Schedule



**Malvern (W) Hartleys Rd Res**

 Water Designations

Area: 401.13 m2



Designation Plan Prepared By:



Date: 16/03/2020