

This section has rules that have legal effect. Please check the ePlan to see what the legal effect is or subject to appeal.

## DRINKING WATER PROTECTION

### Introduction

The District contains a number of community drinking water supplies and private drinking water supplies that provide its residents with drinking water and water for other domestic use. These supplies may be at risk of contamination from some land use and subdivision activities and as such, require protection to maintain the health and safety of the residents of the District.

When considering an application for a resource consent, section 104G of the RMA requires that a consent authority must have regard to:

- the actual or potential effect of the proposed activity on the source of a drinking water supply that is registered under section 55 of the Water Services Act 2021; and
- any risks that the proposed activity may pose to the source of a drinking water supply that are identified in a source water risk management plan prepared in accordance with the requirements of the Water Services Act 2021.

While the Canterbury Regional Council is responsible for the control of discharges of contaminants into or onto land or water, ~~Timaru District~~ Council manages land use and subdivision activities that may impact upon drinking water supplies. The Council have identified drinking water protection areas around community drinking water supplies. This protection overlay is referred to as the Drinking Water Protection Area Overlay. Protection is also given to private drinking water supplies, but these do not have mapped protection areas.

### Objectives

#### DWP-O1 Protect drinking water supplies

Drinking water supplies are protected from land use and subdivision activities that may limit their ability to provide safe drinking water.

### Policies

#### DWP-P1 Drinking Water Protection Area Overlay

Identify the location and extent of:

1. known drinking water supplies, as the ~~eDrinking wWater pProtection aArea eOverlay~~ on the District Plan Maps; and
2. unknown drinking water supplies, in accordance with the methodology set out within APP6 - Drinking Water Protection and subsequently include as part of the ~~eDrinking wWater pProtection aArea eOverlay~~ via a change to the District Plan.

#### DWP-P2 Protect drinking water supplies

Protect drinking water supplies ~~from~~ by avoiding land use and subdivision activities that ~~have the potential to~~<sup>1</sup> negatively affect their water quality.

### Rules

<sup>1</sup> TDC [42.42]

**Note:** Activities not listed in the rules of this chapter are classified as **a<sup>2</sup>** permitted under this chapter. For certain activities, consent may be required by rules in more than one chapter in the District Plan. Unless expressly stated otherwise by a rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, HPW — How the Plan Works - General Approach.

DWP-R1	Camping grounds	
<p><u>Drinking Water Protection Area - for a Community Drinking Water Supply</u></p> <p><u>Drinking Water Protection Area - within 50m from a private drinking water supply</u></p>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> The camping ground is connected to a community wastewater treatment system.</p>	<p><b>Activity status when <del>no</del> compliance not achieved with PER-1: Restricted Discretionary</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. any impact on the safety of drinking water supplies for human consumption, and measures to avoid or mitigate these effects; and</li> <li>2. the proximity of the land use activity to the drinking water supply, and measures taken to protect the supply point from the effects of the activity; and</li> <li>3. <del>R</del>isks that the proposed activity may pose to the source of a drinking water supply that are identified in a source water risk management plan prepared in accordance with the requirements of the Water Services Act 2021.</li> </ol>
DWP-RX2	Earthworks <sup>3</sup>	
<p><u>Drinking Water Protection Area - for a Community Drinking Water Supply</u></p> <p><u>Drinking Water Protection Area - within 50m from a private drinking</u></p>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> All bores within the <u>Drinking Water Protection Area</u> overlays are more than 50m deep; or</p> <p><b>PER-2</b></p> <ol style="list-style-type: none"> <li>1. <u>The earthworks are less than 250m<sup>2</sup>; and</u></li> <li>2. <u>There are more than 1m of separation between the base of the earthworks and the highest seasonal groundwater level.</u></li> </ol>	<p><b>Activity status when <del>no</del> compliance not achieved: Non-complying</b></p>

<sup>2</sup> Schedule 1 cl16(2)

<sup>3</sup> TDC [42.42 and 42.42]

<u>water supply</u>		
<b>DWP-R2 SUB-RZ<sup>4</sup></b>	<b><u>Subdivision not connected to a community sewage wastewater treatment<sup>5</sup> system, except that this shall not apply to boundary adjustments where no additional lots are created<sup>6</sup></u></b>	
<b><u>Drinking Water Protection Area – for a Community Drinking Water Supply</u></b>  <b><u>Drinking Water Protection Area – within 50m from a private drinking water supply</u></b>	<p><b><u>Activity status: Restricted Discretionary</u></b></p> <p><b><u>Where:</u></b></p> <p><b><u>RDIS-4</u></b> The subdivision is connected to a community wastewater treatment system.<sup>7</sup></p> <p><b><u>Matters of discretion control are restricted to:</u></b></p> <ol style="list-style-type: none"> <li>1. any impact on the safety of drinking water supplies for human consumption, and measures to avoid or mitigate these effects; and</li> <li>2. the proximity of the land use activity to the drinking water supply, and measures taken to protect the supply point from the effects of the activity; and</li> <li>3. Risks that the proposed activity may pose to the source of a drinking water supply that are identified in a source water risk management plan prepared in accordance with the requirements of the Water Services Act 2021.</li> </ol>	<b><u>Activity status when re compliance not achieved: Not Applicable</u></b>
<b><u>DWP-RX3</u></b>	<b><u>Buildings that which utilize on-site require septic/sewage facilities and disposal<sup>8</sup></u></b>	
<b><u>Drinking Water Protection Area - for a Community Drinking Water Supply</u></b>  <b><u>Drinking Water Protection</u></b>	<p><b><u>Activity status: Restricted Discretionary</u></b></p> <p><b><u>Matters of Discretion are restricted to:</u></b></p> <ol style="list-style-type: none"> <li>1. <u>the actual and potential environmental effects of the discharge on the quality and safety of human drinking water.</u></li> </ol>	<b><u>Activity status when re compliance not achieved: Not applicable</u></b>

<sup>4</sup> Speirs, B [66.54]<sup>5</sup> TDC [41.42]<sup>6</sup> Rooney, et al [174.61, 191.61, 249.61, 250.61, 251.61, 252.61]<sup>7</sup> Milward Finlay Lobb [60.29], Bruce Speirs [66.29], TDC [41.2]<sup>8</sup> TDC [42.41], [42.42] and subsequent minor amendments for clarity

<u>Area - within 50m from a private drinking water supply</u>		
<b>DWP-R34</b>	<b>Mining or quarrying, including prospecting and exploration, <u>outside of the beds of lakes and rivers</u><sup>9</sup></b>	
<u>Drinking Water Protection Area - for a Community Drinking Water Supply</u>	<b>Activity status: Non-complying</b>  <i><u>Note: Consent for mining and quarrying may be required from the Canterbury Regional Council works in the beds of lakes and rivers are also within the jurisdiction of the Regional Council and may require resource consent from that Council.</u></i> <sup>10</sup>	<b>Activity status when <del>no</del> compliance not achieved: Not Applicable</b>
<u>Drinking Water Protection Area - within 100m from a private drinking water supply</u>		
<b>DWP-R45</b>	<b>Pipelines used for the transfer of any hazardous substances</b>	
<u>Drinking Water Protection Area - for a Community Drinking Water Supply</u>	<b>Activity status: Non-Complying</b>	<b>Activity status when <del>no</del> compliance not achieved: Not Applicable</b>
<u>Drinking Water Protection Area - within 50m from a private</u>		

<sup>9</sup> ECan [183.142]<sup>10</sup> ECan [183.142]

drinking water supply		
<b>DWP-R56</b>	<b>Industrial activities including rural industry, which are located outside of an industrial zone, or industrial precinct, or special purpose zone for rural industry<sup>11</sup></b>	
<b><u>Drinking Water Protection Area - for a Community Drinking Water Supply</u></b>	<b>Activity status: Non-complying</b>	<b>Activity status when <del>re</del> compliance not achieved: Not Applicable</b>
<b><u>Drinking Water Protection Area - within 50m from a private drinking water supply</u></b>		
<b>DWP-R67</b>	<b><u>Composting facilities; Official<sup>12</sup> pits; Silage storage; Vegetation clearance; and Intensive primary production<sup>13</sup></u></b>	
<b><u>Drinking Water Protection Area - for a Community Drinking Water Supply</u></b>	<b><u>Activity status: Non-complying</u></b>	<b><u>Activity status when <del>re</del> compliance not achieved: Not applicable</u></b>
<b><u>Drinking Water Protection Area - within 50m from a</u></b>		

<sup>11</sup> Fonterra [165.96] and Silver Fern Farms [172.99]

<sup>12</sup> **Schedule 1 cl16(2)**

<sup>13</sup> TDC [42.41 and 42.42]

---

<p><u>private</u> <u>drinking</u> <u>water</u> <u>supply</u></p>	
--	--