

6 October 2020



Elrick & Co  
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Dear Simon

### **Request for Further Information**

**Application Number/s:** CRC193563, CRC193564, CRC193773

**Applicant Name:** SOL QUARRIES LIMITED

**Activity Description:** to excavate and deposit material; to discharge dust to air; and to discharge contaminants onto and into land where they may enter groundwater (cleanfilling)

As you are aware, Rubie McLintock has been processing the above resource consent application.

The information listed in Attachment 1 to this letter is hereby requested under Section 92 of the Resource Management Act 1991 (the RMA). As this information is required in order to fully understand the potential effects of the proposal, we are unable to further process the application until it has been supplied.

The options available to you under Section 92A(1) of the RMA are summarised below. A response is required by 28 October 2020. You must choose one of these options.

**A. Supply the requested information by 28 October 2020**

If the information can be easily collated and supplied by this date, please provide it in writing (via email is fine) to Rubie.

**B. Agree in a written notice by 28 October 2020 to supply the information requested**

Sometimes technical information will take some time to collate or key contacts may not be immediately available. If you need more time to supply the information requested, please advise me in writing when you can provide the information. You can do this via email or letter.

**C. Refuse in a written notice to supply the requested information by the 28 October 2020**

Please contact Rubie via email (Rubie.McLintock@ecan.govt.nz) or phone (03 367 7276) if you have any questions.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'N. Reuther', with a stylized flourish at the end.

**Nick Reuther**

*Senior Consents Planner*

cc:  
Sol Quarries Ltd  
Attn.: Simon Apperley  
PO Box 36434,  
Merivale  
Christchurch, 8140

## ATTACHMENT 1

### Information Requested under Section 92 of the Resource Management Act 1991

Application Numbers: CRC193563, CRC193564, CRC193773

Date: 6/10/2020

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#### 1. Operation of the Crushing and Screening Plant

The proposal includes the operation of a crushing and screening plant on site. The application does not state how the crushing and screening plant will be powered. Please provide:

- a. A description of how the crushing and screening plant is powered.
- b. If powered by a generator, please provide, an assessment against the relevant rules of the Canterbury Air Regional Plan (CARP). If it is determined that a resource consent is required, please provide:
  - i. An assessment of the actual and potential adverse effects of this discharge on air quality; and
  - ii. An assessment of the proposed discharge against any relevant objectives and policies of the relevant statutory documents.

#### 2. Cleanfilling Rule Assessment

The discharge of contaminants into air from cleanfilling has been assessed under Rule 7.49 of the CARP as a permitted activity. However, insufficient information has been provided to demonstrate how compliance with the all conditions is achieved. Please provide:

- a. An amended rule assessment demonstrating how the activity is to comply with the conditions of Rule 7.49 of the CARP.

#### 3. Assessment of activity against the National Environmental Standards Freshwater (NES-F) 2020

The NES-F (2020) also came into effect on 3 September 2020 and is a matter that the decision maker must also have regard to. The NES-F 2020 sets requirements for carrying out certain activities that pose risks to freshwater and freshwater ecosystems. Anyone carrying out these activities will need to comply with the standards. Please provide:

- a. A discussion as to whether the NES-F is relevant to this application, with particular regard to the regulations relating to fish-passage and the re-alignment of the water race; and
- b. If determined to be relevant in accordance with (2)(a), please provide an assessment against any relevant standards set out in the NES-F 2020 and if the application meets the permitted activity standard, please provide an explanation of how.

Where it has been identified that an activity requires consent under the NES-F 2020, the additional consent(s) may be requested under s91 of the RMA.

#### 4. Canterbury Regional Policy Statement

An assessment of some of the relevant objectives and policies of the Canterbury Regional Policy Statement has been provided. This has focused on Chapter 5 (Land-use and Infrastructure) and Chapter 14 (Air Quality).

- a. Please provide an assessment of Chapter 7 (Fresh Water) or Chapter 17 (Contaminated Land).

**5. Assessment against the provisions of the National Policy Statement for Freshwater Management 2020 (NPSFM 2020)**

The NPSFM 2020 came into effect on 3 September 2020 and though an assessment was not required when the application was lodged, the NPSFM 2020 is a matter the decision maker must have regard to. The NPSFM 2020 post-dates all of Environment Canterbury's plans and carries considerable weight in consent decision making as a later-in-time piece of national direction. This means that applications are now required to provide a robust consideration of the provisions of the NPSFM 2020. Therefore, please provide an assessment of the activity against the objective and policies of the NPSFM 2020 including:

- a. An assessment against the hierarchy of obligations outlined in the NPSM 2020 objective; and
- b. An assessment of how freshwater will be managed in accordance with the concept of Te Mana o Te Wai (Policy one); and
- c. An assessment against any of the relevant implementation provisions in Part 3 of the NPSFM 2020.

We acknowledge this may be difficult as the 'local approach to Te Mana o Te Wai' is yet to be developed; however, careful consideration of the relevant Iwi Management Plan(s) will be useful in determining how particular NPSFM 2020 policies should be applied in any given situation.

Please ensure the assessment against the NPS-FM discusses the proposed gravel extraction, the cleanfilling activity and the discharge of contaminants into and onto land where they may enter groundwater.