

Before the Independent Hearings Panel

In the matter of the Resource Management Act 1991

And

In the matter of Plan Change 7 to the Land & Water Regional Plan,
Canterbury Regional Council.

(“Minor Changes” - Section 2.9: Definitions; Section 5, Rules
5.175 – 5.178; & report "*Technical memo: Effects of cleanfill
deposition on groundwater quality*".)

**FURTHER STATEMENT OF RICHARD SPENCER ENGLISH –
TWELFTH KNIGHT CONSULTING
(SUBMITTER ID: PC7- 507)**

DATED: 3RD NOVEMBER, 2020

1. My full name is Richard Spencer English. I am the Principal of Twelfth Knight Consulting. I have previously provided Evidence to the Hearing dated 16th July 2020 and a Statement dated 29th September 2020. As I now live in Golden Bay it was not practical for me to attend the Hearing. Consequently Mr. Mark Tipper presented my Statement to the Hearing on my behalf on 2nd October 2020, specifically in relation to the disposal of roading materials containing coal tar.
- 2 I understand from Mr. Tipper that there may have been some confusion at the Hearing over a perceived difference in stance held by Mr. Tipper and myself. On reviewing the video recording of the relevant section of the Hearing I am able to understand the possible confusion. I apologise for this and accordingly I will try to clarify the situation in the following few paragraphs.
3. The S42A report authors, Mr. Tipper and I all agree that roading materials containing coal tar do not leach when placed in a local cleanfill environment. Accordingly these materials do not pose a threat to the underlying groundwater.
4. ECan officers believe, despite the evidence and their own statements, that these materials should be “prohibited” from deposition into cleanfills.
5. I however purport that these materials should fall under the “controlled activity” status that relates to cleanfill materials in general whereas Mr. Tipper argues that the matter should be a “restricted discretionary” activity. The difference between Mr. Tipper and myself is therefore only of a minor nature.
6. As noted above, Mr. Tipper and I agree that roading materials containing coal tar do not pose a threat to groundwater. Mr. Tipper is however of the opinion that ECan should be enabled to have control over the end use of the cleanfills (e.g. lifestyle blocks) given that they may contain these materials.
7. As noted by Mr. Tipper at the Hearing, and by myself in my earlier Statement, there is a precedent for this consent methodology approach for non-leachable materials. (i.e. The resource consent granted to Fulton Hogan Ltd in December 2017 for the disposal of asbestos materials at their Leggetts and Haskett Roads cleanfills.⁽¹⁾)

8. After further discussion with Mr. Tipper, I would be happy to accede to his stance; that is that the deposition of roading materials containing coal tar into cleanfills be a “restricted discretionary” activity. (i.e. We both remain of the opinion that the materials should not be “prohibited”.)
9. I apologise again for the earlier confusion and trust that the foregoing will clarify the situation.

R. English

Richard English,
Principal,
Twelfth Knight Consulting

3rd November, 2020



Mark Tipper,
3rd November, 2020

(1) CRC171749 (s9 Land-use); CRC171750 (s15 Discharge contaminants to land or water);
CRC171751 (s15 Discharge contaminants to air);