



11 July 2011

Sir John Hansen  
Convenor  
Canterbury Earthquake Recovery Review Panel  
c/- Canterbury Earthquake Recovery Authority  
Private Bag 4999  
**CHRISTCHURCH 8140**

Dear Sir John

**Response to Request for Further Information - Canterbury Earthquake (Resource Management Act Burwood Resource Recovery Park) Order 2011**

1. I wrote to you on 7 July 2011 attaching the draft Order in Council for the Burwood Resource Recovery Park (the Order). I have received the following request for further information from the Canterbury Earthquake Recovery Review Panel about:
  1. *The availability of practical alternatives to the continued use of the Burwood site, or alternatively confirm that there are no other appropriate sites for this activity.*
  2. *In relation to paragraph 31 - further explanation of why the situation has occurred with the gap between the expiry of the authorisation by the National Controller and the Order in Council for a resource consent process, and therefore why this draft Order has then become a time critical part of the process? Also, further information about what happens beyond the 12 July point and prior to any approval under the draft Order coming into effect?*

**Practical Alternatives to the Burwood Resource Recovery Park**

2. I have been informed by Christchurch City Council officers that there are no other reasonably practical and appropriate sites for activity of the scale provided for at BRRP for efficient and effective processing of demolition waste. Christchurch City Council officers understand that this was why the National Controller directed the activity to commence at that site. The establishment of BRRP enables a co-ordinated and organised response to the storage and processing of demolition waste.

3. Environment Canterbury officers believe the re-processing of demolition waste in locations other than inside the heavily forested and large Bottle Lake Forest Park would result in greater adverse effects e.g. increased dust, noise, traffic and potential groundwater pollution issues.
4. Environment Canterbury officers consider it is more likely waste will get recycled if it goes to one area only. It is their concern, that if this does not occur, Canterbury could end up with waste stockpiles for years, as the contractors may be reluctant to process earthquake waste as this would represent a cost. Enforcement officers at Environment Canterbury are currently dealing with these issues.
5. Burwood Resource Recovery Park Ltd (BRRP Ltd) in their draft resource consent application considered the alternative of temporary storing and processing of earthquake waste at other smaller locations within Christchurch. However, BRRP Ltd considered that there were no other sites large enough to accommodate the expected amount of demolition material.
6. BRRP Ltd also identified another alternative to for accepting earthquake waste would be to deliver and dispose of the waste at Kate Valley landfill. This would generate high transportation costs, reduce space in the Kate Valley landfill, and not achieve re-use of valuable materials.

### **An Order in Council as the Preferred Option**

7. Officials from the Ministry for the Environment met with representatives from Environment Canterbury, Christchurch City Council and Burwood Resource Recovery Park Limited on 21 April 2011 to discuss the various options for meeting the consent requirement under the Resource Management Act 1991 (RMA), for the temporary storage and processing of earthquake waste. These options included:
  - using tools in the Canterbury Earthquake Recovery Act 2011, such as a Recovery Plan for waste, a ministerial direction or an Order in Council
  - relying on the Canterbury Earthquake (Resource Management Act – Permitted Activities) Order 2011 to permit temporary storage of waste
  - following the standard RMA process for obtaining the required resource consents
8. Relying on the standard resource consent process was not supported as resource consents were likely to be notified, with risks of appeal which would result in significant delays to the commencement of the sorting and processing of earthquake waste.
9. The Canterbury Earthquake (Resource Management Act – Permitted Activities) Order 2011 provides for councils to issue a public notice permitting temporary depots and storage facilities, including land and structures, used for debris and waste materials. However, the Permitted

- Activities Order only provides for the storage of waste and does not allow for any sorting or processing.
10. The operator at BRRP has indicated to the Ministry that they wish to purchase processing equipment and begin processing the earthquake waste at the end of August 2011.
  11. All parties agreed that an Order in Council was most appropriate means to provide a streamlined resource consent process in the required timeframe, and to ensure earthquake waste can be used in the future rebuild of greater Christchurch.

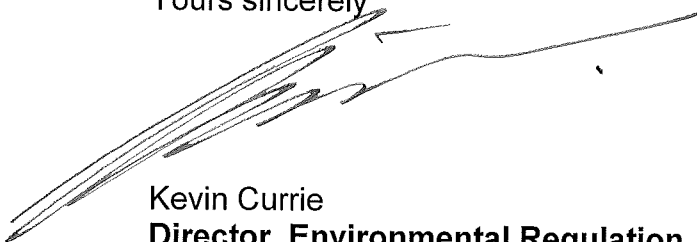
### **Expiry of Authorisation by National Controller**

12. Earthquake waste has been received and stockpiled at BRRP since 7 March 2011 under the direction of the National Controller during the state of emergency. On 9 July 2011, Environment Canterbury and Christchurch City Council issued a public notice under the Permitted Activities Order providing for the storage earthquake waste at BRRP until 18 April 2016. While storage of earthquake waste has now been authorised, the sorting and processing of earthquake waste still requires resource consents. The proposed Order provides a streamlined process for obtaining these required consents.
13. Finalising the proposed Order will give certainty to BRRP Ltd about a timely consent process and to the Canterbury community about the efficient use of earthquake waste in the rebuild of Canterbury.

### **Conclusion**

14. The proposed Order provides for a streamlined process for the consents required at BRRP. It does not limit the ability of another operator at an alternative location to seek consents for the storage and processing of earthquake waste, under standard RMA resource consent processes.
15. We look forward to receiving your recommendations so that regard can be had to them before the Minister for the Environment makes a recommendation on the draft Order. The key contact for this item of work is Alice Blackwell ([alice.blackwell@mfe.govt.nz](mailto:alice.blackwell@mfe.govt.nz))

Yours sincerely



**Kevin Currie**  
**Director, Environmental Regulation**  
**Ministry for the Environment**