

20 October 2022

Babbage Consultants Limited
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AUCKLAND 1140

Dear Sukhi

**APPLICATION FOR RESOURCE CONSENT RM220058
SOUTH ISLAND RESOURCE RECOVERY LIMITED
CARROLLS ROAD/MORVEN GLENAVY ROAD, WAIMATE DISTRICT**

Thank you for your application for resource consent to establish and operate a new Energy from Waste Plant (Project Kea), which was submitted to Waimate District Council on 21 September 2022, with the application formally lodged on 27 September 2022 when the lodgement fee was received.

An initial check of your application has been made to ensure that it is complete and contains the information required by section 88 and Schedule 4 of the Resource Management Act. The key concern is that the level of assessment is considered inadequate given the scale and significance of the adverse effects that the activity may have on the environment. This is a very large proposal traversing many activities. As the application points out, the proposed energy from waste plant is the first of its kind in New Zealand. Accordingly, it therefore contains many technologies which have never been tested in this country, or assessed in the context of our environment. It is notable that given the scale of this proposal, we would expect a full Cultural Impact Assessment to be completed and submitted with the application that assesses both the bio-physical and the metaphysical impact of the proposal on mana whenua, and this has not occurred. With this in mind, we consider the application incomplete pursuant to Section 88(3), and therefore are returning it in accordance with Section 88(3A). In particular, the application is deemed to be missing the following information:

- 1) Schedule 4 Clause 2(1)(a) – a description of the activity – A description of the electricity infrastructure that will be required on site to connect the development to the national grid has not been provided.
- 2) Schedule 4 Clause 2(1)(b) - A description of the site at which the activity is to occur - A detailed description of the site is required. In addition to the information provided, this must include:
 - (a) A detailed description of the site's cultural values. We consider the following an inadequate description of the site: *“Project Kea is located in rohe Te Rūnanga o Waihao, Te Rūnanga o Arowhenua, Te Rūnanga o Moeraki and Te Rūnanga o Ngai Tahu”*
 - (b) The land identified for “land take” to enable the upgrade of the State Highway 1/Carrolls Road intersection appears to be subject in part to an easement in gross, in favour of Morven Glenavy Ikawai Irrigation Company. The application does not acknowledge the presence of that easement, nor explain how it is to be addressed as part of the land take requirement.
- 3) Schedule 4 Clause 2(1)(g) – an assessment of the activity against any relevant provisions of a document referred to in section 104(1)(b) – the National Policy Statement for Highly Productive Land was gazetted on 19 September 2022, and came into force on 17 October 2022. The application must include an assessment against this NPS, noting that a large proportion of the site appears to contain highly productive soils (LUC Class 3).
- 4) Schedule 4 Clause 2(3)(c) - Significance and Scale of the Assessment - The detail provided within an assessment of effects on the environment (AEE) must correspond to the scale and significance of the effects that the activity may have. The AEE provided must be expanded to address the following matters for this requirement to be met:

(a) Cultural values

While there has been some attempt to assess cultural effects against the relevant iwi management plans, a comprehensive assessment of effects on cultural values both bio-physical and metaphysical has not been provided in a manner that would be expected given the nature (including newness of the technology), significant scale and potential impacts of the proposal. For this reason, a Cultural Impact Assessment is required to be provided with the assessment of environmental effects.

If you wish to proceed with an application, you must submit a full new application. This must include all the information listed above as missing, and must be accompanied by the relevant initial fixed fee.

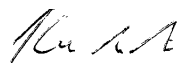
If there is any of the original deposit remaining (taking into account the costs incurred in receiving the incomplete application and carrying out the acceptance check), you will receive a refund. Alternatively, if the costs of receiving and returning the application exceed the original deposit we will send you an invoice for those additional costs.

You are entitled to object to the Council's decision not to accept your application, under section 357 of the Resource Management Act. If you do wish to object then your objection must be made in writing, including reasons, and sent to the Council within 15 working days of the receipt of this letter.

Please note that at this stage we have only carried out an initial acceptance check to ensure that the application contains sufficient information to commence processing. When your application has been resubmitted a full assessment will be carried out, which may identify the need for further detailed information.

If you have any queries in relation to this letter, or about the information that needs to be supplied as part of your application, please contact me on 03 365 5570, or kim@novogroup.co.nz.

Yours sincerely



Kim Seaton
Consultant Planner

cc:
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