

30 April 2024



Desmond Corrie-Johnstone

CJ Industries Ltd

RE: CJ Industries 134 Peach Island Road - Fast-track Approvals Bill Application – National Guidance assessment

Dear Des,

An assessment is provided below of the Peach Island quarry (and associated clean fill to re-establish the site) in relation to National Policy Statement for Freshwater Management 2020 (NPSFM) and the National Policy Statement on Highly Productive Land 2022 (“NPS HPL”). In my opinion the proposal is entirely consistent with those NPSs.

No other national policy statements (including the NZCPS) or national environmental standards are relevant to this proposal.

National Policy Statement for Freshwater Management 2020 (NPSFM)

The quarry is located on farmland and no material will be removed directly from rivers. However, as it will be located near to groundwater and surface water bodies, the NPSFM is relevant.

The fundamental concept underlying the NPS:FM is Te Mana o te Wai. This is a concept that refers to the fundamental importance of water and recognises that protecting the health of freshwater protects the health and well-being of the wider environment.

Relevant NPSFM policies are:

Policy 1: Freshwater is managed in a way that gives effect to Te Mana o te Wai.

Policy 2: Tangata whenua are actively involved in freshwater management (including decision-making processes), and Māori freshwater values are identified and provided for.

Policy 3: Freshwater is managed in an integrated way that considers the effects of the use and development of land on a whole-of-catchment basis, including the effects on receiving environments.

Policy 8: The significant values of outstanding water bodies are protected.

Policy 15: Communities are enabled to provide for their social, economic, and cultural well-being in a way that is consistent with this National Policy Statement

Regarding groundwater, on the basis of the specific methodologies proposed in the Groundwater and Cleanfill Management Plan (GCMP) to avoid effects on groundwater resources, and advice from the Applicant’s groundwater Specialist (Mr Nicol) with regard to the likely effects of the proposed discharge of clean fill on groundwater quality, the proposed activities are considered to be consistent with the NPS-FM, including preservation of Te Mana o te Wai and the protection of drinking water resources.

Specifically, this is because the material used for backfilling will be clean fill which will not affect groundwater in such a way that will result in deterioration of the health or wellbeing of the groundwater body or associated surface water resources. This outcome will be ensured through consent conditions and the GCMP. For the same reason the health needs of people, in particular in respect of drinking water resources, will not be compromised. Monitoring to demonstrate compliance with the proposed trigger levels will confirm that this is achieved.

Whilst it is not possible to comment conclusively regarding Māori freshwater values without the assistance of tangata whenua, given that adverse effects on water quality will be less than minor, if there is alignment between Māori freshwater values and the physical, chemical and biological characteristics of water then adequate information appears to be available for a conclusion to be drawn that these values will also be maintained.

The proposal will enable the community to provide for their social and economic wellbeing. There is a demonstrable need for the aggregate resources to provide for the needs of the community (including housing, roading and infrastructure), and there are economic and carbon mitigation imperatives for these to be sourced locally. There is a functional and operational need to obtain these materials from river environments (in this case, historic river bed that is now farmland).

Quarry operations will be managed using best practicable options to ensure that sediment discharge to surface waterbodies is minimised, in a manner that is also consistent with the NPSFM.

The National Policy Statement on Highly Productive Land 2022 (“NPS HPL”)

The overall focus of the NPS HPL is to ensure that sufficient “highly productive land” (HPL) is available for primary production use, both now and for future generations. Central to the NPS-HPL objective is the avoidance of ‘inappropriate’ subdivision, use and development of HPL and prioritising the use of HPL for land-based primary production. However, the provisions recognise that other activities and uses, specifically including aggregate extraction, are necessary and appropriately located on HPL provided they can demonstrate that they provide a significant national or regional public benefit and have a functional or operational need to be located on HPL, and can minimise or mitigate cumulative loss and reverse sensitivity effects.

The NPS HPL only applies to areas that are LUC 1, 2 or 3. Based on NZLRI mapping, the site is LUC 3. Based on site specific mapping, the areas to which the NPS HPL applies are limited to approximately 1.8ha of LUC 3 land on the river side of the stop bank (within the Stage 1 area) and approximately 1.3ha of LUC 3 land on the landward side of the stop bank (within Stage 2).

The quarry provides a significant regional public benefit as set out in Dr Kaye-Blake’s assessment, and there is a functional and operation need to source the materials from riverine environments such as the subject site. The quarry will minimise and mitigate loss of productive capacity (as Dr Hill confirms, the site will be more productive following soil reinstatement). The proposal is not for any activities that would be sensitive to the effects of surrounding soil-based production activities, therefore no reverse sensitivity effects will occur in relation to these neighbouring activities.

Additionally, with respect to the 1.8 ha area, due to the seasonally high water table, flood risk, and variable or shallow soil depths, this land has “permanent or long-term constraints” that mean the use of the highly productive land for land-based primary production is not able to be economically viable for at least 30 years”, and so meets clause 3.10(1)(a) of the NPS HPL.

The proposed quarry and associated clean filling activities are therefore not “inappropriate” and are consistent with the objectives and policies of the NPS HPL.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Hayden', with a stylized, cursive script.

Hayden Taylor

Resource Management Consultant

Planscapes (NZ) Ltd